

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

REGULAR MEETING
November 6, 2024
APPROVED MINUTES

A full list of acronyms used is available at the end of this report (Appendix C)

1. The regular meeting of the Wild Rice Watershed District Board of Managers was held on Wednesday, November 6, 2024. Managers in attendance included: Greg Holmvik, Matt Borgen, Raymond Hanson, Dean Spaeth, Mike Christensen, Curt Johannsen and Duane Erickson. In addition, the following people were in attendance: Administrator Tara Jensen, Engineer Jerry Bents, and Attorney Elroy Hanson. Various other interested taxpayers and landowners attended in person or via electronic means.
2. Chairman Holmvik called the meeting to order at 8:30 a.m. with recital of the pledge of allegiance.
3. Agenda Approval. A motion was made by Manager Spaeth and seconded by Manager Hanson to approve the agenda with the following additions: Clay County Resolution for Psychiatric Treatment Facility for Youth, Online Permit Application Database, 1W1P and Becker Dam. Carried.
4. Meeting Minutes. A motion was made by Manager Christensen and seconded by Manager Hanson to approve the October 9, 2024, Regular Meeting Minutes as presented. Carried.
5. Approval of Billings. A motion was made by Manager Spaeth and seconded by Manager Hanson to approve the payment of billings with the following late bills: Beaver LLC \$1,385.24 and Morris Electronics \$625.00. Carried.
6. Financial Report. A motion was made by Manager Spaeth and seconded by Manager Christensen to approve the monthly financial report dated October 31, 2024 as presented. Carried.
7. Open Mic. No one spoke.

PERMITS

8. Adam McCollum, Section 33, Gregory Twp. Permit #24-134 to install water and sediment control basins. Adjacent landowners were present and expressed concerns. Discussion was held. A motion was made by Manager Hanson and seconded by Manager Johannsen to table the permit to allow the applicant to consider amendments to the application to address erosion concerns downstream of the outlet, expressed by the downstream property owner. Carried.
9. Christian Anderson, Section 34, Goose Prairie Twp. Permit #24-097 to install subsurface drain tile. Shelley Steichen and Bev Hendrickson presented their concerns stating that they have standing water in their pasture. Discussion was held regarding the recent ditch cleanout and beaver dam removal in the area. Mr. Anderson attended via TEAMS to address concerns about the project. A motion was made by Manager Hanson and seconded by Manager Erickson to approve the permit with standard tile conditions and the

condition that the construction of the project does not drain the wetland basin located approximately 300 feet West of the driveway. Carried.

A motion was made by Manager Hanson and seconded by Manager Johannsen directing staff to investigate, and act on, as soon as possible, cleaning of the ditch further to the North. Carried.

10. Jerry Matter, Section 8, Riceville Twp. Permit #24-138 to install subsurface drain tile. Adjacent landowners were in attendance and expressed concerns about an existing pump being overrun by the project. Discussion was held. A motion was made by Manager Hanson and seconded by Manager Spaeth to table the permit to request that the applicant provide an alternative plan that is acceptable to the adjacent landowner (MNDNR) and written approval from the owner in the SE1/4 of Section 8 Riceville where the outlet tile will be installed, and that the applicant consider amendments to the application to address concerns expressed by downstream property owners in Section 17. Carried.
11. Joel Groten, U.S. Geological Survey. Mr. Groten presented USGS findings from data collected from 2021-2023. He recommended the District consider paying for samples by event in the future, instead of an entire study, as it may be more beneficial. Mr. Groten will provide a proposal for additional studies and an estimate to upgrade the Ada collection site, which is currently not being actively worked.

(PERMITS continued)

12. A motion was made by Manager Spaeth and seconded by Manager Johannsen to approve the following permits as listed. Carried.
- David Arends, Section 4, Mary Twp. Permit #24-140 to remove a field approach and an 18" culvert and install two field approaches with 18" culverts.
 - Austen Germolus, Section 19, Winchester Twp. Permit #24-141 to replace a field approach with a 15" culvert with a wider field approach and an 18" culvert.
13. Matt Borgen, Section 27, Hegne Twp. Permit #24-139 to remove a field approach and an 18" culvert and install two field approaches-one with an 18" culvert and the other with a 24" culvert. A motion was made by Manager Spaeth and seconded by Manager Christensen to approve the permit. Manager Borgen abstained from voting. Carried.
14. Esther Austinson, Section 13, Hegne Twp. Permit #24-135 to install a field approach and culvert. A motion was made by Manager Hanson and seconded by Manager Spaeth to approve the permit with the condition that the culvert is an 18" diameter pipe or larger. Carried.
15. Chris Erickson, Section 14, Walworth Twp. Permit #24-102 to deepen a roadway ditch and lower a centerline culvert. A motion was made by Manager Spaeth and seconded by Manager Johannsen to continue to table the permit pending documentation from the applicant from Walworth Township or other suitable documentation that no approval from Walworth Township is required. Carried.
16. Chris Erickson, Section 14, Walworth Twp. Permit #24-103 to install subsurface drain tile. A motion was made by Manager Spaeth and seconded by Manager Hanson to continue to table the permit pending the approval of the permit conditions for the downstream tile system: WRWD Permit #23-038. Carried.

17. A motion was made by Manager Hanson and seconded by Manager Johannsen to approve the following permits with standard tile conditions. Carried.

- Darin Erickson, Section 8, Walworth Twp. Permit #24-131 to install subsurface drain tile.
- Darin Erickson, Section 24, Home Lake Twp. Permit #24-132 to install subsurface drain tile.
- Darin Erickson, Section 19, Flom Twp. Permit #24-133 to install subsurface drain tile.

18. Andrew Johnstad, Section 14, Good Hope Twp. Permit #24-112 to install a field approach with a 6' culvert. The Norman County Highway Department provided written approval. Discussion was held regarding the size of the pipe in relation to adjacent culverts. A motion was made by Manager Spaeth and seconded by Manager Hanson to deny the permit. Further discussion was held. Manager Spaeth and Manager Hanson withdrew their motions to deny. A motion was made Manager Spaeth and seconded by Manager Hanson to approve the permit with the condition that the top of field approach elevation is lower than the roadway to the north and that the applicant get written approval from the landowner in the West ½ of Section 13 Good Hope Twp. Carried.

19. Lakes Community Cooperative, Section 29, Pleasant View Twp. Permit #24-137 to install a new driveway with a 30" culvert. A motion was made by Manager Spaeth and seconded by Manager Hanson to approve the permit. Carried.

20. Mark Lehmann, Section 3, Spring Creek Twp. Permit #24-023 to install a water and sediment control basin. A motion was made by Manager Spaeth and seconded by Manager Christensen to return the permit and inform the applicant that they can reapply if they provide the requested information. Carried.

21. John Pazdernik, Section 6, Lake Grove Twp. Permit #24-096 to install subsurface drain tile. A motion was made by Manager Johannsen and seconded by Manager Spaeth to continue to table requesting that the applicant petition the drainage authority to outlet into WRWD Project 27. Carried.

22. Sorenson Drainage, Section 9, Pembina Twp. Permit #24-136 to install a water and sediment control basin. A motion was made by Manager Spaeth and seconded by Manager Hanson to approve the permit with standard tile conditions. Carried.

COMPLAINTS

23. Ralph Kraft, Section 6, Fossum Twp. Engineer Bents gave the background on the complaint. A motion was made by Manager Johannsen and seconded by Manager Spaeth directing staff to send a letter to Clyde Neset asking him to remove equipment from the drainage ditch. Carried.

24. Perley Flood Control Levee Improvement Project-Phase 2-Grade Raises. Administrator Jensen gave an update stating that the project which is on temporary suspension for the Winter and will resume in the Spring.

Engineer Bents presented Change Order #4 in the amount of \$10,415.79 to extend the mill and overlay transition at the North end of the project and Pay Request #6 in the amount of \$34,291.00. A motion was made by Manager Hanson and seconded by Manager Spaeth to approve Change Order #4 and Pay Request #6 from Park Construction Company. Carried.

As follow up from last month's meeting regarding the speed limit in the area, staff reviewed the sight distance calculations and verified that calculations met the established design guidance requirements. Due to additional comments, staff will ask MNDOT to do a speed study post project to discuss reduction in the speed limit. Staff will verify setback rules regarding placement of a sign that is obstructing the view of eastbound traffic at the intersection of TH75 and CR39.

25. Acquisition Properties. Administrator Jensen reported that acquisition work continues on 5 new buyout properties. She presented the *Resolution Authorizing Execution of Sub-Grant Agreement* required by FEMA. A motion was made by Manager Johannsen and seconded by Manager Christensen to adopt the Resolution. Administrator Jensen read the Resolution to the Board. A roll call vote was held, and all Managers voted in favor. Carried. The Resolution can be found in Appendix A at the end of this report.
26. Ditch and Project Maintenance. Engineer Bents reminded the Board that the recent cleanout of Clay County Ditch 18 was discussed during permits. He reported that crews completed spoil leveling from the cleanout on Norman Polk Project 5.

Bents gave an update on the South Branch Channel Stabilization Project stating we are still waiting on the flood insurance model from the DNR. We are still on track for construction in the Fall of 2025.
27. Good Hope Township. Administrator Jensen sent email correspondence to Elizabeth Lee expressing the Board's decision at last month's meeting but has not received a response.
28. Upper Reaches. Administrator Jensen reported that the request for Section 1135 funding was submitted, and we are awaiting a response.
29. Lower Wild Rice. Administrator Jensen provided an update on the project stating there are a total of 3 applications being processed at this time. The results are pending on the RRWMB application for additional program funding that was submitted July 2nd. Staff will send another mailer to eligible landowners in December.
30. Minnesota Watersheds Resolutions. Manager Erickson requested a discussion regarding Cost Benefit Analysis and would like the Board to reconsider submitting a Resolution at the 2025 Minnesota Watersheds Annual Conference. Discussion was held. The Board would like to revisit the topic in August 2025 when Resolutions are typically discussed.
31. Ada-Borup-West School Forest. Administrator Jensen presented the *Resolution to Convey Flood Buyout Parcel of Real Property to Ada-Borup-West School District #2910*. A motion was made by Manager Hanson and seconded by Manager Johannsen to adopt the Resolution. Administrator Jensen read the Resolution to the Board. A roll call vote was held, and all Managers voted in favor. Carried. The Resolution can be found in Appendix B at the end of this report.

Attorney Hanson stated that the Board's approval is contingent on approval being issued for the transfer from the FEMA Regional Administrator through the State of Minnesota. Attorney Hanson's office has initiated the request.

32. Minnesota Watersheds Annual Conference 2024 Delegate Appointments. A motion was made by Manager Hanson and seconded by Manager Spaeth to nominate Manager Erickson, Manager Johannsen and Manager Holmvik. Carried.

33. Citizen's Advisory Committee. The next meeting will be held on December 2, 2024 at 10:00 a.m. at the District office. Manager Erickson and Manager Spaeth are appointed to represent the Board.
34. District Property. Staff received a request to hunt in the Sande Detention parcel. A motion was made by Manager Hanson and seconded by Manager Spaeth to open the area to hunting, restricting motor vehicle use on the property and stating that hunters must follow guidelines for hunting on DNR land. Carried. Discussion was held regarding walk-in access. Administrator Jensen will research the topic.
35. Clay County Resolution for Psychiatric Treatment Facility for Youth. A motion was made by Manager Spaeth and seconded by Manager Hanson to respectfully decline stating it is not an applicable Watershed District initiative. Carried.
36. Online Permit Application. Administrator Jensen reported that staff has received multiple requests for an online permit application. After reaching out to other districts, she found that they have already implemented the process and received positive feedback about their decision. The Board was provided a proposal for creating the program. Discussion was held expressing the importance of keeping our current paper permit option and that an online version at some point is inevitable. A motion was made by Manager Spaeth and seconded by Manager Hanson to implement online permit applications. Carried.
37. 1W1P. The Policy Committee meets on November 25, 2024, at 10:00 a.m. Manager Johannsen is the Board representative for the upcoming meeting.
38. Becker Dam. Manager Erickson asked for follow-up on beaver dam removal requests near the Becker Dams. Engineer Bents reported there is a dam 1 mile South of the Upper Becker Dam that will be trapped and removed.
39. CD Investments. Staff obtained current rates from area banks for the \$2 million in CDs that are set to mature next week. Administrator Jensen presented the rates. A motion was made by Manager Hanson and seconded by Manager Spaeth to invest \$2 million for 6 months at United Valley Bank. Carried.
- A motion was made by Manager Hanson and seconded by Manager Spaeth to authorize the Board Officers to open the account and sign any necessary documents for the account at United Valley Bank. Carried.
40. Manager Per Diems. A motion was made by Manager Hanson and seconded by Manager Spaeth to approve payment of Manager per diems as distributed. Carried.
41. Permit 24-102. Manager Erickson inquired about who does maintenance on the ditch where the proposed project is located for permit #24-102. Administrator Jensen clarified the Board action on the permit.
42. There being no further business to come before the Board of Managers, a motion was made by Manager Hanson and seconded by Manager Johannsen to adjourn the meeting. Carried. Chairman Holmvik adjourned the meeting at 11:06 a.m.

Curt Johannsen, Secretary

Date	Num	Name	Memo	Amount
Oct 10 - Nov 6, 24				
10/17/2024			Funds Transfer	50,000.00
10/22/2024		QuickBooks Payroll Service	Created by Payroll Service on 10/21/2024	6,732.28
10/31/2024			Funds Transfer	80,000.00
11/05/2024		QuickBooks Payroll Service	Created by Payroll Service on 11/04/2024	6,866.54
10/10/2024	ACH	Ada City		325.49
10/11/2024	ACH	PERA		1,233.10
10/25/2024	ACH	MN PEIP		3,164.62
10/10/2024	ACH	MN Dept of Revenue	5062265	363.00
10/10/2024	ACH	US Treasury-Payroll	41-6145653	2,174.72
10/15/2024	ACH	Aflac		366.22
11/03/2024	ACH	Arvig		345.43
11/05/2024	ACH	Minnesota Energy Resources Corporation		55.00
11/05/2024	ACH	MARCO, Inc.		743.96
11/06/2024	ACH	Verizon Wireless		75.07
10/24/2024	ACH	MN Dept of Revenue	5062265	372.00
10/24/2024	ACH	US Treasury-Payroll	41-6145653	2,038.98
10/25/2024	ACH	PERA		1,198.10
10/31/2024	ACH	Pitney Bowes		200.00
11/06/2024	19546	Beaver LLC		1,338.74
11/06/2024	19547	Becker County SWCD	Coordinator Costs	11,362.03
11/06/2024	19548	Braun Intertec Corporation	Materials testing	3,386.00
11/06/2024	19549	Cintas	Rugs	93.67
11/06/2024	19550	Clay Soil & Water District	Coordinator Costs	1,087.14
11/06/2024	19551	Clearwater SWCD	Coordinator Costs	9,704.21
11/06/2024	19552	Column Software PBC	Advertising-meeting date notice	14.06
11/06/2024	19553	Hanson & Liebl Law Office Trust Account	Closing statement-Jessica Green	292,378.19
11/06/2024	19554	Hanson & Liebl Law Office, P.C.	October Legal	3,312.40
11/06/2024	19555	Houston Engineering, Inc.		42,657.12
11/06/2024	19556	Mahnomen Soil & Water Cons. District		107,237.45
11/06/2024	19557	Mattson Excavating, Inc.	Beaver dam removal	1,920.00
11/06/2024	19558	McCollum Hardware, Inc.		201.27
11/06/2024	19559	Minnesota Watersheds	2025 dues	7,500.00
11/06/2024	19560	Norman County Index-Ada	Advertising meeting date change	28.50
11/06/2024	19561	Norman County SWCD	Coordinator Costs	98,197.43
11/06/2024	19562	Office Supplies Plus		402.19
11/06/2024	19563	Park Construction Company	Pay Request 6	34,291.00
11/06/2024	19564	Rod Erickson	Mowing and trimming	140.00
11/06/2024	19565	Tony Sip	Ditch maintenance	5,225.00
11/06/2024	19566	Visser Trenching	Parking lot	21,286.75
11/06/2024	19567	West Polk SWCD	Coordinator Costs	2,771.53
11/06/2024	19568	Beaver LLC		1,385.24
11/06/2024	19569	Morris Electronics, Inc.		625.00
11/06/2024	19571	Curt Johannsen		129.42
11/06/2024	19572	Dean P Spaeth		158.32
11/06/2024	19573	Duane L Erickson		147.51
11/06/2024	19574	Gregory R Holmvik		115.44
11/06/2024	19575	Matthew C Borgen		144.92
11/06/2024	19576	Michael K Christensen		140.80
11/06/2024	19577	Raymond M Hanson		255.00
			TOTAL	803,890.84

Appendix A

Resolution Authorizing Execution of Sub-grant Agreement

Be it resolved that the Wild Rice Watershed District enter into a sub-grant agreement with the Division of Homeland Security and Emergency Management in the Minnesota Department of Public Safety for the program entitled Hazard Mitigation Assistance.

Tara Jensen, Administrator is hereby authorized to execute and sign such sub-grant agreements and any amendments hereto as are necessary to implement the project on behalf of the Wild Rice Watershed District.

I certify that the above resolution was adopted by the Board of Managers of the Wild Rice Watershed District on November 6, 2024.

SIGNED:

[Signature]
(Signature)

Chair
(Title)

11-6-24
(Date)

WITNESSETH:

[Signature]
(Signature)

Secretary
(Title)

6 Nov. 24
(Date)

Appendix B

RESOLUTION TO CONVEY FLOOD BUYOUT PARCEL OF REAL PROPERTY TO ADA-BORUP WEST SCHOOL DISTRICT #2910

A regular, duly noticed monthly meeting of the board of managers (Board) of the Wild Rice Watershed District (WRWD) was held on November 6, 2024, at the WRWD office at 11 5th Ave. East, Ada, MN 56510, with the following board members in attendance: _____

Greg Holmvik, Raymond Hanson, Dean Spaeth, Curt Johannsen, Michael Christensen,
Duane Erickson and Matt Borgen

DISCUSSION was had that the WRWD acquired certain real property in May of 2022 as part of a FEMA funded flood buyout in Norman County, MN, with said Real Property described as follows:

Starting at a point Forty (40) rods South of the Northeast corner post of the Southeast Quarter (SE1/4) of Section Nineteen (19), Township One Hundred Forty-four (144), Range Forty-eight (48), thence South Thirty-four (34) rods, thence West Forty-five (45) Rods, thence following the Wild Rice River in a Northeasterly direction to the place of beginning;

AND

Starting at a point Seventy-four (74) rods South of the Northeast corner post of the Southeast Quarter (SE1/4) of said Section 19, thence due South Thirty-three (33) rods along the section line, thence due West to the East bank of the Wild Rice River, thence following the East bank of said Wild Rice River in a Northwesterly direction to a point Forty-five (45) rods due West of the starting point, thence due East Forty-five (45) rods to the place of beginning;

AND

Commencing at a point Forty (40) rods North of the Southeast corner of said Section 19, thence running North Thirteen (13) rods, thence running due West to the Wild Rice River, thence following the said Wild Rice River in a Southwesterly direction until it intersects with the Forty rod line, thence running parallel with the said Forty line Thirty-three (33) rods due East to the place of beginning.

Together with all hereditaments and appurtenances belonging thereto, and the property is hereafter subject to the FEMA Model Deed Restrictions that support 44 C.F.R. Part 80 requirements in accordance with a request for mitigation assistance to acquire properties for open space purposes as attached at Exhibit "A" hereto and incorporated herein by reference; and

Subject to a perpetual easement in favor of the Wild Rice Watershed District as depicted and described in Document No. 189229 in the office of the Norman County Recorder.

hereafter "Real Property."

FURTHER DISCUSSION was had that the Ada-Borup West Public School District No. 2910 (School District) desires the Real Property be deeded to it by the WRWD with the School District planning to use the Real Property as part of the Ada-Borup West School Forest and Outdoor Classroom and to enroll the Real Property in the Minnesota DNR School Forest Program to be utilized for educational purposes, subject to the FEMA model deed restrictions.

FURTHER DISCUSSION was had that the WRWD has determined that the Real Property is no longer needed for the purposes of the WRWD and the WRWD desires to deed/convey/gift its interest in the Real Property to the School District, subject to the FEMA Model Deed Restrictions.

FURTHER DISCUSSION was had that when the WRWD was deeded the Real Property by the Deed of Sale by Individual Personal Representative to Political Subdivision dated 5/17/2022, and recorded on 6/23/2022 as Doc. #241144 in the office of the Norman County, MN Recorder, and by the Warranty Deed Individual to Political Subdivision dated 5/20/2022, and recorded on 6/23/2022 as Doc. #241143 in the office of the Norman County, MN Recorder, both of said deeds included FEMA Model Deed Restrictions, with a copy of said FEMA Model Deed Restrictions appearing at Exhibits A-1 and A-2 attached hereto.

FURTHER DISCUSSION was had that a transfer by the WRWD of its interest in the Real Property can become effective only if the FEMA Regional Administrator, through the State of Minnesota, gives prior written approval of the transferee in accordance with the provisions stated in the FEMA Model Deed Restrictions (see Exhibits A-1 and A-2), and further the deed by the WRWD to the School District must refer to and incorporate the FEMA Model Deed Restrictions (see Exhibits A-1 and A-2), together with a provision for the Real Property to revert to the State, Tribe, or local government in the event that the transferee ceases to exist or loses its eligible status within the scope of the FEMA Model Deed Restrictions.

NOW, THEREFORE, based on the above discussion, and upon motion duly made, seconded, and carried by the WRWD Board of Managers, it is hereby:

RESOLVED, that the WRWD finds the Real Property is no longer needed for its purposes and shall, subject to and conditioned upon the prior written approval by the FEMA Regional Administrator, convey the WRWD's interest in the Real Property to the Ada-Borup West School District #2910, subject to the FEMA Model Deed Restrictions (see Exhibits A-1 and A-2), together with a provision for the Real Property to revert to the State, Tribe, or local government in the event the transferee ceases to exist or loses its eligible status within the scope of the FEMA Model Deed Restrictions (see Exhibits A-1 and A-2).

RESOLVED FURTHER, that upon the prior written approval being obtained from the FEMA Regional Administrator as required by the FEMA Model Deed Restrictions at Exhibits A-1 and A-2, the WRWD chair, Greg Holmvik, and the secretary, Curt Johannsen, are authorized to execute the quit claim deed to the School District, subject to the FEMA Model Deed Restrictions at Exhibits A-1 and A-2, together with a provision for the Real Property to revert in the event the School District ceases to exist or loses its eligible status within the scope of said Exhibit A-1 and A-2, and any other related documents as may be required by FEMA.

Dated: 11-6-24


Secretary, Curt Johannsen

ATTESTED BY:


Chairman, Greg Holmvik

Appendix C

List of Acronyms Used:

1W1P	One Watershed One Plan
CD	Certificate of Deposit
CR	County Road
FEMA	Federal Emergency Management Agency
MNDNR	Minnesota Department of Natural Resources
MNDOT	Minnesota Department of Transportation
RRWMB	Red River Watershed Management Board
TH	Trunk Highway
USGS	United States Geological Survey
WRWD	Wild Rice Watershed District