

RED LAKE WATERSHED DISTRICT  
Board of Manager's Minutes  
February 9, 2017

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

The Board reviewed the agenda. President Nelson requested the addition of the District Audit be added to the agenda. A motion was made by Ose, seconded by Sorenson, and passed by unanimous vote that the Board approve the agenda with the addition of the District Audit. Motion carried.

Motion by Ose, seconded by Page, to dispense reading of the January 26, 2017 Board meeting minutes and approve them as presented. Motion carried.

The Board reviewed the Financial Report dated February 8, 2017. Motion by Sorenson, seconded by Page, to approve the Financial Report dated February 8, 2017 as presented. Motion carried.

Staff member Arlene Novak presented the 2016 General Fund Budget as of December 31, 2016. It was the consensus of the Board, to have Novak present the General Fund Budget quarterly for Board review.

Staff member Arlene Novak stated that the auditors, Brady Martz and Associates, referred to three outstanding checks issued by the District during the audit review. Novak stated that the Auditors indicated that any outstanding checks should be turned over to the State of Minnesota. It was the consensus of the Board to send certified letters to the payee of the outstanding checks, and if no response is received within a designated timeframe, the funds will be forwarded to the State of Minnesota.

Engineer Tony Nordby, Houston Engineering, Inc., updated the Board on the progress of the Black River Impoundment, RLWD Project No. 176. Nordby discussed the Project Team meeting held on January 27, 2017 and a meeting that will be held February 14<sup>th</sup> to discuss the potential of wetland banking with staff from Houston Engineering, U.S. Army Corps of Engineers, BWSR and the Pennington SWCD. Nordby stated that the next steps will be completion of the hydrologic modeling, coordination with landowners in regard to the inlet ditches and a Step 1 funding submittal the RRWMB. Final survey work, verification of survey patterns and adjustments to the model will take place this spring. Motion by Ose, seconded by Sorenson, to move forward with the potential of acquiring wetland mitigation credits on the Black River Impoundment Project, RLWD Project No. 176. Motion carried.

Administrator Jesme stated that a meeting with the West Polk SWCD staff and Joint Powers Engineer, Jim Hest, will take place on February 13, 2017, at the District office to discuss the Clean Water Legacy Grant the West Polk SWCD received for repairs to the outlet of Polk County Ditch 63, RLWD Project No. 134.

Administrator Jesme stated that landowner Jeff Anderson had contacted him in regard to future maintenance of his property that is enrolled in the RIM Program on the Grand Marais Creek Channel Restoration Project, RLWD Project No. 60F. The check that was issued to Mr. Anderson had expired, and he is currently working with the West Polk SWCD to get a check reissued. Mr. Anderson will let the District know what his intentions are relating to future maintenance of his RIM acres. Landowners Darrel Loeck and Kevin J. Nelson are requesting extensions of the deadline as there were delays in obtaining the information from the West Polk SWCD. Jesme stated the District had given the landowners a deadline date of February 10, 2017 to make a determination if they wished to maintain their RIM acreage. It was the consensus of the Board, to allow an extension of time for the two landowners to complete their paperwork.

Engineer Jeff Langan, Houston Engineering, Inc., presented the Board with a plaque for the Red Lake Watershed District that was received on behalf of Houston Engineering, Inc. from the American Council of Engineering Companies Banquet for their Consulting Services on the Grand Marais Creek Channel Restoration Project, RLWD Project No. 60F.

Administrator Jesme stated that he was asked to give a presentation on the Grand Marais Channel Restoration Project, RLWD Project No. 60F on March 11, 2017 at the Isaac Walton League in Bloomington, MN. Jesme indicated to the Board that he would like to take his personal vehicle, and would pay for his own gas if the District allowed him meal per diem for the trip. The consensus of the Board was that the District would reimburse Jesme for his meals as spelled out in the District personnel policy.

Staff member Corey Hanson presented information on the Tiered Aquatic Life Uses (TALU), developed by the MPCA that is open for public comment. Hanson stated that the RRWMB requested assistance to review the TALU and provide response back to the MPCA. Hanson, Administrator Jesme and Henry VanOffelen, MnDNR, reviewed the information and prepared a response to the MPCA on behalf of the RRWMB. Hanson explained that TALU will move away from a "one-size-fits-all" approach for water quality standards, and use a tiered system with different thresholds (standards) for each level. A hearing on TALU will be held on February 16, 2017.

Staff Member Corey Hanson presented information on the Red Lake River Watershed Total Maximum Daily Load Report (TMDL) and the Red Lake River Watershed Restoration and Protection Strategy Report (WRAP), RLWD Project No. 157C. Hanson stated that the TMDL Report addresses the impairments in a system and determines what is causing the impairment. The WRAP Report also addresses the waters that are not impaired. Hanson stated that when there is a biological impairment, they will go through a stressor assessment to better understand the impairments.

Administrator Jesme stated that a Judicial Ditch 72, RLWD Project No. 41 Joint Board meeting with Polk County is scheduled for March 7, 2017 to discuss establishment of a buffer strip. Due to the fact that Managers Sorenson and Torgerson are unable to attend on March 7<sup>th</sup>, Jesme will try to reschedule the meeting for the week of March 13, 2017.

Administrator Jesme stated that after completing some research and in discussion with Polk County, there is no longer a need to have a Judicial Ditch 2 Joint Board. RLWD Project No. 42, Judicial Ditch 2, no longer exists as the project was improved and made into various laterals in 1984, which are now known as RLWD Project No.'s 4, 48, 49 and 51.

The Board reviewed a request from Bruce Anspach, Beltrami County Environmental Services for additional funding in the amount of \$15,480 for the Beltrami County Aquatic Invasive Species (AIS) Program. Anspach submitted a detailed task list of importance for tributaries and lakes within the District's boundary. Motion by Ose, seconded by Sorenson, to approve the request of Beltrami County Environmental Services for additional funding in the amount of \$15,480 for the Beltrami County Aquatic Invasive Species (AIS) Program. Managers Ose and Sorenson voted in the affirmative. Managers Page and Nelson opposed the motion, therefore, the motion failed to pass due to the lack of a majority vote.

The Board reviewed a BWSR Buffer Program Implementation Update. Administrator Jesme stated that Staff member, Nick Olson, is working on setting up landowner meetings to discuss the establishment of buffer strips on legal drainage ditches under the jurisdiction of the District.

The Board reviewed the City of Goodridge Wellhead Protection Plan, Part 1 correspondence.

The Parnell Impoundment, RLWD Project No. 81, Advisory Board meetings will take place on February 22, 2017 at the District office. Judicial Ditch 60 will meet at 9:30 a.m., followed by the County Ditch 126 meeting at 10:30 a.m.

The Board discussed a request from Engineer Rich Sanders, Polk County Highway Department, regarding the District's Permit Rules and Regulations as it pertains to the use of tractor pumps for moving water during flooding situations. Staff member Loren Sanderson stated that the District's Rules and Regulations do not have any criteria for the use of tractor pumps, but refers to not permitting the pumping of water from an individual landowner onto someone else's property in a manner which causes an adverse effect. Legal Counsel Sparby stated landowners should have the ability to drain their property if they are within the benefitted area, unless it causes adverse effects on neighboring landowners. It was the consensus of the Board to leave their policy unchanged and notify Polk County Highway Department of the same.

Administrator Jesme shared with the Board a draft letter that he and Manager Ose wrote to the RRWMB, pertaining to their request of additional services the RRWMB could provide to their member districts. After considerable discussion, the consensus of the Board was to approve the letter and submit it to the RRMWB.

Administrator Jesme indicated that the RRWMB/Red River Basin FDR 19<sup>th</sup> Joint Annual Conference will be held March 22-23, 2017, which conflicts with the March 23, 2017 Board meeting date. Motion by Ose, seconded by Sorenson, to change the March 23, 2017 Board meeting date to March 24, 2017. Motion carried.

#### Administrators Update:

- Jesme and Manager Ose will attend the RRWMB meeting held on February 21, 2017 at the District Office. The Red River Basin FDR Work Group will meet at the District office following the RRWMB meeting.
- The Red Lake River 1W1P Report was submitted to BWSR on February 1, 2017, which officially starts the 60 day review period.
- Jesme, Manager Tiedemann, and Staff member Nick Olson attended a buffer strip meeting on January 30<sup>th</sup> with staff from the East and West Polk County SWCD and Polk County Drainage Authority. Included in the packet was the meeting notes.
- Jesme will participate in a meeting on February 27<sup>th</sup> with staff from Pennington County Highway Department, City of Thief River Falls and MNDOT to discuss future highway improvement projects on the west side of Thief River Falls, specifically including the Hwy 59 and 1 intersection.
- Various LGU offices were invited to attend an informational meeting on the use of drones at the NCTC Aerospace Center on January 31<sup>st</sup>. The meeting was held to discuss funding opportunities which could assist in future data collections with the use of drones.
- A local governmental kick off meeting was held for the Thief River 1W1P on February 2<sup>nd</sup> at the District office. Discussion on development of the Work Plan, draft Memorandum of Agreement as well as how to proceed with the hiring of a consultant was discussed.
- Included in the packet was the draft Red River Retention Authority (RRRA) Minutes dated January 25, 2017, which refers to the drafting of a contract for services of Keith Weston in regards to the RRRA Executive Director's position.
- Included in the packet was notification from the U.S. Department of State, Bureau of Oceans and International Environmental and Scientific Affairs regarding the draft EIS for the Enbridge Energy, Limited Partnership Line 67 Expansion for public review and comments beginning February 10, 2017.
- Included in the packet was a MAWD News and Legislative Update dated January 31, 2017.

Manager Page stated that he will attend the Red River Corridor meeting held on February 13, 2017 in Red Lake Falls.

Administrator Jesme updated the Board on the inter-agency meeting held on February 7<sup>th</sup> regarding the operation of the Moose River Impoundment, RLWD Project No. 13. Discussion was held at the meeting regarding the request of the Sportsman Club to use the dike on the Moose River Impoundment as a designated ATV trail. Jesme stated that there was some discussion about the possibility that statutory requirements would not allow for the use of ATV's on Wildlife Management Areas. Jesme asked the DNR for some information on this statute so he could share it with the Board and Sportsman Club.

Motion by Ose, seconded by Sorenson, 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