

RED LAKE WATERSHED DISTRICT
Board of Manager's Minutes
November 26, 2019

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

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

The Board reviewed the November 14, 2019 minutes. Motion by Ose, seconded by Page, to approve the November 14, 2019 Board meeting minutes. Motion carried.

The Board reviewed the Financial Report dated November 25, 2019. Motion by Ose, seconded by Tiedemann, to approve the Financial Report dated November 25, 2019, as presented. Motion carried.

The Board reviewed the Investment Summary as of November 25, 2019.

Staff member Arlene Novak reviewed the General Fund Budget as of October 31, 2019.

Administrator Jesme stated that the U.S. Army Corps of Engineers (Corps) has not responded to his emails regarding permits for the Thief River Falls Westside FDR Project, RLWD Project No. 178. Landowners Marland and Sharon Johnson have been paid for the purchase of their property located in the NW1/4, Section 32, North Township, Pennington County. Legal Counsel John Kolb is working on completing the easements for temporary and permanent damages for landowner signatures. Kolb inquired if the District would pay for damages up-front to the landowners or after permits are obtained? Motion by Ose, seconded by Tiedemann, to approve the payment of damages to the landowners, upon signature of the easement. Thereupon there was further discussion on the motion. Manager Dwight confirmed that the payment of temporary damages was for two-years. Discussion was held on landowners that choose to plant their temporary right-of-way in 2020, would be at their own risk. Discussion was also had on whether damages should be paid prior to obtaining Corp's permit. President Nelson called for a vote to the motion presented. Managers Tiedemann and Ose approved the motion, with Managers Dwight, Sorenson and Page opposing the motion. Motion denied.

Legal Counsel Sparby reviewed the Findings and Order Denying the Petition for Abandonment of Judicial Ditch No. 5, Red Lake Watershed District Project No. 102. Sparby stated that since no formal order was done after the abandonment hearing, the court stated that the District must complete a formal order. Sparby discussed the testimony by landowners at the hearing and the process to this point, where the Board previously motioned to deny the abandonment.

Staff member Christina Slowinski reviewed the inspection of Reinvest in Minnesota (RIM), and associated mowing and spraying costs for the Grand Marais Creek Channel Restoration, RLWD Project No. 60F. Slowinski stated that she has inquired if the Conservation Corps would be available to spray for Canadian Thistle within the RIM area. After discussion by the Board, it was the consensus to do a combination of spraying and mowing on the project to control noxious weeds. Manager Dwight suggested getting recommendations from other sources and report back to the Board.

The Thief River 1W1P, RLWD Project No. 149A, public hearing will be held on December 2, 2019 at 9:00 a.m. at the District. After the hearing is held and upon approval of the Policy Committee to move forward, the plan will be taken to each LGU for action.

The Board reviewed a request from Davidson Construction, Inc., requesting an extension until October 16, 2020, for the replacement of culverts for the Agassiz NWR-Wetland Habitat Quality and Management Enhancement Grant, RLWD Project No. 180A. Motion by Page, seconded by Dwight, and passed by unanimous vote to approve the request by Davidson Construction, Inc., for the extension of the Agassiz NWR-Wetland Habitat Quality and Management Enhancement Grant Project, RLWD Project No. 180A until October 16, 2020.

The Board reviewed a request from Midwest Amphibious, LLC., requesting an extension until October 16, 2020, for the Agassiz NWR- Ditch 11 Silt Removal, RLWD Project No. 180B. Motion by Dwight, seconded by Sorenson, and passed by unanimous vote, to approve the request by Midwest Amphibious, LLC, for an extension on the Agassiz NWR-Ditch 11 Silt Removal Project, RLWD Project No. 180B until October 16, 2020.

Staff member Nick Olson gave the following District Impoundment update. The north pool of the Moose River Impoundment, RLWD Project No. 13, should reach target level sometime today or tomorrow. The south pool will reach target level within the next 5-7 days. Houston Engineering, Inc., will inspect both structures in January 2020. Olson will install boards in Pine Lake tomorrow. Parnell Impoundment, RLWD Project No. 81, has .7 feet of water in the pool. Two beaver dams were located within the pool but appear to be inactive. A beaver dam was also found in the Euclid Impoundment, RLWD Project No. 60C. Olson will monitor the beaver dams and remove them once he is assured, they are inactive. Discussion was held on completing brushing or a burn on District impoundments. Olson will view the impoundments and determine a brushing list.

Brushing on the Brandt Impoundment, RLWD Project No. 60D outlet channel will need to be completed. Debris on the dikes will be removed when weather permits.

The Board reviewed the permits for approval. Motion by Ose, seconded by Dwight, to approve the following permits with conditions stated on the permit: No. 19162, Minnesota Department of Transportation, Gentilly Township, Polk County; No. 19163, Minnesota Department of Transportation, Northwood Township, Pennington County; No. 19207, Roger Hagen, Grand

Forks Township, Polk County; No. 19208, Silverton Township, Pennington County; and No. 19209, BNSF Railway Company, Euclid Township, Polk County. Motion carried.

The Board reviewed the Job Description for a District Engineer Senior position. The position would handle in-house work, with the understanding that District would still require consultants. Discussion was held on locations to advertise for the position. Motion by Tiedemann, seconded by Dwight, to approve the Job Description for a District Engineer Senior position, and authorize the advertisement for said position. Motion carried.

Discussion was held on a meeting that was held for the Pine Lake Project, RLWD Project No. 26, with the following individuals in attendance: Managers Dwight and Sorenson, Administrator Jesme, Water Quality Coordinator Corey Hanson, Engineer Nate Dalager and staff from the MnDNR. Jesme stated that at the meeting MnDNR staff indicated that there is no chance of receiving a permit for an impoundment upstream of Pine Lake. Discussion was held on the possible replacement of the outlet structure, downstream channel restrictions, revisions to the operating plan to allow for additional flood damage reduction, and fish passage. Jesme indicated that the District could apply for a CPL grant for fish passage. Dalager stated that different operational value would give a better star value. Discussion was held on drawing down lower water to help with oxygen levels. It was the consensus of the Board to set up a meeting with the MnDNR to look at alternatives to move forward, with a potential Project Work Team meeting in January. Motion by Sorenson, seconded by Dwight to schedule a Pine Lake Project Work Team for January 2020. Motion carried.

Administrators report:

- Jesme and Manager Ose attended the RRWMB meeting held in the District office on November 19, 2019.
- Jesme attended a meeting for the Redetermination of Benefits for JD 72 with staff from the Polk County Highway Department and the viewers. It appears there is a clear path in moving forward with a conclusion for a future public hearing.
- The District office will be closed November 28th and 29th for the Thanksgiving holiday.
- Jesme will leave for the MAWD Annual meeting the afternoon of December 3rd.

Discussion was held on funding from the RRWMB for the Black River Impoundment, RLWD Project No. 176. Engineer Tony Nordby, Houston Engineering, Inc., will be meeting with staff from the Wetland Conservation Act regarding altering the alignment of the diversion ditch near the Black River Church. Discussion was held on mitigation of wetlands for the project.

Legal Counsel Sparby reviewed the proposed Findings and Order Denying the Petition for Abandonment for RLWD Ditch 5, RLWD Project No. 102. Motion by Ose, seconded by Dwight, and passed by unanimous vote, to approve as to form and content, the Findings and Order Denying the Petition for Abandonment for RLWD Ditch 5, RLWD Project No. 102, as presented.

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Managers Dwight, Ose, and Tiedemann, stated that they will attend the Thief River 1W1P Hearing on December 2, 2019 at the District office.

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

A handwritten signature in cursive script that reads "Terry Sorenson". The signature is written in black ink and is positioned above a horizontal line.

Terry Sorenson, Secretary