

August 11, 2010
APPROVED MINUTES

FINANCIAL FOR PROPOSED LEVIES 2011

30/2010

	CURRENT BLACK 7/31/09	CURRENT BLACK 6/30/10	STATUS RED 7/31/09	STATUS RED 6/30/10	BENEFITS PER AUDITOR	BENEFITS FOR OUR RECORD	EST TO BE PD IN 2010	COLLECTED IN 2010 AS OF 6/30/10	SUGGESTED % FOR 2011	ANT REVENUE 2011
PROJ #6	10,366.80	13,592.07			99,322.58		3,972.90	1,861.67	4.00%	3,972.90
PROJ #8			-7,169.48	-1,730.60						
PROJ #10			-0.61	-344.78						
PROJ #12			-15,046.80	-10,774.78	119,888.00		7,102.38	3,055.08	6.00%	7,193.28
PROJ #13	9,681.50	21,523.69			1,510,030.90		3,775.08	1,955.33	0.25%	3,775.08
PROJ #16	3,365.30	5,033.22				172,848.25	3,456.97	1,730.63	2.00%	3,456.97
PROJ #17	25,362.08	28,159.61				496,711.70	2,483.56	1,201.49	0.50%	2,483.56
PROJ #18	76,806.21	86,721.93				1,158,183.00	8,686.37	4,143.96	0.25%	2,895.46
PROJ #19	48,572.43	49,259.39				1,523,118.75	7,615.59	3,519.18	0.50%	7,615.59
PROJ #23	37,814.92	39,182.99			321,000.00				0.00%	
PROJ #24	19,235.97	24,933.19			542,587.50		5,425.88	2,884.50	1.00%	5,425.88
PROJ #25	41,507.40	42,773.87			271,712.50				0.00%	
PROJ #30			-54,687.80	-16,239.01	1,785,424.20		53,562.73	27,351.09	3.00%	53,562.73
PROJ #31	1,929.57	10,667.64			486,243.00		9,724.86	4,991.16	2.00%	9,724.86
PROJ #32	19,875.06	24,150.44			1,100,380.50		2,750.95	1,484.14	0.25%	2,750.95
PROJ #35			-701.74	-361.30					0.00%	
PROJ #38			-16,356.76	-363.20						
PROJ #39			-1,066.05	-212.74						
PROJ #4	67,007.16	67,310.62								
NORMAN CO.					416,745.84		4,167.46	2,219.46	1.00%	4,167.46
CLAY CO					610,333.70		6,103.34		1.00%	6,103.34
BECKER CO					145,695.20		1,456.95	764.92	1.00%	1,456.95
TOTAL					1,172,774.74					11,727.75
PROJ #5	206,682.69	220,360.97								
NORMAN CO					2,358,054.06		11,790.27	6,079.99	0.50%	11,790.27
POLK CO					938,893.16		4,694.47	2,368.74	0.50%	4,694.47
TOTAL					3,296,947.22					16,484.74
PROJ #9	223,704.54	147,647.51								
NORMAN CO					1,778,715.80		8,893.58	4,591.82	0.50%	8,893.58
CLAY CO					4,385,038.40		21,925.19		0.50%	21,925.19
TOTAL					6,163,754.20					30,818.77
PROJ #14	14,988.24	17,210.96								
NORMAN CO					403,744.44		2,018.72	1,148.99	0.50%	2,018.72

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POLK CO					13,100 00		65.50	29 62	0 50%	65 50
TOTAL					416,844 44					2,084.22
PROJ #40 N & C COUNTY	15,990 34	19,213 93				806,163 10	4,030 82		0 50%	4,030 82
JD #56 MAIN	35,922 93	50,957 22								
NORMAN CO					197,053 00		3,941 06	2,070 54	1 00%	1,970 53
CLAY CO					733,510 00		14,670 20		1 00%	7,335 10
TOTAL					930,563 00					9,305.63
BECKER CO										
PROJ #29	4,690 08	6,976 07				207,536 25	4,150 73	2,110 28	2 00%	4,150.73
CLAY CO										
PROJ #20	38,013.37	68,419 83			3,157,178 50		31,571 79		1 00%	31,571 79
MAHN CO										
PROJ #27	6,216 42	10,498 38				154,739 40	1,547 39	782.14	1 00%	1,547 39
PROJ #34	20,071 85	21,872 81				138,429 75	1,384 30	706 51	1 00%	1,384 30
NORMAN CO										
#11	5,889 54	6,114 40				28,755 00				
#15	2,557 93	5,447 39				5,516.40	2,758 20		50 00%	2,758 20
#18	25,516 90	25,873.64			54,998 00					
#18 LAT #1	1,007 00	1,045.07				3,300.00				
#21	912 78	2668 55				3,586.00	1,793.00		50 00%	1,793 00
#37	540 11	7495 38			18,944 50		9,472 25		50 00%	9,472 25
JD 53 MAIN			-105,939.61	-72,889.89	75,338 00		37,669.00		60 00%	45,202 80
JD #53 LAT 1	13,996 14	16,476 87			400,876 00		4,008 76		1 00%	4,008 76
JD #53 LAT 2	20,277 38	19,283 76			70,425 52		-			
CLAY CO										
#6	2,179 87	970 30				61,673 00	6,167 30		10 00%	6,167 30
#7	2,565 00	2,661 97			47,687 64					
#8	1,987 59	4,662 73			281,737 48		7,043 44		2 50%	7,043 44
#14			-39,409.55	-2,449.06		374,185.30	16,838 34		4.50%	16,838 34
#18			-6,585.47	-26,441.15		16,924.60	8,462 30		65 00%	11,000 99
#42	963 14	2858 73				13,133 13	1,969 97		15 00%	1,969 97
	6,309 59	6,989 54				22,059 32	1,102 97		5 00%	1,102 97
#52	7,842 42	8,492 91				14,366 56	718 33		5 00%	718 33
JD #56 LAT 1	18,386 18	25,586 46				811,662 93	8,116.63		1 00%	8,116 63

6. Farmstead Ring dikes. Engineer Bents updated the Managers on the Farmstead Ring Dike Program stating that of the Wild Rice Watershed District projects, Brammer, Hendrickson, Pingree and Steen

are completed awaiting grass, Nyberg is completed awaiting grass and a sump to install and Miller is 70 percent completed. The NRCS projects which include Carlson, Guttormson, Hoff, Scherfenberg, Prussia, Anderson and Roesch are completed awaiting grass, Gilbertson is completed pending NRCS closeout and Borgen is 70-80 percent complete. A **motion** was made by Manager Ista and **seconded** by Manager Spaeth to approve the following pay requests: Ziegler Construction for the Mike Borgen ring dike in the amount of \$22,122; Roger Hennen Construction for the Guttormson ring dike in the amount of \$23,146.20; All Seasons for the Anderson ring dike in the amount of \$4,855.14; All Seasons for the Roesch ring dike in the amount of \$20,091.78. **Carried.**

7. **Open Microphone.** No one spoke during the open microphone time.

8. **Hendrum/Perley Community Projects.** Engineer Bents updated the Managers on the status of the Hendrum and Perley Communities Levee Projects. Bents stated that a \$4.2 Million grant was received from the State of Minnesota; Hendrum bid opening is scheduled for the 17th of August and Perley on the 31st of August. Construction is expected to begin on Hendrum in early September. A **motion** was made by Manager Ista and **seconded** by Manager Austinson giving Engineer Bents the authority to award the bid to the lowest bidder if it comes in within 10 percent of the estimate. **Carried.** Bents went on to say that the Norman County bond sale is scheduled for September 7, 2010. Regarding the land acquisition for the project, Attorney Hanson has prepared the closing statements for the purchase of the property, abstracts on all property are expected to be updated within a few days and a board member should be authorized to execute the purchases. A **motion** was made by Manager Austinson and **seconded** by Manager Hanson authorizing Treasurer Dean Spaeth to execute the purchase agreements and closing statements. **Carried.**

9. **Vik Lawsuit.** Attorney Hanson reported that the District prevailed on every count and received a favorable opinion on all options in the appeal of the lawsuit by Viks. Attorney Hanson stated that the issue would be over unless the complainant chooses to appeal to the MN Supreme Court.

10. **Project #42/Upper Becker.** Manager Erickson updated the Managers on the status of the land acquisition for Upper Becker Site D. Erickson stated that he was very disappointed with the results of the Project Team meeting when agencies stated that they did not want to make any commitment until the appeal process is completed by City of Hendrum and BWSR. Erickson asked Engineer Bents if he or Houston Engineering assisted in any way the City of Hendrum appeal, to which Bents stated no. Erickson asked if any board members assisted and Manager Ista stated that she did provide them with information, no different she felt than information other board members are providing to their constituents. Erickson stated that there is support from landowners for Project D except Jim Hastings. Manager Austinson stated that Tom Bergren wants the project engineered so that his property is not included. Erickson stated that Project D is where the landowners want to go, however he didn't know what to do now, as is the District going to spend additional funds to move forward with D or not. Manager Hanson asked how much it would cost to do a presentation with engineering costs included; Bents stated approximately \$6-\$8K. Bents asked Erickson if any landowners signed easements and Erickson stated no. Erickson also indicated that he was reluctant to go out and get signed options. Manager Holmvik asked Manager Christensen if even one landowner had signed an easement and he stated no. Holmvik stated that he felt if board members are unwilling to condemn Jim Hastings land (and they have indicated that they would not); there would be no reason to spend more money. Discussion was held regarding meeting with the City of Hendrum, which holds its regular council meeting at 7:30 p.m. on September 13, 2010, at the community center. Managers would discuss the options and see if Hendrum would withdraw the appeal if they saw that Option D would move forward.

A **motion** was made by Manager Spaeth and **seconded** by Manager Erickson authorizing Managers Ista, Christensen, and Erickson to attend the Hendrum City Council meeting to discuss the appeal. **Carried.** Managers continued to discuss what the District should do next; Hanson felt that they should

not do anything until the appeal process is over, to which Holmvik and Christensen agreed. Manager Erickson stated that with the confusion of the project names should the board remove Option B as an option. A **motion** was made by Manager Christensen and **seconded** by Manager Hanson to move ahead with Project D after the appeal process is over, unless the appeal is against the District. **Carried with Manager Ista opposed.**

Staff reviewed the correspondence received from the Red River Water Management Board (RRWMB) regarding funding for the Upper Becker Project. A **motion** was made by Manager Spaeth and **seconded** by Manager Hanson authorizing staff to send the RRWMB a letter updating the District's status with the Upper Becker Project A. **Carried.**

PERMIT APPLICATIONS

11. A **motion** was made by Manager Austinson and **seconded** by Manager Hanson to approve the following permit applications with staff recommendations. **Carried.**

- MN DNR, Section 16, Wild Rice Township. Permit Application #8-11-10-4 to install rock below the Heiberg Dam.
- Randal Chisholm, Section 12, Strand Township. Permit Application #8-1-10-5 to install a field crossing with a 24" culvert and a ditch crossing with a 15" culvert.
- Ryan Halland, Section 21, Waukon Township. Permit Application #8-11-10-7 to install three field approaches with 18" culverts.
- Good Hope Township, Section 4/5. Permit Application #8-11-10-9 to install asphalt on the roadway and the western roadway slope.
- James Hastings, Section 25, Viding Township. Permit Application #8-11-10-10 to install a field crossing with a 24" culvert.
- Brendemuhl Farms, Section 2, Flowing Township. Permit Application #8-11-10-11 to install subsurface drain tile with the condition that the ditch bans are repaired to their existing condition and adequate erosion control measures are installed.
- Duane Brendemuhl, Section 14, Flowing Township. Permit Application #8-11-10-12 to install subsurface drain tile that outlets to the creek with the condition that the levees are repaired to their existing condition and adequate erosion control measures are installed and that the applicant notice the Watershed District upon completion to allow for inspection of the repaired levees.
- James Hastings, Section 16, Spring Creek Township. Permit Application #8-11-10-13 to install a field crossing with a culvert with the condition that the culvers are 18" in diameter or larger.
- James Hastings, Section 9, Spring Creek Township. Permit Application #8-11-10-14 to install a ditch crossing wit a culvert with the condition that the culverts are 36" in diameter or larger.
- Tom Nelson, Section 22, Wild Rice Township. Permit Application #8-11-10-15 to install three streambank protection barbs in the channel of the Wild Rice River with the recommendation that the applicant get approval from the MN DNR for any work in the channel.
- Agassiz Recreational Trail, Sections 3/10 Ulen Township. Permit Application #8-11-10-16 to replace existing culverts with new culverts at the same location and elevation with the condition that the culverts are the same diameter and elevation (24" in Section 9; 36" and 18" in Section 3).
- Keith Chisholm, Section 31, Sundal Township. Permit Application #8-11-10-17 to install subsurface drain tile with the condition that the landowner in the NW ¼ OF Section 31 of Sundal Township signs on the current permit application.
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12. Home Lake Township, Sections 24/25. A **motion** was made by Manager Ista and **seconded** by Manager Christensen to **table** Permit Application #8-11-10-1 to replace a 36" culvert with a 48" culvert and obtain additional information. **Carried**.

13. A **motion** was made by Manager Christensen and **seconded** by Manager Spaeth to recess the regular meeting and convene the hearing on the FEMA repair to the ice control structure on J.D. #51, Upper Reaches Project. **Carried**. Chairman Holmvik called the meeting to order.

14. J.D. #51 Hearing. Engineer Bents reviewed the status of the project and provided an overview to interested landowners in attendance. Bents stated that the proposed project has nothing to do with the cement structure that was originally built to determine the height of the water. Rather this is the ice control structure repair and the proposed change is to move it 75 feet to the north due to the erosion in the channel where the current structure is. The amount approved by FEMA is \$122,805 estimated for construction and some funds for engineering and administration. Chairman Holmvik informed attendees that today's hearing and testimony taken from landowners will be for the ice control structure, not the weir and the entire Upper Reaches Project. Testimony from landowners was accepted at this time. Steve Jacobson asked if the ice control structure would change the flow downstream; landowners on the Wild Rice were concerned that the repair would throttle the flow. Engineer Bents stated no. Jerry Bitker stated that he believed it needed to be done to keep the debris from moving down the channel and he liked the ideas of the plates. Kenny Visser asked where this would benefit people to the west of Highway #9, and felt this is not a repair and had an issue with the assessment feeling it didn't benefit him. After taking testimony the hearing was closed to comments. A **motion** was made by Manager Spaeth and **seconded** by Manager Christensen to approve the following order. **Carried**.

ORDER OF BOARD OF MANAGERS REGARDING PROJECT #51 REPAIRS EXCEEDING NORMAL MAINTENANCE

A meeting of the Board of Managers of the Wild Rice Watershed District was held at the district office in Ada, Minnesota, on August 11, 2010, at 11:00 a.m. A quorum of the board was present including: Greg Holmvik, Mike Christensen, John Austinson, Dean Spaeth, Diane Ista, and Duane Erickson. Also in attendance were district staff members including: the engineer, Jerry Bents; the attorney, Elroy Hanson; and the interim administrator, Mark Aanenson.

Discussion was had concerning repairs to JD #51 exceeding normal maintenance per Minn. Stat. §103D.635. Specifically, an existing ice control structure on JD #51 has been structurally damaged and is in need of repair. The district's engineer presented construction plans for replacing the existing ice control structure with a new ice control structure approximately 75 feet north of the existing structure.

Discussion was had regarding property owner's concerns that moving the ice control structure north 75 feet have a downstream impact by "throttling" the water, but the engineer stated no such "throttling" would occur.

Discussion was had regarding when the ice control structure was put into Project #51 and it was clear said structure had been part of Project #51 for over 35 years and, accordingly, is a part of said project.

Discussion was had regarding the costs of repairing the ice control structure where it is at versus the cost of putting in a new ice control structure which is hydraulically similar to the existing structure and provides similar benefits. Specifically, the engineer's estimate for construction costs for putting in a new structure as proposed is about \$98,985.00, while the cost for replacing/reconstructing the existing structure where the existing structure is at is almost \$185,000.00.

Discussion was had that the district has an approved FEMA claim regarding the repair costs of \$122,805.00 and that, if the ice control structure is relocated as proposed 75 feet north of the existing structure, all of the construction costs should be covered. Any costs which may not be covered by FEMA will be nominal and apportioned/assessed pro rata upon all property originally assessed for construction of JD #51.

NOW, THEREFORE, based on the above discussion, the board of managers makes the following:

FINDINGS OF FACT

1. That due notice of the hearing for repairs exceeding normal maintenance regarding the ice control structure on JD #51 was given in accordance with Minn. Stat. §103D.635.
2. The engineer's report and construction plans regarding the JD #51 ice control structure dated July 2010 are accepted and approved by the board of managers.
3. The existing ice control structure on JD #51 is in a state of disrepair such that it cannot be economically restored by normal and routine maintenance to the same condition as originally constructed.
4. The new ice control structure is beneficial to Project #51 as it helps to limit the amount of ice and other debris which otherwise would be in JD #51 and said structure should be installed per the engineer's construction plans to a location approximately 75 feet north of the existing ice control structure to attain the level of operating efficiency contemplated when the existing ice control structure was constructed.
5. Constructing a new ice control structure approximately 75 feet north of the existing structure is compliant with the district's water management plan and is necessary to accomplish the purposes of Minn. Stat. §103D.
6. The costs of the proposed repairs will not exceed the benefits as FEMA will pay for most, if not all, the costs.

BASED on the above discussion and Findings of Fact, and upon motion by Dean Spaeth seconded by Mike Christensen, and unanimously carried, the Board of Managers hereby orders that the new ice control structure of JD #51 be constructed as set forth in the engineer's construction plans of July 2010 at the location stated in said report (approximately 75 feet north of the existing ice control structure).

It is further ordered that the construction costs be paid out of the funds approved by FEMA for said construction, and that any costs, while nominal, not paid by FEMA will be paid by the original Project #51 benefiting area on a pro rata basis.

Dated: _____, 2010

By: _____

Greg Holmvik, Board Chairperson

15. A **motion** was made by Manager Ista and **seconded** by Manager Christensen to adjourn the hearing and reconvene the regular meeting. **Carried.**

PERMIT APPLICATIONS

16. USFWS, Section 33, Spring Creek Township. Scott Kahan, USFWS, and Managers discussed the permit application of the USFWS to install a tile outlet on Lindsey Lake for the purpose of drawing down the lake. A **motion** was made by Manager Ista to approve the permit application. **Motion failed** for lack of a second. Engineer Bents asked Kahan if there was a possibility of a fall drawdown. Curtis Borchert asked if the Board could request that the DNR review the Ordinary High Water Mark (OHM) and possibly have it lowered. Holmvik asked if the DNR would change the OHM, would the USFWS

change to which Kahan replied that he didn't think so. A **motion** was made by Manager Erickson and **seconded** by Manager Austinson to table the permit application and make a request to the DNR to review the OHM. **Carried with Manager Ista opposed.**

17. Gene Ueland, Section 33 Good Hope Township. A **motion** was made by Manager Spaeth and **seconded** by Manager Austinson to **deny** Permit Application #8-11-10-3 to replace an 18" CMP with a flap gate with a 36" CMP with a flap gate due to increased size of the culvert. **Carried with Manager Ista abstaining and Manager Erickson opposed.**

18. Randy Chisholm, Section 12, Strand Township. A **motion** was made by Manager Spaeth and **seconded** by Manager Christensen to **deny** Permit Application #8-11-10-6 to replace a 24" CMP with a longer 30" CMP due to possible downstream impacts. **Carried.**

19. Halstad Elevator, Section 20, Halstad Township. A **motion** was made by Manager Christensen and **seconded** by Manager Ista to approve Permit Application #8-11-10-8 to install three field approaches with culverts with the condition that the culverts are 18" in diameter or larger. **Carried.**

20. Kenneth Jirava, Section 20, Beaulieu Township. A **motion** was made by Manager Ista and **seconded** by Manager Erickson to approve Permit Application #8-11-10-18 to install an erosion control structure and tile and abandon and fill an existing ditch or waterway with the conditions listed on the permit as the berm height is four feet or less; the sizes of the tile is shown on the permit and the landowner obtain approval from the NRCS and SWCD. **Carried.**

20. Home Lake Township, Sections 24/25, Home Lake Township. A **motion** was made by Manager Erickson and **seconded** by Manager Christensen to approve an amended permit application from Home Lake Township to replace a 36" culvert with a longer culvert of the same size and not the increased size of 48" as requested. **Carried.**

21. Moccasin Creek Landowner Request. The following landowners requested assistance from the District in obtaining the necessary permits for ditch maintenance on the Moccasin Creek area: Gene Baukol, Amos Laport, Dennis Thorson, Gerald Lien, Arvid Swenson, Gerald Lien for Flom Township, David Lunde, Gary Lunde, Chris Erickson, Warren Seykora, Marlyn Syverson, Duane Malskog, Steve Mattson for Opal Malskog, Duane Erickson for Circle E, Justin Klemetson for Walworth Township, Bob Klemetson for Eleanor Krelitz, Rayn Groth and Lloyd Jirava. A **motion** was made by Manager Austinson and **seconded** by Manager Spaeth authorizing the District to assist landowners with obtaining the necessary DNR permits. **Carried with Manager Erickson abstaining.**

22. USGS Sediment Analysis. Engineer Bents reported that it will be the final year of the analysis study, the first three were funded by the MPCA, last year the District contributed \$20,000 and he assumed that maybe the Board did not want to contribute for the upcoming year. Consensus of the Managers was to notify the USGS that the Board is still interested in the study, however only if outside funding is obtained.

23. Twin Valley Stream Gauge Cost Share. A **motion** was made by Manager Christensen and **seconded** by Manager Ista to approve the District paying the cost share of \$1,962 for the year 2010-2011. **Carried.**

24. Downstream Impact Work Group. Manager Ista stated that the Downstream Impact Group is requesting assistance from area residents and agencies for the purpose of hiring an attorney to assist in supporting changes to the Diversion Plan for the Fargo/Moorhead area to include protection of

downstream cities and landowners. A **motion** was made by Ista for the District to contribute \$5,000. The motion **failed for lack of a second**.

25. Olson/Agassiz Revised Agreement. A **motion** was made by Manager Christensen and **seconded** by Manager Erickson authorizing Chairman Holmvik to execute the revised agreement with the DNR. **Carried**.

26. Olson Agassiz Repair. A **motion** was made Manager Spaeth and **seconded** by Manager Austinson authorizing Manager Erickson to coordinate with Earl Johnson at DNR a repair to the outlet structure on the Olson Agassiz Project, making it more accessible and safer when opening and closing the gate. **Carried**.

27. Administrator Position/Applications. A **motion** was made by Manager Austinson and **seconded** by Manager Spaeth authorizing the Personnel Committee to review the applicants and bring results to the board. **Carried**.

28. Complaints/Violations Chuck and Andy Borgen, Section 12, Georgetown Township. Interim Administrator Mark Aanenson reported that the complaint filed by Terry Guttormson against Chuck and Andy Borgen for ditch work in Section 12 of Georgetown Township was turned over to the Clay County Sheriff and upon contacting the Sheriff's department; he was told it is still under review.

29. General Budget for 2011. The proposed 2011 Administrative Budget for consideration at the budget hearing in September was distributed for review. A **motion** was made by Manager Ista to approve pursuant to Chapter 162, laws of 1976, as amended, and under the direction from the Red River Watershed Management Board, the proposed levy of .0004836 times the taxable market value of the property in each county that lies within the District for the Red River Watershed Management Fund, one-half of which remains in the Wild Rice Watershed District for construction and maintenance of projects and one half provided to the Red River Watershed Management Board for projects and programs of common benefit to more than one member district and that the following proposed budget be adopted for consideration at the budget hearing scheduled for 11:00 a.m. on Wednesday September 9, 2010, at the office of the Wild Rice Watershed District located at 11 Fifth Avenue East, Ada, MN. Manager Christensen **seconded** the motion for the adoption of the 2011 proposed administrative budget and, upon the vote being taken, the same was declared unanimously approved and **carried**.

**PROPOSED BUDGET FOR
ADMINISTRATIVE ACCOUNT
August 11, 2010
PROPOSED FOR 2011**

**PROPOSED
BUDGET
2011**

Utilities	11,000.00
Advisory Board	1,000.00
Supplies, Publications and Postage	34,000.00
Insurance and Bonds	19,000.00
Engineering	15,000.00
Admin. Salaries	80,000.00
Legal Fees	16,000.00
Accounting Fees	8,500.00
Managers' Per Diem	19,000.00
Managers Expenses	14,000.00
Annual Report/Audits	10,000.00
Organization Dues	2,500.00
Overall Plan (10 Year)	1,500.00
Education Programs (Not Budgeted)	1,000.00
Capital Improvements (10 Year)	12,500.00
Mediation Project Team	5,000.00
	<hr/>
	<u><u>250,000.00</u></u>

30. Financial Report Dated July 31, 2010. A **motion** was made by Manager Christensen and **seconded** by Manager Christensen to approve the Financial Report Dated July 31, 2010, as presented by Doug Marcussen. **Carried.**

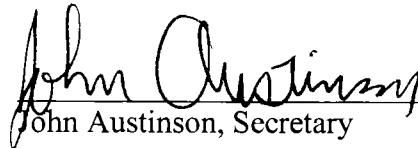
31. Managers Per Diems/Expenses. A **motion** was made by Manager Spaeth and **seconded** by Manager Christensen to approve the payment of Managers' per diem and expenses. **Carried.**

32. Project Team. Consensus of Managers was to hold a subcommittee meeting on Wednesday the 25th of August at the Twin Valley SWCD, instead of a regular Project Team Meeting. Discussion will be regarding the Moccasin Creek Landowner Project.

33. Meeting Minutes Approval July 1, 12 & 14. A **motion** was made by Manager Spaeth and **seconded** by Manager Erickson to approve the Special Meeting Minutes for July 1 and 12 as presented and the July 14 Regular Meeting Minutes with a change of #24 from Radisson Motel to Marriot. **Carried.**

34. BWSR Grant Program. A **motion** was made by Manager Austinson and **seconded** by Manager Erickson authorizing Curtis Borchert, NC SWCD, to be the authorized agent for the grant agreement. **Carried.**

35. There being no further business to come before the Board of Managers a **motion** was made by Manager Austinson and **seconded** by Manager Spaeth to adjourn the meeting. **Carried.** Chairman Holmvik adjourned the meeting at 3:00 p.m.


John Austinson, Secretary

Date	Num	Name	Memo	Amount
Jul 15 – Aug 11, 10				
07/15/2010	13130	Doug Spaeth	swcd small project cost share	-3,000.00
07/15/2010	13131	Pete Revier	SWCD small project cost share	-3,300.00
07/21/2010	13129	Zavoral & Sons	Farm Ring Dikes	-3,500.00
07/21/2010	13132	Avery Brothers Dirtworks	Pay Req #3 Brammer	-3,778.42
07/23/2010	13138	Tom Strand	construction easement	-500.00
08/02/2010	13139	Wambach & Managers Trust Account	Guttormson, Hendrum Levee	-27,020.98
08/02/2010	13140	Wambach & Managers Trust Account	Todd Hendrum City Levee Pymt	-94,030.92
08/02/2010	13141	Wambach & Managers Trust Account	Todd, Dean/Cynthia Hendrum Levee	-73,770.76
08/02/2010	13142	Wambach & Managers Trust Account	Dianne Todd Hendrum Levee	-961.17
08/02/2010	13143	Wambach & Managers Trust Account	McCay/Virgil Hendrum City Levee	-3,498.00
08/02/2010	13144	Wambach & Managers Trust Account	Mike Guttormson, Hendrum Levee	-10,964.98
08/02/2010	13145	Wambach & Managers Trust Account	Wayne/Kari Borgen Hendrum Levee	-20,694.37
08/02/2010	13146	Wambach & Managers Trust Account	Borgen/Vicky A Perley Levee	-97,637.65
08/02/2010	13147	Wambach & Managers Trust Account	Kogstad/Doug Perley Levee	-56,964.94
08/02/2010	13148	Wambach & Managers Trust Account	Aaby Tract 30-3 Perley Levee	-2,503.90
08/02/2010	13149	Wambach & Managers Trust Account	Aabye Tract 30-4 Perley Levee	-15,663.93
08/02/2010	13150	Wambach & Managers Trust Account	Perley Coop Perley Levee	-2,422.20
08/02/2010	13151	Wambach & Managers Trust Account	Tom Strand Tract #19-1 Perley Levee	-8,558.23
08/02/2010	13152	Wambach & Managers Trust Account	Tom Strand Tract #19-2 Perley Levee	-3,360.87
08/02/2010	13153	Wambach & Managers Trust Account	Hoff/Jeffrey Perley Levee	-1,014.70
08/02/2010	13154	Wambach & Managers Trust Account	Hoff/Lawrence Perley Levee	-64,527.55
08/11/2010	13163	Dean Spaeth	Managers expenses	-107.03
08/11/2010	13164	Duane Erickson-Mgr	Managers mileage	-226.05
08/11/2010	13165	Greg Holmvik	Managers mileage expense	-31.00
08/11/2010	13166	John Austinson	Managers mileage	-77.56
08/11/2010	13167	Mike Christensen	Managers mileage	-95.00
08/11/2010	13168	Raymond Managers-Mgr	Managers mileage expense	-144.00
08/11/2010	13250	All Seasons	Pay Req Anderson/Roesch ring dikes	-24,946.92
08/11/2010	13251	AmeriPride	rug cleaning	-64.40
08/11/2010	13252	Arvid L Ambuehl	mowing and maintenance	-5,554.50
08/11/2010	13247	Becker Co. Auditor	taxes	-452.00
08/11/2010	13248	Cardmember Service	payment	-2,211.54
08/11/2010	13249	City of Ada	utilities	-302.97
08/11/2010	13244	City of Ogema	building rental	-25.00
08/11/2010	13245	Clay County Union	administrator advertising	-11.50
08/11/2010	13246	Dean Spaeth	Managers per diem	-220.19
08/11/2010	13241	Diane Ista	Managers per diem	-64.76
08/11/2010	13242	Duane Erickson-Mgr	Managers per diem	-295.00
08/11/2010	13243	Frandsen Bank	Loan Fee	-75.00
08/11/2010	13238	Greg Holmvik	Managers per diem	-267.82
08/11/2010	13239	Hawley Herald	administrator ad	-11.75
08/11/2010	13240	Houston Engineering, Inc.	Engineering July	-91,595.18
08/11/2010	13235	James Wagner Sr-Mgr	beaver control	-2,279.00
08/11/2010	13236	John Austinson	Managers per diem	-115.44
08/11/2010	13237	Loretel Systems	phone	-291.43
08/11/2010	13232	MARCO, Inc.	copy machine	-598.50
08/11/2010	13233	Marcussen Accounting	June and July services	-1,292.50

Date	Num	Name	Memo	Amount
Jul 15 – Aug 11, 10				
08/11/2010	13234	McCollum Hardware, Inc.	cleaning supplies	-21.87
08/11/2010	13229	Mike Christensen	managers per diem	-168.38
08/11/2010	13230	Norman County Auditor/Treasurer	JD 51 landowner list	-10.65
08/11/2010	13231	Norman County Index-Ada	administrator ad and jd 51 hearing notice	-177.50
08/11/2010	13226	North Star Water	water cooler supplies	-35.65
08/11/2010	13227	Office of State Auditor	state audit	-7,387.59
08/11/2010	13228	Office Supplies Plus	office supplies	-395.06
08/11/2010	13223	Ralph's Food Pride	office supplies	-92.63
08/11/2010	13224	Raymond Hanson-Mgr	managers per diem	-36.94
08/11/2010	13225	Red River Coop Power	utilities/Borgen ring dike	-2,585.08
08/11/2010	13220	Renae Kappes	office cleaning	-150.00
08/11/2010	12221	Sun-Flowers	corsage	-8.02
08/11/2010	13222	Twin Valley Times	ad for district admin	-43.50
08/11/2010	13217	VFW	Room Rental	-270.00
08/11/2010	13218	Wambach & Hanson	Legal Fees	-7,464.17
08/11/2010	13219	Wesley Carlsrud	spraying/ditch maintenance	-17,238.26
08/11/2010	13170	Red River Watershed Management Bd	1/2 share of levy	-47,774.90
08/11/2010	13172	Roger Hennen	Guttormson Ring Dike Payment #1	-23,146.20
08/11/2010	13173	Ziegler Construction	Borgen ring dike pay request #3	-22,122.00
7/15-8/11/10		Payroll/emp ins &	Med exp & Payroll taxes	-10,172.08
Total				<u>768,330.09</u>

**ORDER OF BOARD OF MANAGERS REGARDING
PROJECT #51 REPAIRS EXCEEDING NORMAL MAINTENANCE**

A meeting of the Board of Managers of the Wild Rice Watershed District was held at the district office in Ada, Minnesota, on August 11, 2010, at 11:00 a.m. A quorum of the board was present including: Greg Holmvik, Mike Christensen, John Austinson, Dean Spaeth, Diane Ista, and Duane Erickson. Also in attendance were district staff members including: the engineer, Jerry Bents; the attorney, Elroy Hanson; and the interim administrator, Mark Aanenson.

Discussion was had concerning repairs to JD #51 exceeding normal maintenance per Minn. Stat. §103D.635. Specifically, an existing ice control structure on JD #51 has been structurally damaged and is in need of repair. The district's engineer presented construction plans for replacing the existing ice control structure with a new ice control structure approximately 75 feet north of the existing structure.

Discussion was had regarding property owner's concerns that moving the ice control structure north 75 feet have a downstream impact by "throttling" the water, but the engineer stated no such "throttling" would occur.

Discussion was had regarding when the ice control structure was put into Project #51 and it was clear said structure had been part of Project #51 for over 35 years and, accordingly, is a part of said project.

Discussion was had regarding the costs of repairing the ice control structure where it is at versus the cost of putting in a new ice control structure which is hydraulically similar to the existing structure and provides similar benefits. Specifically, the engineer's estimate for construction costs for putting in a new structure as proposed is about \$98,985.00, while the cost for replacing/reconstructing the existing structure where the existing structure is at is almost \$185,000.00.

Discussion was had that the district has an approved FEMA claim regarding the repair costs of \$122,805.00 and that, if the ice control structure is relocated as proposed 75 feet north of the existing structure, all of the construction costs should be covered. Any costs which may not be covered by FEMA will be nominal and apportioned/assessed pro rata upon all property originally assessed for construction of JD #51.

NOW, THEREFORE, based on the above discussion, the board of managers makes the following:

FINDINGS OF FACT

1. That due notice of the hearing for repairs exceeding normal maintenance regarding the ice control structure on JD #51 was given in accordance with Minn. Stat. §103D.635.
2. The engineer's report and construction plans regarding the JD #51 ice control structure dated July 2010 are accepted and approved by the board of managers.
3. The existing ice control structure on JD #51 is in a state of disrepair such that it cannot be economically restored by normal and routine maintenance to the same condition as originally constructed.
4. The new ice control structure is beneficial to Project #51 as it helps to limit the amount of ice and other debris which otherwise would be in JD #51 and said structure should be installed per the engineer's construction plans to a location approximately 75 feet north of the

existing ice control structure to attain the level of operating efficiency contemplated when the existing ice control structure was constructed.

5. Constructing a new ice control structure approximately 75 feet north of the existing structure is compliant with the district's water management plan and is necessary to accomplish the purposes of Minn. Stat. §103D.

6. The costs of the proposed repairs will not exceed the benefits as FEMA will pay for most, if not all, the costs.

BASED on the above discussion and Findings of Fact, and upon motion by Dean Spaeth seconded by Mike Christensen, and unanimously carried, the Board of Managers hereby orders that the new ice control structure of JD #51 be constructed as set forth in the engineer's construction plans of July 2010 at the location stated in said report (approximately 75 feet north of the existing ice control structure).

It is further ordered that the construction costs be paid out of the funds approved by FEMA for said construction, and that any costs, while nominal, not paid by FEMA will be paid by the original Project #51 benefiting area on a pro rata basis.

Dated: Aug 11, 2010
By: [Signature]
Greg Holmvik, Board Chairperson