

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

REGULAR MEETING
March 21, 2012
APPROVED MINUTES

1. The regular meeting of the Wild Rice Watershed District Board of Managers was held on Wednesday, March 21, 2012. Managers in attendance included Greg Holmvik, Duane Erickson, Raymond Hanson, John Austinson, Mike Christensen, Dean Spaeth and Curt Johannsen. Absent: None. In addition the following persons were in attendance: Administrator Kevin Ruud, Loretta Johnson, Engineer Jerry Bents 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 Upper Becker Dam, Tom Bergren Insurance Claim, policy suggestions, possible insurance termination and Brian Dwight, BWSR and Jim Ziegler, MPCA. Carried.
4. Approval of Billings. A motion was made by Manager Hanson and seconded by Manager Austinson to approve the bills as distributed with the addition of RM Hoeffs for \$4,800. Carried.
5. Meeting Minutes. A motion was made by Manager Christensen and seconded by Manager Johannsen to approve the Regular Meeting Minutes dated February 8, 2012, with the addition of a second to the motion in #11 to be added. Carried.
6. J.D. #53, Lat. #1 Bridge Replacement. Engineer Bents reported that to reduce the costs on the bridge replacement, engineering is working with the power company to move poles and obtaining an easement with the easterly property owner to provide access.
7. Warren Seykora Payment Request. A motion was made by Manager Hanson and seconded by Manager Spaeth to approve the agreement for payment to Seykora in the amount of \$3,500 for storage of the Enkamat in his shed over the past several years. Carried.
8. Project #30 FEMA Repair. Staff reported that HSEM denied the District's request for a time extension on the FEMA grant. The office is in the process of filing an appeal to the decision and will request assistance from Federal legislators in this District. A motion was made by Manager Hanson and seconded by Manager Erickson to notify landowners of the status of the project. Carried.
9. Project #4, Upper Becker Dam. Administrator Ruud informed the board that the District's insurance denied payment of the claim to Tom Bergren for damage to hay bales stored on the easement area of the project. A motion was made by Manager Hanson and seconded by Manager Johannsen for the District not to pay the requested reimbursement to Bergren. Carried with Manager Erickson opposed.

10. Project #42 Upper Becker Dam Enhancement. Engineer Bents gave a brief PowerPoint presentation on the history of the Upper Becker Dam Enhancement project. Staff reminded Managers that about a year ago the project was placed on hold and tabled due to financial constraints by the District to be brought back to the Managers at the time when funds are available. After considerable discussion a motion was made by Manager Hanson and seconded by Manager Erickson to cease and desist action on Project D on Project #42. Carried with Managers Hanson, Erickson, Austinson and Spaeth voting to cease and desist and Managers Christensen, Johannsen and Holmvik against. Carried.

11. J.D. #51 City of Ada Petition for Realignment. Representatives from the City of Ada and interested landowners met with Managers to discuss the petition for realignment of J.D. #51. A motion was made by Manager Hanson and seconded by Manager Christensen to accept the Engineer's Report and schedule a public hearing with the following conditions. Carried.

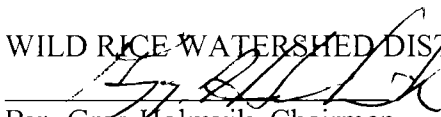
Based on our review of the data provided, it is our opinion that the petitioned alterations will be of both public and private benefit and will not impair the utility of the drainage system or deprive affected land owners of its benefit. Additionally, the resultant realigned channel will also result in decreased future maintenance and subsequent future costs. However, we recommend that the following conditions be included in any future order allowing modification of the drainage system:

- As per the petition, all costs associated with the proposed modification shall be paid by the petitioner. This shall include the costs of abandonment of the existing R/W along the exiting channel where relocation will occur.
- Before installing or constructing the project, the petitioner shall obtain and provide documentation of all required permits.
- Before installing or constructing the project, the petitioner shall provide the WRWD with final construction plans showing all proposed features of the project. No work will be allowed to start until written documentation of approval of these plans is received.
- Before installing or constructing the project, the petitioner shall obtain a General WRWD Permit for the proposed project.
- Before installing or constructing the project, the petitioner shall obtain and provide documentation of all necessary rights-of-way from owners of land to be affected by the project. Proposed right-of-way limits shall be submitted and approved by the Board of Managers of the Wild Rice Watershed District.
- Before installing or constructing the project, the petitioner shall obtain and provide documentation of all necessary flowage easements from owners of land to be affected by the project.
- Following construction, the petitioner shall be responsible to all maintenance of the proposed for a period of 3-years, unless otherwise approved by the WRWD Board of Managers. This shall include all required maintenance including, but not limited to, mowing, erosion repair, sediment removal, and spraying of weeds.
- After the initial 3-year maintenance period, all future operation and maintenance of the relocated channel will be the responsibility of the WRWD (drainage authority) using drainage system funds.
- Judicial Ditch No. 51 is not identified on the County Protected Waters and Wetland map, however it should be noted that the proposed levee alignment will encroach into the preliminary mapped floodway from the FIS. The petitioner should take appropriate measures should be taken to comply with floodplain zoning regulations.

**ORDER OF BOARD OF MANAGERS FOR HEARING ON ENGINEER'S REPORT
REGARDING PETITION BY CITY OF ADA TO REALIGN J.D. #51.**

At the regular meeting of the WRWD Board of Managers. held on March 21, 2012, at the district office in Ada, MN, with the following board members present: Greg Holmvik, Raymond Hanson, Duane Erickson, Dean Spaeth, John Austinson, Mike Christensen, discussion was had regarding the Petition by the City of Ada to realign J.D. #51. The board received the Engineer's Report regarding said petition and, in accordance with Minn. Stat. 103E.227, hereby orders that a hearing shall be held on April 19, 2012, at the Ada-Borup High School Auditorium in Ada, MN, at 7:00 p.m. for the purpose of the board, the petitioners, property owners, and political subdivisions likely to be affected by the proposed project to review the Engineer's Report, give testimony, and consider evidence presented at said hearing regarding the proposed realignment of J.D. #51. After the hearing, the board will decide whether to approve or deny the proposed project.

WILD RICE WATERSHED DISTRICT


By: Greg Holmvik, Chairmen

A motion was made by Manager Christensen and seconded by Manager Hanson to schedule the public hearing for the petition on J.D. #51 for 7:00 p.m. on Thursday, April 19, 2012, at the Ada/Borup Public School Auditorium. Carried.

PERMIT APPLICATIONS

12. Peter Domogalla, Section 11, Marsh Creek Township. A motion was made by Manager Hanson and seconded by Manager Erickson to approve Permit #3-21-12-11 to install a new 24" centerline culvert with the condition that Doug Kramar signs on the permit and approves. Carried.

13. KL Farms, Sections 4 & 5, Spring Creek Township. A motion was made by Manager Austinson and seconded by Manager Christensen to approve Permit #3-29-12-25 to install subsurface drain tile with two pumped outlets with the following recommendations and conditions: 1.) Recommendation that the applicant contact and coordinate with the NRCS/SWCD/FSA offices to ensure approval/clearance regarding any potential wetland issues (and with the USFW for installation of tile on any parcel that is under easement from the USFWS). 2.) Recommendation that the applicant obtain approval from the necessary road authorities (Township, county, state,...) for any work in the road R/W and the drainage authorities (county) for outlets into legal ditches not under the WRWD jurisdiction. 3.) Approved with the condition that the applicant is responsible for adequate erosion control measures at the outlet of the tile system. This should include the installation of riprap or other protection measures at pump outlets. It will remain the responsibility of the applicant to maintain this protection as long as the tile is in place and operating. 4.) Approved with the condition that all gravity outlets be installed above (however not more than 2-feet above) the elevation of the original design gradeline of the receiving ditch or channel. 5.) Pumped Outlets Only – Approved with the condition that the pump (s) not be operated during freezing conditions and during times of downstream flooding. Carried.

14. A motion was made by Manager Spaeth and seconded by Manager Erickson to approve the following permit applications with conditions listed. Carried.

- Corey Jacobson, Section 2, Hegne Township. Permit #3-21-12-18 to install subsurface drain tile with the recommendations and conditions listed in Paragraph #13.
- Corey Jacobson, Section 15, McDonaldsville Twp. Permit #3-29-12-19 to install subsurface drain tile with the recommendations and conditions listed in Paragraph #13 and downstream property owner sign on permit.

15. Lloyd Jirava, Sections 11/14 Spring Creek Twp. A motion was made by Manager Johannsen and seconded by Manager Christensen to table Permit #3-29-12-20 pending field review and noticing landowners if necessary. Carried.

16. A motion was made by Manager Erickson and seconded by Manager Austinson to approve the following permit applications with conditions listed. Carried.

- Lloyd Jirava, Section 11, Spring Creek Twp. Permit #3-21-12-21 to install subsurface drain tile with the recommendations and conditions listed in Paragraph #13.
- Matt Jirava, Section 2, Spring Creek Twp. Permit #3-21-12-22 to install subsurface drain tile with the recommendations and conditions listed in Paragraph #13.

17. Lowell Johnson, Section 24, Pleasant View Twp. A motion was made by Manager Hanson and seconded by Manager Christensen to deny Permit #3-29-12-24 to install a flap gate on a 24" centerline culvert. Carried.

18. Lowell Johnson, Section 25, Pleasant View Twp. A motion was made by Manager Hanson and seconded by Manager Johannsen to deny Permit #3-21-12-24 to cancel Permit #12-14-11-13 with Managers Hanson, Spaeth and Austinson against the motion and Managers Christensen, Erickson, Johannsen and Holmvik for. Motion failed for lack of a majority.

19. Brian Dwight, BWSR; Jim Ziegler, MPCA, Plan Update. Brian Dwight and Jim Ziegler met with Managers to discuss the ability of the District to postpone the Watershed Water Management Plan. This would allow it to coincide with MPCA's Watershed Restoration and Protection (WRAP) Plan which can be done at the same time as the Overall Plan. A motion was made by Manager Hanson and seconded by Manager Spaeth to postpone the District's OMP to coincide with PCA's WRAP. Carried.

20. The meeting was recessed at 12:15 p.m. to be reconvened at 1:00 p.m. Mike Christensen left the meeting.

21. Managers Per Diems and Expenses. A motion was made by Manager Spaeth and seconded by Manager Austinson to approve payment of Managers per diems and expenses as distributed. Carried.

PERMIT APPLICATIONS

A motion was made by Manager Spaeth and seconded by Manager Hanson to table the following permits with the conditions that if they provide the proper signatures on the permit, they will be granted the permit. Carried.

- City of Ada, Sections 4, 5, 9, 10. Permit #3-21-12-1 to realign J.D. #51.
- City of Ada, Sections 4, 5, 9, 10. Permit #3-21-12-2 to construct flood control levee along J.D. #51.
- Bejou Township, Sections 13-24. Permit #3-21-12-3 to replace a 24" culvert with a 36" culvert.
- Matthew Borgen, Section 18, Winchester Twp. Permit #3-21-12-7 to install subsurface drain tile.
- Paul Borgen, Section 7, Viding Twp. Permit #3-21-12-8 to install subsurface drain tile.
- Gerald Chisholm, Section 25, Green Meadow Twp. Permit #3-21-12-9 to install culverts in a Texas Crossing.
- David Eiynek, Section 25, Pembina Twp. Permit #3-21-12-12 to install subsurface drain tile.
- David Eiynek, Section 34, Fossum Twp. Permit #3-21-12-13 to install subsurface drain tile.
- Mattson Bros., Sections 27-34 Atlanta Twp. Permit #3-21-12-26 to install subsurface drain tile.
- Doug Nelson, Section 29, Pleasant View Twp. Permit #3-21-12-27 to install subsurface drain tile.
- Doug Nelson, Section 28, Pleasant View Twp. Permit #3-21-12-28 to install subsurface drain tile.
- Brad Olek, Section 33, Felton Twp. Permit #3-21-12-30 to install subsurface drain tile.
- Brad Olek, Section 33, Felton Twp. Permit #3-21-12-31 to install subsurface drain tile.
- Kevin Olson, Section 25, Green Meadow Twp. Permit #3-21-12-32 to improve a drainage ditch.
- David Overbo, Clay County, Sections 28-29, Viding Twp. Permit #3-21-12-33 replace a bridge with a 12' x 6' box culvert.
- Duane Pazdernik, Section 36, Pembina Twp. Permit #3-21-12-34 to remove two ditch blocks.
- Polk County Hwy Dept., Section 34-35 Reis Twp. Permit #3-21-12-35 to replace a box culvert with a 10' x 7' box culvert.
- Shane Sharpe, Section 5, Halstad Twp. Permit #3-21-12-37 to install subsurface drain tile.
- Shane Sharpe, Section 6, Halstad Twp. Permit #3-21-12-38 to install subsurface drain tile.

- David Vilmo, Section 15, Green Meadow Twp. Permit #3-21-12-39 to install subsurface drain tile.
- David Vilmo, Section 16, Green Meadow Twp. Permit #3-21-12-40 to install subsurface drain tile.
- Wild Rice Township, Section 32, Wild Rice Twp. Permit #3-21-12-41 to remove a driveway, install a new field approach, install a new center line culvert, and install a depressed culvert.

22. Mark Habedank, Section 21, Fossum Twp. A motion was made by Manager Austinson and seconded by Manager Hanson to table Permit #3-21-12-42 to install subsurface drain tile and outlet into a sediment basin until permission is received from downstream landowner. Carried.

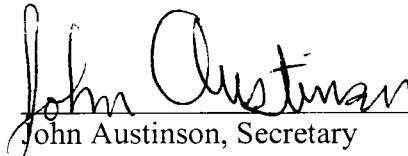
23. City of Hendrum Ring Dike. Engineer Bents stated that it may be prudent to schedule a public hearing for the community of Hendrum for the purpose of having the community make a decision on the use of the overage from the bonding funds. A motion was made by Manager Hanson and seconded by Manager Spaeth to schedule a public hearing. Carried with Manager Johannsen abstaining. A motion was made by Manager Hanson and seconded by Manager Austinson to schedule the public hearing for 7:00 p.m. on Wednesday April 25, 2012, at the Hendrum Firehall. Carried.

24. City of Shelly Ring Dike. Administrator Ruud reported that staff met with Shelly property owners who have verbally agreed to execute purchase options for land sale and/or trade for the city's dike. A motion was made by Manager Hanson and seconded by Manager Spaeth authorizing staff to execute the options to purchase not to exceed the cost of \$5,000. Carried.

25. Acquisition 2009 Demolition. A motion was made by Manager Hanson and seconded by Manager Johannsen to accept the proposal of Brugen Environmental to remove hazardous waste from the acquisition of homes in the amount of \$23,600. Carried. Engineer Bents stated that bid opening for the demolition of the sites is scheduled for April 9, with awarding of the bid at the regular meeting on the 11th of April.

26. FEMA Claims/Clay County Ditch #4/Norman County Ditch #1. A motion was made by Manager Hanson and seconded by Manager Johannsen to authorize Administrator Ruud to obtain quotes from two different contractors to repair the site on Clay County Ditch #4. Carried. Consensus of Managers was to repair the site on Norman County Ditch #1 to the extent that is covered by FEMA with no additional repairs.

27. There being no further business to come before the Board of Managers a motion was made by Manager Spaeth and seconded by Manager Hanson to adjourn the meeting. Carried. Chairman Holmvik adjourned the meeting at 2:50 p.m.



John Austinson, Secretary

Date	Num	Name	Memo	Amount
Feb 9 - Mar 21, 12				
03/21/2012	14295	Ada City	utilities	341.47
03/21/2012	14296	AmeriPride	Office Rug Cleaning	66.81
03/21/2012	14297	Angstrom Analytical, Inc.	ASbestos Demo Surveys	5,980.00
03/21/2012	14298	AT&T	Utilities	187.04
03/21/2012	14299	Becker County SWCD	Clean Water Grant	4,042.50
03/21/2012	14300	Cardmember Service	Quick Books Software	160.01
03/21/2012	14301	Houston Engineering, Inc.	Engineering	42,798.91
03/21/2012	14302	Jon Schauer	quick books accounting update	4,074.99
03/21/2012	14303	Loretel Systems	utilities	265.48
03/21/2012	14304	MARCO, Inc	Copy Machine Lease	641.70
03/21/2012	14305	Marijo Vik*	2011 Annual Report	2,400.00
03/21/2012	14306	McCollum Hardware, Inc.	Supplies	4.80
03/21/2012	14307	Minnesota Energy Resources Corporation	Utilities	146.66
03/21/2012	14308	Morris Electronics, Inc.	Server work	243.75
03/21/2012	14309	Norman County Auditor/Treasurer	Beaver Control	40.00
03/21/2012	14310	Norman County Index-Ada	Permit Aps	44.09
03/21/2012	14311	Norman County SWCD	Envirothon	100.00
03/21/2012	14312	Northwest Beverage, Inc.	Office Supplies	122.76
03/21/2012	14313	Office Supplies Plus	Office Supplies	668.80
03/21/2012	14314	Ralph's Food Pride	Office Supplies	25.01
03/21/2012	14315	Red River Watershed Management Board	Cost Share TV Gauge	11,308.00
03/21/2012	14316	Renae Kappes	Cleaning Jan-Feb	250.00
03/21/2012	14317	Visser Trenching	Beaver Dams/Office Lot	300.00
03/21/2012	14318	Wambach & Hanson	Legal Counsel	1,403.31
03/21/2012	14321	Curt Johannsen	Per diems & Expenses	341.48
03/21/2012	14322	Dean P Spaeth	Per diems & Expenses	121.44
03/21/2012	14323	Duane L Erickson	Per diems & Expenses	289.48
03/21/2012	14324	Gregory R Holmvik	Per diems & Expenses	189.41
03/21/2012	14326	Michael K Christensen	Per diems & Expenses	93.82
03/21/2012	14327	Raymond M Hanson	Per diems & Expenses	90.74
03/21/2012	14325	John D Austinson	Per diems & Expenses	155.12
03/21/2012	14330	Minnesota State University Moorhead	Archaeological survey	1,500.00
03/21/2012	14331	RM Hoefs & Associates, Inc.	City of Shelly Ring dike	4,800.00
03/21/2012	14332	Warren J Seykora	storage of project material	3,500.00
2/9-3/21/12		Payroll/emp ins &	Med exp & Payroll taxes	<u>26,244.01</u>
Feb 9 - Mar 21, 12				<u>112,941.59</u>