

RED LAKE WATERSHED DISTRICT  
Board of Manager's Minutes  
March 25, 2016

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, Gene Tiedemann, LeRoy Ose, Allan Page, Terry Sorenson and Lee Coe. Absent: Les Torgerson Staff Present: Myron Jesme, Tammy Audette and Legal Counsel Delray Sparby.

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

Motion by Tiedemann, seconded by Page, to dispense reading of the March 10, 2016 Board meeting minutes and approve them as printed. Motion carried.

The Board reviewed the Financial Report dated March 24, 2016. Motion by Ose, seconded by Tiedemann, to approve the Financial Report dated March 24, 2016 as presented. Motion carried.

The Board reviewed a letter and a land lease contract from landowner Kenneth Johnson requesting additional payment for loss rental rate for construction of the Grand Marais Creek Channel Restoration Project, RLWD Project No. 60F. The District had a two year temporary construction easement for 27.4 acres at a rate of \$150 per acre for crop years 2013-2014. The District rented an extra five acres for crop season 2015, to allow for the removal of a dirt pile on Mr. Johnson's property. Johnson is receiving \$250 per acre per year for land rent, therefore is requesting an additional \$5,440 from the District for loss rental payment. Motion by Ose, seconded by Coe, to authorize the payment of \$5,440 to landowner Kenneth Johnson, for additional payment for loss rental rate for construction of the Grand Marais Creek Channel Restoration Project, RLWD Project No. 60F. Motion carried.

Administrator Jesme stated that the Grand Marais Creek Channel Restoration Project, RLWD Project No. 60F was selected as an award finalist for the Environmental Initiative Awards in the Natural Resources Category. The winner in each category and the overall Partnership of the Year winner will be announced at an awards celebration on May 26<sup>th</sup> at the Nicollet Island Pavilion in Minneapolis. Two complimentary seats are available for the event, with the option to purchase additional tickets. Discussion was held on attendance at the ceremony and if any Board members were interested in attending. It was the consensus of the Board that Administrator Jesme should attend and Manager Tiedemann stated that he could be present at the ceremony as he will be attending a meeting in St. Paul on May 25<sup>th</sup>. It was also mentioned that this ceremony is the day of the District Board meeting.

Brian Ophsahl from Brady Martz and Associates, presented the 2015 Annual Audit Report. After various questions by the Board, a motion was made by Coe, seconded by Tiedemann, and passed by unanimous vote that the Board approve the 2015 Annual Audit Report as presented.

The Board reviewed a Grant Application that was submitted on behalf of the District and the Northland Community and Technical College/Northland Aerospace Foundation to the Environment and Natural Resources Trust Fund for Geospatial Airborne Sensor Survey to Manage Water Resources. The grant would fund the use of “state of the art” geospatial sensors (cameras), Lidar and Bathymetric Lidar in unmanned drones and manned aerial platforms to capture data.

Brad Johnson, Houston Engineering, Inc., presented Plans and Specifications for repairs to the Latundresse Dam, RLWD Project No. 50B. Johnson stated that due to the current slope failure on the channel, adjustments may need to be made as construction moves forward. The current Engineers Opinion of Probable Cost including construction staking, inspection and contingencies is \$172,728.95. Motion by Tiedemann, seconded by Page, to approve the Plans and Specifications for the repairs to the Latundresse Dam, RLWD Project No. 50B and set a bid opening date of April 28, 2016 at 10:00 a.m. Motion carried.

Brad Johnson presented Plans and Specifications for the Miller Dam Outlet Repair, RLWD Project No. 50C. Johnson stated that the Engineers Opinion of Probable Cost including construction staking, inspection and contingencies is \$97,487.10. Motion by Ose, seconded by Coe, to approve the Plans and Specifications for repairs to the Miller Dam, RLWD Project No. 50C, for quote proposals to be received at the District office by 10:00 a.m., April 26, 2016. Motion carried.

Brad Johnson stated that his office inspected the structures on the township road crossings of the Elm Lake Project, RLWD Project No. 52 as part of the agreement the District has with the townships for maintenance on the structures. Johnson stated that the wing walls have some failure where steel should have been placed and wasn't. The wing walls were also backfilled with fat clay, which can cause them to potentially fail. Johnson indicated that the culverts are structurally satisfactory. It is recommended that soil borings should be completed to determine what type of soil is in place. Johnson indicated that there is currently no imminent risk of failure. Houston Engineering, Inc., is preparing the plans as a loose set of plans with broad options. Johnson stated that they have had discussions with Marshall County to have the structures listed on the bridge inventory to potentially receive state bridge bonding money. Availability of bonding money would be easier to receive if the townships own the structures, with the District responsible for maintenance. To receive state bridge money also requires a local cost share. It is the recommendation of the Houston Engineering, Inc. to repair the wing walls, but also to further investigate working with Marshall County to have structures listed on the bridge inventory. Legal Counsel Sparby recommended working with the townships to amend the agreement the District currently has with the townships. It was the consensus of the Board to instruct Houston Engineering, Inc. to follow through with the process to complete the plans for repair and to work towards amending the agreement the District has with the townships for ownership and maintenance concerns of the structures.

Manager Terry Sorenson recommended adding landowner Dave Dalager to the Pine Lake Area Project Work Team membership. Motion by Sorenson, seconded by Tiedemann, to approve the

addition of Dave Dalager to the Pine Lake Area Project Work team, RLWD Project No. 26. Motion carried.

The Board reviewed a Resolution in support of the Regional Park or Trail Designation application in Greater Minnesota for the Red Lake River Corridor Enhancement Project, RLWD Project No. 159. Motion by Ose, seconded by Coe, to authorize signature of the Resolution in support of the Regional Park or Trail Designation application in Greater Minnesota for the Red Lake River Corridor Enhancement Project, RLWD Project No. 159. Motion carried.

Administrator Jesme reviewed the MN Statutes 2015 Supplement, Section 103D.335, Subd. 21 bill that is being sponsored by Senator LeRoy Stumpf, which would allow Local Units of Government (LGU) the ability to rent out property acquired for flood damage reduction purposes during periods the property is not needed for flood control, provided it remains subject to use by the LGU as necessary for flood control purposes. Jesme stated that presently the supplement is asking for a fund totaling 5% of construction cost to be the maximum allowable funds to be held in the project account. There is discussion being had in St. Paul that there should be no limits put on the supplemental bill. Discussion was had by the Board as to how the proposed statute would operate when compared with FDR projects already built. There was also concerns mentioned as to what would happen if the percentage passed in the statute was not enough to maintain the project. After considerable discussion, motion by Tiedemann, seconded by Ose, that the District support MN Statutes 2015 Supplement, Section 103D.335, Subd. 21 bill sponsored by Senator LeRoy Stumpf, allowing LGU's the ability to rent property for a profit, from funds obtained through the flood damage reduction process. Motion carried

Pennington SWCD submitted a request for a financial donation for the Area I Envirothon. The Area I Envirothon will be held on April 27, 2016, at Agassiz National Wildlife Refuge. Motion by Tiedemann, seconded by Ose, to donate \$300 to the Area I Envirothon to promote education and awareness of water quality issues. Motion carried.

The Board reviewed the permits for approval. Motion by Sorenson, seconded by Tiedemann, to approve the following permits with conditions stated on the permit: No. 16006, Community Cops of Lake Park, Red Lake Falls Township, Red Lake County; and No. 16007, Emardville Township, Red Lake County. Motion carried.

The Board reviewed a Concerns and Consideration form in regard the District's Managed IT from Marco. Administrator Jesme stated that this form would document the District's knowledge of the risk, knowing that the District is not fully protected with the current back-up system. The District is currently backing-up critical information, with no current back-up for non-critical. The District recently increased their back-up by 750 GB to allow for increased storage of critical information. Motion by Coe, seconded by Ose, to not sign the Concerns and Considerations Agreement for Managed IT from Marco, as the District believed the acknowledgement release was too broad and the District is aware of the current back-up status. Motion carried.

Administrators Update:

- Jesme and Manager Ose attended the RRWMB meeting held on March 15, 2016 in Crookston in conjunction with the River Watch Forum. The Clearbrook/Gonvick River Watch students received second place for their poster. Included in the packet was a press release that was in the local Clearbrook/Gonvick paper.
- Jesme and Tammy Audette participated in a semi-annual review of the District's Managed IT through Marco. This review tests the entire computer setup and health of the District's operating system, scans of all computers and servers as well as providing a report card of the system.
- A Red Lake River 1W1P Policy Committee and CAC/TAC meeting was held on March 16<sup>th</sup>, as well as a webinar for those not in attendance. A draft plan was reviewed at the meeting. The planning committee will complete an initial review and give comments back to HDR Engineering, Inc.
- The Pine Lake Project work team met on March 11 at the District office. Landowner meetings will be scheduled in the near future.
- Jesme and Managers Ose, Page, Sorenson and Tiedemann attended the 18<sup>th</sup> Joint Annual conference of the Red River Basin FDR Work Group and the RRWMB. Jesme presented a 1W1P process as well as a brief Project Team update for the Four Legged Lake and Pine Lake Projects.
- Jesme will participate in a MAWD Strategic Planning and Legislative Briefing meeting on March 29<sup>th</sup>, that is being assembled by MAWD. The meeting will assist MAWD in the development of a Strategic Plan to serve as the basis for several identified activities, such as a Transition/Succession Plan for the Executive Administrator position and review and revise (if necessary) the By-Laws and the possible creation of a Policy and Procedures Manual to support the By-Laws by reducing critical content that might better be processed as a policy evaluation and change. The Strategic Plan will also guide MAWD as it looks to the future and identifies new and emerging issues, new programs to address organizational needs, and establishes itself as the leader and watershed authority in Minnesota. Jesme will also participate in the MAWD Legislative Briefing, March 30-31. Jesme distributed a schedule of the legislative visits that have been set up.

Managers Sorenson and Page discussed the Advisory Board meeting they attended

Administrator Jesme stated that the acoustical panels should be installed in the District Board room the week of April 25<sup>th</sup>.

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



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LeRoy Ose, Secretary