

WILD RICE WATERSHED DISTRICT

11 Fifth Avenue East – Ada, MN 56510

Phone: 218-784-5501

REGULAR MEETING

1. A regular meeting of the Wild Rice Watershed District Board of Managers was held on Wednesday, February 18, 2004, at the office of the District, located at 11 Fifth Avenue East, Ada, Minnesota.

2. The following members were present: Warren J. Seykora, James Wagner, Sr., Jim Skaurud, Diane Ista and Joe Spaeth. The following members were absent: Robert E. Wright and Steve Dalen. In addition, the following persons were present: Administrator Jerry Bennett, Attorney Elroy Hanson, Ryan Braulick, Norman County NRCS and Loretta Johnson, recording secretary.

3. Chairman Seykora called the meeting to order at 8:45 a.m.

4. Managers Special Interest Items.

Concerned Citizens of the Wild Rice Watershed District (CCWRWD) Joint Meeting Date. Manager Wagner reported that the CCWRWD wants to place on hold the joint meeting at the present time.

Watershed Appointments. Administrator Bennett reminded Managers Spaeth, Ista and Skaurud that their terms of office as Watershed Managers will expire on April 25, 2004, and they need to file for reappointment with their respective County Commissioners.

General Levy Increase. The Board was updated on meetings held with Norman and Mahnomen County Commissioners for proposed legislation to remove the General Levy Cap. Bennett stated that the Norman County Commissioners approved the levy increase, although not unanimously; however the Mahnomen County Commissioners were not in favor of the levy increase. A motion was made by Manager Ista and seconded by Manager Wagner to not proceed with legislative support for the levy increase at the present time and to notify Mahnomen County of the District's intentions. Carried.

5. Steve Dalen arrived at 9:00 a.m.

6. Doug Marcussen reviewed the monthly financial report of the District dated January 31, 2004. Upon a motion by Manager Ista and second by Manager Spaeth, the monthly Financial Report was approved for entry into the record. Carried. Marcussen also reported that Auditor Gale Schmitz should be completing the 2003 audit in April. Tim Halle stated that a draft copy of the printed version of the 2003 Annual Report would be available for Managers review at the April meeting with a final version planned for May.

7. Jerry Bents arrived at 9:15 a.m.

8. The bills of the District were reviewed. Upon a motion by Manager Dalen and second by Manager Skaurud, the bills were unanimously approved and ordered paid. Carried. A listing of the bills approved is attached at the end of these minutes. Chairman Seykora also noted that Carlson Prairie Seed Farms has notified the District that there is an outstanding billing in the amount of \$810 for additional seeding on the Dalen Coulee. A motion was made by Manager Spaeth and seconded by Manager Wagner authorizing Manager Dalen to contact the Clay County SWCD/NRCS to determine if there are any available funds for payment of seeding, at which time if no funds are available the District is authorized to pay the invoice to Carlson Prairie Seeds. Carried. A motion was made by Manager Ista and seconded by Manager Wagner authorizing payment of \$325 to the Minnesota Viewers Association for annual membership dues. Carried.

9 Bob Wright arrived at 9:30 a.m.

10 Watershed Evaluations Managers discussed the possibility of contracting with an independent evaluator to conduct a staff and Board evaluation. Also discussed were costs, qualifications and timelines of prospective organizations that perform evaluations. Chairman Seykora has been in contact with the Minnesota Extension Service and indicated that he would continue to pursue this if the Managers concurred. Manager Ista stated that Lance Yohe, Red River Basin Commission, had provided Ista with some recommendations. A motion was made by Manager Ista and seconded by Manager Dalen to look further into the options for conducting the evaluations to be considered at the March 10, 2004, regular monthly meeting. Carried. A motion was made by Manager Dalen and seconded by Manager Skaurud authorizing Manager Ista to coordinate with Administrator Bennett in developing proposals for various options to conduct the evaluations. Carried.

11. 2004 Projections. Administrator Bennett reviewed the 2004 Projections for current and proposed projects within the Watershed District. Bennett asked if the Managers had any suggested changes or additions to the programs/projects suggested for 2004. A motion was made by Manager Ista and seconded by Manager Skaurud to adopt the 2004 projected program and project budgets as presented. Carried.

12 A motion was made by Manager Ista and seconded by Manager Dalen to approve the minutes of the January 21, 2004, and February 3, 2004, Regular Meetings. Carried.

13 Repair Request, Section 8, Hagen Township, Clay County, South Branch Wild Rice River. Dennis Johnson, Mahnomon County NRCS; Zenas Baer, Attorney for A.C. Heiraas; A.C. Heiraas, Alan Christensen, Brian Stronstad, Steward Bjorhus and Hazel Hutton met with Managers at 10:00 a.m. to review the engineer's repair report for work in Section 8 of Hagen Township located on the South Branch Wild Rice River. Administrator Bennett gave brief background information and Engineer Jerry Bents reviewed the engineering design for repairs and cost estimate. Bents stated that the original project design for the South Branch Project provided protection for a 16-year flow event. After determining the current hydraulic capacity with the HEC model, it was indicated that the channel in this portion of the river can convey more flows than the original project design due to the increased channel size because of the erosion. The second criteria used to evaluate possible repairs was to address the erosion occurring at the site and the potential for reducing future maintenance costs. Bents stated that cross sections taken in 1981 compared to cross sections taken in 2003, provided an estimated 82,000 cubic yards of eroded sediment over the 22 year period. Approximately 75-80 percent of the eroded material continues to travel downstream through the system with an estimated 16-20,000 yards of material likely to be deposited which downstream landowners will pay to have removed at some point in time.

Using \$1 25 per yard to remove the sediment, future maintenance cost savings is approximately \$25,000. Costs to stabilize the erosion, provide back slope and riprap, are estimated at \$589,000. With costs estimated at \$589,000 and benefits of only \$25,000, the issue presented is whether the costs for the repair outweigh the benefits; therefore, proceeding with the project is not economically justified.

Other options or suggestions provided by Engineer Bents included:

- Remove the downed trees in the channel and remove the tree blockages;
- Do something less costly, i.e., riprap deflectors around the bends, such as the District has used in prior repairs,
- Use the FEMA funding provided in the amount of \$82,000 to repair the project as provided by FEMA,
- If landowners can factor in other benefits such as environmental benefits and obtain outside funding from the DNR or other agencies, to reduce the local cost share to the estimated \$25,000 in benefits, allowing the District to move ahead with the full repair.

Engineer Bents also indicated that doing something short of a full repair decreases the probability of success.

Attorney Baer asked about getting a copy of the resolution authorizing Houston Engineering to draw up the plans on this repair. Manager Ista asked for the reason why Baer was wanting the Board's resolution. Baer stated that he felt the report was designed to submarine the project, no one requested riprap along the entire half section on both sides and stated that if indeed there was a need for that much riprap, it would have been submitted to FEMA. Attorney Hanson stated that the investigation was probably authorized by a Board motion and the intent was to have engineering investigate needed repairs to this portion of the project addressing the concerns on the Heiraas property. Engineer Bents stated that comparing the channel today to the 2000 flood event, when the FEMA funds were authorized, the erosion is tremendously worse than following the 2000 flood event. Chairman Seykora felt that the repair must be considered in the context of the entire project and provide a benefit for all of the landowners on the project. Manager Dalen questioned if the solution to the problem is upstream in the control of the water. Dalen felt that just repairing the erosion does not solve the problem without addressing the water coming from upstream. Alan Christensen stated that the problem begins in the higher elevations. Attorney Baer stated that the scope of the project, in his opinion, is beyond what was originally discussed. Engineer Bents stated that the report shows that if you are going to stabilize the entire south half of Section 8, Hagen Township, the future benefits are \$25,000 in reduced maintenance costs, which suggests that a lesser project must be under the \$25,000 provided that it still can reduce the erosion to be of any benefit. Manager Skaurud questioned what A.C. Heiraas and Attorney Baer would like from the repair project. Attorney Baer stated that Heiraas wants the bank to be stabilized where the water pushes out and over his yard. Heiraas stated that engineering is determining the amount of sediment removal beginning in 1981 and moving to 2003. Currently a 200-foot span bridge will be installed and Heiraas felt that the sediment would be much greater when allowing the large capacity of the new bridge. Attorney Baer disputed the sedimentation calculation provided in the repair report, however, Engineer Bents stated that he was comfortable with the standards presented in his report. Heiraas commented that previous landowners with a similar problem solved the problem by using a dragline to clear the channel, shutting off the oxbows and straightening the river. Manager Wagner stated that the problem was not corrected by using a dragline, rather it created more problems downstream.

Attorney Hanson stated that economic justification is one of the criteria that Managers need to look at when making their decision on the repair, although the statute does not limit repairs to solely economic justification. Stewart Bjorhus indicated that he agreed with the less costly version of repair, but did not agree with lowering the west bank on the Heiraas property by 1½ feet. Alan Christensen stated that for the present time he was requesting removing the downed trees in the channel and tree blockages and install riprap deflectors around the bends. Hazel Hutton commented that she sees devastation on her property, and if something is not done to control the flow, the water will continue to erode more of her property. A motion was made by Manager Ista and seconded by Manager Dalen authorizing Engineer Bents to prepare an amended repair report for further board consideration that would include the removal of trees and tree blockages in the channel and bank stabilization on the south side from the bridge to the location of the upstream most FEMA repair; bank stabilization on the south side between the upstream and downstream FEMA repairs, repair four oxbow plugs on the north side and reshape the north bank to remove the channel constriction just downstream of the bridge. Carried. Manager Wright abstained from the discussion and the vote.

14 Landowners left the meeting at 11:25 a.m.

15 Tom Wilson, Erickson Engineering, Roger Myers and Norman County Commissioner, Ed Miller, met with Managers at 11:25 to discuss a proposed bridge replacement on Norman County Road #39, west of Borup. Wilson stated that after the soil borings were completed on the proposed bridge replacement, it was determined that the bridge design would need to be changed due to poor soil conditions. Two proposed options were presented. Roger Myers stated that he did not want to lose his property entrance driveway and if the bridge were moved to the west, this would happen. If the design moved the bridge to the east, it would not effect his driveway. Manager Wagner questioned if Commissioner Miller had concerns regarding the larger opening of the bridge. Miller stated that the shorter of the two proposals would need more height to handle ice flows during spring runoff. Miller also stated that commissioners just received the proposals with the possibility of moving the channel and questioned who paid for the channel moving. Wilson stated that the bridge costs only include structure costs. Engineer Bents did not feel by looking at the hydraulic design the change being proposed would have a significant impact on the stream flow characteristics. Consensus of Managers was for Norman County to prepare a revised permit application with the proposed plan and bring it to the District Board of Managers for further consideration. Wilson, Miller and Myers left the meeting at 11:50 a.m.

16 Project No. 29, Maintenance Agreement Dick Sundberg distributed quotes from five contractors for the spring project maintenance agreement in Sections 20-21, of Atlanta Township. Sundberg recommended Gordon Construction with the lowest quote, and suggested flexibility in the contract for a larger machine if deemed necessary. A motion was made by Manager Ista and seconded by Manager Skaurud authorizing Attorney Hanson to prepare a draft copy of a formal contractor agreement to be provided to David Larson, Gordon Construction and for Board review at the March meeting. Carried.

17 Marsh Creek Site No. 6. Manager Dalen requested a brief update on the status of the Marsh Creek Project. Engineer Bents stated that in 1993 project costs were estimated at \$780,000 with estimated project benefits of \$880,000 in 1996. In 2003, estimated costs were approximately \$2.5 million and with additional costs of 6.7 miles of required channel restoration, project costs are now estimated at \$3-4 million, with somewhat reduced benefits due to a bridge replacement and additional levee protection for the City of Ada.

Manager Dalen stated that in conversations with Mark Harless, CCWRWD, Harless had indicated that the CCWRWD would like to work on pursuing the Marsh Creek Site #6 Project. Dalen questioned if the CCWRWD could use the information provided from the project and provide it to politicians on both the state and federal level in an attempt to show the flaws in the system. Attorney Hanson stated that he had concerns about delegating authority to another entity. Hanson stated that Marsh Creek Site 6 is technically not a project, since it does not have a petitioner, of which it would be either the Watershed District or someone else, or another group of property owners who may want to act as petitioners. The work currently has been to try and develop a project at this site location. Hanson stated that if the Board of Managers were to pursue a project, the question arises if the project is economically justified. Manager Ista commented that the DNR permit may be within reach, but does the District want to obtain the permit, just for the sake of the permit, whether there is a future project or not. Ista felt that a public informational meeting with landowners should be held, to provide all of the information and costs to the public. Manager Spaeth questioned Attorney Hanson on the legality of the Managers moving the project forward with the high cost of up to \$4 million and benefits of only \$800,000. Attorney Hanson stated that because the costs are far beyond the economic benefits, the project would not appear to be economically justifiable. Manager Dalen stated that with any kind of future projects, there is a need to promote land use changes to property owners. It was discussed that the Managers consider further action on the Marsh Creek Site #6 at its next regular meeting.

18. Manager Dalen left the meeting at 12:40 p.m.

19. Heiberg Dam, Update on DNR Planning Meeting Engineer Bents updated the Managers on a meeting held February 4, 2004, with Bob Merritt, Mel Sinn and Dave Friedl, DNR, regarding the repairs to the Heiberg Dam. Bents stated that although the preferred alternative of the DNR is total removal of the dam, they have prepared a proposal for repair that would be acceptable and includes fish passage. Managers discussed options that included appealing the proposal by the DNR or providing landowners through a public meeting with the acceptable proposal provided by the DNR, along with the information that a different repair probably would not be permitted by the DNR. An additional advantage to be presented to landowners would include the information that in order to have a project that is approved by FEMA, a DNR permit is necessary. Chairman Seykora questioned if the proposed repair would meet the original intent of the project for ice control. Without knowing the extent of ice control, Engineer Bents commented that it may be prudent to proceed with the DNR concept design to get the project permitted with the addition of the blocks for ice control as the best alternative that the Watershed District can provide. Attorney Hanson stated that if the Board comes to a consensus that this would be the most advantageous concept, a public meeting should be held to present the information to landowners for comments. A motion was made by Manager Ista and seconded by Manager Wagner to proceed with the DNR concept with the addition of the blocks and present this to landowners at a public meeting for comment. Carried. Consensus of Managers was to hold the public informational meeting at 10:00 a.m., Wednesday March 10, 2004, during the regular monthly meeting. The purpose of the meeting will be to provide the public with the proposed concept design and receive comments.

PERMIT APPLICATIONS

20. Dennis Johnson, Mahanomen County NRCS, Dale and Duane Pazdernik, Pat O'Rourke, and Mr. and Mrs. Ed Scherping, arrived at 2:00 p.m. regarding the permit applications of Pazdernik Farms.

21 Pazdernik Farms – Section 7, Lake Grove Township. Dennis Johnson stated that Pazderniks have concurred with NRCS and there is not a problem with the permit application upon the condition that non-perforated pipe be used in areas where wetlands are involved to avoid any potential wetland impacts. Upon a motion by Manager Spaeth and second by Manager Skaurud, Permit Application No. 12-20-03-8, of Pazdernik Farms to install drain tile in Section 7, Lake Grove Township, was approved with the condition that the applicant obtains NRCS and USFWS approval. Carried.

22. Pazdernik Farms – Section 12, Popple Grove Township. Managers discussed Permit Application No. 12-20-03-9, of Pazdernik Farms to install a 36-inch culvert in Section 12 of Popple Grove Township. Pat O'Rourke expressed concerns over an open ditch versus tiled ditch and the possibility of the pipe not being able to handle the water causing it to back onto the O'Rourke property. Manager Spaeth questioned dirt filling up the seams in the culvert, causing blockage. A motion was made by Manger Spaeth and seconded by Manager Wright to table Permit Application No. 12-20-03-9, of Pazdernik Farms, pending the applicant having a licensed professional engineer certify the culvert sizing for the tile line and address provisions for future maintenance. Carried.

23. Pazdernik Farms and Ron Kemper – Section 2, Lake Grove Township. Upon a motion by Manager Wagner and second by Manager Ista, Permit Application No. 12-20-03-10 of Pazdernik Farms and Ron Kemper to install drain tile in Section 2, Lake Grove Township, was approved. Carried.

24. Manager Skaurud left the meeting at 2:30 p.m.

25 Pazdernik Farms and Brian Klabunde - Section 2, Popple Grove Township. Managers discussed Permit Application No. 12-10-03-11, of Pazdernik Farms and Brian Klabunde to install tile in Section 2, Popple Grove Township. Scherpings stated that they were objecting to the permit application because of concerns about possible impacts caused by additional water being cast on to their property. Upon a motion by Manager Spaeth and second by Manager Ista Permit Application No. 12-20-03-11 of Pazdernik Farms and Brian Klabunde was tabled to provide time for landowners to discuss possible options to address downstream concerns. Carried.

26 Pazdernik Farms – Section 2, Popple Grove Township. Upon a motion by Manager Wagner and second by Manager Spaeth, Permit Application No. 12-20-03-12, of Pazdernik Farms to install drain tile in Section 2, Popple Grove Township, was approved. Carried.

27 Dwight Fevig, Section 35, Walworth Township, Becker County. Administrator Bennett reported that Dwight Fevig has requested information and guidance on projects and procedures to establish a public drainage system. Attorney Hanson stated that the District can respond to the inquiry, but Fevig would need to contact his own attorney for legal counsel in petitioning for a legal drain. A motion was made by Manager Wagner and seconded by Manager Wright to send Dwight Fevig information regarding the process and procedures for establishing a project along with the recommendation that Fevig contact an attorney for legal counsel on the petitioning of a project. Carried.

28 Norman County Highway Department – Section 3, Shelly Township. Upon a motion by Manager Wright and second by Manager Spaeth, Permit Application No. 1-21-04-3, of the Norman County Highway Department to replace a bridge in Section 3, Shelly Township, was tabled pending notification to Tom Keeney, neighboring landowner. Carried.

29. Norman County Highway Department – Section 2, Hegne Township. Administrator Bennett reported that the Norman County Highway Department was of the understanding that the permit to replace the bridge in Section 2, of Hegne Township, was approved and needed renewal. Upon review it was determined that the original permit application had not been approved. Engineer Bents indicated that there had been a concern with raising the road and thereby eliminating the overflow section. Bents had requested information on an overflow section before acting on the application. A motion was made by Manager Spaeth and seconded by Manager Wright to table the permit application and authorize Engineer Bents to contact Norman County Highway Engineer Mick Alm to explain what additional information is needed. Carried.

30. City of Halstad – Section 25, Halstad Township Upon a motion by Manager Wagner and second by Manager Spaeth, Permit Application No. 8-22-03-4, of the City of Halstad to install a boat access in Section 25, of Halstad Township, was approved. Carried.

31. Wild Rice River COE Feasibility Study Diversion Analysis-Phase I. Engineer Bents reported that as part of the diversion screening process identified in the Phase II Diversion Analysis, Houston Engineering will be identifying seven routes with a process to reduce the seven alternatives down to the two routes that will be a consideration for the COE Feasibility Study. Steps in this process will include: 1) Mapping potential routes, 2) Screening the potential alternatives down to seven, 3) Performing GIS work to inventory impacts; 4) Conducting preliminary engineering, 5) Obtaining landowner input; 6) Screening alternatives from seven to four; 7) Preparing cost estimates and mapping on the four routes; 8) Decision point for the Board of Managers and with the assistance from the COE to reduce the four alternatives down to two. Consensus of Managers was to name Managers Ista, Wagner and Seykora to the Diversion Committee with Manager Skaurud as the alternate. A committee meeting is scheduled for February 25, 2004, following the Project Team meeting to discuss paring down the routes from nine to seven.

32. Storage Development Engineer Bents distributed a matrix, which showed the comments returned to the District from Project Team members regarding the on-channel storage sites. Comments received on the Faith Site in Fossum indicated that environmental concerns are high regarding fish passage. With the risks being high, it appears it would be difficult to receive the DNR/COE permits. When looking at the South Branch Site, it appeared there were environmental concerns, also and likelihood of obtaining a permit were low. Off channel storage on the South Branch east of Highway No. 9, was discussed and Managers talked about possible landowner concerns, which would need to be addressed. Managers talked about bringing three alternatives to the Project Team, which could include a possible storage site on the Stiner Creek, possible modifications to the Becker Dams and the Off Channel Storage site on the South Branch east of Highway #9. Chairman Seykora stated that funding will be critical if the District is going to build projects and partnering up with other agencies such as NRCS utilizing the EQUIP program would provide additional opportunities to get projects built. Consensus of Managers was to provide these options to the Project Team as alternates to the on-channel sites.

33. Chairman Seykora recessed the meeting at 5:00 p.m. to be reconvened at 8:30 a.m. on Friday, February 27, 2004, at the District office.

34. Vice Chairman Wright reconvened the meeting at 11:20 a.m. on Friday, February 27, 2004. The following members were present. Diane Ista, James Wagner, Sr., and Jim Skaurud. The following members were absent. Joe Spaeth, Warren J. Seykora and Steve Dalen. In addition, the following persons were present: Engineer Jerry Bents, Administrator Jerry Bennett and Loretta Johnson, recording secretary.

35. Managers Special Interest Items. Administrator Bennett distributed a letter from the CCWRWD in which they indicated that they were still interested in holding a joint meeting with the Wild Rice Watershed on March 18, 2004. Administrator Bennett stated that no agenda for the meeting has been provided and he would work at getting an agenda that the Board could discuss further at the March regular meeting. Bennett stated concerns over public perception in treating one group differently than any other group in providing special treatment to the CCWRWD by holding a special meeting for just their issues. Manager Skaurud agreed that the District would incur considerable costs in holding a special meeting to address the CCWRWD issues. That could lead to problems and ultimate responsibility for the Board. There are also concerns over delegating Watershed District responsibilities to someone else. A motion was made by Manager Ista and seconded by Manager Wagner authorizing Administrator Bennett to attend the CCWRWD meetings to assist in developing an agenda for the joint meeting along with authorization to provide Watershed District updates as needed. Carried. A motion was also made by Manager Ista and seconded by Manager Wagner authorizing the committee of Managers Seykora, Wagner and Dalen to assist Bennett in preparation of the agenda for a possible joint meeting with the CCWRWD. Carried.

36. Watershed District Evaluations. Administrator Bennett reported that Attorney Hanson has recommended tabling any discussion or action on Watershed District evaluations until the March 10, 2004, regular meeting at which time Attorney Hanson and Chairman Seykora will be in attendance. Consensus of Managers was to table discussions until March 10, 2004.

37. Steve Jacobson Meeting. Administrator Bennett reported that Steve Jacobson invited staff and Managers to attend a landowner meeting which Jacobson has organized for the purpose of obtaining technical information from Houston Engineering on the proposed diversion. A motion was made by Manager Wagner and seconded by Manager Ista authorizing Managers and staff attendance at a landowner meeting scheduled for Monday, March 1, 2004, at the Skills and Technologies Institute, Fargo, North Dakota. Carried.

38. A motion was made by Manager Wagner and seconded by Manager Skaurud authorizing Managers and staff attendance at a meeting scheduled for 10:00 a.m. on Tuesday, March 2, 2004, at the office of the NRCS, Ada, MN, for the purpose of reviewing the Skaurud and Vik flood storage projects and a meeting scheduled for 1:00 p.m. on Tuesday, March 2, 2004, at the office of Houston Engineering, 2505 North University Drive, Fargo, ND, to discuss the proposed storage options on the South Branch. Carried.

39. COE Wild Rice River Feasibility Study (WRRFS) Storage Analysis. Engineer Bents stated that the storage sites chosen for evaluation in the COE WRRFS originally included the on-channel site at Faith and the on-channel site in Hagen Township, Clay County. Bents stated that the Project Team did not come to agreement with the on-channel sites in Faith and Hagen Township and were having difficulties in choosing sites identified by the District that included the off-channel storage site in Winchester Township, Norman County, the Stiner Creek site and the upgrading the Becker Dams.

Bennett stated with remaining funds budgeted in the COE WRRFS a better approach may be to analyze possible storage options including the off-channel site along with possible upstream sites similar to the analysis done during the off-channel site along with upstream storage sites and prepare alternative plans for the Board to consider the achieve desired level of flow reduction. Establishing a goal for reducing flows on the South Branch was discussed with a consensus to proceed with a basin wide look at storage potential.

PERMIT APPLICATIONS

40. Curt Jacobson – Section 16, McDonaldsville Township. Upon a motion by Manager Wagner and second by Manager Skaurud, Permit Application No 2-18-04-2, of Curtis Jacobson to install a culvert in Section 16, McDonaldsville Township, was approved with the condition that a 36 inch culvert be installed as required by MN DOT. Carried.

41. City of Ogema – Section 19, White Earth Township. Consensus of Managers was to return Permit Application No. 1-21-04-4, of the City of Ogema to clean an existing channel in Section 19, White Earth Township, notifying them that a Watershed District permit is not required for regular cleaning or maintenance with the recommendation that the applicant coordinate potential wetland issues with the NRCS, SWCD and COE

42. Marsh Creek, Site No. 6. Administrator Bennett provided a letter from Attorney Hanson that gave some recommendations related to procedure for the Board of Managers to follow when considering further action on the Marsh Creek, Site #6. In the letter, Hanson states that the engineer has indicated that there is not economic justification for proceeding with the project, that is, costs exceed the benefits by a considerable amount, and that as there is no petitioner for the project, and the Board of Managers would have to be the petitioner, unless the Board of Managers has some non-economic justification for proceeding with this project, it would seem unlikely the Board would be able to legally justify proceeding. Hanson recommended that the Board of Managers pass a preliminary resolution that it does not intend to proceed with Marsh Creek, but before a final decision is made, the Board holds a public hearing to invite comment by interested parties. Either at the meeting or following the meeting, the Board can make a final resolution on the future of the project. Consensus of Managers was in agreement with Attorney Hanson, however Manager Skaurud suggested that the Board take no action, until the full Board of Managers is in attendance.

43. Wild Rice River COE Feasibility Study (WRRFS). Administrator Bennett reported that after discussions with Tom Raster, COE, he remains concerned over the project schedule. With an August meeting date set with Representative Collin Peterson, it was felt that the COE needs to identify deliverables by the August date. Bennett stated that much of the information is technical data, and a realistic schedule for the overall project management is necessary along with costs and who is responsible for project tasks. Bennett suggested that Houston Engineering review the technical aspects of the COE timetable followed by an overall project management meeting to be held with the COE, staff, engineering and Managers to discuss scheduling and timeline for the WRRFS. A motion was made by Manager Wagner and seconded by Manager Ista authorizing a committee made up of Chairman Seykora and Managers Skaurud and Ista along with Administrator Bennett and Engineer Bents to meet or teleconference with Tom Raster, COE, to work on the scheduling and time line once Houston Engineering has had a chance to review the technical aspect of the current schedule. Carried

44. Farmstead Ring Dikes. Dick Sundberg gave an update on a staff and committee meeting held February 4, 2004, for the purpose of prioritizing the current farmstead ring dike applications. Sundberg also reported that he is in the process of reviewing all applicants and sending out letters to notify those who will be taken off the program list due to various reasons. Those selected as priorities for construction in 2004 include the Roger Dyr Dahl, Tim Weber, Stanley Gunderson, Gerald Arends, Bryan Hest and Richard Borgen ring dikes. Engineer Bents stated that the Gunderson site has a flood plain issue and the dike would need to be extremely high. Borgen's are already protected with a dike and are requesting additional protection and an increase in the dike height. Based on Engineer Bents' recommendation a motion was made by Manager Skaurud and seconded by Manager Wagner to move ahead with the Roger Dyr Dahl, Tim Weber, Gerald Arends and Bryan Hest ring dikes. Carried.

45. 2002 Rural Acquisition Program. Dick Sundberg distributed a status report on the 2002 rural acquisition program. Sundberg noted that of the 14 applicants in the program, appraisals have been finalized for all of the applicants, with the District submitting purchase offers on 11 of the properties. Purchase agreements have been signed on four of the properties. Currently work is being done to update abstracts and prepare title opinions for the properties with purchase agreements. Sundberg noted that some property owners were not in agreement with their appraisals and were deciding on whether or not to remain in the program. It was also mentioned that Ken Thomas is looking at all of his options and would like to reconsider the possibility of a ring dike. It was the consensus of the Board to have Houston Engineering perform the preliminary investigation on the Thomas ring dike request to aid with his decision on the pending flood buyout.

46. Marsh River Beaver Dam Removal. Dick Sundberg stated that he has received proposals from three contractors who are licensed to blast and remove beaver dams and recommended hiring Harold Olson, Fertile, as the lowest proposal. Manager Wagner questioned the type of explosives being used and Olson's experience and qualifications. A motion was made by Manager Ista and seconded by Manager Skaurud authorizing Manager Wagner to contact Olson to obtain information regarding qualifications and upon Wagner's recommendation, the District will proceed with right of entry and a formal contract with Olson for beaver dam removal. Carried.

47. Borup and Green Meadow Dam Evaluations. Engineer Bents reported that he met with Lowell Fetting, Midwest Testing. Fetting will be submitting a boring schedule along with steps on recommendations and costs for a repair to Borup and Green Meadow Dams, which will be available at the March meeting.

48. Home Lake Storage. Administrator Bennett reported that he received a response from Bob Merritt, DNR, and also a letter from Curtis Reardon regarding the flooding problems in Home Lake Township. Manager Skaurud spoke to Reardon who is interested in possible solutions that the Watershed could offer. A motion was made by Manager Skaurud and seconded by Manager Wagner authorizing staff to arrange for a meeting with Reardon, Bob Merritt, DNR and staff to assist in seeking some possible solutions. Administrator Bennett will correspond with Reardon on the Board's action and work toward arranging a joint meeting. Carried.

49 Marsh River Debris and Log Jam Removal. Administrator Bennett reported that Oliver Sorenson is seeking an additional \$200 for crop loss in connection with the Marsh River log jam removal project and \$200 for damages to a tree stand removed by the contractor. Sorenson is also requesting \$200 for additional trees destroyed by the contractor. Engineer Bents stated that he had talked to the contractor who agreed to pay the \$200 for the tree stand. Administrator Bennett stated that Sorenson had signed an agreement to the tree removal prior to the work being done. A motion was made by Manager Wagner and seconded by Manager Ista to pay Sorenson \$200 for the additional crop loss and Houston Engineering will seek reimbursement of the \$200 for the damaged tree stand from the contractor. Carried.

50 USGS Stream Gauge South Branch. Administrator Bennett stated that at the RRWMB monthly meeting, representatives from the USGS gave a presentation on the breakdown for cost share funding being provided on stream gauges in the Red River Basin. Bennett stated that in the past the USGS paid all costs related to stream gauge operation and maintenance, however, due to budget shortfalls are now cost sharing the gauges with the RRWMB and the local Watershed District. The Board discussed the option of having USGS install a stream gauge on the South Branch, using a similar cost share agreement. Bennett stated that the initial cost for installation would be approximately \$18,000 for the gauge, \$4,000 for installation and \$2,000 for maintenance. Proposed would be to have the USGS paying 50% of the cost to install the gauge leaving the local share being split between the local District and the RRWMB. A motion was made by Manager Ista and seconded by Manager Wagner authorizing Administrator Bennett to look into the installation of a USGS stream gauge on the South Branch, with Engineer Bents to identify a suitable site location for the gauge. Carried.

51 Prairie Restoration – 2004 Wetland Management Contract. The Board reviewed Prairie Restorations, Inc. 2004 Management Contract for maintenance and vegetation management on the George Spaeth wetland restoration project including mowing, controlled burn and integrated plant management. A motion was made by Manager Skaurud and seconded by Manager Ista to approve the Prairie Restorations, Inc. 2004 Management Contract. Carried.

52. Watershed Management Plan – Printing A motion was made by Manager Ista and seconded by Manager Wagner authorizing Houston Engineering to proceed with printing of 20 hard copies of the Watershed Management Plan for distribution by the District as requested. Carried. It was discussed that the District's policy will be to provide copies of the Watershed Management Plan at no charge to the public.

53. Red River Watershed Management Board (RRWMB) Report. Manager Wright gave a brief report on the recent RRWMB meeting. Wright stated that discussion had been held about correspondence sent to Congressman Collin Peterson from Dick Nelson, regarding what type of projects would be eligible for permanent easements. A committee from the RRBFDROWG was formed to work on problems the Project Teams.

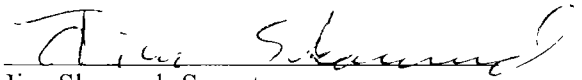
54 Soil and Watershed Conservation District (SWCD) Meeting Report Administrator Bennett stated that a recent meeting with the Norman County SWCD was beneficial in providing information on the Watershed District's projects and programs. Bennett also stated that in conversations with the Mahanomen County SWCD there is an interest in working together on a program to identify storage projects. Managers Spaeth, Seykora and Skaurud were appointed for the east half of the Watershed District and Managers Wagner, Ista and Wright and Dalen as alternate appointed for the west half of the Watershed District to work with SWCDs in coordination and setting up a program.

55 MAWD Legislative Breakfast Report. Managers attending the recent MAWD Legislative Breakfast gave reports on the legislative meetings and current legislation effecting watersheds. Manager Ista felt the program at the breakfast moved slowly and the legislators' time could have been used more productively. Manager Wright suggested bringing the comment to Chairman Seykora, who is on the MAWD board. Administrator Bennett stated that he felt the Watershed District had received a positive input from legislators on the District's flood control efforts.

56 Meetings/Conferences/Seminars. A motion was made by Manager Ista and seconded by Manager Wagner authorizing Managers and staff attendance at the MN Drainage Inspectors Conference, March 15, 2004, at Willmar, Minnesota. Carried. Managers discussed the upcoming WRRFS March public meeting scheduled for 7:00 p.m., March 25, 2004, at Hendrum, Minnesota. Manager Ista requested an agenda be prepared in advance of the public meeting. Consensus of Managers was to provide cards for written comments but also take questions from the floor.

57 There being no further business to come before the Board of Managers a motion was made by Manager Wagner and seconded by Manager Skaurud to adjourn the meeting. Carried.

58 Vice Chairman Wright adjourned the meeting at 3:50 p.m.


Jim Skaurud, Secretary

<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
Checking-RAB				
02/12/2004	8076	US Postal Service	Annual Report Mailing	(86 96)
02/16/2004	8071	ARC Lanes	Noon Lunch	(40 00)
02/18/2004	8078	AmeriPride	Cleaning Services	(35 30)
02/18/2004	8079	Aquila	Utilities	(129 81)
02/18/2004	8080	City of Ada	Utilities	(228 55)
02/18/2004	8081	Clay County Auditor	J D #56 Main	(5 00)
02/18/2004	8082	Diane Ista	Per Diem and Expense	(682 68)
02/18/2004	8083	G R Graphics, Copier	Contract Allowance to 3/10/04	(198 89)
02/18/2004	8084	H2M	December Request	(1,293 70)
02/18/2004	8085	Houston Engineering, Inc	Engineering Fees	(37,037 62)
02/18/2004	8086	James Wagner, Sr	Per diem\expense	(289 30)
02/18/2004	8087	JB Associates, Ltd , Inc	Admin	(18,480 74)
02/18/2004	8088	Jim Skaurud	Per Diem and Expenses	(1,586 63)
02/18/2004	8089	Joe Spaeth	Per Diem and Expense	(479 23)
02/18/2004	8090	Loretel Systems	Phone Billings	(353 13)
02/18/2004	8091	Marcussen Accounting	Accounting Fees	(1,918 50)
02/18/2004	8092	MAWD	Dues	(2,000 00)
02/18/2004	8093	Norman County Abstract	Wagner Abstract	(130 00)
02/18/2004	8094	Norman County Auditor/Treasurer	Flap Gates	(254 22)
02/18/2004	8095	Norman County Heating & Cooling	Furnace Repair	(135 00)
02/18/2004	8096	Norman County Index	Billings	(538 80)
02/18/2004	8097	Norman County Weed Control	Weed Control	(424 15)
02/18/2004	8098	Petty Cash	Petty Cash	(185 75)
02/18/2004	8099	Reardon Office Equipment, Inc	Office Supplies	(61 75)
02/18/2004	8100	Red River Basin Commission	Diane Ista Registration	(140 00)
02/18/2004	8101	Rural American Bank	FICA Withholding, Managers\Watershed	(338 13)
02/18/2004	8102	Sjordal Hardware	Supplies	(42 43)
02/18/2004	8103	Steve Dalen	Per Diem and Expenses	(394 67)
02/18/2004	8104	Tim Halle	Site #6-Press Release/03 Annual Report	(135 00)
02/18/2004	8105	Trnka Real Estate & Appraisal Svc		(4,050 00)
02/18/2004	8106	Visser Trenching		(430 00)
02/18/2004	8107	Wambach & Hanson	January Billings	(1,924 40)
02/18/2004	8108	Warren J Seykora	Per Diem & Expenses	(942 56)
02/18/2004	8109	Mahnomen County SWCD	Sponsorship-Envirothon	(100 00)
02/27/2004	8111	Carlson Prairie Seed Farms, Inc	Remainder 2003 seed-Dalen	(810 00)
02/27/2004	8112	MN Viewers	Viewers Asc	(125 00)
02/27/2004	8113	Rural Cellular Corp	February Billing	(56 68)
Total Checking-RAB				(76,064 58)

Sigu Ja Sheet

2-18-04

10:00 A.M.

<u>Name</u>	<u>City</u>	<u>Phone/Address</u>
1. Bruce Stonged		494 3458
2. Stewart Bjork		494-3763
3. Alan Christensen		494-3745
4. Steffen		494-3454
5. Zenas Baer		483-3372
6. Hazel G. Hutton		494-3637
7.		
8.		
9.		
10.		

Sign Up Sheet

2-18-04

11.00 AM

Name

Org

Phone / Address

1. ROGER RIVERS

2. Ed Miller

3

4

5

Sign In Sheet
 Parlorik Permit
 2/18/04

Name	Org.	Address / Phone
1. Patrick O'Rourke		1103 NE 9th Ave Grand Rapids, MI, 49506
2. Don Scherp		4575 10th Ave SW # 304 Fargo ND 58103 701-227-1659
3. Pat Scherp		
4. PARD SCHERPING		1486 280th ST. WAUBEN, MI 49689 473-3319
5		
6		
7		