

RED LAKE WATERSHED DISTRICT  
Board of Manager's Minutes  
January 8, 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 Lee Coe, Orville Knott, LeRoy Ose and Gene Tiedemann, Les Torgerson and Dale M. Nelson. Absent: Albert Mandt. Staff Present: Myron Jesme and Tammy Audette and Legal Counsel Delray Sparby.

The Board reviewed the agenda. Administrator Jesme stated that Nate Dalager, HDR Engineering, Inc. requested to appear before the Board for discussion on the Four Legged Lake Project and Pine Lake Area. A motion was made Knott, seconded by Ose, and passed by unanimous vote that the Board approve the agenda with the addition of Nate Dalager, HDR Engineering, Inc. Motion carried.

Motion by Coe, seconded by Torgerson, to dispense reading of the December 30, 2014 Board meeting minutes and approve them as presented. Motion carried.

The Board reviewed the Financial Report and Investment Summary dated January 7, 2015. Motion by Tiedemann, seconded by Knott, to approve the Financial Report and Investment Summary dated January 7, 2015. Motion carried.

Polk County and Clearwater County confirmed the reappointment of Manager Tiedemann and Manager Torgerson, respectively, to another 3-year term on the Board.

Election of officers was conducted with President Nelson turning the meeting over to Vice President Gene Tiedemann.

Manager Tiedemann called for nominations for president. Manager Coe, nominated Dale M. Nelson. Upon calling for further nominations three times, no further nominations were made. Motion by Torgerson, seconded by Knott, for nominations to cease, and that the secretary cast a unanimous ballot for Dale M. Nelson for president of the Board. Motion carried.

Vice President Tiedemann turned the meeting over to President Nelson to conduct elections for the remaining Board positions.

Nominations were opened for vice-president. Manager Ose nominated Gene Tiedemann. Upon calling for further nominations three times, no further nominations were made. Motion by Torgerson, seconded by Knott, for nominations to cease, and that the secretary cast a unanimous ballot for Gene Tiedemann for vice-president of the Board. Motion carried.

Nominations were opened for Secretary. Manager Knott nominated LeRoy Ose. Upon calling for further nominations three times, no further nominations were made. Motion by Coe, seconded by Tiedemann, for nominations to cease, and that the secretary cast a unanimous ballot for LeRoy Ose for secretary of the Board. Motion carried.

Nominations were opened for treasurer. Manager Torgerson nominated Lee Coe. Upon calling for further nominations three times, no further nominations were made. Motion by Tiedemann, seconded by Ose, for nominations to cease, and that the secretary cast a unanimous ballot for Lee Coe for treasurer of the Board. Motion carried.

President Nelson reviewed the Advisory Board members. Manager Tiedemann stated that the Polk County Commissioners inquired about participation in the Advisory Committee. Discussion was held that the public is welcome to attend the District's Advisory Board meetings. It was noted that the following members had not attended an Advisory Committee meeting in the last nine years: Dan Geist, Allen Love, John Cucci and Conrad Zak. It was the consensus of the Board to remove those individuals from the Advisory Committee. Manager Torgerson recommended having a discussion at the next Pine Lake Area Project Work Team meeting for an individual to represent the Pine Lake Area on the Advisory Board. Motion by Ose, seconded by Knott, to approve the Advisory Committee members with the recommended changes. Motion carried.

The position of Delegate and Alternate to the Red River Watershed Management Board (RRWMB) was discussed. Manager Knott is currently serving his second year of a 3-year term, with Manager Ose as the Alternate. Motion by Coe, seconded by Tiedemann, for Knott to remain as the Delegate and Ose, to remain as Alternate to the RRWMB. Motion carried.

Delegates and Alternate to the Minnesota Association of Watershed Districts were discussed. Motion by Knott, seconded by Torgerson, to appoint Manager Coe and Tiedemann as Delegates and Manager Ose as an alternate. Motion carried.

The Budget/Salary Committee was discussed by the Board. A motion was made by Torgerson, seconded by Knott, to appoint Managers Nelson, Coe and Tiedemann to serve on the Budget/Salary Committee. Motion carried.

The Board discussed representatives on the Grand Marais Creek Joint Powers Board. A motion was made by Ose, seconded by Coe, to appoint Managers Nelson, Tiedemann and Knott to the Grand Marais Creek Joint Powers Board, with Manager Mandt as an alternate. Motion carried.

The committees for the JD 2 and JD 72 Joint Ditch Boards were reviewed. Motion by Coe, seconded by Ose, to appoint Managers Mandt and Torgerson to the JD 2 and JD 72 Joint Ditch Boards. Motion carried.

The Board discussed the Tile Drainage Committee. A motion was made by Ose, seconded by Torgerson, to appoint Managers Knott, Tiedemann and Coe to the Tile Drainage Committee. Motion carried.

The Board discussed the appointment of representatives to the Odney Flaat, Pine Lake Area and Four Legged Lake Project Work Teams. Motion by Knott, seconded by Ose, to appoint Managers Tiedemann and Nelson to the Odney Flaat Project Work Team; Managers Torgerson

and Tiedemann, with Manager Coe as an Alternate to the Pine Lake Area and Four Legged Lake Project Work Team. Motion carried.

A motion was made by Knott, seconded by Tiedemann, and passed by unanimous vote that the regularly scheduled Board meetings continue to be held on the second and fourth Thursdays of each month for 2015.

A motion was made by Tiedemann, seconded by Ose, that the following institutions be designated as depositories for the RLWD: Northern State Bank with a two year commitment, Border State Bank, Unity Bank North, Citizens State Bank, American State Bank, and First National Bank of Bemidji with the following signatures on the signature cards at the financial institutions: Dale M. Nelson, Gene Tiedemann, LeRoy Ose, Lee Coe, Myron Jesme and Arlene Novak. Motion carried.

The Conflict of Interest policy was reviewed by Staff Member Arlene Novak. Motion by Tiedemann, seconded by Knott, to approve the Conflict of Interest Policy and each Board member was requested to sign the Conflict of Interest policy and return it to staff member Arlene Novak. Motion carried.

The Consideration of Fraud in a Financial Statement Audit request from the 2014 Auditors Brady Martz was reviewed and discussed by the Board. Motion by Coe, seconded by Tiedemann, to approve the Consideration of Fraud audit request as presented. Motion carried.

The 2015 MN Viewers Association dues request was submitted to the Board. Motion by Coe, seconded by Tiedemann, and passed unanimously that the RLWD submit annual dues in the amount of \$125 to the MN Viewers Association.

Engineer Nate Dalager stated that since he was not present at the last District Board meeting, he would give a brief update to the Board concerning Pine Lake Area, Project No. 26 and Four Legged Lake, Project No. 102. Discussion was held on a Flood Damage Reduction Acceleration Grant. Administrator Jesme stated that a \$15,000 Project Acceleration Grants for both projects could be applied for through the Red River Basin Flood Damage Reduction Workgroup. Jesme stated that he will be meeting, in the near future, with the three landowners on the Four Legged Lake Project Work Team to discuss the potential abandonment of a legal ditch system. Legal Counsel Sparby will draft up an abandonment procedure petition for Jesme to discuss with the landowners. Manager Torgerson discussed some public concerns in maintaining a steady lake level on Pine Lake, and the potential of holding water somewhere upstream of the lake. Dalager stated that he felt the first Pine Lake Area Project Team meeting went well. Dalager felt the next step should be to present a proposal to the Board for development of alternatives that may be included in a future Concept Report as we move forward with the Project Team. It was the consensus of the Board, to authorize Dalager to provide a proposal and present it at the January 22, 2015 Board meeting. It was the consensus of the Board to hold the next Pine Lake Area Project Work Team meeting at the District office on February 6, 2015 at 9:30 a.m.

The Board discussed and reviewed changes for consideration in the District's Permit Rules and Regulations. Motion by Ose, seconded by Tiedemann, to approve the recommended changes as stated. Motion carried, with Manager Torgerson opposed. Manager Torgerson stated that he opposed the approval of the recommended changes solely based on the exclusion of any guidance language as contained in the removed Pages 25-27.

Staff member Nick Olson presented a quote for the purchase of Civil 3D Autodesk Upgrade in the amount of \$4,991.90. Olson stated that he is currently using a trial version of the program but only has 17 days remaining. This program will allow District staff to complete "As-Built" drawings for RLWD Ditch 15, Project No. 175. Engineer Nate Dalager, HDR Engineering, Inc. stated that his office has and could continue to complete the "As-Built" drawings, but it would be a cost savings to the projects as well as the District if this task was completed by District staff. Motion by Torgerson, seconded by Ose, to approve the purchase of Civil 3D Autodesk Upgrade in the amount of \$4,991.90. Motion carried.

Staff member Nick Olson updated the Board on maintenance to the District's Trimble GPS survey equipment that was completed by Houston Engineering staff out of the Fargo office.

The Board reviewed the permits for approval. Motion by Coe, seconded by Knott, to approving the following permits with conditions stated: No. 14232, Minnesota Department of Transportation, Pennington and Marshall Counties; and No. 14233, Minnesota Department of Transportation, Beltrami County. Motion carried.

The Board reviewed correspondence from Tom Landwehr, MnDNR in regard to recent staff changes within the MnDNR office.

The Board reviewed correspondence regarding meeting locations for Small Grains Update Meetings. Manager Knott stated that the Flood Damage Reduction Work Group is working with growers associations for flood control and Best Management Practices.

President Nelson discussed the District's Personnel Policy as it pertains to Staff Sick Leave. Nelson asked the Board to consider changing the Personnel Policy to state that upon retirement of a District Staff member, the Board would pay out ½ of the staff members remaining sick leave. Nelson stated that under the current Personnel Policy and Procedures, staff cannot exceed 336 hours of accumulated sick leave. Motion by Tiedemann, seconded by Ose, to approve the District's Personnel Policy, retroactive to January 1, 2014, to state that upon the retirement of employment, ½ of the staff member's remaining sick leave will be paid to the employee at the employee's current hourly rate. Motion carried.

#### Administrator's Update:

- Jesme and Manager Knott will attend the RRWMB meeting on January 13, 2015 at the Courtyard by Marriott in Moorhead at 1:00 p.m. Included in the packet were the draft meeting minutes from December 16, 2014
- The 1W1P Policy Committee is in the process of organizing the advisory panel for the 1W1P which includes some members of the District's Overall Advisory Committee.

Jesme will participate in a conference call on January 12<sup>th</sup> to discuss amending the budget and work plan and review quotes from the facilitator and consulting engineer firm. A Policy Committee meeting will be held on January 21, 2015 at 9:00 a.m. at the District office.

- Included in the packet was an August 2014 Water Quality Report.

Manager Tiedemann requested a copy of the revisions made today to the District's Permit Rules and Regulations. Administrator Jesme stated that he would make the revisions and provide a copy to Tiedemann. It was the consensus of the Board to submit the Permit Rules and Regulations to BWSR for review. Jesme stated that BWSR will also have a review and comment period.

Legal Counsel Sparby requested that his currently hourly rate be increased from \$150.00 to \$165.00. Motion by Coe, seconded by Tiedemann, to approve the hourly rate increase for Legal Counsel Sparby from \$150.00 per hour to \$165.00 per hour. Motion carried.

President Nelson stated that the Budget and Salary Committee met with Administrator Jesme this summer to discuss the recommendation of changing the District's Office & Admin Spec. Prin/Accounting Assistant job description to that of Office Manager. At that time Administrator Jesme was instructed by the committee to provide Fox Lawson with a job description for Office Manager and have their firm categorize this position consistent to the format recently provided by Fox Lawson and approved by the Board. Upon considerable discussion by the Board, motion by Tiedemann, seconded by Torgerson, to approve the change Office & Admin Spec. Prin/Accounting Assistant job description to Office Manager as provided by Fox Lawson and to include a .50 per hour pay increase which is consistent to the pay scale shown in the report. Motion carried.

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



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LeRoy Ose, Secretary