

RED LAKE WATERSHED DISTRICT  
Board of Manager's Minutes  
November 24, 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, Lee Coe, and Gene Tiedemann. Absent: Les Torgerson and LeRoy Ose. Staff Present: Myron Jesme, Tammy Audette and Legal Counsel Delray Sparby.

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

Motion by Knott, seconded by Tiedemann, to dispense reading of the November 12, 2015 Board meeting minutes and approve as printed. Motion carried.

The Board reviewed the Financial Report and Investment Summary dated November 23, 2015. Motion by Tiedemann, seconded by Knott, to approve the Financial Report and Investment Summary dated November 23, 2015. Motion carried.

The Board reviewed quotes for re-investment of a maturing Certificate of Deposit. Motion by Coe, seconded by Tiedemann, for the purchase of a one year Certificate of Deposit from Citizen's State Bank of Roseau. Motion carried.

The Board reviewed correspondence from the Lessard-Sams Outdoor Heritage Council congratulating the District on the completion of the Grand Marais Channel Restoration Project, RLWD Project No. 60F that was partially funded through the Outdoor Heritage Fund. The Final Work Plan for the project has been completed and accepted by the Council, with final reimbursement expected in the near future. Administrator Jesme stated that he has been asked to speak to the Outdoor Heritage Council at their monthly meeting held January 7, 2016.

Administrator Jesme stated that the NRCS Funding/Regional Conservation Partnership Program (RCPP) has been submitted for the Four Legged Lake Project No. 102A and the Pine Lake Project No. 26. Jesme stated that because the Red River Retention Authority is in North Dakota, all the funds earmarked for the RCPP were sent to them in error only naming the state of North Dakota as a recipient. Now there has to be an internal process completed by the NRCS to change the appropriation to also include Minnesota. NRCS is currently working on a mechanism to get the funding transfer to Minnesota. The RCPP funding should be in place by December 1 in order to start processing the MN RCPP Agreements. Design work can't be completed until all the agreements have been signed.

The Board reviewed an email from the Polk County Sheriff's Department regarding unauthorized vehicles driving on the bank of the Parnell Impoundment, Project No. 81. Administrator Jesme stated individuals trespassing on public land receive a warning for the first offense, and the second offense the individual would receive a fine. Staff member Loren

Sanderson will be replacing several “only authorized vehicles” signs and installation of smaller signs stating “No 4-Wheeling”.

Staff member Loren Sanderson appeared before the Board to discuss unauthorized work completed on Permit No. 15106, Bob Anderson, Badger Township, Polk County. Sanderson stated that the original permit request was to increase two culvert sizes with some ditch cleaning. It was determined that one of the culverts was the appropriate size, therefore approval of the permit did not include the increase of size for that specific culvert. Sanderson stated that Scott Tersteeg, a local landowner performed the ditch excavation and installation of said larger culvert. The permit applicant submitted a letter of concern to the District in regard to the quality of work, elevation of the culvert, steep road slopes causing safety concerns and adverse effects to downstream landowners. Sanderson performed a survey and determined that the culvert is approximately 1.7 feet lower than what was approved under the terms of the permit and that ditch excavation also exceeded the terms of the permit. The applicant was told that the project was necessary to provide a gravity outlet for field tile installation. Permit approval was not granted through the Badger Township Board as required in the conditions of the permit. Sanderson presented photos of the completed work, a survey profile, and a list of required remedies. Motion by Coe, seconded by Tiedemann, to have Legal Counsel Sparby submit a letter to Anderson and Tersteeg, stating that work completed is in violation of the District’s Permit Rules and Regulations. The culvert in question must be reset at an elevation determined by RLWD staff with work being completed by December 4, 2015. The township roadway and ditch must be repaired to satisfaction of the township and the District as soon as practical in the Spring of 2016, or the District will hire the work performed with associated costs being assessed on the real property tax statement(s). Motion carried.

The Board reviewed the permits for approval. Motion by Knott, seconded by Tiedemann, to approve the following permits with conditions stated on the permits: No. 15171, Marlin Iverson, Grove Park Township, Polk County; No. 15177, Minnesota Department of Transportation, Engelwood Township, Koochiching County; No. 15178, LeRoy Ose, Excel Township, Marshall County; No. 15179, Wayne Smith, Columbia Township, Polk County; and No. 15180, Sidney D Myhre, Terrebonne Township, Red Lake County. Motion carried.

#### Administrators Update:

- Manager Ose attended the RRWMB meeting in Ada on November 17<sup>th</sup>. Included in the packet was the September 15, 2015 and October 20, 2015 RRWMB meeting minutes.
- A 1W1P Planning committee telephone conference was held on November 17<sup>th</sup> in preparation for the TAC Webinar and Policy Committee meeting held on November 18<sup>th</sup>.
- Jesme participated in a Drainage DB User Group Webinar on November 18<sup>th</sup> to discuss the development of the program as well as assist in learning the implementation of the program. This program will allow staff to log maintenance on a legal drainage system under our jurisdiction as well as assist the Ditch Inspector in providing BWSR a yearly buffer strip report that is required on a yearly basis.
- The District received 2<sup>nd</sup> place for the MAWD Project of the Year for the Grand Marais Creek Channel Restoration Project. The winner of the award was Manston Slough Project which was nominated on behalf of the Buffalo Red Watershed District.

- Jesme and Engineer Jeff Langan have been working on a PowerPoint Presentation of the Grand Marais Creek Outlet Restoration for presentation at the MAWD Annual Meeting. Jesme will also participate in a session regarding Minnesota's Buffer Law and will also be included in a panel which will part of an update from BWSR on the 1W1P legislation.

Discussion was held on legislation regarding Minnesota's Buffer Law that the District will be required to have implemented by 2018. Administrator Jesme inquired of the Board what message he should take to the MAWD Annual meeting when he participates in a session regarding the new legislation. It was the consensus of the Board, that the District's position would be that legal drainage authorities complete a Redetermination of Benefits as needed for installation of buffer strips to assure landowners are compensated fairly for lost acreage.

Discussion was held on the funding shortfall for implementation of the Red Lake River 1W1P funded through BWSR. Staff from the local governmental units and consultants are reviewing the budgets to determine the needs to complete the 1W1P.

Legal Counsel Sparby and Administrator Jesme have been working on completing the Release of Claims form for the installation of flat car bridges installed on the Grand Marais Creek Channel Restoration Project, RLWD Project No. 60F.

Discussion was held on the purchase of 13.55 acres located in the Brandt Impoundment that was tax forfeited. Discussion was held on granting a local landowner within the impoundment a perpetual easement for exclusive use. It was the consensus of the Board, to have Legal Counsel Sparby research the issue and report back to the Board at a later date.

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



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LeRoy Ose, Secretary