

RED LAKE WATERSHED DISTRICT
Board of Manager's Minutes
August 10, 2017

President, Dale 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, Les Torgerson, Terry Sorenson, LeRoy Ose and Brian Dwight. Absent: Manager Allan Page. Staff Present: Myron Jesme and Tammy Audette and Legal Counsel Sparby.

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

Motion by Sorenson, seconded by Tiedemann, to dispense reading of the July 27, 2017 Board meeting minutes and approve them as printed. Motion carried.

The Board reviewed the Financial Report dated August 9, 2017. Discussion was held on including the name of the financial institution on Check No. 36251 for the purchase of land from Craig and Lisa Swanson. Motion by Sorenson, seconded by Tiedemann, to approve the Financial Report dated August 9, 2017 to include adding the name of the financial institution on Check No. 36251. Motion carried.

Tony Nordby, Houston Engineering, Inc., discussed the landowner meeting held on August 9th at the District office regarding preliminary numbers for permanent and temporary right-of-way along three county roads for construction of the Black River Impoundment, RLWD Project No. 176. Staff from the NRCS was present at the landowner meeting to discuss sign-up of EQIP and preliminary plans for the installation of side water inlet culverts. Deadline for the EQIP sign-up is August 18, 2017. Nordby stated that he assisted Administrator Jesme in the submittal of a FDR Project Acceleration Grant. A Project Work Team meeting will be held in the near future.

The Board reviewed a request from Doug Franke, MnDNR for financial assistance for repairs to the Elm Lake Project, RLWD Project No. 52 Farnes Pool outlet structure. The original rock rip-rap has washed away from the concrete outlet, causing it to tip slightly downward. Additional rock will be placed to prevent further erosion and subsequent failure of the outlet at an estimated cost of \$1,600.00. Franke is requesting a 50/50 cost share between the MnDNR and the District. Motion by Ose, seconded by Torgerson, to approve a 50/50 cost share with an estimated total cost of \$1,600.00 for repairs to the Elm Lake Project, RLWD Project No. 52 Farnes Pool outlet structure. Motion carried.

Staff member Loren Sanderson discussed a landowners request in Section 32, East Valley Township, Marshall County on repairs to State Ditch 83, RLWD Project No. 14. The landowner requested additional sloping of spoil, hauling of fill material not within the work area, and extending the length of the existing side water inlet culverts. Sanderson stated that the landowner granted permission to repair the slope, placing the spoil and leveling the spoil on the existing right-of-way and on property owned by the landowner. Manager Ose and Sanderson, agreed that the job is consistent with reasonable practices and recommended seeding and

completion of the area. Motion by Ose, seconded by Dwight, to proceed with the seeding and completion of the work. Motion carried.

Staff members Loren Sanderson and Brady Stanley discussed two large log jams located in Section 30, Garnes Township, Red Lake County which is located within the Clearwater River, RLWD Project No. 3. Sanderson and Stanley are working with the local landowner to determine access to the site and removal of the debris. The debris will be burned this winter. Staff will work with a local contractor to complete the work.

Administrator Jesme discussed the Judicial Ditch 72, RLWD Project No. 41 Joint Board and landowner meeting that was held July 31, 2017. Information was presented on the history of the ditch system, benefited area, and changes in drainage patterns. Jesme stated that the Joint Board approved a motion to complete a redetermination of benefits on the Judicial Ditch 72 system. A redetermination of benefits will also allow for the establishment of the buffer strip.

Administrator Jesme stated that a meeting will be held with landowners adjacent to the proposed Ditch 16, RLWD Project No. 177, on August 11, 2017 at the Sullivan Township Hall at 9:00 a.m. Jerry Pribula, Pribula Engineering, Inc. will present a project timeline, along with staff from the NRCS presenting information on EQIP sign-up for the installation of side water inlet culverts. The Board reviewed correspondence from the petitioners Legal Counsel, Jeffery Hane, regarding changes to the petition to comply specifically with Minnesota State Statutory requirements. Amendment to the petition will be forthcoming.

District staff has been monitoring RIM acreage on the Grand Marais Creek Channel Restoration, RLWD Project No. 60F. A contractor will be hired to mow the area that the District is responsible for.

A draft Petition for Improvement to Polk County Ditch 39 was submitted to the District for review, and will be submitted to the petitioners for signature.

The Board reviewed correspondence from Enbridge Energy regarding the Line 3 Replacement Project.

The Board reviewed the permits for approval. Motion by Ose, seconded by Torgerson, to approve the following permits with conditions stated on the permit: No. 16116, James Couette, Andover Township, Polk County; No. 17069, Brandt Township, Polk County; No. 17087, Douglas Peterson, Sullivan Township, Polk County; No. 17097, Larry Larson, Brandt Township, Polk County; No. 17098, Marshall County Highway Department, Excel Township, Marshall County; No. 17099, Abundant Life Free Lutheran Church, Rocksbury Township, Pennington County; No. 17100, Aaron Miller, Reiner Township, Pennington County; No. 17102, Minnesota Department of Transportation, North Township, Pennington County; No. 17104, Curt Beyer, Louisville Township, Red Lake County; No. 17105, Ray Fisher, Emarville Township, Red Lake County; and No. 17106, Jason Otteson, Excel Township, Marshall County. Motion carried.

The Board reviewed an email from Stephanie Klamm, MnDNR, regarding the decision of the Board at the July 27, 2017 meeting to lower the culvert at the outlet of Judicial Ditch No. 5, RLWD Project No. 102 to an elevation of 1423.8 which is what the elevation was prior to the unauthorized raising in 1999. Not only would lowering the culvert put the system back to the original grade, it would also allow the district the chance to maintain the public drainage system. The MnDNR email states, that since the ditch repair and culvert lowering could substantially impact a public waters basin, a permit from the MnDNR will be required. The District would be required to submit a plan/survey of the proposed repair, as-constructed survey from the original 1921 plans and soil borings. The MnDNR also stated that a Temporary Drawdown of Public Waters process would be required, along with an Operation and Maintenance Plan. The MnDNR further stated that due to the separate basins outside of the legal ditch system, manipulation of each water basin would need to follow State Statute. Discussion was held amongst the Board, that at the Project Work Team meeting, MnDNR staff saw no objection to the District lowering the culvert at the outlet to 1423.8 to allow for maintenance. Discussion was held on requesting an explanation from the MnDNR regarding the change of points. It was noted that MnDNR staff met prior to the Project Work Team meeting to bring back their recommendation to the Project Work Team. Engineer Nate Dalager, HDR Engineering, Inc. stated that he had prepared a MnDNR Permit application for signature and submittal. The issue was raised regarding Clearwater County's concern regarding road damage and public safety. If it was determined that if the county road was unsafe, the County could close the road. Concerns were raised that any money spent on the legal drainage system, will be the responsibility of the landowners within the benefitted area. It was the consensus of the Board, that a letter be submitted to the MnDNR requesting a response as to the drastic change in the MnDNR position, indicating the action of the Board and information that was presented at the Project Team meeting held in July.

Administrators Update:

- Jesme and Manager Ose will attend the RRWMB meeting in Ada on August 15th.
- Jesme will participate in a Red Lake River 1W1P Planning Group telephone conference on August 21st. Priority resources and concerns with the watershed to better define projects and costs associated with the projects will be discussed to prepare for non-competitive grant funding allocated from BWSR.
- Included in the packet was a memo from John Jaschke, BWSR, regarding various listening sessions that will be held throughout the state.
- Staff member Arlene Novak will attend the Northwest Service Cooperative Advisory Meeting on August 15th.

The Board discussed yearly maintenance on State Ditch 83, RLWD Project No. 14. The District budgets \$50,000 per year for maintenance, with the State of Minnesota contributing \$16,000. Administrator Jesme stated that due to ideal working conditions, this year's allotment has been nearly exhausted and inquired if the Board would like staff to proceed with additional maintenance. Staff member Loren Sanderson stated that there is a priority area that we could continue working on located on the west side of State Ditch 83, north of Marshall County Road 7/Agassiz Bridge. Motion by Ose, seconded by Tiedemann, to spend up to an additional \$25,000 for maintenance in 2017 on State Ditch 83, RLWD Project No. 14. Motion carried.

Discussion was held on various options to move forward with the West Side Drainage Project in cooperation with the City of Thief River Falls and Pennington County. Legal Counsel Sparby and Engineer Nate Dalager, HDR Engineering, Inc., will work on scheduling a meeting with all the entities involved.

Manager Tiedemann explained a map that showed what agency took jurisdiction over buffer strips though-out the State of MN. Discussion was held on various publications on buffer strips and the conclusion for implementation of buffer strips.

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

A handwritten signature in blue ink that reads "LeRoy Ose". The signature is written in a cursive style.

LeRoy Ose, Secretary