

RED LAKE WATERSHED DISTRICT
Board of Manager's Minutes
June 12, 2014

President Dale M. Nelson called the meeting to order at 9:00 a.m. at the Red Lake Watershed District office, 1000 Pennington Avenue South, Thief River Falls, MN.

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

The Board reviewed the agenda. A motion was made Ose, seconded by Torgerson, to approve the agenda. Motion carried.

Motion by Knott, seconded by Torgerson, to dispense reading of the May 22, 2014 Board meeting minutes and approve them as printed. Motion carried.

The Board reviewed the Financial Report and Investment Summary dated June 11, 2014. Motion by Mandt, seconded by Knott, to approve the Financial Report and Investment Summary dated June 11, 2014. Motion carried.

Landowner Gerald Hermreck discussed a drainage issue located in Section 1, Brandt Township, Polk County where water from Stoney Lake seeps onto his field in the SE1/4 of said section. Hermreck stated that the land is near Stoney Lake and has been in CRP for over 30 years and that Stoney Lake naturally drains south and eventually drains into the Brandt Impoundment. Hermreck's indicated that even though all of Section 1, Brandt Township drains north into Judicial Ditch 25-II which is a legal drainage system under the jurisdiction of the Middle Snake Tamarac Watershed District, the SE1/4 of the section is located within the boundaries of the Red Lake Watershed. Hermreck also mentioned that the SW1/4 of Section 6 Bray Township which is located within the Red Lake Watershed District also drains into the MSTRWD even though only a portion of his property pays benefits into Judicial Ditch 25-II. Hermreck indicated that he would like to install a berm/dike along the south section line of Section 1 Brandt to restrict backwater effects from Stoney Lake and construct a ditch west for one mile then north eventually outletting to JD 25-II legal drainage system. He would also like to remove an east west culvert north of section corner through Pennington County Road 61 and install a north/south culvert east of section corner. Administrator Jesme stated that the District does not require a permit for field drainage but may require a permit for the construction of an earthen dam. He also suggested that Mr. Hermreck should contact the West Polk SWCD office to discuss possible wetland issues. It was the recommendation of the Board, that Mr. Hermreck work with the adjacent landowner, discuss his plan with the Middle Snake Tamarac staff and after these tasks are complete then apply for a District permit.

Administrator Jesme discussed an email he received from Doug Franke, MnDNR in regard to Goose Lake. The MnDNR has decided to hold off on completing a hydrologic study due to the length of time that has passed since the landowner meeting. They MnDNR has funding to

modify the existing control structure to include stoplogs and herbicide application on a large area of cattails. The Board instructed Jesme to follow-up with Mr. Franke.

The Board reviewed the LCCMR Grant and Work Plan in the amount of \$168,000 as part of the post water quality monitoring on the Glacial Ridge Project. Administrator Jesme stated that the District is a flow thru agency for the grant, but we should assign it a designated project number to allow for proper documentation. Motion by Ose, seconded by Mandt, to approve the LCCMR Grant for post water quality monitoring on the Glacial Ridge Project and assign it RLWD Project No. 152C. Motion carried.

Engineer Nate Dalager, HDR Engineering, Inc. stated that construction on RLWD Ditch 15, Project No. 175 has slowed down due to the rain. Dalager and Administrator Jesme stated that there may be changes to compensatory mitigation due to possible new exemptions for permitting through the USCOE due to recent changes through the EPA. Jesme shared a letter he submitted to the Polk County Commissioners regarding the possible purchase of .72 acres of wetland banking credits.

Discussion was held on the bid opening for the Diversion Structure on the Grand Marais Creek Channel Restoration Project No. 60F. At the May 22, 2014 Board meeting, the Board made a motion to set a bid opening date for construction of the diversion structure, but as an oversight, the motion should have been made by the Joint Powers Board. Motion by Ose, seconded by Torgerson, to rescind the motion for the approval of the Plans and Specifications for construction of the Grand Marais Creek Channel Restoration Diversion Structure, Project No. 60F, with a bid opening date of June 26, 2014 for 9:30 a.m. Motion carried.

Sam Umlauf, Houston Engineering, Inc. updated the Board on the timber decking installed on the flat bed railroad car crossing for the Grand Marais Creek Channel Restoration Project No. 60F. Discussion was held on possibly installing rubber matting on the single car crossings. Umlauf stated that they are working on a change order to install crushed rock at the entrance of the crossings.

Administrator Jesme stated that the CRP contracts held by Robert, Charles and Raymond Zammart are expiring soon on properties they rent from the District located in the Euclid East Impoundment. Zammart's are requesting the Board to allow them to continue renting the land and to renew their CRP contracts. Motion by Ose, seconded by Coe, to approve the renewal of the CRP contract and rental agreements with Robert, Charles and Raymond Zammart and to adjust the rental rate in accordance to District policy. Motion carried.

The Board discussed potential meeting dates and locations to hold a Pine Lake informational meeting with landowner's upstream of Pine Lake. Motion by Torgerson, seconded by Knott, to hold the July 24, 2014 Board meeting at the Gonvick Community Center at 4:30, with the Pine Lake Informational meeting starting at 6:00 p.m. Motion carried.

The Board reviewed correspondence from the Polk County Highway Department that was sent to landowners in the benefitted area of Polk County Ditch 2 and 66, regarding the possibility of completing a redetermination of benefits. Since the District is a landowner within the two systems, the District was given a ballot to be submitted to Polk County to see if we would like the county hire viewers to re-determine benefits or do nothing and leave things the way they are. Legal Counsel Sparby recommended sending in the ballot. It was the consensus of the Board, to indicate their wishes to have Polk County hire viewers to complete a re-determination of benefits for County Ditch 2 and 66.

Motion by Mandt, seconded by Coe, to approve the 2013 Annual Report as printed. Motion carried. Staff will arrange meetings with the respective county commissioners for presentation of the report.

Discussion was held on the 2015 Budget and Salary schedule/time table. It was the consensus of the Board to have a draft budget prepared for the July 24, 2014 Board meeting with a tentative hearing date of August 28, 2014.

The Board reviewed the permits for approval. Motion by Knott, seconded by Mandt, to approve the following permits with conditions stated on the permit: No. 14043, Paul Engelstad, Parnell Township, Polk; No. 14044, Paul Engelstad, Onstad Township, Polk County; No. 14050, Minnesota Department of Transportation, North Township, Pennington County; No. 14051, Van & Carol Odegaard, Kratka Township, Pennington County; No. 14052, Robby Farbo, River Falls Township, Pennington County; No. 14053, 14054 and 14055, Lessor Township, Polk County; No. 14056, Lisa Robson, Rocksbury Township, Pennington County; No. 14057, Clearwater County Highway Department, Pine Lake Township, Clearwater County; No. 14058, Excel Township, Marshall County; No. 14059, Gunvalson Farms, Johnson Township, Polk County; No. 14060, Perry & Megan Stavenes, Excel Township, Marshall County; No. 14061, Cindy Ose, Sanders Township, Pennington County; No. 14062, Gary Novak, Browns Creek/Black River Townships, Red Lake/Pennington County's; and No. 14063, Loren Johnson, Sullivan Township, Polk County. Motion carried.

Administrators Update:

- Jesme and Manager Knott will attend the RRWMB meeting on June 17th at the RLWD office. Included in the packet was the May 2014 RRWMB meeting minutes and the Treasurer's Report for the meeting held June 17, 2014.
- Euclid East, Brandt and Parnell Impoundments were all drawn down, but with the recent rainfalls are presently storing waters. The Brandt Impoundment had been closed periodically due to the construction of RLWD Ditch 15. Typically the gate is closed while the contractor is working, and then opened at 3:00 pm. Friday afternoons and closed again Sunday night in preparation of weekly construction. The Moose River Impoundment is still in draw down but the south pool should be drained by the end of this week. The North Pool still had about 1 ½ feet left to go and with recent rainfalls there is no timeline as to when we can get to summer levels. Pine Lake inflows have subsided and stop logs are at summer level.
- Jesme will be attending the MAWD Summer Tour in Stillwater on June 18-20th.

Red Lake Watershed District

June 12, 2014

Page 4 of 4

- Included in the packet was a letter from Attorney John Kolb requesting examples of how Clean Water Act regulations would impact the District. Jesme forwarded a brief outline of the some of the issues we have experienced.
- Included in the packet were handouts on various Water Tours which will be held in North Dakota throughout the year.
- Included in the packet was a BWSR legislative summary.

Legal Counsel Sparby discussed why the Board needed to rescind the motion for approving the Plans and Specifications and setting a bid opening date for the Grand Marais Creek Channel Restoration Diversion Structure. Sparby is working with Administrator Jesme and Engineer Jeff Langan on a waiver of release form for the landowners to sign for liability on bridges for the Grand Marais Creek Channel Restoration Project. Sparby is also reviewing different types of insurance options for dam coverage and excess liability to cover everything broadly.

The Board discussed a letter received from Gully Township in regard to a drainage issue. Staff member Loren Sanderson will work with the township.

Manager Knott stated that the RRWMB meeting will be held at the District office on June 17, 2014 at 9:30 a.m.

Motion by Coe, seconded by Mandt, to adjourn the meeting. Motion carried.



LeRoy Ose, Secretary