

RED LAKE WATERSHED DISTRICT
Board of Manager's Minutes
November 13, 2008

Present were: Managers Orville Knott, Arnold Stanley, Lee Coe, Vernon Johnson, Dale M. Nelson and Gene Tiedemann. Absent: Jim Votava. Staff Present: Myron Jesme and Tammy Audette and Legal Counsel Delray Sparby.

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

The minutes of October 23, 2008 were reviewed. A motion was made by Tiedemann, seconded by Knott, with motion carried to dispense reading of the minutes and approve them as printed.

The board reviewed the Financial Report dated November 12, 2008. A motion was made by Knott, seconded by Tiedemann, and passed by unanimous vote that the Board approve the Financial Report dated November 12, 2008.

Discussion was held on the Robert Solien and Leslie Hofstad Petitions for inclusion of lands into RLWD Ditch 7, Project No. 20. Administrator Jesme stated that after the hearing, it was determined that the rate of the adjacent farmland with similar characteristics should have been \$50 per acre rather than the \$100 per acre stated at the hearing. Motion by Coe, seconded by Johnson, to amend the motion to set the benefited rate for said petitioned for property at \$50 per acre for inclusion into RLWD Ditch 7, Project No. 20. Motion carried.

Administrator Jesme stated that Wade Robinson, Clearwater SWCD, determined that the City of Clearbrook does not own the property for one of the sites for the Clearbrook Stormwater Retention Project, as was once thought. Robinson and Jesme will continue to research ownership of the property and report back to the board.

Administrator Jesme discussed the potential wetland banking credits at the Louisville/Parnell Impoundments. We have the potential of obtaining approximately 11 acres of wetland banking credits. A portion of these acres are currently in CRP. Jesme contacted the NRCS and they determined it would cost approximately \$1100 per acre to buy out 1.8 acres of the current CRP contract from the landowner. Jesme stated that if we compensate the landowner for his losses the total cost would be approximately \$2,100. A motion was made by Tiedemann, seconded by Knott, to authorize Administrator Jesme to move forward with the process of removing any portion of lands currently enrolled in CRP program to better develop the proposed wetland banking area and that compensation be paid to the landowner as described in the current rental agreement. Motion carried.

Administrator Jesme discussed the funding breakdown for the Tynsid Township Erosion Control Project. Jesme stated that Polk County Ditch 19 and the West Polk SWCD will both contribute \$5,000 towards the project. West Polk SWCD is also using their allotted 2008 Erosion Control Funds from RLWD Project No. 164 in the amount of \$12,500 towards this project. The RLWD will pay approximately \$17,500 for a total project cost of \$40,000.

Legal Counsel Sparby discussed the draft Joint Powers Agreement with the Middle Snake Tamarac Rivers Watershed District (MSTRWD) for the Restoration of the Grand Marais RLWD Project 60F. Sparby discussed forming a joint board with representatives serving from each watershed district. The draft Joint Powers Agreements states that board would be composed of two sitting managers appointed from each of the watersheds to create a four board member board. Sparby is recommending that the RLWD appoint 3 members with the MSTRWD having 2 committee members as the RLWD is assuming a large amount of costs related to the project and that a mechanism should be in place for a tie breaker should it be needed. A motion was made by Knott, seconded by Johnson, to approve the draft Joint Powers Agreement with the MSTRWD subject to changing it to a four board member committee to a five board member committee. Motion carried.

Discussion was held on a Grant of Easement with the Nature Conservancy for access to the BR-6 Impoundment. The easement states that the district would be required to maintain the existing road for access to the site, but would not be allowed to improve or widen the road. A motion was made by Tiedemann, seconded by Knott, to approve the Grant of Easement with the Nature Conservancy that allows the RLWD to have access to the BR-6 Impoundment and assume future costs in maintaining roadway as referenced in the agreement. Motion carried.

Administrator Jesme stated that the viewers hired by the RLWD are requesting a rate increase from the current \$20.00 per hour to \$30.00 per hour. Motion by Tiedemann, seconded by Stanley to approve a rate increase for RLWD Viewers to \$30.00 per hour. Motion carried.

The Board reviewed the proposed 2008 MAWD Resolutions that will be presented at the MAWD convention on December 5, 2008.

Administrator Jesme discussed the MAWD proposed dues increase. Jesme stated that MAWD calculations did not take into consideration the fact that out-state Districts could only levy a maximum of \$250,000. Jesme indicated that he would report back to the Board upon receiving updated information concerning dues increases.

Administrator Jesme discussed the MAWD Webinar Training session he is taking part in on November 17, 2008.

The regularly scheduled Board meeting on December 25, 2008 falls on Christmas Day. A motion was made by Coe, seconded by Knott, to change the December 25, 2008 Board meeting to December 29, 2008 at 9:00 a.m. at the Red Lake Watershed District office. Motion carried.

Administrator Jesme stated that Managers Tiedemann and Johnson terms expire on January 10, 2009.

The Board discussed Permit No. 08084 from Ellen Jorde Lindseth, Excel Township, Marshall County. Administrator Jesme stated that the applicant wishes to withdraw her permit application. Motion by Tiedemann, seconded by Stanley, and passed by unanimous vote to withdraw Permit No. 08084 from Ellen Jorde Lindseth.

The Board reviewed the permits for approval: A motion was made by Tiedemann, seconded by Knott, to approve the following permits with conditions stated on the permits: No. 08087, Roger Hinrichs, River Falls and River Township, Pennington and Red Lake Counties; No. 08088, Robert Scott Sirell, Belguim Township, Polk County; No. 08089, Alden Carlson, Norden Township, Pennington County; No. 08090, Brian Beiswenger, Fisher Township, Polk County; No. 08091, The Nature Conservancy, Tilden Township, Polk County; and No. 08092, Jerald Thom, Columbia Township, Polk County. Motion carried.

Administrators Update:

- Administrator Jesme presented information on RLWD Impoundment water levels.
- District water quality monitoring and data entry was completed. The last field monitoring for the River Watch program was completed last week. Classroom data entry will begin.

Manager Nelson discussed the Lateral to Pennington County Ditch No. 75, RLWD Ditch 13, Project No. 170. Discussion was held on possible options to move electric poles. Administrator Jesme stated the viewers have begun the viewing process.

Manager Knott stated that the township closed the road to the Seeger Dam, due to wet conditions which has made the road impassable. It was determined that the District would investigate the roadway and report back to the Board at a later date.

Legal Counsel Sparby stated that he had not heard any information from Polk County in regard to transferring of ditches on RLWD Ditch 12, Project No. 169. Administrator Jesme stated that he had spoken to Polk County Engineer Rich Sanders concerning the letter presented by Legal Counsel Sparby to Polk County legal counsel. Sanders indicated to Jesme that he was under the assumption that once the hearing was completed, the system would remain as one system. Sanders also mentioned that in talking to the Polk County Auditor, the Polk County Board would address this issue at a later date. Discussion was held on having Administrator Jesme attend a Polk County Board meeting to discuss the matter if need be.

Legal Counsel Sparby stated he had received no response from the MN Historical Society in regard to transferring ownership of the old RLWD office building. Sparby is going to contact Representative Dave Olin to request his assistance.

Administrator Jesme stated he sent a letter to Kent Schmitz, Schmitz Builders regarding items to be finished on the RLWD building and Mr. Schmitz indicated that he would address these items next week.

Motion by Coe, seconded by Stanley, with motion carried to adjourn the meeting.


Vernon Johnson, Secretary