

RED LAKE WATERSHED DISTRICT  
Board of Manager's Minutes  
October 11, 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 Terry Sorenson, Gene Tiedemann, Dale M. Nelson, Allan Page, Les Torgerson, and LeRoy Ose. Absent: Brian Dwight. Staff Present: Myron Jesme and Tammy Audette and Legal Counsel, Delray 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 September 27, 2018 minutes. Motion by Torgerson, seconded by Sorenson, to approve the September 27, 2018 Board meeting minutes as presented. Motion carried.

The Board reviewed the Financial Report dated October 10, 2018. Motion by Sorenson, seconded by Ose, to approve the Financial Report October 10, 2018 as presented. Motion carried.

Staff member Arlene Novak reviewed the Investment Summary as of October 10, 2018, stating that 3 Certificates of Deposit, totaling \$600,000, will mature on October 18, 2018. Twenty-four financial institutions were sent quote sheets with eleven quotes received. Motion by Sorenson, seconded by Tiedemann, to invest the maturing Certificates of Deposit with Ultima Bank, Fosston, MN, at 2.52%, APY 2.54%, for a 12-month Certificate of Deposit. Motion carried.

A review of the General Fund Budget as of September 30, 2018 was presented by staff member Arlene Novak.

The RLWD's liability, excess liability, and workers compensation policies were recently renewed by the League of Minnesota Cities. Staff member Arlene Novak reviewed the current policies' rates and stated that the overall increase in all policy premiums over 2017 was 11.32% and also reviewed the reasons for the increase.

Administrator Jesme stated that a Pine Lake Watershed site tour and meeting, will be held on October 19, 2018, starting at 9:30 a.m. at the Sportsman's Lodge on Pine Lake with staff from environmental review and permitting agencies for the Pine Lake Project, RLWD Project No. 26A. Discussion will be held on what is allowable for permitting from each agency.

A landowner informational meeting for the Thief River Falls Westside Flood Damage Reduction Project, RLWD Project No. 178 will take place on October 29, 2018 at 6:00 p.m. at the District office.

Pribula Engineering, Inc. has been working with MnDOT staff regarding the installation of a box culvert through State Highway No. 220 for the establishment of the RLWD Ditch 16, RLWD Project No. 177. MnDOT has indicated that soil borings will be required to cross State Highway No. 220. Pribula Engineering, Inc. received quotes to complete the soil borings, with Northern Technologies submitting the lowest quote.

The Draft Amendment for the Red Lake River 1W1P, RLWD Project No. 149, for the 60-day review period was distributed to various agencies for comment. The draft amendment includes the potential development of a Water Management District for the Black River Impoundment, RLWD Project No. 176 and the Thief River Falls Westside FDR Project, RLWD Project No. 178. The BWSR Northern Region meeting will review the draft amendment on January 2, 2019.

Thief River 1W1P, RLWD Project No. 149A, Policy and Advisory meeting that was scheduled for October 10, 2018 in Grygla, was postponed due to the weather and the distance folks had to travel for the meeting. The Planning Work Group will continue to work on the budget prior to the next meeting.

The Board reviewed the Clearwater SWCD Local Water Resources Riparian Protection (“Other Watercourses”) for inclusion into their local water management plan.

The Board reviewed the draft Buffer Law Implementation for Watersheds under Minnesota State Statutes 103E. Administrator Jesme stated that Houston Engineering, Inc., developed the document for the Buffalo Red River Watershed District. Discussion was held on penalty amounts for non-compliance for the installation of a buffer strip. Legal Counsel Sparby referred to section 6.1 where the District may seek remedies for non-compliance from any responsible party. Discussion was held on who is the responsible party, whether it be the agent, operator, or renter. It was the consensus of the Board, that the Owner of the property would be the responsible party, with recommendation that the Owner notify their renters to respect the Buffer Law. Motion by Page, seconded by Torgerson, to approve the Buffer Law Implementation for Watersheds, subject to Legal Counsel Sparby’s review. Motion carried.

The Board reviewed correspondence from the City of Crookston, Part II Wellhead Protection Plan.

Motion by Ose, seconded by Sorenson, to approve a one-year extension for RLWD Permit No. 17169, Minnesota Department of Transportation, Knute Township, Polk County. Motion carried.

Motion by Sorenson, seconded by Tiedemann, to approve after-the-fact permit, RLWD Permit No. 18112, David Balstad, Lessor Township, Polk County, with conditions stated on the permit. Motion carried.

The Board reviewed the permits. Motion by Torgerson, seconded by Page, to approve the following permits with conditions stated on the permit: No. 18129, Dennis Salenty, Polk Centre Township, Polk County; No. 18130, John Garry, Euclid Township, Polk County; No. 18131, Dan Cymbaluk, Lowell Township, Polk County; No. 18132, Terrebonne Township, Red

Lake County; No. 18133, Jay Giroto, Moylan Township, Marshall County; No. 18134, Jay Giratto, Cloverleaf Township, Pennington County; No. 18135, Red Lake County Highway Department, Gervais Township; No. 18136, Tyler Solberg, Goodridge Township, Pennington County; No. 18137, Mike Tiedemann, Euclid Township, Polk County; No. 18138, Mike Tiedemann, Fanny Township, Polk County; and No. 18139, 18140 and 18141, Scott Tersteeg, Grove Park Township, Polk County. Motion carried.

Administrators update:

- Jesme and Manager Ose will attend the RRWMB meeting in Roseau on October 15, 2018. Included in the packet was the RRWMB “A Brief Primer-Who We Are and What We Do” newsletter.
- Due to predicted bad weather, the Thief River 1W1P meeting that was to be held October 10, 2018 in Grygla, was postponed.
- Included in the packet was the MAWD Board of Directors Meeting Highlights from their September 21, 2018 meeting.
- Jesme and Manager Ose attended the October 2, 2018 Marshall County Commissioners’ Board meeting to present the 2017 Annual Report.

Discussion was held on proposed MAWD resolutions. The current Administrative levy limit is set at \$250,000 and it was recommended to increase it to \$350,000, place no cap on the levy, or use the formula that is already stated in MN State Statutes. Following discussion, the following resolution was motioned by Tiedemann, seconded by Ose, and passed unanimously:

**WHEREAS**, Minnesota watershed district administrative levies are restricted to \$250,000 by MN 103D.905 Subd. 3; and

**WHEREAS**, Red Lake Watershed District Board of Managers understand that the \$250,000 was legislatively enacted in 2001 and has not kept pace with current needs and expectations placed on watershed district operations; and

**WHEREAS**, the ability to fulfill water management expectations of local, state and federal governmental regulations, as well as that of landowners in the District, are hampered by the outdated levy limit.

**NOW, THEREFORE, BE IT RESOLVED**, that the Red Lake Watershed District recognizes and supports the pursuit of legislation to increase or remove the \$250,000 administrative levy limit.

The vacancy of a position on the Board of Water and Soil Resources was discussed. A motion by Tiedemann, seconded by Torgerson, and passed unanimously to approve the following resolution for presentation to the Minnesota Association of Watershed Districts:

**WHEREAS**, the Governor has been given the statutory authority to appoint members to the Board of Water and Soil Resources; and

**WHEREAS**, when board member vacancies occur, there is no statute that limits the length of time the position may be left vacant - and vacant board positions equate to public underrepresentation; and

**WHEREAS**, when board member terms expire, under MN 15.075 Subd. 2 successors need not be appointed and qualified until July 1<sup>st</sup>, thus permitting the expired board member to serve up to an additional six full months.

**NOW, THEREFORE BE IT RESOLVED**, that the Red Lake Watershed District supports the pursuit of legislation to require board member appointment within 90 days of a board member vacancy or board member term expiration.

Discussion was held on increasing the maximum daily compensation of watershed district board managers to \$100 daily. Motion by Ose, and seconded by Tiedemann, and passed unanimously to present the following resolution to MAWD:

**WHEREAS**, Board Manager compensation is restricted to \$75 per day by MN 103D.315 Subd.8; and

**WHEREAS**, Red Lake Watershed Board of Managers feel that \$75per day no longer reflects current pay standards, and does not represent fair compensation for the knowledge, skills, abilities, and effort provided by individuals serving in the highly-specialized public service of governing water quantity and quality; and

**WHEREAS**, the per diem has not been increased by the Minnesota Legislature since 2004, and

**WHEREAS**, the ability to recruit and retain willing individuals to fill Board Manager positions is hampered by the outdated compensation limit.

**NOW, THEREFORE, BE IT RESOLVED**, that the Red Lake Watershed District recognizes and supports the pursuit of legislation to increase the daily compensation to a \$100 per day statutory maximum, with the local board of managers having authority to set their own per diem for a lesser amount, if deemed appropriate.

A resolution to support the enforcement of WMA Operation and Maintenance Plans, with input from local governmental entities, to ensure the consideration in the One Watershed One Plan efforts was discussed. Following discussion, a motion was made by Sorenson, seconded by Page, and passed unanimously to adopt the following resolution for presentation to MAWD:

**WHEREAS**, Minnesota's Wildlife Management Area (WMA) system started in 1951, when the State established its "Save the Wetlands" program to buy wetlands and other habitats from willing sellers to address the loss of wildlife habitat in the state and has evolved into the present-day system of WMAs; and

**WHEREAS**, today there are over 1.3 million acres of high-quality habitat in about 1,500 WMAs located throughout the state, making it one of the largest WMA systems in the country, and

**WHEREAS**, the Minnesota Department of Natural Resources is responsible for the management of these acres; and

**WHEREAS**, consistency of written operation and maintenance plans for individual WMAs vary considerably from no written plan to extremely outdated plans; and

**WHEREAS**, the State of Minnesota has made watershed management plans a priority with the One Watershed One Plan (1W1P) initiative, and

**WHEREAS**, effective management, including interagency coordination of said management, of our natural resources is imperative to the health and wellbeing of the visitors and residents of the state,

**NOW, THEREFORE, BE IT RESOLVED**, that the Red Lake Watershed District supports the pursuit of whatever action is necessary to ensure the WMA Operation and Maintenance Plans and/or Management Plans are either drafted or brought current, with input from local governmental entities, to ensure their consideration in future 1W1P efforts.

The Budget and Salary committee met to review the job evaluations from Fox Lawson (Gallagher). It was the recommendation of the committee to have the entire Board review the document for further discussion and approval at our next meeting.

Manager Tiedemann handed out a newspaper article that was presented to Ray Bohn, MAWD back in 2013 regarding the Thief River Falls FDR Project, RLWD Project No. 171A.

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



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LeRoy Ose, Secretary