

RED LAKE WATERSHED DISTRICT
Board of Manager's Minutes
December 23, 2004

President Orville Knott 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: Managers Orville Knott, LeRoy Ose, Allan Carlson, Vernon Johnson, Dale M. Nelson, Lowell Smeby and Gene Tiedemann. Staff present were Myron Jesme and Arlene Novak, and Legal Counsel Delray Sparby.

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

Arlene Novak read the minutes of December 9, 2004. A motion was made by Tiedemann, seconded by Nelson, that the Board approve the minutes of December 9, 2004 to correct the minutes to add the legal land description in the Moose River Impoundment area. Motion carried.

The board reviewed the Financial Report. A motion was made by Nelson, seconded by Ose, and passed by unanimous vote that the Board approve the Financial Report dated December 22, 2004.

The Administrative Construction fund balances were reviewed by the Board. Motion by Nelson, seconded by Johnson, to approve the transfer of funds with end-of-the-year balances, to include interest allocation, from the Administrative Construction funds to the miscellaneous construction projects. Motion carried.

A list of discarded property that had been disposed of was reviewed by the Board. Motion by Nelson, seconded by Smeby to approve the disposal of the discarded watershed property (see attached property list). Motion carried.

Administrator Jesme reported of his verbal correspondence with John Weiland of Orfino, Idaho, regarding the purchase of the abandoned farmstead totaling 13.55 acres in the Brandt Impoundment Site of the Grand Marais Sub watershed, RLWD Proj. 60B area. The professional appraisal of the land was \$20,000. Mr. Weiland stated to Administrator Jesme that he and his siblings will sell for \$30,000. Motion by Nelson to authorize Administrator Jesme offer Mr. Weiland \$22,500 for the abandoned farmstead totaling 13.55 acres of land, seconded by Carlson. Motion carried. Administrator Jesme will contact Mr. Weiland and report back at a future board meeting.

An Overall Advisory committee meeting was recommended to be held early in 2005 by Administrator Jesme. The consensus of the Board was to host a meeting following a regular board meeting. Administrator Jesme will set it following a Board meeting in February, notify the Advisory Committee of the date, and report the date of the meeting at the next Board meeting.

A petition for the improvement of the lower 4.5 miles of Polk County Ditch 40 was presented for review. The Board will address this petition, upon receipt of the Bond, at the regularly scheduled Board meeting on February 10, 2005.

The four day Watershed Leadership program was discussed by the Board. The attendance of Board members at this seminar will be finalized at the January 9, 2005 Board meeting.

Agassiz Permit Nos. #04086 and 04087, structures within Agassiz National Wildlife Refuge were reviewed by Board. Following considerable discussion, motion by Ose, seconded by Nelson, to approve the Agassiz Permits with a stipulation that it be subject to annual review. Motion carried. Permits will also be compliant with conditions stated on the permit.

At 10:00 a.m., President Orville Knott reconvened the hearing on the Final Engineer's report of Red Lake Watershed District Ditch No. 10, RLWD Project No. 161. Legal Counsel Sparby stated the purpose of the hearing and turned the hearing back over to President Knott. Administrator Jesme, acting on behalf of the Viewers, Ray Sauvé, Roger Beiswenger and Reuben Rydeen, presented the findings of the Viewers regarding the concerns of landowners John Thibert and Leslie Flage. The Viewers recommended to the Board that a tract of land in the South Half of the SE $\frac{1}{4}$ and Lot 5 of Section 7 of Gervais Township of be removed from the benefited area. Administrator Jesme also presented the request of John Thibert to have parts of Section 13 of Red Lake Township removed from the benefited area. With the recommended changes to the Viewers Report, the acres benefited changed from 2189.2 to 2124.2 acres with the amount benefited from \$221,707.36 to \$215,212.96. Motion by Smeby, seconded by Carlson, and passed unanimously to approve the amended Viewers Report as corrected. Jim Hest addressed the recommendations by Al Kean, Board of Water and Soil Resources (BWSR) Hydrologist, and stated the changes had been made to the Engineer's Report as approved by the Board at the previous hearing. Motion by Nelson, seconded by Ose to approve the amended Final Engineer's Report and order Legal Counsel to prepare the Findings of Fact and Order for presentation at the January 13, 2005 Board meeting. Motion carried.

President Knott convened the hearing at 10:24 a.m. and called the regular board meeting to order.

The Board reviewed permits for approval. A motion was made by Nelson, seconded by Ose, to approve the following permits: No. 04145 from MnDOT, Waskish Township, Beltrami County; and No. 04146* from Henry Steer, Jr., Louisville Township, Red Lake County. Motion carried unanimously. *With conditions stated on permit.

Red Lake Watershed District permit No. 04136 applied for by Greg McEwen, Star Township, Pennington County was discussed. Motion by Nelson, seconded by Carlson, and passed unanimously to deny the permit as the permit request was to install a culvert into a drainage system that Mr. McEwen is not in the benefited area of.

Administrator Jesme presented his written report to the Board. Items noted from his report are: Water Quality Technician Jim Blix attended a River Watch TAC meeting on December 20 in Fargo; HDR Engineering provided the RLWD with a draft report of Pennington county Ditch No. 1 and request that it be reviewed and a meeting be scheduled in January with all interested parties/agencies; an e-mail from Tom Raster notifying of his retirement from the US Army Corps of Engineers effective January 3, 2005; and a report of the Red River Watershed Management Board (RRWMB) meeting held on December 21. RRWMB Financial Coordinator Dick Nelson stated that Senator Keith Langseth will re-introduce the bonding bill in the upcoming Legislative Session which includes the funding of RLWD Proj. No. 60B. Administrator Jesme stated that he requested cost-sharing from the RRWMB for the NW Minnesota Foundation Grant/RLWD Project. No. 165, Farm to Stream Project. The RRWMB instructed Administrator Jesme to meet with Dan Thul, RRWMB TAC member, to better define aspects of the project and report back to the RRWMB.

Legal Counsel Sparby stated that the deeds are complete for the Bagley Urban Runoff Project and the Paul and Ruby Sundberg land. Once signed by the RLWD President and notarized, the land transactions will be complete.

The Browns Creek drainage area landowners had questioned the procedure of including the drainage area of Pennington County in the benefited area of Red Lake County Ditch No. 13. Legal Counsel Sparby stated that a possible re-determination of benefits of the county ditch may be completed. Legal Counsel will check into it further and report back at the January 13, 2005 Board meeting.

As an addition to the Administrator's Report, Administrator Jesme stated that Browns Creek has been surveyed and soil probed. It appears that there is approximately 2.5 feet of sediment in the channel. A meeting of the landowners in the area will be arranged for January of 2005.

As requested at the December 9 Board meeting, a compilation of the cost of monitoring the dam on Moose River Impoundment for the past five years was distributed by Administrator Jesme.

Manager Johnson stated that the Red River Watershed Management Board Administrator Naomi Erickson and RRWMB TSAC Spokesperson Dan Thul will meet with each watershed board once a year to keep the lines of communication open.

A motion was made by Nelson, seconded by Carlson, that the meeting adjourn. Motion carried.

Signed _____
LeRoy Ose, Secretary