

# WILD RICE WATERSHED DISTRICT

11 East 5<sup>th</sup> Avenue – Ada, Minnesota 56510  
Phone (218) 784-5501

## SPECIAL MEETING

A Special Meeting of the Wild Rice Watershed District (WRWD) Board of Managers was held on **Tuesday, May 31, 2005** at 8:30 a.m. at the District Office located at 11 5<sup>th</sup> Ave East, Ada MN 56510. Agenda items to be discussed are as follows:

- City of Gary Permit
- Violations – Borgen and Vik
- Staff Billing Rates
- South Branch – Winchester Township & Bonding
- South Branch – Hagen Township and Bonding
- JB and Associates Contracts
- Green Meadow Dam – Update
- Heiberg – Update
- 2005 Flood Storage Investigation
- Lockhart Flood Storage
- MN DNR Permit Appeals – Keith and Randy Chisholm – Section 31 – Sundal Twp – Norman County

WRWD Managers present were: Steve Dalen, Jim Wagner, Bob Wright, Warren Seykora, Jim Skaurud, Diane Ista, Joe Spaeth (arrived at 8:50 a.m.).

Others in attendance: Mark Aanenson, Engineer Jerry Bents, Attorney Elroy Hanson, Publicist Tim Halle and Recording Secretary Loretta Johnson. Ryan Braulick. Mick Alm arrived at 8:45 a.m., Brian Borgen arrived at 8:50 a.m.

The meeting was called to order by Chairman Seykora at 8:40 a.m.

### CITY OF GARY PERMIT

Manager Skaurud reported that he met with the City of Gary and as of now they are not included into any drainage system but would like to petition to be part of Project No 12 for an outlet. Manager Skaurud has a signed petition with him that he presented to the board for approval. Engineer Bents listed the steps that need to be followed in order for the City of Gary to be petitioned into Project No. 12. **Motion** was made by Manager Dalen to set the hearing date for July 13, 2005 with a published notice and mailed to all assessed property owners in Project 12. **Seconded** by Manager Skaurud. **Carried**.

### VIOLATIONS

#### **Brian Borgen – Section 3, Mary Township**

Attorney Hanson spoke with the Norman County Attorney, Tom Opheim, who has not provided an update on the case or stated if a decision has been made to process it criminally. Brian questioned if the culverts could be changed to two (2) 36" culverts to better handle the water flow. Engineer Bents recommended that he apply for a permit.

#### **Eugene Vik – Section 35, Hegne Township**

It was reported that Eugene Vik has allegedly restored the work done in Section 35 in Hegne Township to its original state. Engineer Bents said that he'll check it out to make sure that the restoration is acceptable.

### **STAFF BILLING RATES**

Mark Aanenson reported that he asked Doug Marcussen to put together numbers to arrive at a billing rate for office staff. Since he has not received a reply, Mark recommended that during the temporary employment period the rates of \$18 and \$14 for Loretta and Kari respectively. **Motion** was made by Manger Wright to accept the recommended rates. **Seconded** by Manager Wagner. **Carried**.

### **SOUTH BRANCH – WINCHESTER AND HAGEN TOWNSHIPS REPAIRS** **BOB WRIGHT HAS NO COMMENT DURING THIS PORTION OF THE MEETING.**

#### **WINCHESTER TOWNSHIP**

Attorney Hanson reported that he had a telephone conference with Zenas Baer and Zenas indicated that A.C. Heiraas was not likely to appeal the Winchester or Hagen repair projects if more repairs would be done on the north side of Section 8 in Hagen Township. Attorney Hanson believes that the 30 day appeal time line is over since the order for the Winchester site was signed on April 26, 2005. Bid opening is scheduled for Friday, June 3, 2005.

#### **HAGEN TOWNSHIP**

A.C. Heiraas submitted a new repair request for the north side of Section 8 of in Hagen Township. Hanson informed that Board that if they were to accept this request they may want to publish the amended order to make the public aware of the request. At that point another meeting may be scheduled which would become a considerable expense to the District. Manager Wagner felt that the public must be informed if the request is accepted since they are paying for the project. Bid opening is scheduled for Wednesday, June 15, 2005. Bonding amount can't be decided until all the bids are in. **Motion** by Manager Dalen to deny the amended repair request by A.C. Heirass. **Seconded** by Manager Wagner. **Carried**. Manager Wright abstained. Bid opening for the Hagen site is Wednesday, June 15, 2005.

Warren Olson arrived at 9:45 a.m.

#### **J.B. ASSOCIATES CONTRACT ON COE WRRFS**

Attorney Hanson reported that he has received several email messages from Jerry Bennett concerning the reimbursement of the computer monitor and the USCOE contract. Bennett believes that there was a separate contract between JB and Associates and COE WRRFS. It was the Board's assumption that when Bennett terminated his contract this included the COE contract. Bennett requested that if the Board considers the contract terminated the remaining portion be paid to J.B. and Associates. Attorney Hanson read from the original contract that Bennett is representing the District to which then upon termination of administrative services would mean termination of the COE contract also. Chairman Seykora commented that he doesn't see where the District is obligated in any way to the J.B. Associates COEWRRFS contract. **Motion** was made by Manager Wagner to have Attorney Hanson notify Bennett that his services on the COE contract are no longer needed. **Seconded** by Manager Dalen. **Carried**.

**Motion** was made by Manager Dalen to reimburse Bennett for the computer monitor in the amount of \$350. **Seconded** by Manager Wagner. **Carried**.

Janis Jensen arrived at 10:00 a.m.

#### **GREEN MEADOW DAM PROJECT**

Engineer Bents talked to all property owners and the (two) 2 that have concerns are: Ed Ramstorf and Steve Grieve. Ed Ramstorf is concerned that part of the land is currently in RIM. Mark will be working with BWSR to find out if the District would have to mitigate the RIM contract. Engineer Bents' suggestion was to move the dike where the RIM area is affected.

Steve Grieve's concern is not receiving compensation for 7-8 acres after the dike has been fenced. Grieve is also concerned how he would get his cattle to pasture after the fencing. Ryan Braulick from FSA is working issues concerning CRP.

#### **HEIBERG DAM UPDATE**

Engineer Bents is working with USFWS and the tribal grant. He has had several conversations with Henry Van Offlen (MCEA) and USFWS. The environmental assessment (EA) necessary for the grant has not been published to date. As soon as the EA is published there is a 30-day appeal period for comments and concerns.

Attorney Hanson thought it may be prudent that the City of Twin Valley provide a Quit Claim Deed to the District for the land at the Heiberg Dam site. Although the District has an easement from the City of Twin Valley for their ½ share, it may be better if the District owns it.

#### **LOCKHART FLOOD STORAGE**

Manager Wagner voiced his concern on getting something decided to protect the landowners downstream from the Lockhart Project from flooding. It was decided to bring it before Project Team at the June 22, 2005, meeting. Engineer Bents talked with Brian Dwight, BWSR and he said that he would support looking at the revisions and making changes if necessary. Ryan Braulick, FSA asked for a quick overview of what's going on and if it affects the CRP land. It was decided to bring the measurements and all of the data collected to the Project Team meeting and ask for input on a solution.

#### **PERMIT APPEALS**

Randy and Keith Chisholm's permit applications from 1996-1997 were denied by the DNR. Larry Kramka, DNR, contacted the Board about the status of these permits. After discussion **Motion** was made by Manager Dalen to send all of the information to Chisholm's and have them proceed with the DNR. **Seconded** by Manager Wright. **Carried.**

#### **MOCCASIN CREEK STORAGE SURVEY AND PROFILES**

Sections 22, 23, 26, Flom Twp and Section 7 in Walworth Twp. Engineer Bents estimated the cost of surveying and profiles at \$12,800. **Motion** was made by Manager Skaurud to obtain permission to survey from landowners and proceed with surveying and profiling. **Seconded** by Manager Wagner. **Carried.**

#### **2005 FLOOD STORAGE**

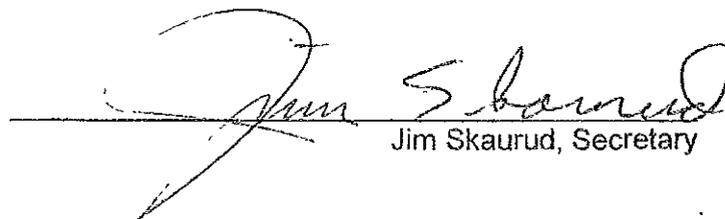
Manager Dalen said that he would like to have a couple meetings and include Engineer Bents for the purpose of prioritizing what the goals are. After the flood storage package is in place he would like to contact Maynard Pick to set up a meeting with Congressman Collin Peterson to ask for his input. The Board prepared an agenda for the June 9, 2005 Flood Storage meeting.

**Motion** was made by Manager Dalen for the District to pay up to \$400 to Houston Engineering for providing the 2002 hydraulic calculation for the Twin Valley gauge. **Seconded** by Manager Wagner. **Opposed** by Manager Skaurud and Chairman Seykora. **Carried.**

**Motion** was made by Manager Wright to schedule the next flood storage meeting for 9:00 a.m. on June 9, 2005. **Seconded** by Manager Wagner. **Carried.**

**Motion** was made by Manager Dalen to adjourn meeting. **Seconded** by Manager Skaurud. **Carried.**

Meeting adjourned at 12:15 p.m.

  
Jim Skaurud, Secretary

