

# *Wild Rice Watershed District*

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## **REGULAR MEETING January 9, 2008 APPROVED MINUTES**

1. The regular meeting of the Wild Rice Watershed District Board of Managers was held on Wednesday, January 9, 2008, at the District office located at 11 Fifth Avenue Main, Ada, MN. The following members were in attendance: Warren Seykora, Jim Wagner, Sr., Bob Wright, Dave Vipond, Diane Ista, Mike Christensen and Joe Spaeth. Absent: None. In addition the following persons were in attendance: Administrator Dalen, Engineer Jerry Bents, Tim Halle, Loretta Johnson and members of the public whose names are attached at the end of these minutes.
2. Chairman Seykora called the meeting to order at 8:40 a.m.
3. A motion was made by Manager Wright and seconded by Manager Spaeth to approve the agenda as distributed. Carried.
4. Public Outreach. Tim Halle updated Managers on recent informational articles written for the District.
5. Project Team. The regular Project Team meeting will be held at 10:00 a.m. on Wednesday January 16, 2008, at the District office. (Note the date change to third Wednesday rather than fourth.) Items on the agenda will include WRWD TMDL Presentation from MPCA; South Branch Project, C.D. #18 and Upper Becker Dam Modification; and WRDA/TV Dam Update.
6. Open Microphone. Brian Borgen distributed information he gathered on the ownership of the Heiberg Dam property. Attorney Hanson informed Borgen that a settlement was reached with Furuseths some time ago, and they and the District each own one-half of the property in question.
7. Meeting Minutes. A motion was made by Manager Spaeth and seconded by Manager Wagner to approve the December 12, 2007, regular meeting minutes as distributed. Carried. A motion was made by Manager Ista and seconded by Manager Vipond to approve the November 27, 2007, special meeting minutes on the Twin Valley Dam with the addition of a hard copy of Engineer LeDoux's PowerPoint presentation at the end of the minutes. Carried. A motion was made by Manager Ista and seconded by Manager Spaeth to amend the regular meeting minutes of December 12, 2007, to remove the word "ring" in line #2 of Paragraph #9. Carried.
8. Project #42. Dave Stumbo asked if audience members would be allowed to respond during the meeting discussion on Project #42 and was told that they could. He commented that he was never going to sell his property, asked where the funds were coming from for land purchase, understood that there needed to be a hearing prior to any land purchase, felt that rules were being usurped; stated that his information from landowners disagreed with the information Administrator Dalen had from landowner meetings and was concerned about seepage. Dalen stated that Red River Construction funds are being used which is within District legalities and a hearing is not necessary prior to land purchase. A map of the project was displayed

on the board. Dan Pritchard stated that he was not interested in sale of his property and felt that on stream storage would be better. Dick Smith also felt on stream storage would be better. David Larson asked which stated department provided funding for land purchase. Dalen stated that the funds being used for land acquisition, are from State bonding and distributed through the MN DNR. Manager Vipond stated that on channel storage may be the cheapest by acre-foot, but considerable farmland would be needed because of seepage and mitigation for wetlands. Vipond also informed the public that the Bois de Sioux Watershed has purchased land for trade for quite some time. The question was asked what percent of property owners at the public hearing would need to be opposed to stop the project. Attorney Hanson informed the group that percent of opposition at a meeting may or may not stop a project, because there are various other issues that must be considered including if the project is in the best interest of the majority of the people and if the project is conducive to the health and welfare of the public. Ronnie Guttormson stated that he wanted the District to stop doing any flood damage reduction projects, rather just do nothing to try to alleviate the flooding. Clay County Commissioner Ben Brunsvold and Norman County Commissioner Steve Jacobson felt that their respective county boards would not want the District to abandon flood damage reduction.

9. Computer Server. A motion was made by Manager Vipond and seconded by Manager Wright approving the quote of Minnkota Technologies for the purchase and installation of a server with the addition of exploring on line back up at the same time. Carried.

10. Farmstead Ring Dikes. Engineer Bents reported that an additional \$50,000 will be received in a ring dike grant from the State of Minnesota, distributed by the DNR. The grant will be executed within the next couple of weeks.

11. RRWMB Meeting. Accountant Doug Marcussen updated the Managers on his attendance at the December RRWMB meeting in which he submitted a request for an advance of \$600K for land acquisition. Manager Wright reported that the RRWMB is committed to advancing the funds if a Step I on Project #42 is submitted and approved.

12. Water Management District (WMD). Administrator Dalen introduced Norman County Commissioner Steve Jacobson to update the Board. Jacobson stated that the County Board passed a motion to pursue the WMD concept if they are assured that the public knows where the money will be spent and that it will not be used as an addition to the Administrative Fund. Manager Ista stated that her comments at the commissioners' meeting were that the funds would be used for a feasible project, the public will know where their money is being used, it will not be used on studies, it will be defined in the ordinance and cannot be changed from that document. Ista also recommended that questions regarding the WMD be added to the list of questions and answers and be added to the current PowerPoint Presentation on the WMD. Administrator Dalen asked Board members if he should continue to make appointments and visit with area counties within the District to inform them about the WMD. Consensus of Managers was for him to proceed.

13. RRWMB Resolutions. Administrator Dalen stated that he and Attorney Hanson would be working on these resolutions in the near future, via email or conference call.

14. Main Stem Corridor Project. Administrator Dalen reported on a recent meeting held with landowners along the Main Stem Corridor and stated that they are in favor of easements that allow developing flood damage reduction but do not want to commit their land forevermore. Ron Harnack, RRWMB, agreed to work with BWSR to add funding for perpetual easements up to 600 feet on either side of the river.

15. Brad Grant, Becker County SWCD submitted a request to the District for engineering services to be paid by the Small Projects Fund for SWCD projects. Consensus of the Managers was to consider each request on a case by case basis due to other County SWCDs also requesting additional funding.

16. Project #42 BMP. Administrator Dalen reported that a subcommittee of the Project Team, led by Brian Dwight will be investigating the use of Best Management Practices (BMP) to reduce sediment load on areas within projects. The inclusion of property would be on a voluntary basis and the District could add incentives to this program.

17. Mahnomen Drainage Project. Representatives from Mahomen County and the City of Mahnomen met with managers to request additional funding from the District to assist in their cost share of 25%, indicating that both the city and county are working with a deficit, but felt the project would provide drainage for the city. A motion was made by Manager Wagner and seconded by Manager Vipond to assist with the project by funding the 25% of the project cost that would have been paid by either Mahnomen County or the City of Mahnomen or both. Carried. The group thanked the board for the funding, consideration and time.

18. Heitman Coulee Access. Attorney Hanson reported that he received correspondence from Paul Haik, attorney for the Viks, who requested additional information from him regarding the specifics of what the District is requesting for access to the Heitman Coulee for repairs. Consensus of the board was to table any further discussion until the February meeting.

19. Twin Valley Dam. Considerable discussion was held regarding the Twin Valley Dam committee meeting which Managers Vipond and Christensen attended and the next step in the process for the board. Managers' consensus was that the board needs to have Congressman Peterson or a staff member, provide more information on TV Dam and what the District needs to do to prepare for possible funding. Manager Vipond stated that there will be the same opposition for this proposed project as there is for Project #42. Manager Wright stated that he had concerns about the District funding this program without authorization. A motion was made by Manager Wright and seconded by Manager Ista to fund the engineering for the hydro power investigation and also the brochure that is being prepared. Carried. Manager Ista agreed to contact Congressman Peterson's staff and work on setting up a meeting with staff and the board of managers. A motion was made by Manager Spaeth and seconded by Manager Wagner authorization committee members Vipond and Christensen to direct the committee working on the Twin Valley Dam to develop short and long term procedures and plans. Carried.

20. Financial Report. Accountant Doug Marcussen gave the Preliminary Financial Report before interest allocation and transfers for December 31, 2007. A motion was made by Manager Spaeth and seconded by Manager Wright to approve the financial report as distributed. Carried.

21. Approval of Bills. A motion was made by Manager Spaeth and seconded by Manager Wagner to approve billing submitted by Jim Skaurud for assisting Manager Seykora with field work. Carried. Manager Ista opposed. A motion was made by Manager Wright and seconded by Manager Spaeth to approve the billings as presented along with managers' per diems and expenses and the RRWMB cost share. Carried.

22. A motion was made by Manager Ista and seconded by Manager Wagner to close the meeting for the purposes of discussing negotiation compensation and acquisition of property from land owners on the Upper Felton Project. Carried.

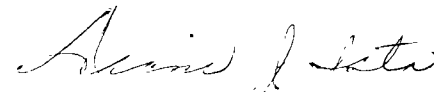
23. The meeting was reopened and a motion was made by Manager Vipond and seconded by Manager Wright to close the meeting to address the litigation with J.B. & Associates with legal counsel. Carried.

24. The meeting was reopened and called to order.

25. Project #42, C.D. #18. Administrator Dalen distributed a flow chart which stated the following: "The Wild Rice Watershed District Board of Managers has authorized Steve Dalen, Administrator and Kari Kujava, Executive Assistant, to conduct the land acquisition process in South Branch #42. Any other contacts will be considered unauthorized and invalid." Discussion was held regarding individual contact by Board members with landowners. A motion was made by Manager Spaeth and seconded by Manager Wagner authorizing Administrator Dalen to continue the process of land negotiations as he has been doing with the addition of a consultant if deemed necessary along with approving the flow chart as distributed. Carried. Manager Ista opposed.

26. RRWMB Step One Submittal. A motion was made by Manager Wright and seconded by Manager Spaeth authorizing a Step I submittal be presented to the RRWMB for funding on C.D. #18 at the January meeting. Carried.

27. There being no further business to come before the board of managers, a motion was made by Manager Vipond and seconded by Manager Christensen to adjourn the meeting. Carried. Chairman Seykora adjourned the meeting at 5:00 p.m.



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Diane Ista, Secretary

Type	Date	Vendor	Amount
Bill	01/07/2008	City of Ada	268.44
Bill	01/07/2008	FP Mailing Solutions	99.05
Bill	01/07/2008	Houston Engineering, Inc.	28,411.65
Bill	01/07/2008	Kris Versdahl	250.00
Bill	01/07/2008	Loretel Systems	266.59
Bill	01/07/2008	Loretel Systems	80.79
		Mahnomen Soil & Water Cons.	
Bill	01/08/2008	District	469.77
Bill	01/07/2008	Marcussen Accounting	803.00
Bill	01/07/2008	McCollum Hardware, Inc.	106.36
Bill	01/07/2008	North Star Water	27.50
Bill	01/07/2008	Northwest MN Multi-County Housing	1,500.00
Bill	01/07/2008	Office Supplies Plus	579.67
Bill	01/07/2008	Renae Kappes	150.00
Bill	01/08/2008	Rinke Noonan	5,815.67
Bill	01/07/2008	The Forum	114.00
Bill	01/07/2008	Tim Halle	690.00
Bill	01/07/2008	Twin Valley Times	24.00
Bill	01/07/2008	Wambach & Hanson	1,014.62
Bill	01/07/2008	Wayne Wilkens	150.00
		<b>TOTAL</b>	<b><u>40,821.11</u></b>

1/9/08

January 9, 2008

David Larson

Marjo Vik

John Brainerd

Gret Haffner

Edmund Anderson

Dan Fitchard

Les Tuthill

Richard A Smith

Kim Syversen

Erik Bakke

Bob Klemtson

Ken Thorsen

Ken Tuthill

David Schneiderman

Harold Heath - Agentrup

Ben Brunswood Clay City Council

Bruce Tupper Ullrich

DAVID SUMBO PER KK

STEVE JACOBSON PER KK

Karen Ahmann - Mahanomen Co.

Nancy Ed Mah Co.

Brian Bergen

Mitchell Berg - City of Mahanomen

Loyce Ballard - Mahanomen Mayor