

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

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

A motion was made by Knott, seconded by Tiedemann, and passed unanimously that the Board dispense reading of the July 9, 2009 minutes and approve them as printed.

A motion was made by Knott, seconded by Tiedemann, and passed unanimously that the Board dispense reading of the July 16, 2009 minutes and approve them as printed.

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

Engineer Jeff Langan, Houston Engineering, Inc. stated that the EAW comment period for the Grand Marais Creek Restoration Project closed on July 15, 2009. Langan stated that comments for the project were as expected, supportive of the project. Langan will be working on a Findings of Fact and Conclusion and will have Legal Counsel Sparby review the document. Langan suggested having the Joint Powers Board meet prior to the August 13th RLWD Board meeting.

The Board reviewed a resolution and letter of support from the City of Thief River Falls for the Jerome Street/Red Lake River Bank Stabilization Project.

Administrator Jesme stated that construction on the Brandt Channel Restoration, RLWD Project 60E has been substantially completed and recommended that a final payment hearing be scheduled for TS Holte Construction. Motion by Tiedemann, seconded by Knott, and passed by unanimous vote to set the final payment hearing for TS Holte Construction for August 13, 2009 at 9:30 a.m. at the RLWD office.

Notices for the Parnell Impoundment hearing have been sent to landowners within the County Ditch 126 and Judicial Ditch 60 systems, townships, county officials and municipalities.

Administrator Jesme discussed a potential ditch improvement project in Vineland Township, Polk County. Jesme met with several landowners in the area and is requesting authorization to hire HDR Engineering, Inc. to do a general review of the ditch and outlet to make recommendations in regard to a possible ditch improvement petition. Costs incurred would be billed back to the project if an improvement petition proceeds

and the data collected is useful, or if no ditch improvement petition is received the costs would be billed to the General Construction Fund. Motion by Tiedemann, seconded by Coe, to authorize HDR Engineering, Inc. to complete a general review of the ditch and outlet and report back to the Board with recommendations. Motion carried.

The Board reviewed Permit No. 09061, Thomas Fillmore, Holt Township, Marshall County. Motion by Ose, seconded by Tiedemann, to table permit No. 09061 so the applicant can proceed to petition into the Middle Snake Tamarac Watershed District. Motion carried.

The Board reviewed permits for approval. A motion was made by Knott, seconded by Ose, to approve the following permits with conditions stated on the permits: No. 09031, Bradley Berg, Whiteford Township, Marshall County; No. 09062, Bryan Bohl, Gentilly Township, Polk County; No. 09063, Paul Hanson, Huntsville Township, Polk County; No. 09064, Veldt Township, Marshall County; No. 09065, Ross Seed Company, Fisher Township, Polk County; Nos. 09066 and 09067, Badger Township Polk County; No. 09068, Daniel Caillier, Gentilly Township, Polk County; No. 09069, Ronald Engelstad, Veldt Township, Marshall County; and No. 09070, Andover Township, Polk County. Motion carried.

Administrators Update:

- Administrator Jesme toured the Euclid East and Brandt Impoundments, Brandt Channel Restoration and Grand Marais Outlet Restoration along with Brian Dwight, BWSR and BWSR Assistant Director Julie Klocker.
- Manager Knott and Administrator Jesme attended the July 21, 2009 RRWMB Board meeting along with the joint meeting and tour held between the RRWMB and the Red River Joint Water Resource Board. The June 16, 2009 RRWMB minutes are included in the packet.
- Five landowners have contacted the West Polk County NRCS and three at the Pennington County NRCS office are interested in the EQUIP Ring Dike program. Funding for approximately 26 ring dikes in the Red River Valley will be available through the RRWMB, State of Minnesota and BWSR. At this time we are not aware of how much funding the RLWD will receive.
- Administrator Jesme has been invited to participate in a meeting for the Lessard-Sams Outdoor Heritage Council on August 17 in Detroit Lakes to review project funding for the next 25 years. Jesme stated that he will be able to explain projects such as the Grand Marais Outlet Restoration Project which may assist them in prioritizing project funding.
- The basic survey required for a preliminary engineers report for Pennington County Ditch 75, RLWD Project 170 has been completed. Modeling for various conditions has started with the hope that a preliminary hearing would be held sometime September.

At 9:30 a.m. President Nelson called the Hearing for Partial Abandonment for Polk County Ditch 53, Branch 2, RLWD Project No. 169 to order. Administrator Jesme stated that landowners Jerome Ness and Peggy A Grove petitioned for a partial abandonment of

a portion of legal drainage system referred to as Polk County Ditch #53, Branch 2 Extension. Jesme stated that the portion to be abandoned will remain in the benefited area of the project, is not of public benefit and utility and does not serve a substantial purpose to property benefited or affected by the legal drainage system. Motion by Tiedemann, seconded by Knott, to approve the petition for a Partial Abandonment for Polk County Ditch 53, Branch 2 as requested by landowners Jerome Ness and Peggy A Grove. Motion carried. The hearing was videotaped and is on file at the RLWD office.

Administrator Jesme stated that he has been in contact with landowners for the Clearbrook Stormwater Retention Pond Project, RLWD Project No. 160. Jesme stated that the owner is willing to sell one half of the property that was requested. Jesme will contact Joint Powers Engineer Jon Hodgson, to see if we can accomplish what we need with that amount of land.

Legal Counsel Sparby discussed the Public Officials Liability Insurance for the Grand Marais Creek Joint Powers Board.

Manager Knott and RLWD staff will do a site visit in the near future on the Seeger Dam. Manager Knott stated that landowner Mike Seeger wishes to be present during the visit to discuss various options.

The Board discussed the Advisory Board tour that was held on July 16, 2009.

Discussion was held on the release of water from the Brandt and Euclid East Impoundments. Manager Tiedemann stated since the establishment of trigger points have not yet been determined, it was suggested that landowners downstream of the Euclid East Impoundment should be notified prior to the gates being opened. It was also determined that staff should work with landowners regarding operation of gates and also have a discussion with Polk County in regard to downstream county ditch conditions.

At 10:00 a.m. President Nelson called the hearing to order for the Redetermination of Benefits for RLWD Ditch 8, Project No. 36. Viewers for the project Jerry Bennett, Rodney Langaas and Roger Beiswenger presented the Viewers Report for the project. Ross Heier, MnDNR discussed the State of Minnesota policy in regard to access to buffer strips. Motion by Knott, seconded by Ose, to approve the Redetermination of Benefits for RLWD Ditch 8, Project No. 36 as set forth in the submitted viewers report. Motion carried. The hearing was videotaped and is on file at the RLWD office.

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



Orville Knott, Secretary