

RED LAKE WATERSHED DISTRICT
Board of Manager's Minutes
April 23, 2009

Present were: Managers Gene Tiedemann, Lee Coe, Jim Votava, Orville Knott, LeRoy Ose, Dale M. Nelson and Kelly Nordlund. 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 Votava, and passed by unanimous vote that the Board approve the agenda.

Tammy Audette read the minutes of April 9, 2009. A motion was made by Knott, seconded by Tiedemann, and passed by unanimous vote that the Board approve the minutes as corrected.

The Board reviewed the Financial Report dated April 22, 2009. A motion was made by Nordlund, seconded by Knott, and passed by unanimous vote that the Board approve the Financial Report dated April 22, 2009.

The Board reviewed the Minnesota Watershed District Guidebook prepared by BWSR and MAWD.

The Board reviewed the 2008 Annual Report. A motion was made by Tiedemann, seconded by Coe, to approve the 2008 Annual Report with corrections. Motion carried. Meetings will be scheduled with County Commissioners for presentation of the annual report.

Administrator Jesme discussed the Louisville Parnell Impoundment Wetland Bank "Plan B Application" that is being submitted to various agencies. It appears the District will obtain 19.1 acres of wetland banking credits if there are no changes to the application during the review.

LeRoy Sundquist, Winsor Township, Clearwater County was present to discuss a culvert located in Judicial Ditch 72 that recently washed out. Sundquist stated that Winsor Township repaired the culvert/roadway wash out, which has since eroded again. The culvert is exposed and needs to be replaced. Discussion was held on who is responsible for repairing township road culverts that are within a ditch system under the jurisdiction of the District. Legal Counsel Sparby stated that under MN Statutes 103E.701, Subdivision 4(a), highway bridges and culverts constructed on a drainage system established on or after March 25, 1947 must be maintained by the road authority charged with the duty of maintenance. Since the legal drainage system in question was constructed prior to March 25, 1947, the drainage system would be responsible for the maintenance of the culvert in question. Motion by Coe, seconded by Votava, to authorize the repair of the township road culvert located within the JD 72 system with all immediate prior costs to repair the culvert incurred by Winsor Township to be paid by the RLWD and assessed to the JD 72 system. Motion carried.

Administrator Jesme discussed the Pennington County Ditch 1 meeting he attended along with Legal Counsel Sparby and representatives from Pennington County and the City of Thief River Falls. Jesme discussed the project area and history of the ditch system. The RLWD contributed funding for a preliminary report in 2005 to address drainage problems within the project area. The Board reviewed correspondence received from Kurt Deter, Rinke Noonan with possible project options.

Administrator Jesme discussed the Grand Marais Outlet Restoration Project and the progress of landowners signing up for the RIM program.

The Board reviewed the permits for approval. A motion was made by Ose, seconded by Knott, to approve the following permits with conditions stated on the permit: No. 09017, Beulah J. Wikstrom, Holt Township, Marshall County; No. 09019, Polk County Highway Department, Godfrey and Woodside Township; No. 09021, Elvind Lindseth, Knute Township, Polk County. Motion carried.

Administrators Update:

- Moose River Impoundment gates were opened on the North and South Pools on April 20th for the first time since gates were closed last November. The District began releasing water from the Parnell Impoundment on April 10th as the pool elevation reached 939.5 feet above the mean sea level which is one foot above the required pool elevation of 938.5 feet in accordance to the operating plan. After the pool elevation of 938.5 was reached, the gates were closed until the Red River at East Grand Forks was at or below 52 on the gage or 821.0 feet above mean sea level datum. On April 20th gates were opened to the south (PCD 60) and to the west (PCD 126). Included in today's packet is a summary of all impoundment data from this spring.
- The Polk County Ditch 60 advisory meeting for the Parnell Impoundment was held on April 22nd. The Polk County Ditch 126 advisory meeting will be held after today's board meeting.
- Staff has been contacting landowners along the Polk County Ditch 53 Improvement system as staff will be setting ROW next week along the entire system for construction and establishment of a grass strip. Staff hopes to be completed by Wednesday of next week.
- Jesme has been in contact with wetland agencies to set up a site visit to determine wetland impacts and possible mitigation procedures for the Clearbrook Stormwater Retention Project. Otter Tail Corporation has not responded to the status of purchasing a portion of their property for one of the sites.

Further discussion was held on the Polk County Ditch 60 and 126 Advisory Committee meetings held.

Manager Votava distributed pictures of the Merle Kolstad flooding situation. Manager Knott stated he had viewed the area with the Red Lake County Highway Department Engineer. Votava will contact the Polk County Commissioner in that area for further

assistance. Garry Bennett, DNR Hydrologist will look at the site to determine what can be done to help Mr. Kolstad.

Manager Knott discussed several wash outs within Red Lake County. Knott stated that the SWCD/NRCS has designed structures for several sites, but need cost share from the local landowners.

Manager Knott stated that legislation that was being proposed giving counties the authority to approve Watershed Districts budget has been withdrawn for this legislative session.

Manager Tiedemann stated that the dike access road on the Parnell Impoundment is in need of repairs.

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

A handwritten signature in cursive script that reads "Orville Knott". The signature is written in black ink on a light-colored background.

Orville Knott, Secretary