

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

**REGULAR MEETING**  
**July 9, 2014**  
**APPROVED MINUTES**

1. The regular meeting of the Wild Rice Watershed District Board of Managers was held on Wednesday, July 9, 2014. Managers in attendance included: Greg Holmvik, Duane Erickson, Dean Spaeth, Mike Christensen, Curt Johannsen, and Raymond Hanson. Manager John Austinson was absent. 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 at 8:33 a.m.
3. Agenda Approval. A motion was made by Manager Spaeth and seconded by Manager Erickson to approve the meeting agenda with the addition of haying rights and 2014 Annual Report approval by Administrator Ruud and the addition of pay requests for the Upper Reaches and Norman Polk 5 projects by Engineer Bents. Carried.
4. Approval of Billings. A motion was made by Manager Spaeth and seconded by Manager Hanson to approve the payment of billings as presented. Carried.
5. Meeting Minutes. A motion was made by Manager Hanson and seconded by Manager Christensen to approve the monthly meeting minutes dated June 11, 2014 as presented. Carried.
6. Financial Report. A motion was made by Manager Spaeth and seconded by Manager Hanson to approve the monthly financial report dated June 30, 2014. Carried.
7. Open Mic. Nobody spoke at this time.
8. 2014 Annual Report. A motion was made by Manager Spaeth and seconded by Manager Hanson to approve the 2014 Annual Report as distributed at the June Regular Board Meeting. Carried.
9. Community Flood Control Levee Projects. Engineer Bents stated that he does not anticipate getting more funding for the Halstad project from the 2014 bonding bill. A special session might be held to deal with recent flooding damage in the southern portions of the state. Currently he is preparing to submit requests for funding from the 2015 bonding session. He also stated that the acquisitions are continuing with all contacted landowners being willing to sell property for the levee recertification project. Engineer Bents continued by stating that an annual inspection was conducted on the Hendrum levee and there was a concern with an old storm sewer pipe that is being addressed. There is also some concern with grass seed not taking on the Perley levee. It will be addressed once the levee is mowed.
10. Lower Wild Rice. Administrator Ruud updated the Managers regarding the restoration of the Lower Wild Rice River. A meeting with NRCS staff and engineers took place on site with a brief tour. Questions that were brought forth were also addressed during this meeting. There is interest from the NRCS to partner the funding

for land acquisition along the corridor. Another meeting with the NRCS will likely occur in August to discuss more details surrounding the restoration process. An application was submitted to the Lessard Sams Outdoor Heritage Council for \$6.2 million. Engineer Bents reiterated that currently the acquisition is a voluntary process.

11. Goose Prairie Marsh. Administrator Ruud stated that an environmental assessment worksheet will need to be completed and the DNR would be the best candidate to complete this phase. This will provide answers needed for permitting, as well as get comments from various state agencies.

12. Rockwell Dam. Engineer Bents informed managers that prior to sending out bid packages, a contractor will do an onsite assessment determine if the pipe can be sliplined. Once the assessment has been completed, a bid package will be sent out.

Manager Johannsen arrived at 8:51 am.

13. 2014 Acquisition/Demolition. A motion was made by Manager Hanson and seconded by Manager Spaeth to approve a pay request from Gordon Construction in the amount of \$18,221.00. Carried. Engineer Bents stated that a 5% retainer is being held until grass is established at the demolition sites.

14. Upper Reaches. A motion was made by Manager Hanson and seconded by Manager Christensen to approve a final pay request from Spruce Valley Construction in the amount of \$5,559.81. Carried.

15. Norman Polk 5. A motion was made by Manager Hanson and seconded by Manager Johannsen to approve a pay request from Gordon Construction in the amount of \$27,495.00. Carried. Engineer Bents stated that approximately eight miles of cleanout along the project was completed before wet conditions halted the project. The contractor will continue the cleanout following harvest.

## **PERMIT APPLICATIONS**

16. Norman County Highway Department, Section 20, Anthony Twp. A motion was made by Manager Hanson and seconded by Manager Spaeth to approve Permit #7-9-14-19 to replace an existing bridge with a similar bridge design. Carried.

17. Norman County Highway Department, Section 28, Hendrum Twp. A motion was made by Manager Hanson and seconded by Manager Spaeth to deny Permit #7-9-14-18 to remove a 36" RCP centerline culvert based on potential adverse impacts of eliminating natural drainage pattern and objections of upstream owner. Carried. Manager Johannsen abstained.

18. Stanley Wolf, Section 29, Fossum Twp. A motion was made by Manager Hanson and seconded by Manager Christensen to approve Permit #7-9-14-23 to install a grade stabilization project. Carried.

19. Gerald Chisholm, Section 7, Wild Rice Twp. A motion was made by Manager Erickson and seconded by Manager Hanson to approve Permit #7-9-14-2 to replace a 24" culvert with a 48" culver to match the upstream culvert size. Carried. Chisholm was in attendance; therefore Engineer Bents added that the applicant needs to obtain approval from the road authority.

20. Boman Family LLP, Section 27, Home Lake Twp. Dave Boman was in attendance and stated that the entire LLP was not aware of the permit application and members of the partnership are in opposition to the wetland restoration and creation on their property. Attorney Hanson stated that there is question regarding

whether one individual can authorize on behalf of the others. Engineer Bents added that the permit was approved at the June Regular Board Meeting with the condition that adjacent landowners sign in approval of the permit. Nogowski has not signed the permit, therefore conditions set were not met. A motion was made by Manager Erickson and seconded by Manager Johannsen to deny Permit #6-11-14-3. Motion failed due to lack of majority with Managers Holmvik, Hanson, Spaeth, Christensen, and Johannsen voting against motion and Manager Erickson voting for the motion. Jon Voz asked if he could withdraw the permit due to lack of signatures. Attorney Hanson stated that the applicant, Boman Family LLP would have to withdraw the application. Permit is not valid until conditions have been met.

21. Jeff Monson Complaint, Section 30, Island Lake Twp, Mahnomen County. Monson filed a complaint against Keith Danks Jr. regarding a plugged outlet on Island Lake in Mahnomen County. A site review determined that the debris restricting flow at the outlet can be determined as naturally occurring, and is not a violation of watershed rules. A lake property owner in attendance, and identified as Chester presented the Board with a Minnesota DNR Public Waters Work Permit signed December 12, 2006 which sets conditions that the culvert inlet and outlet shall be maintained so that the runout elevation shall not exceed elevation 1425.2 MSL. Attorney Hanson stated that as a past representative of Danks, he does have a conflict of interest and cannot provide legal counsel regarding this matter. The permit presented is a MN DNR permit and the Board could not enforce conditions held within it. Compliance and enforcement must come from the issuing agency. Chairman Holmvik asked Administrator Ruud to contact the MN DNR to determine if there is anything that can be done. A motion was made by Manager Hanson and seconded by Manager Erickson to close the Monson complaint and forward information to the MN DNR for determination, requesting that they further investigate the complaint. Manager Erickson asked that information be mailed to Danks as well. Carried.

22. Domogalla Complaint, Section 11, Marsh Creek Twp, Mahnomen County. Administrator Ruud presented pictures of the site work completed by Sathers to repair the drainage issues. The images were taken following a heavy rainfall and show that water was not backing onto the Domogalla property in the areas of prior concern. A motion was made by Manager Hanson and seconded by Manager Christensen to close the Domogalla complaint. Carried.

23. A motion was made by Manager Johannsen and seconded by Manager Spaeth to approve the following permits with conditions as listed. Carried

- Nicholas Geray, Sections 3 & 4, Chief Twp. Permit #7-9-14-3 to install water and sediment basins for erosion control. Carried
- Jay Gunderson, Sections 29 & 30, Heier Twp. Permit #7-9-14-4 to install water and sediment basins for erosion control. Carried.
- Mark Habedank, Section 2, Ulen Twp. Permit #7-9-14-5 to install subsurface drain tile with standard tile conditions. Carried
- Mark Habedank, Section 31, Fossum Twp. Permit #7-9-14-6 to install subsurface drain tile with standard tile conditions. Carried.
- Paul Harless, Section 28, Winchester Twp. Permit #7-9-14-7 to install subsurface drain tile with standard tile conditions. Carried.
- Steve Kahlbaugh, Section 12, Pembina Twp. Permit #7-9-14-8 to install subsurface drain tile with standard tile conditions. Carried.
- Steve Kahlbaugh, Section 17, Rosedale Twp. Permit #7-9-14-9 to install subsurface drain tile with standard tile conditions. Carried.
- Brent Kappes, Section 14, Winchester Twp. Permit #7-9-14-11 to lower an existing culvert four to six inches with condition that the outlet is installed above (however not more than two feet above) the

elevation of the original design gradeline of the receiving ditch and the condition that the ditchbanks and/or levees are restored to the preproject geometry and the condition that the applicant is responsible for adequate erosion control measures at the outlet. This could include the installation of riprap or other protection measures as necessary. Carried.

- David Mattson, Section 31, Bear Park Twp. Permit #7-9-14-12 to extend existing culverts in field approaches and widen the driveways for larger equipment with the condition that the culverts remain the same size and at the same elevation as the existing culverts. Carried.
- David Mattson, Section 6, Waukon Twp. Permit #7-9-14-13 to extend an existing culvert in field approaches and widen the driveways for larger equipment with the condition that the culvert remains the same size and at the same elevation as the existing culvert. Carried.
- David Mattson, Section 5, Waukon Twp. Permit #7-9-14-15 to extend an existing culvert in field approaches and widen the driveways for larger equipment with the condition that the culvert remains the same size and at the same elevation as the existing culvert. Carried.
- David Mattson, Section 28, Bear Park Twp. Permit #7-9-14-16 to extend an existing culvert in field approaches and widen the driveways for larger equipment with the condition that the culvert remains the same size and at the same elevation as the existing culvert. Carried.
- McDonaldsville Township, Section 23, McDonaldsville Twp. Permit #7-9-14-17 to replace a 48" culvert with a longer 48' culvert with the condition that the culvert remains the same size and at the same elevation as the existing culvert. Carried.
- Rockwell Township, Section 10, Rockwell Twp. Permit #7-9-14-20 to install a new driveway and 18" culvert. Carried.
- Gary Schlick, Section 9 & 10, Rosedale Twp. Permit #7-9-14-21 to install water and sediment basins for erosion control. Carried.
- Kent Stueness, Section 25, Home Lake Twp. Permit #7-9-14-22 to install subsurface drain tile with standard tile conditions. Carried.

24. Doug Chandler, Section 31, Hubbard Twp. A motion was made by Manager Hanson and seconded by Manager Erickson to table Permit #7-9-14-1 to lower an existing culvert 1.5 feet pending a field review. Carried.

25. Steve Kahlbaugh, Section 14, Pembina Twp. A motion was made by Manager Spaeth and seconded by Manager Christensen to table or approve Permit #7-9-14-10 to notice the north half of Section 14 of Pembina Township, or the Permit is approved with standard tile conditions if the applicant provides approval of downstream landowners in Section 14. Carried.

26. Dave Mattson, Section 5, Waukon Twp. A motion was made by Manager Spaeth and seconded by Manager Johannsen to table Permit #7-9-14-14 to install subsurface drain tile to request a tile plan. Carried.

27. Administrator Ruud stated that a culvert located on a township road between the Upper and Lower Becker Dams is showing wear and tear. On behalf of the township, Tom Bergren asked if the District would provide the materials and the Township will install the new culvert since both parties have ownership interest. Repairs will be completed according to this agreement.

28. A motion was made by Manager Spaeth and seconded by Manager Johannsen to approve paying Wesley Carlsrud \$28,669.53 for June spraying. Carried.

29. Clay County Highway Department, Sections 26 & 27, Ulen Twp. Engineer Bents presented information regarding gated storage at this site. The level of storage is limited due to close proximity to an upstream

property. Administrator Ruud added that in order for this site to be effective, it would need to be done in conjunction with other sites upstream. A motion was made by Manager Spaeth and seconded by Manager Hanson to approve Permit #7-9-14-24 to remove three 30" culverts and overflow structures and replace with two 16' x 10' box culverts. Motion passed with Manager Erickson in opposition.

30. Green Meadow Project Team. Engineer Bents reviewed four options of alternatives that were presented to the Project Team at the June meeting and summarized the Project Team's thoughts of the alternatives. The Project Team carried forward two of the presented options and asked for 3 additional options to be developed. The following five alternatives will be considered by the Project Team at the next meeting:

1. Option 3 (Including two sites in Upper Green Meadow Subwatershed)
  - a. 3,050 acre feet of on channel gated storage below the existing Green Meadow Dam
  - b. 1,820 acre feet of gated storage at the current Green Meadow Dam site
  - c. 315 acre feet of gated storage at "UGM Site 1" aka: Klask Site
  - d. 1,375 acre feet of gated storage at "UGM Site 2"
2. Option 4 (Including two sites in Upper Green Meadow Subwatershed)
  - a. 4,300 acre feet of on channel gates storage below the existing Green Meadow Dam
  - b. 1,820 acre feet of gated storage at the current Green Meadow Dam site
  - c. 315 acre feet of gated storage at "UGM Site 1" aka: Klask Site
3. Option 5
  - a. Extend existing Green Meadow Dam site 1 mile north, similar to "Option 2"
  - b. Eliminate storage site below the existing dam
  - c. Keep both storage options in Upper Green Meadow Subwatershed, similar to "Option 3"
4. Option 6
  - a. Extend existing Green Meadow Dam site 1 mile north, similar to "Option 2"
  - b. Move storage site below existing dam off channel
  - c. Keep both storage options in Upper Green Meadow Subwatershed, similar to "Option 3"
5. Option 7
  - a. No change to current Green Meadow Dam
  - b. Have one retention site below existing Green Meadow Dam

Engineer Bents added that Option 7 was added to develop a baseline for cost comparison. The Project Team will complete a site tour later in July and meet again in August.

31. Habedank Potential Storage Sites. Engineer Bents presented cost estimates for each of the sites brought forward. Each site would carry a cost of approximately \$1.5 million and has the potential for 400-500 acre feet of storage at each site. The Managers decided to table the storage sites at this time, taking no action on the information presented.

32. Haying Rights. Administrator Ruud distributed an easement for property along the South Branch stating that the Watershed has the right to maintain the property. Questions were brought forth regarding the definition of maintenance and haying rights on the property. Attorney Hanson stated that if haying is necessary it can be considered maintenance, but mowing is taking place. Manager Johansen stated that property owners should be able to grant haying rights to individuals. Administrator Ruud added that when the Watershed's contractor shows up to mow, bales must be removed from the property.

33. Proposed Model Rules Update. Due to time constraints, Administrator Ruud asked the Board to table the item until next month's meeting.

34. Awning for Outside of Watershed Building. Administrator Ruud presented the Managers with two quote for installing an awning on the south side of the building. Manager Spaeth suggested that the board table the item and return next month with decisions and comments.

35. A motion was made by Manager Hanson and seconded by Manager Johannsen to approve payment of Manager per diems and expenses as distributed. Carried.

36. Meetings/Conferences/Seminars. Chairman Holmvik stated that the 3<sup>rd</sup> Annual RRV Ag Water Issues Forum will be held on July 17<sup>th</sup> at 8:00 am at Skaurud Grain Farms. He asked if the Forum should be categorized as a special meeting in case more than four managers were present. Attorney Hanson stated that as long as the Managers do not meet as a Board to conduct official business it would not be necessary. He also advised the Managers to clarify that they are not present as a Board if questioned. Chairman Holmvik encouraged all Board Members to attend the Forum. Attorney Hanson added that they would attend as private citizens.

34. There being no further business to come before the Board of Managers, a motion was made by Manager Hanson and seconded by Manager Spaeth to adjourn the meeting. Carried. Chairman Holmvik adjourned the meeting at 11:31 am.

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John Austinson, Secretary

**Jun 12 - Jul 9, 14**

06/12/2014	15298	Kurt D Vandermeer ET AL	Halstad Land Acquisition	500.00
06/17/2014		QuickBooks Payroll Service	Created by Payroll Service on 06/16/2014	5,325.87
06/24/2014	ACH	AT&T	Kevin Cell	116.58
06/24/2014	ACH	PERA	PERA benefits	757.28
06/24/2014	ACH	PERA	PERA benefits	45.92
06/25/2014	ACH	MARCO, Inc.	Copier Lease	630.36
06/30/2014	ACH	PERA	PERA benefits	757.28
07/01/2014		QuickBooks Payroll Service	Created by Payroll Service on 06/30/2014	5,625.85
07/01/2014	15350	Waypoint Insurance Advisors	D&O/EPL Policy renewal	8,610.00
07/08/2014	ACH	Arvig	Telephone, internet, fax	415.63
07/08/2014	15353	AmeriPride	Rugs	74.12
07/08/2014	15354	Arvid L Ambuehl	Removed 7 trees from Wild Rice River	660.00
07/08/2014	15355	Cardmember Service	Office Supplies	32.05
07/08/2014	15356	Becker County Auditor-Treasurer	Special Assessments	564.00
07/08/2014	15357	Cardmember Service		1,596.28
07/08/2014	15358	Gordon Construction, Inc.		9,970.00
07/08/2014	15359	FP Mailing Solutions	Postage meter lease	118.63
07/08/2014	15360	Gordon Construction, Inc.	Pay Request 1	18,221.00
07/08/2014	15361	GreenWay Lawn Spraying	Lawn Spraying	80.16
07/09/2014	15362	Gordon Construction, Inc.	Project 5 - Pay request 2	27,495.00
07/09/2014	15363	Grinnell Mutual Payment Center	Business Owners Policy	2,241.00
07/09/2014	15364	Houston Engineering, Inc.	June Engineering	25,310.39
07/09/2014	15365	Morris Electronics, Inc.		845.60
07/09/2014	15366	Northwest Beverage, Inc.		50.50
07/09/2014	15367	Office Supplies Plus		129.24
07/09/2014	15368	Ralph's Food Pride	Meeting/office supplies	66.11
07/09/2014	15369	Red River Basin Commission Red River Watershed Management Board	2014 Invasive Species Funding	5,000.00
07/09/2014	15370		1/2 Cost share reimbursement	304,767.98
07/09/2014	15371	Renae Kappes	Cleaning - 2@60	120.00
07/09/2014	15372	Spruce Valley Corp	Final Pay Request	5,559.81
07/09/2014	15373	Tony Sip	June Mowing	8,245.00
07/09/2014	15351	Visser Trenching	Resurface/pack parking lot	384.00
07/09/2014	15352	Wambach & Hanson	June Legal	776.40
07/09/2014	15374	Tammy Erickson	Mowing	150.00
07/09/2014	15348	Gordon Construction, Inc.	Remove trees from structure	100.00
07/09/2014	15349	Heather Krogstad	Meeting rolls	10.00
07/09/2014	15380	Curt Johannsen		261.91
07/09/2014	15381	Dean P Spaeth		200.68
07/09/2014	15382	Duane L Erickson		318.03
07/09/2014	15383	Gregory R Holmvik		69.26
07/09/2014	15384	Michael K Christensen		718.38
07/09/2014	15385	Raymond M Hanson		89.61

**Jun 12 - Jul 9, 14**

**TOTAL**

**437,009.91**