

RED LAKE WATERSHED DISTRICT  
Board of Manager's Minutes  
August 9, 2018

President Dale M. Nelson called the meeting to order at 9:00 a.m. at the Red Lake Watershed District Office, Thief River Falls, MN.

Present were: Managers Terry Sorenson, Gene Tiedemann, Dale M. Nelson, Allan Page, Les Torgerson, LeRoy Ose and Brian Dwight. Staff Present: Myron Jesme and Tammy Audette and Legal Counsel Sparby.

The Board reviewed the agenda. A motion was made by Tiedemann, seconded by Torgerson, and passed by unanimous vote that the Board approve the agenda. Motion carried.

The Board reviewed the July 26, 2018 minutes. Motion by Sorenson, seconded by Tiedemann, to approve the July 26, 2018 Board meeting minutes as presented. Motion carried.

The Board reviewed the Financial Report dated August 8, 2018. Motion by Tiedemann, seconded by Ose, to approve the Financial Report August 8, 2018 as presented. Motion carried.

Administrator Jesme stated that construction has begun on the Little Pine Lake WMA Outlet Structure Project, RLWD Project No. 26A. A temporary earthen dike was constructed to keep water away from the structure, the original structure was removed, and they are now pouring concrete for the new structure. Jesme was able to contact all but one landowner in the project vicinity.

Administrator Jesme stated that Engineer Nate Dalager, HDR Engineering, Inc. is assisting in preparation of a contract with the City of Thief River Falls to incorporate tasks specific to the city's portion of the Thief River Falls West Side FDR Project, RLWD Project No. 178. The Board will review the contract prior to approval.

Viewers for the proposed RLWD Ditch 16, RLWD Project No. 177 met with local landowners on August 1, 2018, to share their findings concerning drainage patterns, and to get landowner input. Administrator Jesme stated that that names and breakdowns of 40-acre tracts have been completed for the Viewers' Report.

The Board reviewed a Release of Claims and Indemnification and Hold Harmless Agreement for haying on District projects. Motion by Tiedemann, seconded by Page, to approve the Release of Claims and Indemnification and Hold Harmless Agreement for John Sorenson, on the RLWD Ditch 12, RLWD Project No. 169. Motion carried.

Administrator Jesme stated that since the quotes for the cattail spraying for the Agassiz NWR-Wetland Habitat Quality and Management Enhancement Grant Project, RLWD Project No. 180A, were lower than the estimate, an additional 700 acres of cattails will be sprayed without having to amend the grant application.

Administrator Jesme stated that he is working on drafting a Buffer Enforcement Policy for ditches under the jurisdiction of the District.

Staff member Loren Sanderson stated that the Euclid East Impoundment, Parnell Impoundment and Louisville/Parnell Impoundment need cattail spraying within the impoundment and the inlet ditches. Manager Tiedemann stated that the outlet of the Brandt Impoundment is also choked with cattails. Motion by Tiedemann, seconded by Sorenson, to authorize staff to proceed with cattail spraying for the Euclid East Impoundment, RLWD Project No. 60C; Parnell Impoundment, RLWD Project No. 81, Louisville/Parnell Impoundment, RLWD Project No. 121 and the Brandt Impoundment, RLWD Project No. 60D. Motion carried.

Staff member Loren Sanderson stated that when the MnDNR inspected the outlet structure of the Euclid East Impoundment, RLWD Project No. 60C, they identified the possible shift of a culvert due to the infiltration of soil within the structure. Sanderson requested the assistance of an Engineer to inspect and make possible recommendations, if repairs are required. It was the consensus of the Board, to authorize Engineer Nate Dalager, HDR Engineering, Inc. to assist with the inspection and review of the outlet structure for the Euclid East Impoundment, RLWD Project No. 60C.

The Board reviewed the permits for approval. Motion by Ose, seconded by Torgerson, to approve the following permits with conditions stated on the permit: No. 18046, Moylan Township, Marshall County; No. 18061, Jon Meyer, Onstad Township, Polk County; No. 18063, Darin Myron, Terrebonne Township, Red Lake County; No. 18064, Mike Tiedemann, Lowell Township, Polk County; No. 18065, Harlow Johnson, River Falls Township, Pennington County; No. 18066, Al Bauer, Knute Township, Polk County; No. 18067, Elizabeth Quick, Russia Township, Polk County; No. 18068, Bill Langlois, Louisville Township, Red Lake County; No. 18069, Earl Pederson, Greenwood Township, Clearwater County; No. 18070, Earl Pederson, Terrebonne Township, Red Lake County; No. 18072, Doug Barth, North Township, Pennington County; No. 18073, Paul Engelstad, Parnell Township, Polk County; No. 18074, Kevin Johnson, Northland Township, Polk County; No. 18075, Earl Pederson, Greenwood Township, Clearwater County; No. 18076, Jarod Peterson, Northland Township, Polk County; No. 18077, Richard Balstad, Bray Township, Pennington County; No. 18078, Peterson Farms Partnership, Wyandotte Township, Pennington County; No. 18079 and 18080, Josh Barrett, Northland Township, Polk County; No. 18081, Steve Adams, Esther Township, Polk County; No. 18082, Douglas Peterson, Sullivan Township, Polk County; and, No. 18083, Enbridge Energy, LP, Lambert Township, Red Lake County. Motion carried.

Staff member Arlene Novak reviewed the 2018 Taxable Market Values for Watersheds in Minnesota and the 2019 Taxable Market Value Work Paper.

At 9:30 a.m., President Nelson turned the meeting over to the Pennington County Commissioners for the Pennington County Judicial Ditch No. 25, Branch III Partial Abandonment Hearing. Pennington County Engineer, Mike Flaagan, presented information for the potential partial abandonment of Pennington County Judicial Ditch No. 25, Branch III

Abandonment, as it would relate to the proposed construction of the Black River Impoundment, RLWD Project No. 176. At 9:45 a.m., President Nelson reconvened the general meeting and called the Hearing for the proposed construction of the Black River Impoundment, RLWD Project No. 176. This hearing was held jointly with the Pennington County hearing. President Nelson turned the meeting over to Legal Counsel Sparby to address the hearing and its process. It was noted that the appropriate notices, as required by statute had been given. The MN DNR Director's Report and MN BWSR Advisory Report were read into the record and placed as part of the record. A letter was received from Greg Hallstrom, the letter is included in the packet which was made available to the public during the hearing. It was noted that Mr. Hallstrom does not own land within the project area. Engineer Tony Nordby, Houston Engineering, Inc., engineer for the project, presented the proposed Black River Impoundment Project and entertained questions from the Board and the audience. After all, in attendance were given a chance to ask question and/or make comments, the hearings were closed for public comment. The Pennington County hearing was adjourned. Nelson then opened the RLWD hearing for Board discussion. After discussion by the Board, a motion was made by Page, seconded by Tiedemann, that the project as designed by the Engineer will be conducive to public health, that the project as designed by the Engineer will promote the general welfare, and that the project as designed by the Engineer is in compliance with the watershed management plan and the provisions of chapter 103D and should be established. Motion carried.

Staff member Loren Sanderson and landowner Glen Hanson appeared before the Board to discuss a drainage issue near Pine Lake on land owned by Darrell Dolalie. Mr. Hanson stated that since he last appeared at a District Board meeting in May, Pine Lake Township has not resolved the drainage issue with the landowner. Sanderson discussed options that the township is considering, which would require a District permit.

President Nelson presented the Proposed 2019 General Fund Budget. Nelson stated that the Budget/Salary Committee members Nelson, Tiedemann and Sorenson had met previously to review the 2019 Budget and Salary recommendations. Administrator Jesme stated that the Gallagher Benefits study is not complete. Motion by Dwight, seconded by Sorenson, to approve a 3.5% raise for all employees effective January 1, 2019, but reserving the right to allow for increases based on the outcome of the Gallagher Benefits Report. Motion carried.

President Nelson stated that the proposed 2019 General Fund Budget is \$120,388. Nelson stated that Legal Counsel Sparby requested that his current hourly rate be increased to \$185.00 per hour, which would be a \$5.00 per hour increase for 2019 Motion by Torgerson, seconded by Ose, and passed unanimously to approve the proposed 2019 General Fund Budget, in the amount of \$120,388, to approve the \$5.00 per hour increase for Legal Counsel Sparby, and set the 2019 General Fund Budget hearing for 9:30 a.m. on Thursday, September 13, 2018 at the RLWD office.

#### Administrators Update:

- Jesme and Manager Ose will attend the RRWMB meeting at the District office on August 21<sup>st</sup>. The meeting will be followed by three tours of potential projects; one tour of a

Middle Snake Tamarac Watershed District near Newfolden, followed by tours of the Thief River Falls West Side FDR Project and the Black River Impoundment project.

- Jesme attended an inter-agency meeting concerning a drainage system of the Stoney Lake WMA, located in Brandt Township, Polk County. The meeting was initiated by the MnDNR and included staff from the West Polk SWCD and the Corps of Engineers.
- Included in the packet was information on the Red River Basin Tour on September 5<sup>th</sup>.
- District staff and staff from the Two Rivers WD and Roseau River WD participated in a CPR Certification Class held in the District office on August 7<sup>th</sup>.
- Due to the RRWMB tour on August 21<sup>st</sup>, Jesme will be unable to attend the Beltrami County Commissioners meeting with Manager Dwight to present the 2017 Annual Report. Jesme and Manager Ose will attend the September 4<sup>th</sup> Marshall County Board meeting.

Legal Counsel Sparby shared with the Board the “Answer” he prepared regarding the Complaint/Summons the District received from the Four-Legged Lakes Landowners and Affected Taxpayers.

Legal Counsel Sparby stated that the will follow-up with Clearwater County to confirm that notice was served to Dudley Township regarding the lowering of culvert under township road at the outlet of Judicial Ditch No. 5, RLWD Project No. 102. Dudley Township has until August 24, 2018 to lower the culvert to the elevation of 1426.

Manager Tiedemann discussed securing a retainage with Rinke Noonan, Attorneys at Law. Last year the District removed the retainer with Rinke Noonan due to the firm’s representing landowners on a proposed ditch petition system. This was done to assure there would be no conflict of interest with representation of Rinke Noonan during the petition and proposed establishment process of the ditch system. Motion by Tiedemann, seconded by Sorenson, to reinstate the retainage of Rinke Noonan, Attorneys at Law. Motion carried.

Discussion was held on adjourning the Board meeting to August 21, 2018 at 1:30 p.m. to allow the Board to participate in the RRWMB Tour of area projects. Motion by Ose, seconded by Sorenson, to adjourn to the August 21, 2018, RRWMB Tour at 1:30 p.m. at the RLWD Office at 1000 Pennington Avenue South, Thief River Falls, MN 56701. Motion carried.



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LeRoy Ose, Secretary