

RED LAKE WATERSHED DISTRICT
Board of Manager's Minutes
October 25, 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, Brian Dwight, Dale M. Nelson, Allan Page, Les Torgerson, and LeRoy Ose. Absent: Gene Tiedemann. Staff Present: Myron Jesme and Arlene Novak and Legal Counsel, Delray Sparby.

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

The Board reviewed the October 11, 2018 minutes. Motion by Torgerson, seconded by Sorenson, to approve the October 11, 2018 Board meeting minutes as presented. Motion carried.

The Board reviewed the Financial Report dated October 25, 2018. Motion by Sorenson, seconded by Page, to approve the Financial Report October 25, 2018 as presented. Motion carried.

Staff member Arlene Novak reviewed the Investment Summary as of October 25, 2018, stating that a Certificate of Deposit will mature on October 30, 2018. After quotes received were reviewed, a motion was made by Sorenson, seconded by Torgerson, to invest the maturing Certificate of Deposit with RiverWood Bank, Bagley, MN, at 2.35%, APY 2.37%, for a 12-month Certificate of Deposit. Motion carried.

Administrator Jesme reported on the tour of Pine Lake Project, RLWD Project No. 26 which was made with the Technical Committee consisting of DNR, BWSR and NRCS agency personnel on Friday, October 12 in relation to the future of the project. After considerable discussion, the consensus of the Board is to have HDR complete the report and schedule a meeting with DNR staff to discuss a path forward, prior to holding another Project Work Team meeting.

Legal Counsel Sparby reported on correspondence received from Clearwater County Environmental Services regarding the maintenance on Judicial Ditch 5, RLWD Project No. 102 and the response letter sent on behalf of the Board. Staff Christina Slowinski and Loren Sanderson gave a presentation on the maintenance recently completed as part of the repair order on JD 5, RLWD Project No. 102.

The Thief River Falls Westside FDR Project, RLWD Project No. 178, landowner meeting scheduled for Monday, October 29, at 6:00 p.m. at the Red Lake Watershed District Board room was noted by Administrator Jesme. The meeting was advertised in the Thief River Falls Times and Northern Watch, as well as mailing notice to landowners.

The Findings of Fact and Order for RLWD Ditch No. 16, RLWD Project No. 177, was presented to the Board for their signature. The Engineer's Preliminary Survey Report was approved at the Board meeting on April 26, 2018.

WHEREAS, a Petition was submitted for the establishment of a new public drainage ditch under Minnesota Statutes 103E known as Red Lake Watershed District Project No. 177; and

WHEREAS, Jerry Pribula, Pribula Engineering & Surveying, was appointed engineer to provide a Preliminary Engineer's Report; and

WHEREAS, a Preliminary Engineer's Report was submitted to the Red Lake Watershed District Board of Managers; and

WHEREAS, a Preliminary Hearing was held at 10:00 a.m. at the offices of the Red Lake Watershed District on April 26, 2018; and

WHEREAS, prior to the Preliminary Hearing, the Petition was found to be adequate and legally sufficient as determined by the Watershed District Attorney and reported to the Watershed District; and

WHEREAS, proper notice of the Preliminary Hearing was provided; and

WHEREAS, advisory comments were read from the DNR, Board of Water & Soil Resources, and public comment and questions were taken regarding the Preliminary Engineer's Report.

NOW, THEREFORE, based on the testimony of the engineer and other evidence provided at the Preliminary Hearing, the Red Lake Watershed District Board of Managers, acting as Drainage Authority for Red Lake Watershed District Project #177, makes the following **Findings and Order**:

1. That the proposed drainage project outlined in the Petition, or as modified and recommended by the engineer, is feasible.
2. There is a necessity for the proposed drainage project.
3. The proposed drainage project will be of public benefit and promote the public health, after consideration of the environmental and land use criteria in Section 103E.015, Subd. 1.
4. The outlet is adequate.

NOW, THEREFORE, the Preliminary Engineer's Report is hereby approved and the engineer is directed to proceed to prepare a Detailed Survey and Plans and Specifications for the proposed drainage project and submit a Detailed Survey Report to the Drainage Authority as soon as possible. That Jerry Bennett, Robert Wagner, and Roger Beiswenger are appointed as viewers and directed to provide a Viewers' Report concerning the establishment of this project.

Following review of the Findings of Fact and Order, it was the consensus of the Board to approve the signatures of the Board President and Board Secretary on the Findings of Fact and Order Concerning Preliminary Hearing for RLWD Ditch 16, RLWD Project No. 177, dated April 26, 2018.

Administrator Jesme reviewed the Draft Water Management District blueprint with the Board. Considerable discussion was held on the purpose of the blueprint, setting a water management fee, and time frame needed to complete the policy. The consensus of the Board is to bring recommendations from the Red Lake River 1W1P telephone conference scheduled on November 1 to the November 8, 2018 RLWD Board meeting.

Legal Counsel Sparby reviewed his recommendations of the Buffer Law Implementation with the Board and stated there currently is not a mechanism in place to levy the penalty order to the landowner, directly against the real property to be collected as part of property taxes.

A Release of Claims and Indemnification and Hold Harmless Agreement for gopher removal on Brandt, Parnell, and Louisville/Parnell Impoundments for LeRoy Christensen was presented. Motion by Ose, seconded by Page, to approve the Release of Claims and Indemnification and Hold Harmless Agreement for LeRoy Christensen for gopher removal on Brandt, Parnell and Louisville/Parnell Impoundments. Motion carried.

Motion by Sorenson, seconded by Ose, to approve after-the-fact permit, RLWD Permit No. 18145, Robert Mayer, Badger Township, Polk County, with conditions stated on the permit. Motion carried.

The Board reviewed the permits. Motion by Torgerson, seconded by Ose, to approve the following permits with conditions stated on the permit: No. 18142, Rocksbury Township, Pennington County; No. 18143, Dale M. Nelson, Rocksbury Township, Pennington County; No. 18144, Trent Stanley, Grand Plain Township, Marshall County; No. 18146, Mike Tiedemann, Belgium Township, Polk County; and No.18147, Philip Quam, King Township, Polk County.

Administrators update:

- Manager Ose attended the RRWMB meeting in Roseau on October 16, 2018. Due to conflicts in schedule, Administrator Jesme was unable to attend.
- The Red River Flood Damage Reduction Work Group will meet at 9:30 a.m., Tuesday, October 30th at the RLWD office.
- Jesme attended a special meeting held by the Red River Watershed Management Board on October 24 at Bremer Bank in Warren. Included in the packet are the agenda and supporting documents from the meeting.
- Jesme will attend a meeting hosted by the City of Thief River Falls at 9:30 a.m., Wednesday, October 31st at the City Council Chambers. This meeting is to discuss all the partnership projects between the City of Thief River Falls and Minnesota Department of Transportation. The TRF Westside FDR Project is one of the many projects located within the City of Thief River Falls.

- A Project Work Group meeting for the Red Lake River 1W1P is scheduled for 1:00 p.m. November 1st. This meeting is intended to review information such as proposed projects, PTMapp, MPCA 319 Grants, and PCD 96 outlet repair project. Included in packet is the agenda and proposed project timelines.
- The postponed Thief River 1W1P meeting originally scheduled on October 10th in Grygla has been rescheduled for 9:30 a.m., November 14th in Grygla. The Planning Work Group will be holding a conference call on November 2nd to review items such as budget, draft Water Management District section, as well as Section 5.
- Included in packet is the Red River Watershed Management Board 2019 Resolution compilation. The document shows what each watershed district feels are important to their district.

The Board reviewed Gallagher Consulting, "Job Evaluation and Compensation Study". After considerable discussion, it was determined that a wage step system should be developed to assist the Board in determining future salary discussions. This step system would spell out the procedure and timeline for each employee to go from minimum to maximum salary. Manager Nelson stated he probably was not the person to assist in the development of the structure therefore indicating he would like to step down from his position on the Budget and Salary Committee. It was the consensus of the Board to have Brian Dwight fulfil the remaining term of appointment.

Motion by Ose, seconded by Sorenson, to adjourn the meeting. Motion carried.



LeRoy Ose, Secretary