

RED LAKE WATERSHED DISTRICT
Board of Manager's Minutes
April 26, 2018

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

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

The Board reviewed the April 12, 2018 minutes. Motion by Sorenson, seconded by Tiedemann, to approve the April 12, 2018 Board meeting minutes as presented. Motion carried.

The Board reviewed the Financial Report and Investment Summary dated April 25, 2018. Motion by Tiedemann, seconded by Sorenson, to approve the Financial Report and Investment Summary dated April 25, 2018 as presented. Motion carried.

Manager Sorenson recommended transferring funds from the Edward Jones Investment Funds Account into the American Federal Bank-Fosston Money Market Account. Motion by Sorenson, seconded by Dwight, to transfer \$200,000 from the Edward Jones Investment Funds Account into the American Federal Bank-Fosston Money Market Account. Motion carried.

Sarah Mielke and Rachel Klein, East Polk SWCD, appeared before the Board to discuss the East Polk Lake Monitoring Program located within the Clearwater River Watershed. The East Polk SWCD is requesting funding in the amount of \$1,980 per year over a period of three years for a total of \$5,940. Funds from the District would cover the costs of the RMB Lab analysis at 9 sites throughout the Clearwater River Watershed. Motion by Torgerson, seconded by Sorenson, to approve cost share in the amount of \$5,940 for the East Polk SWCD Lake Monitoring Program from the District's Water Quality Funds, RLWD Project No. 46. Motion carried.

Glen Kajewski, East Polk SWCD appeared before the Board to present the Minnesota Agricultural Water Quality Certification Program (MAWQCP) through the Minnesota Department of Agriculture. Kajewski stated that the MAWQCP is a voluntary program that helps famers and landowners protect the streams, rivers, and lakes. SWCD staff work with the farmers and landowners to become certified. Those seeking certification can obtain specially designated technical and financial assistance to implement practices that promote water quality.

Engineer Nate Dalager, HDR Engineering, Inc., updated the Board on the Four-Legged Lake Project, RLWD Project No. 102A. The Four-Legged Lake Project has a 10 sq.mi. drainage area that outlets into Ruffy Brook. Dalager discussed the public and project team meetings held and issues associated with water levels. A petition for the abandonment of Judicial Ditch 5, RLWD Project No. 102, which flows through the Four-Legged Lake basins was tabled to allow for the

Project Team process, as part of a flood damage reduction project, to move forward. Dalager discussed the goals of the Project Team were to reduce flood damages to Clearwater County roads, lake shore property, and the shoreline of Four-Legged Lake. Secondary benefits to the project may include: contribution to the regional goal of reducing peak flows downstream to Ruffy Brook and the Red River of the North by 20% during large flooding events; establish stable water surface elevation for the benefit of flood damage reduction, wildlife and lake aesthetics; and establish an outlet structure and culverts that will provide operational variability and maintenance access throughout the Four-Legged Lake system. Dalager discussed the four alternatives, stating he would recommend Alternative 3 with an elevation of 1426 at the west basins and the east basins at an elevation of 1427. Dalager stated that Alternative 3 meets the design criteria, provides less damage to county roads and aesthetics. Alternative 3 would provide up to 1,800 ac.ft. of gated storage. Manager Torgerson stated that after speaking with landowners, he recommends nothing lower than an elevation of 1426.0. Discussion was held on the procedure to resume the abandonment petition process of the legal drainage system.

At 10:00 a.m., President Dale M. Nelson reconvened the general meeting and called the Preliminary Hearing for Ditch 16, RLWD Project No. 177 to order. President Nelson turned the meeting over to Legal Counsel Sparby to address the hearing and its process. Sparby indicated that the hearing is being videotaped and will be available for viewing at the RLWD office. It was noted that the appropriate notices as required by statute had been given. Jerry Pribula and Nick Pribula, Pribula Engineering, engineers for the project, presented the Engineers Preliminary Survey Report for the project and entertained questions from the Board and the audience. The MN DNR Director's Advisory Report and MN BWSR Advisory Report were read into the record and placed as part of the record. After all in attendance were given a chance to ask questions and/or make comments, the preliminary hearing was closed for public comment. Nelson then opened the hearing up for Board questions. After discussion by the Board, a motion was made by Ose, seconded by Torgerson, to approve the Engineers Preliminary Survey Report for RLWD Ditch No. 16, RLWD Project No. 177. Motion carried. Motion by Dwight, seconded by Tiedemann, to appoint viewers consisting of three disinterested residents of the state to complete a Viewer's Report for the Project and authorize the Engineer to complete the Detailed Survey Report for RLWD Ditch 16, RLWD Project No. 177. Motion carried. Administrator Jesme noted that he will work with the Petitioner's to increase the bond amount.

Administrator Rod Otterness, City of Thief River Falls and Engineer Nate Dalager, HDR Engineering, Inc., discussed the Thief River Falls West Side FDR Project, RLWD Project No. 178. Dalager stated that the Minnesota Department of Transportation (MNDOT), due to timing for the final design needs for future MNDOT construction projects, needs a letter of partnership commitment from the District for the Thief River Falls West Side FDR Project. Discussion was held regarding funding uncertainties through the state's Flood Damage Reduction Grant Assistance Program. Otterness stated that Thief River Falls Mayor, Brian Holmer, is currently at the Minnesota State Capital lobbying for funding for the proposed project. Dalager stated that he will present the Preliminary Engineers Report to the Board at the May 24, 2018 meeting. It was the consensus of the Board, to authorize Administrator Jesme, to submit a letter of intent of commitment to the project, if funding through the state is not available.

Discussion continued on the Four-Legged Lake Project, RLWD Project No. 102A and the abandonment of Judicial Ditch No. 5, RLWD Project No. 102. Motion by Torgerson, seconded by Page, to remove the abandonment from the table regarding the Petition for Abandonment of Judicial Ditch No. 5, RLWD Project No. 102. Motion carried. Motion by Torgerson, seconded by Ose, to set a continued hearing date for the Petition for Abandonment for Judicial Ditch No. 5, RLWD Project No. 102, for June 14, 2018 at 10:00 a.m. at the RLWD office. Motion carried. Dalager stated that he will make a report to the Board to be presented for public testimony at the hearing.

Legal Counsel Sparby is waiting for an opinion from the Attorney General for an additional seat on the Board of Managers for the Red Lake Band of Chippewa Indians.

Legal Counsel Sparby stated that he had submitted corrective recommendations to the Lease Agreement with Nick Knott for rental of agricultural land on the Black River Impoundment, RLWD Project No. 176.

The Board adjourned for lunch at 12:00 p.m.

President Nelson convened the meeting at 1:15 p.m.

Engineer Tony Nordby, Houston Engineering, Inc. appeared before the Board to present the Preliminary Engineers Report for the Black River Impoundment, RLWD Project No. 176. Nordby stated that the Preliminary Engineers Report was submitted to the RRWMB for funding consideration. As part of the RRWMB process, the report was reviewed by the TSAC committee, with recommended revisions. Nordby stated that the revisions are included as a Technical Memorandum within the presented report. Comments on the report were received from the Minnesota Department of Natural Resources and Minnesota Board of Water and Soil Resources. Nordby stated that the project has a drainage area of 14.4 square miles and will include 12 miles of diversion ditch, outlet channel, impoundment site area, primary outlet structure, and emergency earthen spillway. Nordby discussed the recommendations from the Geotech Report completed by Terracon and completion of the Final Plan. The Technical Evaluation Panel will meet mid-May to field verify the wetland impacts. After the field verification is complete, the permit applications will be submitted. Nordby is currently working on the comments received from the Scoping Document for wetland banking credits. Motion by Ose, seconded by Page, to accept the Preliminary Engineers Report for the Black River Impoundment, RLWD Project No. 176. Motion carried. Discussion was held on coordination of the hearing with the local ditch authority.

The Board reviewed a Release of Claims and Indemnification and Hold Harmless Agreement for haying on District projects. Motion by Tiedemann, seconded by Torgerson, to approve the Release of Claims and Indemnification and Hold Harmless Agreements for Mark Askeland, RLWD Project No. 60C and 60D. Motion carried.

Administrator Jesme reviewed information regarding subsurface tile drainage. Manager Dwight discussed erosion control activities and the need to review pump on/off conditions. Discussion was held on surface water inlets and location of tile pump outlets. It was the consensus of the Board, for Managers Tiedemann and Dwight to review the District's Tile Drainage Permit and Rules and report back to the Board.

Motion by Tiedemann, seconded by Page, to deny Permit No. 18006, Allan Merrill, Vineland Township, Polk County. Motion carried.

The Board reviewed the permits for approval. Motion by Ose, seconded by Sorenson, to approve the following permits with conditions stated on the permit: No. 18003, Greater Minnesota Transmission, LLC, Fanny Township, Polk County; No. 18004, Jamie Wayne Hegland, Holt Township, Marshall County; No. 18005, Marc Hanson, Excel Township, Marshall County; No. 18007, Wells Concrete, Polk Centre Township, Pennington County; No. 18012, Jordey Marquis, Silverton Township, Pennington County; No. 18015, Shirley Inman, Holt Township, Marshall County; No. 18016, Burlington Northern SanteFe, Crookston Township, Polk County; No. 18018, Karl Tollefson, Hammond Township, Polk County; and No. 18019, Russell Jaspersen, Wyandotte Township, Pennington County. Motion carried.

Discussion was held on the Red Lake Band of Chippewa Indians membership on the RLWD Board. Legal Counsel Sparby will contact the Attorney General's office on the matter.

The Board reviewed a quote from ESRI for a maintenance subscription on four District computers for ArcGIS in the amount of \$2,569.86. Motion by Ose, seconded by Torgerson, to approve the quote in the amount of \$2,569.86 from ESRI for a maintenance subscription for ArcGIS. Motion carried.

Discussion was held on filling the cracks, seal coating and striping of the District parking lot. Jesme reviewed a quote he received from E&A Services LLC. Motion by Ose, seconded by Torgerson, to authorize Administrator Jesme to seek an additional quote for maintenance on the District parking lot and proceed with the completion of the work. Motion carried.

The Board reviewed the draft 2017 Annual Report. Administrator Jesme stated that staff is currently reviewing the document for final revisions. Meetings will be scheduled in the near future with County Commissions to present the Annual Report.

Administrators Report:

- Jesme and Manager Ose attended the RRWMB meeting held in the District office on April 17, 2018. The meeting was followed by the Strategic Plan update which lead to some interesting discussions. The next RRWMB meeting will be held on May 15, 2018 in Fertile.
- Included in the packet was the MAWD update dated April 23, 2018.

- The Thief River 1W1P Advisory Committee and Policy Committee met on April 11, 2018, followed by a meeting with the Planning Work Group to receive an update on the Zonation process of the plan.
- Staff members Hanson and Slowinski and Manager Dwight attended the Upper/Lower Red Lake WRAP public meeting held in Kelliher on April 24, 2018. The purpose of the meeting was to show the health of the lakes and streams within the watershed. It should be noted that at the request of the District, this WRAP is being completed in cooperation with the Red Lake DNR through the MPCA.
- Due to rapid snowmelt the Euclid East, Brandt and Parnell/JD 60 Weir Impoundments were closed on April 19, 2018. Moose River and Good Lake Impoundments remain closed and will be monitored as spring runoff continues.
- Included in the packet was the February and March Water Quality Reports.

Motion by Page, seconded by Dwight to adjourn the meeting. Motion carried.



LeRoy Ose, Secretary