

RED LAKE WATERSHED DISTRICT  
Board of Manager's Minutes  
January 28, 2010

Present were: Managers Kelly Nordlund, Orville Knott, Lee Coe, LeRoy Ose and Dale M. Nelson. Absent: Gene Tiedemann Staff Present: Myron Jesme and Tammy Audette and Legal Counsel Delray Sparby.

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

President Nelson stated that Engineer Nate Dalager requested to appear before the Board to provide a follow-up of the informal meeting with County Ditch 1 involved parties that was held at District office January 7, 2010.

Tammy Audette read the minutes of January 14, 2010. A motion was made by Nordlund, seconded by Ose, and passed by unanimous vote that the Board approve the minutes as printed.

The Board reviewed the Financial Report dated January 27, 2010. Motion by Coe, seconded by Knott, and passed by unanimous vote that the Board approve the Financial Report dated January 27, 2010.

Tony Rubischko appeared before the Board in regard to concerns expressed in a letter from his Legal Counsel regarding the petition for a new drainage system to replace part of Pennington County 75, RLWD Project No. 170. Legal Counsel Delray Sparby discussed his concerns with the fact that Mr. Rubischko has retained Legal Counsel and that Mr. Rubischko's attorney was not present. Mr. Sparby did not have permission from Mr. Rubischko's attorney to discuss the matter directly with Mr. Rubischko. Mr. Sparby felt that the Districts response to the attorney's letter should be made through Mr. Rubischko's Legal Counsel and not directly to Mr. Rubischko.

Administrator Jesme updated the Board on the meetings held with the landowners and Viewers in regard to the Improvement to Pennington County Ditch 75, RLWD Project No. 170.

Administrator Jesme stated that 2009 was the final year for the quote received from Drees Risky Vallager, Ltd. to complete the RLWD yearly audit. It was the consensus of the Board that Drees Risky Vallager, Ltd. present a quote to the Board for continuation of the yearly audit.

The Board reviewed a Quarterly Performance Report for the Glacial Ridge/JD 66 Water Quality, RLWD Project No. 152A.

Red River Watershed Management Board 2010 calendars were distributed to the Board. It was the consensus of the Board to mail calendars to the local SWCD offices, county commissioners, libraries and other sources determined by staff.

The MAWD Legislative Breakfast and Day at the Capitol will be held March 10-11, 2010.

The Board reviewed the 2009 MAWD Annual Report.

Clearwater County Highway Department requested an extension for RLWD Permit No. 09013 until April 1, 2011. Motion by Nordlund, seconded by Ose, to extend Permit No. 09013, Clearwater County Highway Department until April 1, 2011. Motion carried.

#### Administrators Update:

- Managers Knott and Ose and Administrator Jesme attended the RRWMB meeting held on January 19, 2010 at the Canad Inn in Grand Forks, ND. This meeting was held in conjunction with the Red River Basin Commission Joint meeting. There has been considerable discussion over the past year concerning the RRWMB funding of projects and the potential budget short falls should all projects be implemented. To address long term funding issues it was determined that a finance committee consisting of three RRWMB members, RRWMB Administrator and Project Coordinator/Consultant and one District Administrator be formed. Jesme was nominated to sit on this committee. Jesme and Manager Knott will keep the District updated on this and other RRWMB issues. Included in the packet are the approved RRWMB minutes from November 17, 2009.
- The Auditors completed their office visit of the yearly audit January 20-22, 2010. A tentative date is set for March 25, 2010 to present the audit to the Board.
- Staff member Jim Blix attended a LIDAR Application workshop on January 26, 2010 in Grand Forks.
- A sales representative from Frontier was in our office on January 21, 2010 for an all day training session with staff members for the new survey equipment that was purchased. The session covered everything from software installation to field testing. The sales representative will come back in the spring to spend an entire day surveying a small RLWD Project with the staff. The costs of these sessions were included in the purchase of the equipment.

Manager Coe asked if the Red Lake Tribal Council had responded in regard to the Good Lake Impoundment Special Land Permit. Administrator Jesme stated that no further response had been received as of this meeting date.

Legal Counsel Sparby updated the Board on the history of the petition submitted for the Improvement to Pennington County Ditch 75, RLWD Project No. 170. After discussion, it was the consensus of the Board to set up a meeting with the petitioners to update them as to the history and present status of the petition and statutory process.

Engineer Nate Dalager, HDR Engineering, Inc. discussed the meeting he attended on January 7, 2010 in regard to the Petition for Improvement to Pennington County Ditch 1, RLWD Project No. 171. Dalager discussed how the petition calls for an improvement to the ditch system, but not a diversion. Dalager stated that some other mechanism would need to be implemented to include a diversion aspect in conjunction with the petition for improvement. After further discussion by the Board, a motion was made by Ose, seconded by Coe, to direct Engineer Nate Dalager, HDR Engineering, Inc. to explore as an alternative a Flood Damage Reduction Diversion in conjunction with the Improvement to Pennington County Ditch, Thief River Falls Flood Damage Reduction Study, RLWD Project 171A. Motion carried.

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



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Orville Knott, Secretary