

RED LAKE WATERSHED DISTRICT
Board of Manager's Minutes
April 28, 2011

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

The Board reviewed the agenda. Landowner Merle Kolstad requested to appear before the Board. A motion was made by Coe, seconded by Tiedemann, and passed by unanimous vote that the Board approve the agenda with the addition of Merle Kolstad.

Motion by Mandt, seconded by Nordlund, to dispense reading of the April 14, 2011 Board meeting minutes and approve them as printed. Motion carried.

The Board reviewed the Financial Report dated April 27, 2011. Motion by Knott, seconded by Tiedemann, and passed by unanimous vote that the Board approve the Financial Report dated April 27, 2011.

Landowner Merle Kolstad presented information on an ongoing drainage problem on his property located in Section 10, Badger Township, Polk County. Mr. Kolstad stated that 2 lines of 12'x7 box culverts, located on the Poplar River two miles downstream from him and through Red Lake CSAH 49, are full of sediment/silt therefore water is backing up onto his property. Mr. Kolstad stated that two separate locations upstream, have 3 lines of box culverts, therefore water is backing up onto his property. Administrator Jesme stated that the river channel is plugged with sediment and trees, therefore choking the channel. Jesme read an e-mail from Polk County Engineer Rich Sanders dated March 12, 2007, indicating that before water can back up on Mr. Kolstads property from the "plugged" 2 box culverts, CSAH 49 would have 10 feet of water overtopping the roadway. It was mentioned that water has never went over the county road. Manager Mandt stated that he had viewed the area along with past Board member Jim Votava. After discussion by the Board and Kolstad, Manager Knott will contact Red Lake County Engineer Corkey Kleven to discuss the issue and report back to the May 12, 2011 Board meeting.

Staff member Corey Hanson stated that he has been in contact with staff at the University Minnesota-Crookston (UMC) in regard to completing a storm water study within the City of Crookston. Hanson stated that this study could be incorporated into the Red Lake River TMDL Study. UMC staff will begin mapping out the storm water system, complete sampling this summer to determine if there are water quality issues and then present a plan to the City. It is their hope to apply for grant applications to complete the project. Hanson stated there is a 319 grant application period open right now and they would possibly be asking for a match from the District. Hanson will bring more information back at the May 12, 2011 Board meeting.

Staff member Corey Hanson stated that work on the Thief River TMDL has started, and that he is awaiting the return of the contracts.

The Board reviewed a 5-Year Special Land Permit to continue cooperative management with the Red Lake Tribal Council for the Good Lake Impoundment, RLWD Project No. 67. Motion by Coe, seconded by Mandt, to approve the 5-Year Special Land Permit with the Red Lake Tribal Council. Motion carried. Administrator Jesme stated that on December 28, 2009 the Board authorized spending up to \$25,000 for additional dike maintenance above and beyond our general maintenance on the Good Lake Impoundment. It was the consensus of the Board to authorize the prior commitment of \$25,000 that was approved in 2009. Jesme stated that the Red Lake Tribal Council is also applying for grant money to repair damage to the structure and additional work on the levee north of the structure.

Manager Nelson and Administrator Jesme discussed the BWSR Board meeting they attended in St. Paul on April 27, 2011 for the proposed amendment to the District's 10 Year Overall Plan to include the establishment of a Water Management District. Nelson indicated that the BWSR Board approved the amendment of the District's 10 Year Overall Plan and upon completion of the Viewer's Report, a hearing for the establishment of the Water Management District and a hearing for the proposed Improvement to Pennington County Ditch #1 would be held. Jesme stated that the Viewers for the project hope to complete the Viewers Report by the end of May and that a hearing could be held in late June. It was the consensus of the Board to address this issue at a later Board meeting after the viewers complete their report.

Polk County Highway Department is holding a public informational meeting on May 16, 2011 at 9:00 a.m. at the Polk County Human Service Center in East Grand Forks to discuss the possibility of cost sharing ditch funds with the grant received for the Grand Marais Creek Cut Channel Project, RLWD Project No. 60F. Manager Tiedemann, Administrator Jesme and Engineer Jeff Langan, Houston Engineering, Inc. will attend to explain the project to the landowners.

The District received the agreement from BWSR for the Louisville Parnell Wetland Bank site. Legal Counsel Sparby will review the document and forward it to the appropriate counties for recording.

Staff member Loren Sanderson discussed the Darrell Dolalie and Pine Lake Township drainage dispute that was previously discussed at the December 9, 2010 Board meeting. Mr. Dolalie had placed ditch plugs/dikes in an area in which Pine Lake Township has an easement for drainage purposes. The District sent Mr. Dolalie a letter in December 2010 requesting him to remove the ditch plugs/dikes in the vicinity of the established ditch, in which he complied. RLWD staff surveyed the area and determined that four remaining ditch plugs/dikes are affecting the drainage easement area.

At 10:00 a.m. President Nelson called the hearing for the Gilbert Weber Petition to order for the removal of 125 acres from the SE1/4, Section 16, Russia Township, Polk County from the benefitted area of the Scott Baatz Ditch, RLWD Project No. 123. Staff member Loren Sanderson stated that after reviewing the area Mr. Weber's property does not drain into the benefitted area of the system. Mr. Weber stated that he has a receipt from the Polk County

Auditor's office showing that he paid his remaining lien on the original construction assessment. After receipt of all public comment, and board discussion, the hearing was closed. Motion by Tiedemann, seconded by Knott, to allow the removal of Gilbert Weber's property location in Section 16, Russia Township, Polk County from the benefitted area of the Scott Baatz Ditch, RLWD Project No. 123. Motion carried.

The Board continued their discussion on the drainage dispute with Darrell Dolalie. Discussion was held that the drainage ditch was constructed but offered no access to the south property owned by Mr. Dolalie. It was determined that if Mr. Dolalie wishes to have access to his property, he should go through the Districts permitting process for culvert installation to assure proper sizes are installed. Motion by Nordlund, seconded by Knott, to have Legal Counsel Sparby draft a letter to Mr. Dolalie stating that the ditch plugs/dikes shall have to be removed within 60 days because of failure to obtain a permit to allow the dikes to be constructed. Motion carried. It was the consensus of the Board to encourage Mr. Dolalie to apply for a permit application for culvert installation to allow him access to his property.

The Board reviewed a letter from John W. Johnson in regard to modifications made to Kam Haarstads driveway located in Section 27, Esther Township, Polk County. Mr. Johnson claims that Harstad raised the level of his driveway, therefore it works as a dike, not allowing flood waters to flow freely. Staff member Loren Sanderson stated that the District approved Permit No. 06041 and 09074 for work related to the repair of Mr. Harstad's driveway and culvert installation. Sanderson also indicated that this year's flood event was the third highest on record and should not be assumed that the driveway elevation caused the roadway overtopping. Sanderson also stated that all work that was completed, was permitted by Polk County.

The Board reviewed the permits for approval. Motion by Knott, seconded by Nordlund to approve the following permits with conditions stated on the permit: No. 11017, Dan Stroot, Euclid Township, Polk County; No. 11018 and 11019, Solheim Farms, Inc., Fairfax Township, Polk County; No. 11020, Paul Wilder, Fairfax Township, Polk County; No. 11021, Dale A Knutson, Terrebonne Township, Red Lake County; and No. 11022, Steve Hughes, Winsor Township, Clearwater County. Motion carried.

The Board reviewed the RLWD Advisory committee members. It was the consensus of the Board to contact Advisory Committee members that have not actively participated in the advisory board over the years to determine if they still wish to participate or wish to be replaced.

Manager Knott stated that there is a position open on the Flood Damage Reduction Work Group and it was suggested that watersheds recommend someone from their advisory committees for the position.

Manager Knott discussed permitting of tile drainage. It was the consensus of the Board to review tile drainage polices used by other watersheds and report back to the Board.

Administrators Update:

- Jesme and Manager Knott attended in the RRWMB meeting in Fertile on April 19, 2011.
- Jesme presented the impoundment update. Pine Lake is going down, the Euclid East and Brandt Impoundments gates were opened 18" on April 21st after the gauge in Grand Forks reached 45. The gate on the Parnell Impoundment was opened at 1.25 feet also on April 21st. The Moose River Impoundment is still closed with the hopes that Agassiz and Thief Lake reach levels where they will be able to receive more water. All impoundments that are opened are releasing water very well with no apparent issues.
- Included in the packet is a letter we received from Jeanne Kotrba relating to local flooding in Northland Township, Polk County. Upon further review, the District contacted the Polk Count Ditch Inspector to address the issue with Polk County Ditch No. 2.
- Included in the packet is a March 2011 Water Quality Report.

Administrator Jesme stated that he received a call from a landowner on Four Legged Lake, RLWD Project No 102, in regard to a potential petition for an improvement to the ditch system.

Discussion was held on the repayment of the bond for the Improvement to Pennington County Ditch No. 75, RLWD Project No. 170. Administrator Jesme stated that Attorney Mike Jorgenson had some questions he needed answered. Legal Counsel Sparby stated he had received a call from Roger Kriel and that he had spoken to Mr. Jorgenson regarding his questions.

Legal Counsel Delray Sparby discussed a cell phone policy he was drafting. Sparby indicated that he had some questions concerning the tax implications policy and will contact the auditor and report back to the Board.

Manager Nordlund stated that culverts on Silver Creek, that the District had cost shared as part of the Erosion Control Project, RLWD Project No. 164, had washed out. Jesme indicated that he had conversation with Kathy Rauch, Clearwater County SWCD, regarding a cost estimate for the repair of the wash out. She will report back to him.

Manager Ose stated that landowners are questioning the operations of 2 - 54" culverts which are part of a structure installed on State Ditch #83 by Agassiz National Wildlife Refuge about 4 years ago. District staff will report back to the Board at the May 12, 2011 Board meeting. Jesme indicated that Loren Sanderson had discussed this same topic recently and would like to bring this to the Board at a later date. It was the consensus of the Board to have Sanderson update the Board at a later date.

Motion by Ose, seconded by Knott, to adjourn the meeting.



Orville Knott, Secretary