

RED LAKE WATERSHED DISTRICT
Board of Manager's Minutes
December 9, 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, and Dale M. Nelson. Managers absent: 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 Nelson, seconded by Johnson, and passed by unanimous vote that the Board approve the agenda.

Arlene Novak read the minutes of November 24, 2004. A motion was made by Carlson, seconded by Ose, that the Board approve the minutes of November 24, 2004 with a clarification. Motion carried.

The board reviewed the Financial Report. A motion was made by Nelson, seconded by Johnson, and passed by unanimous vote that the Board approve the Financial Report dated December 8, 2004.

The Asset Class Schedule and Cap level of Red Lake Watershed District property was reviewed. Motion by Nelson, seconded by Ose to approve the asset Class Schedule as printed and increase the limits of the cap limits for office and engineering equipment and building to \$500 and infrastructure to \$10,000. Motion carried.

Administrator Jesme presented the Northwest Minnesota Foundation Grant for the Farm to Stream water quality project. Motion by Nelson, seconded by Carlson, and passed unanimously, to authorize the approval of the signature of the Board president and approve the following resolution:

WHEREAS, the Board of Managers at their September 23, 2004, meeting were presented with a proposal for a cost sharing grant with the Northwest Minnesota Foundation to investigate the effects on water quality of agricultural practices and best management practices related to drainage,

WHEREAS, the Board of Managers approved the proposal for cost share at 50/50, including in-kind, of a projected total project cost of \$35,000,

WHEREAS, a new project must be established for accounting purposes;

NOW THEREFORE, BE IT RESOLVED, THAT the Red Lake Watershed District name this "Farm to Stream Water Quality Grant" and assign it Red Lake Watershed District Project No. 165.

Gene Tiedemann, a landowner in the Flood Storage Easement Site 1, RLWD Proj. No. 154, has noted that there has been an increase in traffic in and around the impoundment area gates. The landowner requests that the District purchase the material for the gates and he would install the gates at his expense. Motion by Johnson, seconded by Ose to have Administrator Jesme contact the landowner and purchase the materials for the gates. Administrator Jesme will follow up in the spring to make sure the gates are installed. Motion carried.

The Board reviewed permits for approval. A motion was made by Nelson, seconded by Carlson, to approve the following permits: No. 04142 from Lee Township, Wallace Byklum, Chairman, Beltrami County; No. 04143* from Monte Casavan, Wylie Township, Red Lake County; and No. 04144* from James Knott, Black River Township, Pennington County. Motion carried unanimously. *With conditions stated on permit.

Red Lake Watershed District permit No. 04119 applied for by Claude Johnson was discussed. Motion by Nelson, seconded by Carlson, to table the permit until the area can be viewed in the Spring of 2005. Motion carried.

Red Lake Watershed District permit No. 04140 applied for by John Weiland, Belgium Township, Polk County was discussed. Motion by Nelson, seconded by Carlson, and passed unanimously to table permit until items applied for are reviewed.

Administrator Jesme read a letter from the Board of Water and Soil Resources (BWSR) for a Watershed Leadership Program offered to 2 Board members and an alternate. After discussion, due to board members absent, the attendance at the Leadership Program will be addressed at the December 23, 2004 Board meeting.

Corey Hanson, Water Quality Coordinator presented a cost estimate for water monitoring equipment which will be used for various water quality studies. Following equipment comparisons, motion by Nelson, seconded by Ose to approve the purchase of Eureka Mantra water quality multiprobes, in the amount of \$10,195. Motion carried.

Administrator Jesme requested that the District's 1999 Arctic Cat 500 ATV be replaced. Motion by Nelson, seconded by Carlson, to approve the trade-in of the 1999 Arctic Cat 4x4 ATV for a 2005 Arctic Cat automatic 4x4 ATV. Motion carried.

President Knott recessed the regular board meeting.

At 10:00 a.m., President Knott called to order the final hearing of the RLWD Ditch No. 10 to order. He turned the hearing over to Legal Counsel Delray Sparby to address the purpose of the hearing and its process. The hearing is on video tape and available for viewing at the RLWD office. The meeting was turned back over to President Knott. Administrator Jesme distributed the Minnesota DNR Director's Report and read it into record. Jim Hest, NW MN Joint Powers Engineer, gave his report. Red Lake SWCD Wayne Weber reviewed the wetlands and the need to mitigate up to 3 acres of wetlands.

The meeting was opened to questions from the Board and audience. Administrator Jesme distributed and read for the record a letter from BWSR Engineer Al Kean, BWSR recommendations were reviewed by Mr. Hest and were approved by the Board. Roger Beiswenger and Ray Sauve, appraisers of the project, presented the Appraiser's Report. Following the presentation of the Appraiser's Report, questions from the audience were taken. John Thibert stated his concerns of land in Section 13 of Red Lake Falls Township being assessed into the project. A letter from Chuck Flage, acting as attorney in fact for Leslie O. Flage, concerning benefited properties to Section 7, Gervais Township, was read for the record by Administrator Jesme. Following discussion, the concerns of John Thibert and Chuck Flage were referred back to the viewers for further consideration. The viewers were directed to report back to the board at date of the adjourned hearing. A motion was made by Johnson to adjourn the hearing until 10 a.m., December 23, 2004, seconded by Nelson. Motion carried.

The regular meeting reconvened at 12:08 p.m.

Legal Counsel Sparby presented a letter from Attorney Brian K. Rokke representing Paul and Ruby Sundberg regarding executing a quit claim deed for the West three rod easement on the outlet ditch to the Moose River Impoundment in North One-half of the Northwest Quarter (N $\frac{1}{2}$ NW $\frac{1}{4}$) in Section 29 of Spruce Grove Township (T156N, R37W) while reserving the original easement itself. Motion by Nelson, seconded by Ose to authorize Legal Counsel Sparby to prepare a quit claim deed to Paul and Ruby Sundberg and authorize the President to execute the same. Motion carried.

The proposed Warranty Deed and Easement for Michael and Connie Gasper was presented by Legal Counsel Sparby. After review of the document, certain changes were suggested by Legal Counsel. Motion by Nelson, seconded by Carlson, that Legal Counsel Sparby resubmit the warranty deed to Gasper's attorney for redrafting in accordance with Legal Counsel's recommendations. Motion carried.

Administrator Jesme presented his written report to the Board. Items noted from his report are: The next Citizen Advisory Committee and Technical Advisory Committee meeting of the RLWD Ten Year Overall Plan will be on January 20; LeRoy Ose, Allan Carlson, Gene Tiedemann and Administrator Jesme attended the MAWD convention held December 2-4, 2004 in Alexandria; On December 3, the screw gate was closed and stop logs were set for winter levels on Good Lake Impoundment; The north gate was closed on November 14 and south gate closed on November 21 on the Moose River Impoundment and stop logs have been set for winter levels; Pine Lake Sportsmen's Club has purchased an oxygen monitor and will keep the watershed apprised of the oxygen levels throughout the winter on Pine Lake; The Fall 2004 newsletter of the Energy and Environmental Research Center (EERC) was distributed for review; and due to above average flows and water levels, areas on State Ditch 83 which were scheduled for repair this fall will be completed next summer.

Managers Carlson and Ose reported on the Minnesota Association of Watershed District's (MAWD) Convention held on December 2-4.

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

Signed _____
LeRoy Ose, Secretary