

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

**REGULAR MEETING**  
**January 14, 2015**  
**APPROVED MINUTES**

1. The regular meeting of the Wild Rice Watershed District Board of Managers was held on Wednesday January 14, 2015. Managers in attendance included: Greg Holmvik, Duane Erickson, John Austinson, Mike Christensen, Dean Spaeth, and Raymond Hanson. Absent: Curt Johannsen. In addition the following persons were in attendance: Administrator Kevin Ruud, Engineer Jerry Bents, Attorney Hanson, Tara Jensen, and various other interested taxpayers and landowners.
2. Chairman Holmvik called the meeting to order 8:30 a.m.
3. Agenda Approval. A motion was made by Manager Spaeth and seconded by Manager Christensen to approve the agenda with the addition of the following additions. Manager Erickson also asked for an update on the City of Ada project and was directed by Administrator Ruud that it would be best ask the Ada City Council for an update as it is their project and not a District Project. Carried.
  - Citizen's Advisory Committee – by Administrator Ruud
  - Viewer's Association – by Administrator Ruud
  - 2015 Goals – by Manager Erickson
  - Goose Prairie Wildlife Enhancement Project – by Manager Erickson
  - Becker County SWCD – by Manager Erickson
4. Approval of Billings. A motion was made by Manager Spaeth and seconded by Manager Austinson to approve payment of billings as presented. Carried.
5. Meeting Minutes. A motion was made by Manager Hanson and seconded by Manager Spaeth to approve the December 10, 2014, Regular Meeting Minutes as presented. Carried.
6. Financial Report. A motion was made by Manager Spaeth and seconded by Manager Christensen to approve the monthly and yearend financial reports dated December 31, 2014, and the following transfers from Unassessed Projects and Ditches, Permits and Violations to the Red River Construction Account. Carried.

	<u>12/31/2014</u>	<u>RRC</u>	<u>Survey &amp; Data</u>
<b>PROJECTS</b>			
<b>UNASSESSED</b>			
#38 Rockwell Dam	23,822.34	(23,822.34)	
<b>Project Development - RRC</b>			
#354 Goose Prairie WMA Storage	741.00	(741.00)	
#356 Green Meadow Project Team	(13,821.19)	13,821.19	
#357 Wild Rice Vik/Tufte/Heitman	(1,183.85)	1,183.85	
#339 DFIRM Norman County	11,093.39	(11,093.39)	
#341 DFIRM Mahnomon County	5,304.75	(5,304.75)	
<b>#12 Permits</b>			
<b>#18 Violations</b>			
#78 Gene Ueland Complaint 2014	395.50	(395.50)	
#77 Ralph Kraft Complaint - Fos	226.00	(226.00)	
#18 Violations - Other	310.00	(310.00)	
#12 Permits - Other	6,749.74	(6,749.74)	
	<u>33,637.68</u>	<u>-33,637.68</u>	<u>0.00</u>
	33,637.68	-33,637.68	

7. Open Microphone. No one spoke at this time.

8. Community Flood Control Projects. Engineer Bents reported that the Hendrum and Perley grant expired on December 31, 2014. All bills for work completed have been received and a final reimbursement will be submitted prior to the end of January. He also stated that the digital parcel information was received and a HMGP application is being considered dependent on the benefit cost analysis (BCA) ratio which will be calculated. Manager Erickson asked if road replacements through the communities have been scheduled. Engineer Bents replied that the timeline for roadwork has changed a few times. He continued by stating that we are still working on acquiring property for levee improvements in the City of Halstad.

9. Rural Acquisition. Administrator Ruud is continuing to work through details with the Viks. He reported that we have received new applications for rural acquisitions as well and we will work to obtain funding. Along with rural acquisition applications we have received inquiries about the ring dike program. Administrator Ruud is working with Ron Harneck to try to obtain funding for both areas. Manager Erickson asked if we currently had funding for the Vik acquisition. Engineer Bents replied that funding is secured for the purchase of the building site with the intent that the Lessard Sams grant would provide funding for the ag land acquisition.

10. Lower Wild Rice. Administrator Ruud stated that all updates for the Lower Wild Rice Corridor Restoration were covered in the Rural Acquisition discussion. We are still waiting for confirmation regarding the Lessard Sams Grant.

11. Goose Prairie Wildlife Enhancement Project. Administrator Ruud stated that we are still working to complete the Environmental Assessment Worksheet. Manager Erickson asked if we are in a position to move forward with work in 2015. Administrator Ruud replied that the rate of progress would be determined dependent on what the EAW says in regards to mitigation. It is more likely that any potential construction would begin in 2016.

12. Citizens Advisory Board. Administrator Ruud informed the Board that an Advisory Board meeting was scheduled for Tuesday, December 9, 2014. The Advisory Board was unable to meet due to a lack of quorum. Following the attempted meeting it was discovered that one of the Advisory Board members had moved out of the District and therefore should be removed from the list of members. Administrator Ruud continued by stating that the Advisory Board discussed trying to meet in the spring of the year rather than the Fall/Winter. Discussion was held regarding attendance requirements and if some members should be removed. Further discussion was held regarding township supervisors and other officials serving as members.

## **PERMIT APPLICATIONS**

13. David and Daniel Steffl, Section 23, Walworth Twp. A motion was made by Manager Hanson and seconded by Manager Erickson to approve Permit #1-14-15-6 to install subsurface drain tile with standard tile conditions. It was noted that this was an after the fact permit application and the USFWS has reviewed additional information provided by the applicant and now approves of the permit. Carried.

14. Charles Borgen, Section 28, Hegne Twp. A motion was made by Manager Spaeth and seconded by Manager Hanson to table Permit #1-14-15-1 to install subsurface drain tile, requesting written approval from the Drainage Authority (Norman County) or an alternate project design with a different outlet location. Carried.

15. Duane Erickson, Section 25, Home Lake Twp. A motion was made by Manager Austinson and seconded by Manager Hanson to approve Permit #1-14-15-2 to install subsurface drain tile with standard tile conditions. Applicant amended the permit application to extend the tile line outlet location 100-150 feet onto downstream property owner's property at the request of adjacent landowner. Manager Erickson abstained. Carried.

16. Duane Erickson, Section 7, Spring Creek Twp. Permit #1-14-15-3 was withdrawn by applicant during the meeting.

17. Don Johnson, Section 8, Rockwell Twp. A motion was made by Manager Hanson and seconded by Manager Christensen to table Permit #1-14-15-4 to clean ditch and construct a berm to contain runoff in the road ditch pending project design information from the applicant. Carried.

18. MNDOT, Section 27, McDonaldsville Twp. A motion was made by Manager Hanson and seconded by Manager Austinson to table Permit #1-14-15-5 to replace the Highway 9 bridge over the Wild Rice River, raise the bridge elevation 2.5 feet and reconstruct the adjacent highway to the new grade. Project also includes culvert changes. District will notice Sections 27, 28, and 29 of McDonaldsville Twp. Administrator Ruud noted that the DOT will need to obtain an easement from the district for a portion of the Wagner buyout property. Carried.

19. David Visser, Section 2, Strand Twp. A motion was made by Manager Christensen and seconded by Manager Hanson to continue to table Permit #1-14-15-7 to construct a new ditch pending previously requested information from the applicant. Carried.

20. Atlanta Twp 1 Complaint. Engineer Bents reported that a Board complaint was issued based on unpermitted work completed in Section 1 of Atlanta Twp. A permit with conditions has been granted for the work completed. Engineer Bents asked if the Board wanted to leave the complaint open or close it. Chairman Holmvik asked what would happen if the complaint is closed and it was found that the additional work was not completed to meet the permit conditions. Engineer Bents responded that the parties would be in violation of the permit conditions at that time. A motion was made by Manager Erickson and seconded by Manager Austinson to close the complaint in Section 1 of Atlanta Twp. Carried. The Board directed Manager Austinson to drive by the site to determine if work has been completed to block the culverts per conditions of the permit.

21. Manager Spaeth left the meeting at 9:10 pm.

22. Viewer's Association. A motion was made by Manager Christensen and seconded by Manager Austinson to approve the District to continue to be an associate member of the Viewer's Association. Carried. Administrator Ruud recently attended a viewer's association meeting.

23. 2015 Goals. Manager Erickson asked fellow Board members to determine what goals they should set for 2015. He asked where the District is headed, what the District wants to do, and what can be done better internally. Manager Erickson asked if there is anything that can be done by the board to speed up the process of getting projects started. He felt that the delays caused by government agencies could be sped up. Chairman Holmvik replied that he did not feel that the Board could speed up other agency's processes. Administrator Ruud added that the current project team process provides the quickest method of reaching an end result as it guarantees that steps are not skipped along the way. Engineer Bents felt that the four current priorities for the District are to obtain funding for the Halstad Levee recertification, moving forward with the Lower Wild Rice Corridor Restoration, continuing to make progress on the Goose Prairie Wildlife Enhancement Project, and dependent on Board decision later in the meeting, going forward with the Green Meadow Project Team recommendations. Manager Austinson added that he feels that currently things in the District are going well.

24. Auto Pay Vendors. A motion was made by Manager Austinson and seconded by Manager Christensen to approve the following list of auto pay vendors for the 2015 calendar year. Carried. It was noted that the list remains the same as 2014.

- Arvig
- AT & T
- City of Ada
- Harland Checks – Check reorder
- Frandsen Bank – safe deposit box annual renewal
- Marco
- MN Department of Revenue – Payroll Taxes
- MN Energy Resources
- PERA
- Postalia – postage meter postage deposits
- Quickbooks Payroll Service
- US Treasury – Payroll Taxes

25. Transfer Authority. A motion was made by Manager Christensen and seconded by Manager Erickson to approve District Staff to internally transfer funds between unassessed projects and ditches and the Red River Construction account, bringing transfers for board notification and approval at regular Board Meetings. Carried.

26. Green Meadow Project Team. Chuck Fritz, Project Team Facilitator, informed the Board that the Project Team met on December 17<sup>th</sup> and chose a project to present for Board Consideration. Engineer Bents summarized the options that were considered by the Project Team, showing the affects to the hydrographs at both the Green Meadow Dam and the outlet of the Green Meadow Subwatershed. Manager Erickson asked which project the Green Meadow Subwatershed drains into. Administrator Ruud responded that the Subwatershed drains into Project 30, also known as the Hadler Ditch. Manager Erickson asked if landowners along the ditch system should be notified of the proposed project. Administrator Ruud responded that landowners would be notified as part of a public hearing before a project is started. Engineer Bents continued to review the options with the Board, informing them that the project that was chosen was broken into two

phases. The first phase, which would be pursued, includes two gated impoundments above the existing Green Meadow Dam and expanding the current Green Meadow Dam. The second phase, which would continue to be explored, includes an off channel preferred gated impoundment below the existing Green Meadow dam, and is dependent on practicability, landowner willingness, and the ability to meet the flood damage goals set forth by the Green Meadow Project Team. Manager Austinson asked how much landowner involvement there was in the Project Team decision. Administrator Ruud responded that there were three landowners, from various areas of the Subwatershed, asked to be on the Project Team. Due to health concerns one landowner had limited participation. The decision to present the project into two phases was based on recommendations from the two landowners in attendance. This was decided based on the practicality of obtaining the land for the second phase. Currently the landowner approached would not consider selling the land, however they did note that in the future it may be a consideration. Chairman Holmvik asked if the downstream site location could be moved dependent on land availability. Fritz replied that the location could be moved and it is possible that the site can be tillable when it is not being used for water retention. A motion was made by Manager Austinson and seconded by Manager Christensen to accept the Project Team recommendation of a two phase project as described previously and to submit Points of Concurrence 3 to the US Army Corps of Engineers. Manager Erickson asked if all Board Members needed to be present to make a decision to move forward with the process. Attorney Hanson responded that only a quorum is required per statutes. Manager Erickson stated that he would like to see more landowners along the ditch system involved prior to going forward with a project. Attorney Hanson commented that in his opinion the motion is not formally initiating the project, rather it is another step in the process that needs to be completed. Fritz added that this step is important and the next step would be obtaining permits to operate the sites as presented in Points of Concurrence 3. Motion carried with Manager Erickson in opposition.

27. A motion was made by Manager Christensen and seconded by Manager Austinson to approve payment of a bill just received from Kenneth Aaron Kesselberg for office snow removal and salting in the amount of \$75.00 Carried.

28. Managers Per Diems and Expenses. A motion was made by Manager Hanson and seconded by Manager Christensen to approve payment of Managers per diems and expenses as distributed. Carried.

29. Judicial Ditch 53, Lateral 2. Administrator Ruud gave a history of the location and installation of the Erosion Control Structure near the outlet of the ditch system. Representatives from Halstad Township have contacted the district office regarding repairs that needed to be done to the outlet structure which lies underneath a township road. In the 1960's the erosion control structure was installed as part of a ditch system improvement. At the time the ditch was a county system. When the improvements were being made, Halstad Township abandoned a road west of the new ECS and placed a new road over the structure to provide access to homes south of the ditch. In 1992 the ditch system levee paid for approximately \$14,000 in repairs to the structure. In 2010 maintenance was performed near the structure in the amount of 4,000, which was paid by the ditch system maintenance levee. Bob Pickle, Halstad Township Clerk, stated that he felt that the ditch system and Watershed should take ownership of the bridge since it is part of the ditch system. Administrator Ruud stated that in conversations with Engineer Bents and Attorney Hanson it was discussed that the main concern to the district is that they do not want to take ownership in the bridge due to liability issues. It is not common to place a road over an ECS. If the ECS fails and someone is traveling over the top there could be liability issues. Administrator Ruud suggested that the District take the lead in obtaining bids for repairs and enters into a maintenance agreement with the Township, agreeing to pay a percentage of repairs. Steve Anderson, who resides along the township road, asked what the District policy would be if the Township were to abandon the road. Attorney Hanson asked Township officials if there is intent to abandon the road. Pickle responded that there has been discussion regarding abandoning the road if repair costs were too high. Manager Christensen asked whose responsibility the bridge currently is. Administrator Ruud responded that it is unclear who is responsible for repairs. Township supervisors asked why the county is performing bridge inspections on the

structure. Engineer Bents responded that that County is required to perform bridge inspections on all structures over 10 feet in length. A motion was made by Manager Hanson and seconded by Manager Christensen to approve Houston Engineering to do a field review of the site and return to the March Regular Board meeting with options for repairing the structure. Township supervisors asked who would be responsible for the repairs once the cost is determined. Manager Hanson stated that it is his thought that it would be fairly easy to determine what it would cost to repair the structure and what portion of the costs are directly related to their being a road over the structure, versus it being a stand alone ECS. Pickle asked if the Board should be receiving the bridge reports rather than the Township. Administrator Ruud replied that the township should receive the reports as the ditch system does not need the road over the structure, that is a township choice. He added that by accepting the reports the ditch system assumes liability for the structure if it fails and someone is injured while traveling over it. Pickle stated that he could argue that the system is liable if the structure fails and injuries occur. Administrator Ruud responded that the district could require the township to remove their road from the structure which would eliminate the liability. Pickle asked if he could forward copies of the bridge report to the district for informative reasons. Administrator Ruud responded that would be reasonable.

30. Proposed Model Rules Update. Administrator Ruud stated that he would prefer to discuss the rules update with more of the Board present.

31. There being no further business to come before the Board of Managers, a motion was made by Manager Hanson and seconded by Manager Christensen to adjourn the meeting. Carried. Chairman Holmvik adjourned the meeting at 10:34 a.m.

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John Austinson, Secretary

Date	Num	Name	Memo	Amount
<b>Dec 11, '14 - Jan 14, 15</b>				
12/11/2014	15415	R. Sulerud & G. Sulerud & D. Steen	Consideration	500.00
12/12/2014	ACH	PERA		866.64
12/16/2014		QuickBooks Payroll Service	Created by Payroll Service on 12/15/2014	5,474.47
12/17/2014	ACH	PERA		765.38
12/24/2014	ACH	AT&T		115.88
12/25/2014	ACH	MARCO, Inc.		647.77
12/29/2014			Funds Transfer	100,000.00
12/30/2014		QuickBooks Payroll Service	Created by Payroll Service on 12/29/2014	5,294.77
12/30/2014	ACH	Minnesota Energy Resources Corporation		73.00
01/03/2015	ACH	Arvig		384.85
01/12/2015	ACH	City of Ada		255.16
01/13/2015		QuickBooks Payroll Service	Created by Payroll Service on 01/12/2015	5,749.55
01/14/2015	15539	AmeriPride		174.74
01/14/2015	15540	Braun Intertec Corporation		673.00
01/14/2015	15541	Cardmember Service	December Billing	302.88
01/14/2015	15542	Clay County Union	Change of meeting Ad	72.00
01/14/2015	15543	Drainage Solutions	Ditch Grading	4,500.00
01/14/2015	15544	FP Mailing Solutions	Postage meter	118.63
01/14/2015	15545	Gordon Construction, Inc.	Replace Flap Gate	700.00
01/14/2015	15546	Houston Engineering, Inc.	December Billing	18,892.82
01/14/2015	15547	Key Contracting		1,569.50
01/14/2015	15548	Norman County Highway Department	Remaining 2014 Restitution Reimbursement - Brian Borgen	500.00
01/14/2015	15549	Northwest Beverage, Inc.	Water	26.00
01/14/2015	15550	Office Supplies Plus		261.77
01/14/2015	15551	Ralph's Food Pride	supplies	56.72
01/14/2015	15552	Red River Watershed Management Board	Remaining 2014 Reimbursement	6,116.09
01/14/2015	15553	Renaee Kappes	December, January cleaning	240.00
01/14/2015	15554	Subway	GMPT lunch	156.68
01/14/2015	15555	Tim Crompton Excavating	Ditch Grading	2,550.00
01/14/2015	15556	Tony Sip	Tree and Brush removal	3,323.00
01/14/2015	15306	Wambach & Hanson	December Legal	1,829.40
01/14/2015	15537	Western National Insurance Group	Policy Renewal - Account 1004446	11,236.00
01/14/2015	15538	Cardmember Service	December Billing	841.61
01/14/2015	15557	Dean P Spaeth		105.42
01/14/2015	15558	Duane L Erickson		196.94
01/14/2015	15559	Gregory R Holmvik		69.26
01/14/2015	15560	John D Austinson		111.07
01/14/2015	15561	Michael K Christensen		185.64
01/14/2015	15562	Raymond M Hanson		69.26
01/14/2015	15563	Kenneth Aaron Kesselberg	Snow Removal	75.00
01/14/2015	15307	Minnesota Viewers Association	Annual Dues	125.00

**TOTAL 175,205.90**