

RED LAKE WATERSHED DISTRICT
Board of Manager's Minutes
December 30, 2015

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

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

The Board reviewed the agenda. President Nelson requested to add Legal Counsel hourly rate increase and upgrade of District cell phones to the agenda. A motion was made by Coe, seconded Ose, and passed by unanimous vote that the Board approve the agenda with the addition of Legal Counsel hourly rate increase and upgrade of District cell phones. Motion carried.

Motion by Ose, seconded by Coe, to dispense reading of the December 10, 2015 Board meeting minutes and approve as printed. Motion carried.

The Board reviewed the Financial Report and Investment Summary dated December 29, 2015. Staff member Arlene Novak stated that a Certificate of Deposit will mature on January 15, 2016 at Unity Bank North. Motion by Ose, seconded by Torgerson, to reinvest the Certificate of Deposit that will mature on January 15, 2016 with Unity Bank North and approve the Financial Report dated December 29, 2015 as presented. Motion carried.

Administrator Jesme was notified by a large online distributor that it appeared one of the District credit card had been compromised. After further review by the credit card company, it was confirmed that on three occasions the card had been used. Jesme indicated the credit card company has reimbursed the District for the unauthorized charges and will reissue another card.

Staff member Arlene Novak reviewed the 2015 General Fund Budget as of December 29, 2015. Novak stated that payroll and any outstanding bills prior to year-end will be paid.

Novak reviewed the proposed Capital Project Fund Transfers as of December 29, 2015. After discussion by the Board, motion by Coe, seconded by Torgerson, to approve the Capital Project Fund Transfers as of December 29, 2015, as proposed. Motion carried.

The Board reviewed the disposal of property list. Motion by Torgerson, seconded by Ose, to declare the listed property as surplus and of no value to the District, and to properly dispose of the property listed. Motion carried.

The Board reviewed correspondence from Polk County Taxpayer Service Center regarding the Original Principal assessment in the amount of \$543.54 for land owned by the District in the benefitted area of RLWD Ditch 15, Project No. 175. Administrator Jesme stated that if the District pays the full assessment prior to February 17, 2016, no interest would be incurred.

Motion by Torgerson, seconded by Coe, to submit the Original Principal payment in the amount of \$543.54 to the Polk County Taxpayer Service Center for the construction of RLWD Ditch 15, Project No. 175. Motion carried.

The Board reviewed a Press Release from the Red Lake Band of Chippewa Indians regarding payment of 18.5 million dollars to the Band, from Enbridge for trespassing of land that is located within the Red Lake Band of Chippewa Indian's Four Legged Lake property. Enbridge will also designate one or more parcels of land within the 1863 treaty area/1889 agreement for Enbridge to purchase of behalf of the Red Lake Band of Chippewa Indians and will begin the fee to trust land exchange. Once the land exchange is complete, the Red Lake Band of Chippewa Indians will take possession. Administrator Jesme stated that this property is within the JD 5/Four Legged, Project No. 102 benefitted area, therefore future correspondence on the property may be with Enbridge and not the Red Lake Band of Chippewa Indians.

Administrator Jesme discussed the public hearing process for the Red Lake River One Watershed One Plan. In accordance to the Memorandum of Agreement, each party is responsible for their own public hearings of the plan. The Policy Committee members from the each County/SWCD have already indicated they will hold separate hearings in their respective counties. Jesme stated that the District could hold their own hearing or hold one in conjunction with one of the County/SWCD partners. It was the consensus of the Board, to hold the District's public hearing in conjunction with one of the County/SWCD partners at a location yet to be determined.

Staff member Loren Sanderson presented an update on eight SCS/NRCS structures that the District has jurisdiction over. Built in the early 1970's – 1980's, by the Soil Conservation Service (SCS) on tributaries to rivers and larger drainage ways to stabilize outlets, these projects were considered multi-purpose dams for erosion control, flood storage, habitat and water quality. Sanderson stated that at a previous meeting, the Board requested staff to prioritize maintenance concerns on each of the systems. Sanderson stated that bids for the Odney Flaar, RLWD Project 50A, have already been let and it is slated for repairs in 2016. Preliminary Plans and cost estimates were developed by Houston Engineering, Inc. for the Latundresse Dam, RLWD Project No. 50B. Brad Johnson, Houston Engineering, Inc. stated that the process has begun for DNR permitting on the Latundresse Dam, and will need to be started on the Miller Dam, RLWD Project No. 50C, in order for construction to be completed this summer. After considerable discussion by the Board, motion by Ose, seconded by Coe, to move forward with repairs for the Latundresse Dam, RLWD Project No. 50B and Preliminary Plans for the Miller Dam, RLWD Project No. 50C. Motion carried.

The Board reviewed a Landowner Maintenance Agreement/Easement for NRCS/SCS Structures that the District has jurisdiction over. Legal Counsel Sparby stated that the Maintenance Agreement/Easement would grant the District an easement for ingress or egress. The document would be recorded in the respective county of the location of the project. Motion by Torgerson, seconded by Coe, to approve the Maintenance Agreement/Easement form for NRCS/SCS Structures as presented. Motion carried.

The Drainage and Wetland Conference, sponsored by Rinke Noonan, will be held February 11, 2016 at the St. Cloud River's Edge Convention Center.

The 33rd Annual Red River Basin Land and Water International Summit Conference will be held January 19-21, 2016 in Grand Forks, ND.

The Board reviewed the permit for approval. Motion by Ose, seconded by Torgerson, to approve the following permit with conditions stated on the permit: No. 15183, Mark Strom, King Township, Polk County. Motion carried.

Administrators Update:

- Jesme and Managers Knott and Ose attended the Red River Watershed Management Board (RRWMB) meeting on December 15th. Following the meeting, a tour was held of the Roseau Lake Bottom. Points of interest from the meeting included: hiring of AE2S Communications Tea, Deron Selvig as the Public Relations Staff for the RRWMB; as well as the hiring of Chuck Fritz to the Project Coordinator position. Fritz will work with Ron Harnack, Financial Coordinator until Harnack retires from his position in 2017. Terms of the agreements for both positions was included in the packet.
- 1W1P planning meeting was held with LGU staff on December 21st. The workshop was intended to give LGU staff the opportunity to document priority resources and concerns from all watersheds within the Red Lake River 1W1P.
- Jesme attended a meeting with staff from Northland Community and Technology as well as Rex Hammarback, Director of the Northland Aerospace Foundation to discuss the Northland Community College Aerospace/Drone program. A draft agreement that would identify the roles of each partner will soon be available for the District to review. In the future the Board may want to appoint a Board member to sit at the table during discussions.
- Jesme and Engineer Jeff Langan will be attending the Lessard Sams Outdoor Heritage Council meeting on January 7th to present an update on the Grand Marais Creek Channel Restoration Project and other contributing projects.
- Included in the packet was the October 2015 Water Quality Report.

Discussion was held in regard to upgrading of several of the District's cell phones. Motion by Coe, seconded by Ose, to approve the upgrade of the District cell phones. Motion carried.

Legal Counsel Sparby requested that his currently hourly rate be increased from \$165.00 to \$175.00. Motion by Ose, seconded by Torgerson, to approve the hourly rate increase for Legal Counsel Sparby from \$165.00 per hour to \$175.00 per hour effective January 1, 2016. Motion carried.

Administrator Jesme stated that the District received one signed Flat Car Railroad Bridge Release Agreement from landowners on the Grand Marais Creek Restoration Project, RLWD Project No. 60F. Administrator Jesme questioned what the protocol would be if the District does not receive signed agreements from all the landowners. Legal Counsel Sparby stated that if a signed agreement is not obtained from the landowner, the District could or should install the

railings. Sparby did indicate that prior to completing that task, another letter should be sent to the landowner notifying them and give them one more chance to sign the agreement prior to installing railings. It was determined that staff will send a reminder notice to landowners that do not remit the signed agreement in a timely manner.

Manager Coe presented information he received at the Beltrami County Aquatic Invasive Species (AIS) meeting. Coe discussed progress that has been implemented in Beltrami County with AIS and plans for 2016.

Manager Torgerson stated that he had received correspondence over the last several months from Staff member Arlene Novak in regard to acoustic panels for the Board Room. It was the consensus of the Board, to authorize Torgerson and Novak to continue working towards the installation of acoustic panels in the Board Room.

Manager Ose reported on the RRWMB meeting he attended in Roseau on December 16th.

Motion by Ose, seconded by Torgerson, to adjourn the meeting. Motion carried.



LeRoy Ose, Secretary