

RED LAKE WATERSHED DISTRICT  
Board of Manager's Minutes  
June 11, 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, Orville Knott, Gene Tiedemann, Lee Coe, and Les Torgerson. Absent: LeRoy Ose. Staff Present: Myron Jesme and Tammy Audette and Legal Counsel Delray Sparby.

Landowner Trent Stanley requested to appear before the Board for discussion on the Permit Rules and Regulations.

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

Motion by Tiedemann, seconded by Knott, to dispense reading of the May 28, 2015 Board meeting minutes and approve them as corrected. Motion carried.

The Board reviewed the Financial Report dated June 10, 2015. Motion by Coe, seconded by Tiedemann, to approve the Financial Report dated June 10, 2015. Motion carried.

Administrator Jesme stated that he had just received word that Board Member Albert Mandt had passed away the prior evening. Funeral arrangements are pending.

The Board reviewed the Permit Rules and Regulations as amended from recommendations made at the May 28, 2015 meeting. Landowner Trent Stanley discussed permit issues. Legal Counsel Sparby discussed the recommendation by BWSR for staff guidance in regard to tiling. It was the consensus of the Board to place the Permit Rules and Regulations on the June 23, 2015 Board meeting as an action item, and then proceed with the hearing process.

Engineer Nate Dalager, HDR Engineering, Inc. updated the Board on the possibility of modifying the Pine Lake outlet structure and upstream storage for retention. Administrator Jesme stated that a meeting/tour for the Technical Evaluation Panel (TEP) is scheduled for June 29, 2015, to view potential retention sites. Dalager discussed the possible sites and ranking of the sites. Discussion was held on how a potential site would work with the current Pine Lake outlet structure. Discussion was held on the need for a resolution for potential Water Protection Plan Study RCPP Funding for a PL83-566 Project which is a public law for assistance for engineering for projects. Motion by Tiedemann, seconded by Torgerson, to authorize President Nelson and Vice President Tiedemann, to sign the Resolution Regarding National Watershed Program to pursue a Watershed Protection Planning Study. Motion carried.

Administrator Jesme stated that he received a scanned version of a signed petition for the Legal Abandonment of Judicial Ditch No. 5 (Four Legged Lake), RLWD Project No. 102, from landowners within the benefitted area. It was the consensus of the Board that if the original document arrives prior to next meeting, we will add this item on the next Board agenda to set a

hearing date for the Abandonment of Judicial Ditch No. 5 (Four Legged Lake), RLWD Project No. 102.

Engineer Jeff Langan, Houston Engineering, Inc. stated that Davidson Construction, Inc. is close to final completion of the Grand Marais Creek Channel Restoration Project, RLWD Project 60F. Langan stated that clean-up of the site, seeding, additional aggregate to the railroad flat cars and railroad railings will be completed in the week. RIM seeding was completed on June 10<sup>th</sup>. It was the consensus of the Board to schedule a tour of the project within the next several weeks.

Engineer Jeff Langan, Houston Engineering, Inc. stated that R.J. Zavoral and Sons, Inc. should be completing the embankment today on the Grand Marais Creek Diversion Structure which is Phase 2 of Project No. 60F. Sheet pile installation will be completed next week, with riprap of the slopes shortly thereafter. Slope stabilization work will most likely start next week, where the topsoil of the landowner's field having already been stripped.

The Board reviewed the proposed buffer strip legislation that is being reviewed as part of the Minnesota State Legislature special legislative session. Administrator Jesme stated that although it appears the new legislation does not require enforcement action by the legal ditch authority, it may be wise for the District to spend some time to determine and clarify what our role will be as this moves forward. Jesme stated that this legislation will put the burden on the landowners to work with SWCD's to establish buffer strips on their land and if they do not comply, there is enforcement action in the bill which could lead to a fine being issued. Jesme further stated that from what he can see, the new legislation language has no provisions for compensating to landowners in a similar way that damages are awarded under drainage law.

Administrator Jesme stated that the land rental agreement with Craig Stroot on the Parnell Impoundment expires December 31, 2015. The current land rental agreement is for 96 acres, which could increase to 107 acres if the landowner is allowed to farm the land lying north of the service road located along the north portion of Section 3 Parnell Township. Jesme indicated that the rental rate of \$30.00 per acre was approved by the Board last December and that the renter is requesting a three year contract extension. Motion by Knott, seconded by Tiedemann, to approve a three year contract extension with Craig Stroot for 107 acres at \$30.00 per acre. Motion carried. Jesme reviewed a Request for Farm Reconstitution from the Farm Service Agency (FSA) that would allow Stroot to split out his farm operation into a different entity. Jesme stated that Stroot will attempt to farm the 31 acres of the area north of the inlet ditch where the cattails had been burned for the next three years, if it is determined that this area is farmable the 31 acres will be added to the rental agreement effective January 1, 2018. Motion by Tiedemann, seconded by Knott, to authorize Administrator Jesme, to sign the Farm Reconstitution from the Farm Service Agency (FSA) that would allow Craig Stroot to split out his farm operation into a different entity. Motion carried.

The Board reviewed a Flood Damage Reduction (FDR) Communication Needs Survey that would assist in assessing what the District feels their FDR needs are. It was the consensus of the Board to discuss this matter at the next Board meeting.

Administrator Jesme requested to upgrade the Board room laptop computer that Staff member Tammy Audette uses during Board meetings and other various meetings held in the office. Jesme would like to replace the computer at an approximate cost of \$1,000. Motion by Torgerson, seconded by Coe, to authorize the replacement of the Board room laptop computer at an approximate cost of \$1,000 and dispose of the old computer. Motion carried.

The Board reviewed correspondence from Red Lake County Highway Department Engineer Corky Kleven regarding installation of drain tile, earthen dike and drainage concerns along the Polk County/Red Lake County line on CSAH 49. Staff member Loren Sanderson stated that the area received 5 inches of rain in a 3 hour time period and with recent drainage changes and a blocked culvert, water had backed up onto area farm land. Sanderson further stated that a local landowner recently completed excavation in the Badger Creek without receiving approval from the MnDNR and Corps, and that an earthen dike was installed in the county road right of way without receiving the appropriate permits. It was the consensus of the Board to have District staff communicate with Mr. Kleven and report back to the Board at a later date.

The Board reviewed the permits for approval. Motion by Knott, seconded by Tiedemann, to approve the following permits with conditions stated on the permit: No. 15057, Roger Piche, Lake Pleasant Township, Red Lake County; No. 15059, Minnesota Department of Transportation, Euclid Township, Polk County; No. 15061, Minnesota Department of Transportation, Silverton Township, Pennington; No. 15064, Clayton Troskey, East Valley Township, Marshall County; No. 15065, Pennington County Highway Department, Smiley Township; No. 15066, Jason Johnsrud, River Falls Township, Pennington County; and No. 15067, Gateway Building Services, Inc., North Township, Pennington County. Motion carried.

#### Administrators Update:

- Jesme and Manager Knott will be attending the RRWMB at the District office on June 16<sup>th</sup>. Included in the packet was the approved RRWMB minutes from May 19, 2015.
- Jesme and Staff Member Arlene Novak participated in a phone audit with the MnDNR Grants Specialists for the USGS project referred to as Measuring Hydrologic Benefits from Glacial Ridge Habitat Restoration and the Lessard-Sams Outdoor Heritage grant for the Grand Marais Creek Outlet Restoration Project. The phone audit went very well, and we are waiting to hear back if additional information is required from the State.
- Jesme and Legal Counsel Sparby completed an easement with the landowner concerning the establishment of a grass strip on property adjacent to the bank stabilization project on Judicial Ditch 72. This project was awarded to Wright Construction of TRF at the May 28<sup>th</sup> Board meeting. Since the document was completed, the landowner made us aware that he had turned his interest in the property over to all of his children, therefore an agreement was prepared for signature by his children.
- Jesme attended a Farm Program PL-566 Funding meeting on June 8<sup>th</sup> in West Fargo to discuss funding options for studies of retention areas using funding earmarked by the federal government through the NRCS PL-566 funding program.
- Included in the packet was a Watershed Restoration and Protection Plan Progress brochure for the Thief River Watershed.

Red Lake Watershed District

June 11, 2015

Page 4 of 4

Manager Torgerson stated that he attended the Clearwater Water plan meeting last week with representatives from the MnDNR, BWSR and county in attendance. Torgerson discussed the concern of enforcement of the buffer strip program and the extensive study for pollutants on the Clearwater River.

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

A handwritten signature in blue ink that reads "LeRoy Ose". The signature is written in a cursive style and is positioned above a horizontal line.

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LeRoy Ose, Secretary