

SPECIAL MEETING
MAY 5, 2010
APPROVED MINUTES
NRCS/UPPER BECKER/JD #51

1. A Special meeting of the Wild Rice Watershed District Board of Managers was held on Wednesday, May 5, 2010. Managers in attendance included Diane Ista, Joe Spaeth, Greg Holmvik, Duane Erickson, John Austinson, Joe Spaeth and Dean Spaeth. In addition the following persons were in attendance: Administrator Tom Wollin, Assistant Administrator Loretta Johnson, Administrative Assistant Kari Kujava, Attorney Hanson, Engineer Jerry Bents, and interested landowners.
2. Chairman Christensen called the meeting to order at 8:30 a.m.
3. Financial Report. Administrator Tom Wollin gave an update of the Financial Report, from the meeting of the Finance Committee on May 3. It was estimated that to sell the Richards property would take approximately 2 month time frame from advertising to closing of the deal. In regards to the RRWMB classifying the Richards property if traded from CD #18 to Upper Becker, they are anticipating repayment of the \$600,000 loan at this time, prior to making any decision the Richards property if traded. After providing options for board to consider, a **motion** was made by Manager Ista and **seconded** by Manager Holmvik authorizing Administrator Wollin to proceed with establishing a loan at the Frandsen Bank and Trust, for \$250,000 against the Radeck property, borrow \$285,000 against the CD the District currently is holding and the balance of the \$600,000 will be paid out of funds the District holds. **Carried**.
4. Upper Becker. Administrator Wollin presented a timeline on the chalkboard with information regarding the three possible options for the Board to consider on the Upper Becker Project, which included doing nothing or stopping the project, changing the plan, and moving ahead with the project. The costs for each were discussed. Also discussed was amount of funds that the District would need to move forward with the Project, if that is what they decided. Discussion was held regarding the fact that the Jirava option is due May 15, 2010, and there may not be time to obtain the necessary amount of funds by the 15th. A **motion** was made by Manager Holmvik and **seconded** by Manager Ista authorizing Attorney Hanson to work with Jirava's in an attempt to extend the length of the option. **Carried with Manager Erickson opposed**.
5. NRCS Tour/Program Report. John Beckwith, Pete Cooper, Dave Jones, and Glen Kajewski of the NRCS, met with Managers to provide an update on possible projects that their organization could do in cooperation with the Watershed District.

Pete Cooper gave a PowerPoint presentation on the NRCS 566 Program; however John Beckwith and Pete Cooper were not very optimistic that this program would work for the District as it is based on the benefit/cost ratio and agricultural land usually doesn't provide enough benefits. Beckwith did state that he would still work with individual landowners and the District. He also talked about the EQUIP Program which he said is basically for individual landowners.

He did feel that the Agricultural Water Enhancement program (AWEP) may be a better fit. AWEP does require matching dollars, and although it is for landowners, he recommended putting together a proposal that would go to the NRCS requesting that the District be able to work for landowners, even though the program is voluntary, in an effort to gain some storage along with water quality and other natural resource enhancements. Beckwith stated that the program sign up ends soon, so the District should begin the process as quickly as possible.

6. Joe Chisholm Violation/Corey Hanson Complaint, Section 2, Green Meadow Township. Joe Chisholm met with Managers to discuss the reestablishment to the original state of the violation in Section 2 of Green Meadow Township. Chisholm felt that he has completed the necessary restoration called for by the Managers. A **motion** was made by Manager D Spaeth and **seconded** by Manager Austinson to table any action on the violation until the May 12, 2010, meeting. Staff, Managers and technician will do an on site review of the restoration prior to the meeting and bring back a recommendation. **Carried.**

7. Upper Becker. Administrator Tom Wollin read through the Negotiator report prepared by Dennis Ertelt, dated May 3, 2010. Attorney Hanson discussed the Jetvig option and stated that there were necessary changes that need to be incorporated into the document prior to signature by the Board. If policy has been established by the board regarding the price paid for purchase options, this needs to be reconsidered as the price for the Jetvig option is considerably higher. A **motion** was made by Manager Austinson and **seconded** by Manager Erickson authorizing Attorney Hanson to work with Dennis Ertelt in renegotiating the proposed option agreement and table any action by the Board until the May 12, 2010, meeting. **Carried.**

8. Riceville Township Road Repair Request. Administrator Wollin discussed the road repair costs request for reimbursement, submitted by Tom Bergren for the past 30+ years, that Bergren feels are a result of Project #4 Becker Dams. Consensus of Managers was for Wollin to prepare three options for settlement and bring them to the board meeting on the 12th of May for action by the Managers.

9. Conflict of Interest. Attorney Hanson and Administrator Wollin discussed possible conflict of interest of Erickson and Austinson, which was brought up by landowners on the Upper Becker Project at the reconvened hearing on the 21st of April. Hanson stated that conflict of interest for all board members can be real or perceived and although neither the statutes nor Robert's Rules of Order, which is referred to in the District rules, aren't very clear on what the penalty could be, one of the provisions is that if the results of a motion directly affect any board members they must abstain from any voting or discussion.

10. J.D. #51 FEMA Repair. Discussion was held regarding the J.D. #51 FEMA repair as a result of the 2009 flood event. The actual approval by FEMA was not received until March of 2010. A **motion** was made by Manager J Spaeth and **seconded** by Manager Holmvik authorizing engineering to move forward with plans and specifications for the project to bring to the Managers for approval at which time they will schedule a hearing date. **Carried.**

11. Clean Water Legacy Grant Update. Managers discussed the Clean Water Legacy Grant in the amount of \$175,000, which was received from BWSR. A meeting was held with the Norman County SWCD in which the decision was made to build fewer projects with the funding providing a larger cost share incentive for the landowner. Curtis Borchert, N.C. SWCD, reported that this is not a broad spectrum grant, rather very specific in that it applies to just three areas, the South Branch, Moccasin Creek and Marsh Creek of Mahnomen County. Manager Holmvik asked if there would be any additional cost share dollars required by the District, to which Borchert stated that there weren't. A **motion** was made by Manager Austinson and **seconded** by Manager Erickson to approving the District to execute the grant agreement. **Carried.**

12. There being no further business to come before the Board of Managers a **motion** was made by Manager Erickson and **seconded** by Manager Austinson to adjourn the meeting. Chairman Christensen adjourned the meeting at 11:10 a.m. **Carried.**

John Austinson, Secretary