

RED LAKE WATERSHED DISTRICT
Board of Manager's Minutes
March 22, 2007

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, Lee Coe, Arnold Stanley, Orville Knott, Gene Tiedemann, Vernon Johnson, and Allan Carlson. Staff present: Myron Jesme and Tammy Audette and Legal Counsel Delray Sparby.

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

Tammy Audette read the minutes of March 8, 2007. A motion was made by Knott, seconded by Stanley, and passed unanimously that the Board approve the minutes as read.

The board reviewed the Financial Report as of March 21, 2007. A motion was made by Johnson, seconded by Knott, and passed by unanimous vote that the Board approve the Financial Report dated March 21, 2007.

Administrator Jesme stated he had contacted Rich Sanders, Polk County Highway Department Engineer and Corkey Kleven, Red Lake County Highway Department Engineer regarding two culvert restrictions located in Section 10, Badger Township, Polk County. Manager Carlson had addressed Merle Kolstads concerns regarding the plugged culverts at the March 8, 2007 Board meeting. Both county engineers stated because of the elevation difference from Mr. Kolstad to the afore mentioned culverts, there was no way water could back up on Mr. Kolstads's property. They did however say that they would monitor the area during the spring runoff.

A Memorandum of Agreement between the RLWD and Agassiz National Wildlife Refuge for the Thief River Sedimentation Project, RLWD Project No. 168 was presented. The Memorandum of Agreement is a general agreement stating the description of work/objectives between the RLWD and Agassiz National Wildlife Refuge. A motion was made by Coe, seconded by Stanley authorizing Corey Hanson, Water Quality Coordinator, to sign the Memorandum of Agreement between the RLWD and Agassiz National Wildlife Refuge for work on the Thief River Sedimentation Project, RLWD Project No. 168.

The Board discussed the request of a local landowner to obtain a CD version of the RLWD hydrologic model that was developed as part of the 10 Year Overall Plan. It was the consensus of the board that Administrator Jesme will provide a CD of the hydrologic model to the landowner and any other parties interested in the model.

Administrator Jesme stated that a local viewer that has worked with RLWD projects recently contacted him regarding attending the April 5, 2007 MN Viewers Association Seminar in Morton, MN. Mr. Jesme asked whether the Board would be interested in paying for membership and expenses for viewers to attend. A motion was made by Johnson, seconded by Knott to authorize Administrator Jesme to contact Viewers that have worked with the RLWD recently to pay for the membership and expenses to attend the MN Viewers Association seminar. Motion carried.

Nate Dalager and Keith Winter, HDR Engineering, Inc. were present to discuss construction of the Brandt Channel, RLWD Project No. 60E. Mr. Dalager stated that the RLWD received a grant from BWSR for \$50,000 with matching funds from the RLWD for restoration of the Brandt Channel to include set back levees on both sides. The grant expires on June 30, 2007. Design of the channel was determined at the Project Work team meetings with input from the MN Department of Natural Resources (MnDNR). Mr. Dalager stated we have two design options. The first option would be to construct a lower berm with an exterior ditch. The second option would be to have a larger higher berm with an exterior ditch which would give the channel more freeboard. Mr. Dalager stated that in his opinion, Option 2 would work best. Mr. Dalager discussed the costs of construction, the installation of riprap at the outlets of the side inlet culverts and cost of the seed mixture. The landowner is enrolling their property into the CREP program. CREP uses a native seed mixture which is more costly versus using road side seed mixture. Administrator Jesme will contact the Polk County Farm Service Agency (FSA) to inquire whether the cost of seeding of the embankment would be included in the cost of the seeding the landowners property into CREP.

An error was determined in payment of damages to the wrong landowner on RLWD Ditch No. 11, Project No. 166. Legal Counsel Sparby stated that to amend the viewers report, a hearing in the near future should be scheduled. Notification should be sent to the local paper and the two landowners that the error pertains to. A motion was made by Tiedemann, seconded by Stanley to schedule a hearing on RLWD Ditch No. 11, Project No. 166 for amended changes to the viewer's report for payment of damages. Motion carried.

Pay Estimate No. 5 in the amount of \$22,791.24 for Schmitz Builders for the construction of the new RLWD building was presented for approval. A motion was made by Tiedemann, seconded by Knott to authorize payment of Pay Estimate No. 5 in the amount of \$22,791.24. Motion carried.

The Board reviewed the permit applications. Motion by Johnson, seconded by Tiedemann and passed unanimously to approve the following permits with conditions stated on the permits: No. 07006 from Garden Valley Telephone Company, Red Lake and Pennington County; No. 07010 from Russell Wilson, Woodside Township, Polk County; No. 07011, Marshall County Highway Department, Valley Township, Marshall County; and No. 07013, Polk County Highway Department, King Township, Polk County.

Motion by Johnson, seconded by Knott, to table RLWD Permit No. 07009, applied for by Russell Wilson, Woodside Township, Polk County until further information can be obtained.

Administrator Jesme read his written report:

- The RLWD was awarded the "2007 River Watch Partner of the Year" which was presented to Jim Blix by the International Water Institute and the Red River Watershed Management Board. This award was presented during the River Watch Forum held in Grand Forks. It should also be recognized that Bagley High School River Watch Students were co-champions for the "Gold" award. This award is given to the best River Watch display presented at the Forum.
- Managers Knott, Tiedemann, Coe and Johnson and Administrator Jesme attended the Legislative Breakfast held March 14-15 at the Kelly Inn in St. Paul. They had the

opportunity to meet with all our legislators to discuss bills that are important to the Watershed Districts throughout the State of Minnesota and the Red River Basin.

- The 9th Annual RRWMB and RRFDRWG Annual Joint Conference will be held on March 29, 2007 at the Northland Inn in Crookston. Board members wishing to attend should inform staff members today for reservations.

Manager Stanley discussed his concern over local government boards losing authority and the need to be concerned about decisions being made at the capital. Contact with the legislators is extremely important.

Attorney Kurt Deter, Rinke Noonan and Petitioners, were present to discuss the petition for the Improvement of Polk County No. 53. Mr. Deter stated that an additional petition will be forthcoming for construction of a lateral to Polk County Ditch No. 53, to be submitted on a portion of a tributary which is listed as a Protected Waters within the MnDNR. Mr. Deter further stated that he represents the petitioners and since he is on retainer with the RLWD he will not be able address any issues that could arise on behalf of the RLWD. Following discussion of the petition project, a motion was made by Tiedemann, seconded by Johnson and passed unanimously to adopt the following resolution:

WHEREAS, the Red Lake Watershed District has received a petition and bond for the Improvement of Polk County Ditch No. 53;

WHEREAS, it has been determined that a minimum of 26% of the landowners in the petitioned area have signed the petition, and that it meets the jurisdictional requirements;

WHEREAS, the Petitioners request the appointment of Engineer Nate Dalager, HDR Engineering, Inc. as the lead engineer for the project with assistance if needed from Jerry Pribula, Pribula Engineering for information already obtained;

NOW THEREFORE BE IT RESOLVED that the Red Lake Watershed District accept the petition, and also accept the bond, upon obtaining signature from a petitioner named in the petition document; assign Engineer Nate Dalager, HDR Engineering, Inc. as the lead engineer for the project; assign it Red Lake Watershed District Project No. 169 and name it Red Lake Watershed District Ditch No. 12, Improvement of Polk County Ditch No. 53.

Kurt Deter discussed the dismissal of petition for the Improvement of Polk County Ditch No. 19, RLWD Project No. 158. Expenses have been incurred, and the petition proceedings have not moved forward. Legal Counsel Sparby discussed the procedure for withdrawal of a petition. He indicated that previously the petitioners had asked for a delay until further funding could be obtained. He stated that the RLWD has a duty to move forward with the dismissal of the existing petitions and any costs incurred would be the responsibility of the petitioners, if the petition is dismissed. A motion was made by Knott, seconded by Tiedemann and passed by unanimous vote to proceed with a hearing regarding the possible dismissal of the petition for the Improvement of Polk County Ditch No. 19, RLWD Project No. 158 and for the possible dismissal of the Tynsid Erosion Control Project, RLWD Project No. 163, Motion carried. The Board instructed Legal Counsel Sparby to review the statutes for dismissal and move forward.

Kurt Deter discussed legislation that is moving through the House and Senate for amendments to the Wetland Conservation Act (WCA) and buffer strips along legal drainage systems.

Legal Counsel Sparby stated that he had received an affidavit from Ray Weiland on the Brandt Impoundment. After the costs are addressed with the title correction, the remainder of the money withheld from the two involved landowners will be returned.

Administrator Jesme stated that he had contacted the Polk County FSA regarding seeding of the embankment on the Brandt Channel, RLWD Project No. 60E. Mr. Jesme stated that according to the NRCS, the old channel and the dike is the responsibility of the watershed which would be approximately 4.6 acres. The Polk County NRCS will order the seed for the entire project and the RLWD would reimburse the landowner Jeannette Kliner for 4.6 acres of seed. It was the consensus of the Board that this item will be tabled until the April 12, 2007 Board meeting when costs can be determined.

Administrator Jesme discussed construction of ring dikes. Currently there are two rings dikes that are over \$25,000 so bids will have to be obtained versus quotes. Administration Jesme requested Houston Engineering prepare the plans and specification to bid them out. Currently we have \$75,000 we can spend on ring dikes this year, and the possibility of receiving an additional \$10,000 from the State of Minnesota. A motion was made by Tiedemann, seconded by Coe, to hire Houston Engineering to work with the RLWD on construction of the ring dikes. Motion carried.

Manager Nelson distributed the 2007 General Fund Budget and discussed the new RLWD Building and purchase of new office equipment. The Board needs to decide the location of the projector in the board room. The cost of installing a 12' screen with the projector at the back of the room is approximately \$8,000. The Board will visit the building site to determine the location of the projector and screen.

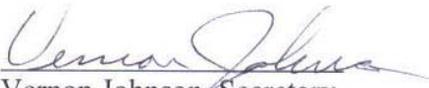
Manager Knott discussed the Red River Watershed Management Board (RRWMB) meeting. Jerry Bents, Houston Engineering has requested how much tillable land has been put into impoundments through the entire RRWMB and how much more productive is agriculture around the impoundments? Manager Knott discussed the process of prioritization of projects to get a better idea of what projects are ready for funding. He further discussed the Lidar Imaging of the entire Red River Basin that the RRWMB has pledged \$500,000 towards. An estimate of \$5 million dollars is projected to complete the entire Red River Basin. To date \$2.3 million has been pledged with additional funding being pursued.

Manager Tiedemann discussed suggestions from BWSR regarding the no net loss on wetlands.

Manager Coe stated information should be available in approximately two weeks for the Precipitation Study.

The Board of Managers recessed the meeting to the new building site and Manager Nelson gave a tour. After considerable discussion on the location of the projector and screen for the board room, it was the consensus of the Board to proceed with the installation of the 12' screen on the west wall and the projector mounted on the east wall.

Motion by Carlson, seconded by Knott, with motion carried to adjourn the meeting.


Vernon Johnson, Secretary