

WILD RICE WATERSHED DISTRICT
11 Fifth Avenue East
Ada, MN 56510
Ph: 218-784-5501

REGULAR MEETING
April 9, 2014
APPROVED MINUTES

1. The regular meeting of the Wild Rice Watershed District Board of Managers was held on Wednesday, April 9, 2014. Managers in attendance included: Greg Holmvik, Duane Erickson, Dean Spaeth, Mike Christensen, John Austinson, Curt Johannsen, and Raymond Hanson. In addition the following persons were in attendance: Administrator Kevin Ruud, Engineer Jerry Bents, Attorney Elroy Hanson, Tara Jensen, and various other interested taxpayers and landowners.
2. Chairman Holmvik called the meeting to order 8:30 a.m.
3. Agenda Approval. A motion was made by Manager Christensen and seconded by Manager Johannsen to approve the meeting agenda as presented. Carried.
4. Meeting Minutes. A motion was made by Manager Johannsen and seconded by Manager Austinson to approve the March 2014 meeting minutes with a correction to the date of the approved meeting minutes. Carried.
5. Approval of Billings and Financial Report. A motion was made by Manager Spaeth and seconded by Manager Hanson to approve payment of billings as presented, with the addition of a bill from Kenneth Aaron Kesselberg, to approve the monthly financial report dated March 31, 2014 and the following transfers from unassessed projects to the Red River Construction and Survey and Data accounts. Carried.

Transfers as of 2-28-14

	2/28/2014	RRC	Survey & Data
#212 09-10 FDR PT	165.00	(165.00)	
PROJECTS AND DITCHES			
UNASSESSED			
#8 Moccassin Creek	17.00	(17.00)	
#35 Sande Detention	1,326.50	(1,326.50)	
#36 March Creek 3	17.00	(17.00)	
#42 Proj #284 Non Leviable	(117,915.00)	117,915.00	
Project Development - Other			
#336 #6 Felton	(423.50)	423.50	
#336 06 Felton	468.50	(468.50)	
#336 14 Shelly	34.00	(34.00)	
#345 Clean Water Legacy Grant	242.00	(242.00)	
Project Development - RRC			
#352 RIM/WRP 2012			
#354 Goos Prairie WMA Storage	3,010.00	(3,010.00)	
#356 Upper Green Meadow/Klask S	4,469.22	(4,469.22)	
#357 WildRice Vik/Tufte/heitma	1,569.00	(1,569.00)	
#358 Clearwtr Co. #3 DO NOT US			
#359 Small Storage Investigatio			
#360 Minerva Twp Hyd Analys	17.00	(17.00)	
Permits and Violations			
#12 Permits	13,039.10	(13,039.10)	
#18 Violations			
#19 Bborgen - Mary 10	(150.00)	150.00	
#73 Erickson-Hendricks Complaint	210.75	(210.75)	
	(93,903.43)	93,903.43	-
	(93,903.43)		93,903.43

6. Open Mic. No one spoke at this time.

7. Flood Control Levee Projects. Engineer Bents stated that he is currently waiting for an answer from the Army Corps of Engineers regarding the Section 408 modification. He is also finalizing right of way acquisitions. He plans to communicate with Attorney Hanson later in the day regarding the process. Landowner meetings will occur individually. Manager Johannsen asked how the bonding cycle for the road raises is going. Administrator Ruud responded that he felt that it was too early to make a call on the status. Manager Hanson asked what the status of State Highway 75 going through both towns was. Engineer Bents informed him that currently it is scheduled for reconstruction in 2017 going through Hendrum.

8. Lower Wild Rice Preliminary Storage Evaluation. Engineer Bents reported that he is currently trying to set up a meeting with Ron Harneck and Henry Van Offelen to submit an application for funding from sales tax dollars. Administrator Rudd added that Roger Kurpis came forward to offer his land for sale. His land is adjacent to the Vik property that has currently been offered to the Watershed. Chairman Holmvik asked if the land is currently entered into any voluntary programs. Administrator Ruud responded that all of the property

offered by Kurpis is currently entered into a program, however he is unsure of which program it is. He stated that he is planning on giving Shawnn Balstad with the NRCS a design plan and asking her if the property can be used for water retention. Manager Johannsen asked how many acres were offered by Kurpis. Administrator Ruud stated that there was approximately 140 acres; the Watershed currently owns 10-15 acres adjacent to the property. Chairman Holmvik asked Administrator Ruud to find out what program the land has been entered into and ask the NRCS office what their stance on water retention on the property is.

9. Goose Prairie Marsh. Administrator Ruud informed the Managers that on Monday, he, Manager Erickson, and Engineer Bents met with Don Schulz, Emily Siira, and Jessica Vanduyn from the DNR, and Steve Hofstad from BWSR in Fergus Falls. The Watershed group relayed that the Board felt that 1204.5 is an acceptable low water level and the summer operating level of 1205 was also acceptable, but the Board would like to negotiate on the high water level. Hofstad said that a higher operating level would be reasonable from his point of view; however the DNR was not willing to move from the 1207.5 high water level that they originally agreed upon. The DNR did agree that the structure could be built with a higher operating capacity. Administrator Ruud commented that in order to receive the most optimal funding assistance, it is necessary to focus on the Natural Resource Enhancement goals and have the support of the DNR throughout the process. Engineer Bents reviewed the operating levels and approximate dates that were stated by the DNR for changes in the levels. He reiterated that the DNR's main focus is getting the Marsh back down to a nesting level. Chairman Holmvik stated that he wasn't sure if he was ready to give up on the extra foot of storage yet, asking if a larger outlet was a possibility. Engineer Bents said that a larger outlet could be looked at when the designs are developed, however the concern is if the downstream culverts can handle more water. Manager Hanson felt that the Watershed is getting 75-80% of what they wanted in the beginning and it would be ideal to agree to the terms, building the structure with a higher capability for storage. This would allow the high water level to be negotiated again in the future. Manager Spaeth added that nesting doesn't occur at the same time every year; it is also dependent on weather. Administrator Ruud informed the Managers at this time he is asking them to approve going to the next step of the process, developing a concept and looking into funding sources and opportunities. Engineer Bents added that if the Board is stuck at 1208 or nothing, he would advise that they do not spend a lot of resources in the next phase of the process, however if they are willing to begin operations at a 1207.5 high water level, with a structure that has a higher capability he would advise moving forward. A motion was made by Manager Hanson and seconded by Manager Christensen to initiate the next step of the process based on the control structure being built with a gated capacity of 1208.5. Attorney Hanson advised the Board to define the project by a name or a number at this time and if adjacent land would be assessed for the project. It was decided that the project would now be referred to as the "Goose Prairie Marsh Enhancement Project". Engineer Bents added that potential assessments would be determined later in the process.

PERMIT APPLICATIONS

10. Peter Domogalla Complaint. Administrator Ruud presented the Board with a complaint from Domogalla that was delivered to the office after the beginning of the meeting. He asked the Domogallas to state their complaint to the Board. Mary Domogalla presented pictures of the complaint area which covers approximately 30 acres of land. Administrator Ruud added that a complaint was filed last spring, and later withdrawn by the Domogallas prior to it being presented to the Board as they reached an agreement with the adjacent landowners. At the present time Peter Domogalla is stating that he is not satisfied with the results of the agreement and has at this time decided to present his complaint against Sather Brothers to the Board. Manager Hanson asked the Domogallas what they would like to see happen. Mr. Domogalla stated that the water draining from the Sather land needs to enter the road ditch and not enter his property at any time during its course of draining. Mrs. Domogalla added that there have been many years of loss and damage, resulting in the filing of this complaint. Manager Erickson asked if the township has cleaned the ditch adjacent to the fields. Mr. Domogalla stated that he cleaned it with his batwing mower last year. Manager Erickson stated that the ditch likely needs to be

cleaned and asked the Domogallas if they would be willing to visit this option. Mr. Domogalla felt that the Sather Brothers should address the issue. If they are not willing to clean the ditch he would consider doing it to decrease the losses he has already incurred from water standing on the property.

11. A motion was made by Manager Hanson and seconded by Manager Spaeth to continue tabling the following permits. Carried. 1, 3, 7

- Roderick Anderson, Section 4, Wild Rice Twp. Permit #4-9-14-1 to install a crossing in culvert in Project 12 pending previously requested information from the applicant.
- Dahl Brothers, Section 21, Bear Park Twp. Permit #4-9-14-3 to install subsurface drain tile pending previously requested information from the applicant.
- Scott Visser, Section 7, Fossum Twp. Permit #4-9-14-7 to install a new centerline culvert pending previously requested information from the applicant.

12. A motion was made by Manager Hanson and seconded by Manager Johannsen to table the following permits. Carried. 4, 5, 6

- Norman County Highway Department, Section 13-14, Flom Twp. Permit #4-9-14-4 to replace a box culvert with a new box culvert to table landowners in Sections 13 and 14 of Flom Township.
- Stashenko Hempeck, Section 14, Hendrum West Twp. Permit #4-9-14-5 to repair erosion on a driveway, extend a culvert and raise the driveway elevation until a field review can be completed.
- Mike Thompson, Section 30, Gregory Twp. Permit #4-9-14-6 to install water and sediment control basins to notice the road authority (Mahnomen County) and obtain verification of the approval of adjacent landowners.

13. Clay County Highway Department, Section 28-29, Georgetown Twp. A motion was made by Manager Hanson and seconded by Manager Christensen to approve Permit #4-9-14-2, to replace a bridge with two box culverts. Engineer Bents added that adjacent landowners were noticed and no comments were returned. Carried.

14. RRBC – Watershed AIS Prevention and Management Project. Joe Courneya, Project Develop Coordinator with the Red River Basin Commission presented the *Northwest Regional Aquatic Invasive Species Prevention Project* to the Managers and requested an annual renewable contribution of \$5,000 for the project. Upon completion the report will provide Watersheds and Counties with information on actions required to prevent aquatic invasive species. The Red River Basin Commission will also educate the public of the results of the project. Many Managers questioned the duplication of water testing by multiple agencies. Courneya stated that they plan to use information collected by other agencies and fill voids to complete their studies. A motion was made by Manager Hanson and seconded by Manager Erickson to deny the request for a contribution. Chairman Holmvik stated that with Becker County leading the force, the Watershed should recognize the importance and join the initiative. Manager Johannsen agreed with Chairman Holmvik's view. Manager Austinson asked why Norman and Mahnomen Counties are not on the list of funding partners. Courneya stated that initially they sought funding from four counties and three watersheds. The list can be expanded if necessary. Managers Hanson, Erickson, and Spaeth voted for the motion. Managers Christensen, Johannsen, Austinson, and Chairman Holmvik voted against the motion. Failed due to a lack of majority. A motion was made by Manager Johannsen and seconded by Manager Christensen to approve a one year contribution of \$5,000 with the contingency that Norman and Mahnomen Counties will also be approached as funding partners. Managers Christensen, Johannsen, Austinson, and Chairman Holmvik voted for the motion. Managers Hanson, Erickson, and Spaeth voted against the motion. Motion carries with majority vote in favor.

15. Manager Erickson added that the Project Team will meet April 23rd regarding the Goose Prairie Marsh Enhancement Project. Landowners will be invited to attend the meeting as well. Engineer Bents added that the

approval was to initiate the process, but does not approve going forward with a project. The approval of Project development would come at a later time.

16. Green Meadow Project Team. Administrator Ruud handed out the Green Meadow Sub watershed Goals and stated that the Project Team came to a majority consensus that the goals and objectives stated are good. One party was opposed to a single objective. A motion was made by Manager Johannsen and seconded by Manager Spaeth to approve the goals as presented. Carried. Manager Hanson stated that all of the goals and objectives are currently part of the Watershed's current plan. Chairman Holmvik replied that they are, however this is just another step in the documenting process.

Engineer Bents presented the USACE Concurrence Point 1 to the Board which defined a need and purpose statement which is required for the permitting process. A motion was made by Manager Johannsen and seconded by Manager Christensen to accept Concurrence Point 1. Carried. Engineer Bents reported that at this phase, the document will be presented to the Corps. If they accept the document they hold an obligation to potential projects. However, this document does not enter the Watershed into any obligation to a project.

Engineer Bents presented the USACE Concurrence Point 2 and Range of Alternatives which is divided into 4 main categories. He informed the Manager of the decisions behind selecting primary and secondary alternatives and which alternatives to eliminate. At this point there is not action to take. It was presented as an update to the progress of the Project Team.

17. Water Retention and Permit Policy. Manager Hanson stated that he felt that significant incentives should be offered to permit applicants if they are able to store water for an agreed upon time. Engineer Bents felt that often times when a permit application is returned it is too late in the process to change designs. Manager Hanson added that he would like to see the Watershed inform agencies that this is an option that they can incorporate into their development plans when working with landowners. Chairman Holmvik felt that it would be in the best interest of the Board to wait until the details of the new farm bill are released before adopting new policies. Manager Spaeth added that offering incentive towards sediment basins with the capability to store water would be a good idea too. Manager Hanson stated that the incentive amount could be determined on a case by case basis.

18. RRWMB Proposed Model Rules Update. Administrator Ruud asked the Managers to review the information that was mailed to them prior to next month's meeting. Attorney Hanson added that he would like to review the document in more detail with Administrator Ruud and Engineer Bents. Administrator Ruud added that adoption of this will likely take several months, however he would like to get the ball rolling at this point.

19. Per Diems. A motion was made by Manager Hanson and seconded by Manager Spaeth to approve payment of Managers per diems and expenses as distributed. Carried.

20. There being no further business to come before the Board of Managers, a motion was made by Manager Hanson and seconded by Manager Johannsen to adjourn the meeting. Carried. Chairman Holmvik adjourned the meeting at 11:19 am.

John Austinson, Secretary

Date	Num	Name	Memo	Amount
Mar 13 - Apr 9, 14				
03/13/2014	15245	Julin Law Office	Halstad Land Acquisition	324.00
03/13/2014	15246	Norman County Highway Department	Brian Borgen Restitution	3,200.00
03/24/2014	ACH	PERA	PERA Withholding	779.98
03/24/2014	ACH	US Treasury-Payroll	Federal Withholding	4,135.66
03/24/2014	ACH	PERA	PERA Withholding	727.49
03/24/2014	ACH	MN Dept of Revenue	Withholding Tax	777.04
03/25/2014		QuickBooks Payroll Service	Created by Payroll Service	6,031.75
03/25/2014	ACH	AT&T	Cell Bill	123.42
04/03/2014	ACH	Arvig	Phone, Internet, Fax	395.47
04/08/2014		QuickBooks Payroll Service	Created by Payroll Service	5,318.90
04/08/2014	15248	Ada City	Utilities	247.35
04/08/2014	15249	AmeriPride	Rugs	74.12
04/08/2014	15250	Becker Co. Auditor		2,361.00
04/08/2014	15251	Cardmember Service	MAWD Legislative Registration	220.00
04/08/2014	15252	Clay County Auditor Treasurer		2,318.00
04/08/2014	15253	FP Mailing Solutions	Postage Meter	118.63
04/08/2014	15254	Frandsen Bank	Safe Deposit Box - Annual Rent	25.00
04/08/2014	15255	Genesys Conferencing	Goose Prairie - DNR Conf. Call	86.96
04/08/2014	15256	Houston Engineering, Inc.	March Billing	10,430.95
04/08/2014	15257	Indiana Insurance Company	Insurance and Bonding	125.00
04/08/2014	15247	Kenneth Aaron Kesselberg	Snow Removal	100.00
04/08/2014	15258	MARCO, Inc.	Copier Lease	630.36
04/08/2014	15259	MARCO, Inc. Mpls	M-Files Upgrade and training	470.25
04/08/2014	15260	Minnesota Energy Resources Corp.	Budget Billing	73.00
04/08/2014	15261	Norman County Treasurer/Auditor		1,309.28
04/08/2014	15262	Northwest Beverage, Inc.		54.50
04/08/2014	15263	Ralph's Food Pride	March supplies	64.17
04/08/2014	15264	Renae Kappes	Cleaning - 2 @ 60	120.00
04/08/2014	15265	Visser Trenching	Snow Removal	290.00
04/08/2014	15266	Wambach & Hanson	March Billing	3,808.40
04/08/2014	15267	Western National Insurance Group	Insurance Premium - final adj.	1,903.00
04/08/2014	15268	Office Supplies Plus		295.97
04/09/2014	15269	Curt Johannsen		83.22
04/09/2014	15271	Duane L Erickson		431.17
04/09/2014	15273	John D Austinson		109.94
04/09/2014	15274	Michael K Christensen		418.76
04/09/2014	15275	Raymond M Hanson		89.60
04/09/2014	15272	Gregory R Holmvik		69.26
04/09/2014	15270	Dean P Spaeth		105.43
Mar 13 - Apr 9, 14				48,247.03