

RED LAKE WATERSHED DISTRICT  
Board of Manager's Minutes  
July 12, 2001

President Dale M. Nelson called the meeting to order at 9:00 a.m. at the Red Lake Watershed District office at 102 North Main Avenue, Thief River Falls, MN.

Present were: Dale M. Nelson; Vernon Johnson; Leonard Moe; Roger Love; Dennis Nikolayson; Lowell Smeby; Orville Knott, Arlene Novak, Accounting/Secretary Technician II; Sandy Radniecki, Secretary/ Receptionist; and Legal Counsel Delray Sparby.

The board reviewed the agenda. A motion was made by Moe, seconded by Smeby, and passed by unanimous vote that the board approve the agenda.

Arlene Novak read the minutes of June 28, 2001. A motion was made by Johnson, seconded by Moe, that the board approve the minutes. Motion carried unanimously.

Manager Smeby informed the board that there was a meeting scheduled for Monday, July 17, 2001, at the SWCD office in Grygla to discuss the erosion problem at Moose River.

The board reviewed the Financial Report and investment summary. A motion was made by Moe, seconded by Knott, and passed by unanimous vote that the board approve the Financial Report dated July 11, 2001.

A memorandum from the Board of Water and Soil Resources explaining a change to the general fund, which was made by the Legislature, was reviewed by the board. Dale Nelson explained that he would have a worksheet for the Budget and Salary meeting that would help the board decide what to do with this levy.

A motion was made by Moe, seconded by Smeby, and passed by unanimous vote that the board approve the following resolution:

WHEREAS, the Red Lake Watershed District (RLWD) has received notification that there may be FEMA funds available for repair of flood damage within several counties of the District, and

WHEREAS, the counties of Red Lake, Polk, and Marshall have been named as possible disaster declaration areas, and

WHEREAS, the District may have projects in need of repair;

NOW, THEREFORE, BE IT RESOLVED, that the RLWD should apply for potential disaster declaration funds;

BE IT FURTHER RESOLVED, that the RLWD should assign this project number 150 and name it "2001 FEMA Projects".

A motion was made by Johnson, seconded by Nikolayson, and passed by unanimous vote that the board approve a ring dike request from Dan and Mary Thorstad, Thief River Falls, as long as it meets the requirements set by the RLWD.

Permits were reviewed by the board. A motion was made by Knott, seconded by Nikolayson, and passed by unanimous vote that the board approve the following permits: No. 01067\* from Shady Lawn Farms, Tabor Township, Polk County; No. 01068\* from W. Martin Schulz, Belgium Township, Polk County; No. 01070 from Greenwood Township, Polk County; No. 01071 from MnDOT, Beltrami County; No. 01072\* from the Clearwater County Highway Department; No. 01073\* from Russell Wilson, Woodside Township, Polk County; No.s 01074 and 01075\* from Tim Dufault, Gentilly Township, Polk County; and No. 01086 from Pennington County Highway Department. \*With conditions stated on permit.

Permit No. 01076 from Sinclair Township, Clearwater County, was discussed by the board. Following the review, a motion was made by Johnson, seconded by Nikolayson, and passed by unanimous vote that the board table this permit so Manager Johnson has a chance to talk to the town board and report back to the board at the July 26, 2001 meeting.

Gary Lane, ditch inspector, presented an update to the board. He stated the following: cattails should be sprayed in a small portion on the Challenger Ditch; a meeting of the JD 72 committee is being scheduled with specific issues to be discussed; a landowner on RLWD #3 would like to construct inlet pipe structures so his land doesn't flood; JD 2 Branch B in Clearwater County needed no maintenance. He stated Arlene Novak will be providing a list of all the watershed ditches with their present fund balances.

In response to a question presented at the previous board meeting, Legal Counsel Sparby stated that Polk County Ditch 33 maintenance funds could be used for removal of a beaver dam in an adjoining ditch in order to maintain a proper outlet for Ditch 33, if the landowner voluntarily grants access.

Legal Counsel Sparby stated that in regard to the Thief River FDR project, if you improve an existing legal ditch system for a flood control project, you have to obtain permission of the drainage system, but if the RLWD met certain requirements, a grant of permission would be mandatory.

Legal Counsel Sparby also reported that to divert water from one ditch system to another you would have to obtain permission from the ditch authority, but it appears it would be possible if no damage resulted from the diversion.

Legal Counsel Sparby explained the Judge's Determination on State Ditch 83 Alternative Writ action, and stated that in regard to the Notice of Appeal an "Issues and Settlement" conference was scheduled for July 24, 2001, and the trial of the matter was set for August 6, 2001.

State Ditch 83 brushing and easements was discussed. Loiell Dyrud, one of the affected landowners, gave his feelings on the pros and cons of doing the brushing. It was the consensus of the board to table this item until the appeal period is over regarding the State Ditch 83 Determination.

Ryan Odenbach, Water Quality Coordinator, updated the board on water programs. Following his presentation, a motion was made by Nikolayson, seconded by Love, and passed by unanimous vote that the board adopt the following resolution:

WHEREAS, there is a need for bank stabilization on the Clearwater River on the line of Gully Township, Section 6, and Equality Township, Section 31, and

WHEREAS, the Red Lake Watershed District (RLWD) has applied for and received a 319 grant;

NOW, THEREFORE, BE IT RESOLVED, that the RLWD assign this project number 82H and name it "Gully6/Equality 31".

A motion was made by Johnson, seconded by Nikolayson, and passed unanimously, that President Nelson should sign the Memorandum of Agreement between the RLWD and the Beltrami County SWCD for services to continue with the Clearwater Water Quality Project.

A motion was made by Smeby, seconded by Knott, and passed unanimously, that President Nelson be authorized to sign the River Watch Agreement with East Grand Forks Public School.

Manager Nikolayson reported on the MAWD Summer Tour he attended in southern Minnesota.

Manager Johnson reported on the FDR meeting he attended in Crookston, stating a decision was made for watershed districts to have one mediation team and project. The RLWD presently has three teams and projects.

Manager Johnson also stated that a local landowner had looked at the Greenwood 27 Project on the Clearwater River and remarked how good it looked.

President Nelson stated he and Manager Moe would be attending one of the next meetings of the Marshall County Board of Commissioners.

A motion was made by Moe, seconded by Smeby, that the meeting adjourn. Motion carried.

Signed

Dennis Nikolayson, Secretary