

RED LAKE WATERSHED DISTRICT
Board of Manager's Minutes
July 24, 2008

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, Lee Coe, Orville Knott, Arnold Stanley, Jim Votava, and Vernon Johnson. Staff Present: Myron Jesme and Tammy Audette and Legal Counsel Delray Sparby.

The Board reviewed the agenda. A motion was made by Coe, seconded by Johnson, and passed by unanimous vote that the Board approve the agenda

Tammy Audette read the minutes of July 10, 2008. A motion was made by Stanley, seconded by Johnson, and passed unanimously that the Board approve the minutes as printed.

The board reviewed the Financial Report as of July 23, 2008. A motion was made by Knott, seconded by Votava, and passed by unanimous vote that the Board approve the Financial Report dated July 23, 2008.

The Board reviewed Petitions received from landowners Robert and Barbara Solien and Leslie and Alice Hofstad for the inclusion of property into the benefited area of RLWD Ditch 7, Project 20. Solien's property is located in the NE1/4 SE1/4 and SE1/4 SE1/4, Section 17, Equality Township, Red Lake County. Hofstad's property is located in the NE1/4 NE1/4 and SE1/4 NE1/4, Section 17, Equality Township, Red Lake County. Motion by Knott, seconded by Votava, and passed by unanimous vote that the board accept the petitions from Robert and Barbara Solien and Leslie and Alice Hofstad for inclusion of property into the benefited area of RLWD Ditch 7, Project No. 20, and instruct RLWD staff to review the drainage area and proceed with the hearing process.

Discussion was held concerning setting a final hearing date for the Improvement of and Lateral to Polk County Ditch 53, RLWD Ditch 12, Project No. 169. A motion was made by Tiedemann, seconded by Coe, with motion carried to hold the final hearing for the Improvement of and Lateral to Polk County Ditch 53, RLWD Ditch 12, Project No. 169 on Monday, August 25, 2008 at the Youngquist Auditorium, University of Minnesota-Crookston at 9:30 a.m.

Administrator Jesme stated that Jeff Langan, Houston Engineering, and he attended a Board meeting at the Middle Snake Tamarac Rivers Watershed District (MSTRWD) to present the Grand Marais Outlet Restoration Report, RLWD Project No. 60F. Jesme indicated that the next step is to enter into a Joint Powers Agreement with the MSTRWD. A motion by Tiedemann, seconded by Knott, with motion carried to authorize Legal Counsel Sparby to draft up a Joint Powers Agreement with the MSTRWD for continued work on the Grand Marais Outlet

Restoration Project, RLWD Project No. 60F. Legal Counsel Sparby stated he would contact Jeff Hane, legal counsel for the MSTRWD.

Administrator Jesme discussed the potential wetland mitigation on the Louisville/Parnell Impoundment Project, RLWD Project No. 121. The current wetland mitigation agreement for the Louisville/Parnell Impoundment is in MnDOT's name since they partially funded construction of the project in return for the wetland banking credits. In order to amend the agreement, discussion with MnDOT and BWSR needs to take place. Wetland banking rules have changed considerably, but still have a lot of value. Jesme stated that at the June 26, 2008 board meeting, the board authorized Jesme to seek quotes from Houston Engineering and HDR Engineering for engineering of the wetland mitigation area. After discussion with both engineering firms, it was the consensus that communication with MnDOT and BWSR would need to take place prior to quotes from engineering firms being submitted.

Administrator Jesme stated that CD's had been purchased at Ultima Bank in Fosston and Edwards Jones in Thief River Falls. A motion was made by Votava, seconded by Knott, with motion carried to add Ultima Bank and Edward Jones as an approved financial institution for depositories.

The Board reviewed the permits for approval: A motion was made by Tiedemann, seconded by Coe, to approve the following permits with conditions stated on the permits: No. 08045, Sugro, Inc., Lowell Township, Polk County; No. 08046, Canadian Pacific Railway, Badger Township, Polk County; No. 08047 and 08048, Larry R. Haug, Fisher Township, Polk County; No. 08049, Rydell National Wildlife Refuge, Woodside Township, Polk County; and No. 08050, Robert Finstad, Rocksbury Township, Pennington County. Motion carried.

Administrators Report:

- Due to funding cuts, we will not be receiving cost share funding from the MnDNR Fisheries for the Brandt Outlet Restoration, RLWD Project No. 60E. There could be an outside chance that at year end, funding could be received but that may come in too late for us to use it as the project will be substantially completed by that time. Construction is progressing well, with plans to complete the project by late August with the exception of removing ditch plugs which will occur next year. Legal Counsel Sparby has the abstracts received from Roger and Roxanne Hagen to start the title opinion and update the abstracts so we can purchase the land this fall.
- Spot seeding has started on the buffer strips that have been disturbed along the legal drainage systems under the jurisdiction of the RLWD. This should be completed by mid to late August. We had been receiving quotes for mowing of the buffer strips, but due to the time restraints we have hired Jeff Olson, Olson Construction on an hourly rate of \$70/per hour to mow the systems that we have ready.
- Construction has been completed on the Ron Black ring dike which should close out the Ring Dike Grant Agreement that will expire on June 30, 2009. Once all bills are received, a final bill will be submitted to the State of MN.
- Jesme and Manager Knott attended the joint meeting between the RRWMB and the Red River Joint Water Resource Board held in Casselton, ND on July 15th. Included in the packet is information on a tour we went on of the Maple River Dam and West Fargo

Diversion Project. A copy of the June 19, 2008 RRWMB meeting minutes are included in the packet. The August 19, 2008 RRWMB meeting will be held at the RLWD office. One agenda item for that meeting is to invite Mike Carroll, MnDNR Regional Director, and Dave Holmbeck, Con-Con Lands Ditch Coordinator to update the RRWMB on Con-Con issues.

- Included in today's packet is a Water Quality Report from staff member Corey Hanson.

Managers Stanley and Coe stated they would like to be in attendance at the August 19, 2008 RRWMB meeting to hear the update on the Con-Con issues.

Mike Krejci, Curt Amundson and Ron Novacek, Sullivan Township officials and Engineer Jerry Pribula, Pribula Engineering were present to discuss concerns Sullivan Township has regarding the perceived loss of the shoulder of a township road during construction of RLWD Ditch 11, Project No. 166. Pribula reviewed his construction notes and discussed the issue with the utilities, slope of the ditch, width of the road/slope, storm water prevention plan and a home that is located on the north side of the township road. After discussion by the Board, it was the consensus of the Board that the ditch was constructed in accordance with the plan presented at the final hearing and that no modifications will be made.

At 10:00 a.m., the final payment hearing for Prairie Restorations, Inc. concerning the Euclid East and Brandt Impoundments Wetland Replacement Plans, RLWD Project No. 60C and 60D, respectively was called to order. RLWD Legal Counsel Sparby stated that the hearing had been advertised and that there was no one in attendance objecting to the final payment. Final payment of \$248.90 for the Euclid East Impoundment Wetland Replacement Plan, RLWD Project No. 60C and \$6,738.95 for the Brandt Impoundment Wetland Replacement Plan, RLWD Project No. 60D. Motion by Tiedemann, seconded by Votava, and motion carried to approve the final payments to Prairie Restorations, Inc. The hearing was videotaped and is on file at the RLWD office.

Engineer Nate Dalager, HDR Engineering discussed on-going maintenance issues on the Brandt Impoundment Wetland Mitigation site, RLWD Project 60D. Since seeding and planting of trees was completed this spring, various weeds have appeared. The use of herbicide could jeopardize the entire program. Dalager recommended hiring Prairie Restorations, Inc. to maintain the area at an approximate cost of \$2,000. It was the consensus of the Board to authorize Dalager to contact Prairie Restorations, Inc. to complete the maintenance at an approximate cost of \$2,000.

Administrator Jesme stated he had been contacted by landowner John Weiland in regard to enrolling his property that is within the Euclid East Impoundment under RIM/WRIP program. Rovella Weiland presented information to the board, stating that there is 143.9 acres that would be enrolled into the program. It was the consensus of the board that Administrator Jesme and Legal Counsel Sparby have discussions with the FSA to ensure our interests concerning the easement the Districts holds on this property is not affected by this program.

Nate Dalager discussed the potential of wetland banking credits on the Louisville/Parnell Impoundment. Dalager indicated that he has had discussion with representatives from BWSR and MnDOT and although wetland banking laws in the way credits are gathered have changed,

in his opinion wetland banking credits can be obtained. Dalager stated that the request for quotes generated various questions from HDR Engineering and Houston Engineer perspective and how to break down tasks for this project. Manager Nelson indicated that this may not be the ideal project to solicit RFP's at which point Dalager indicated that he would leave if the Board wanted to discuss that option. After considerable discussion a motion was made by Tiedemann, seconded by Coe, with motion carried to authorize HDR Engineering to proceed with obtaining wetland banking credits on the Louisville/Parnell Impoundment.

Manager Stanley discussed the money that the Red Lake Gaming Fund is giving Beltrami County and how some of that money can be spent. He also discussed the Beltrami County Board issuing money to the Marshall Beltrami SWCD for an erosion control project on JD #21 (Moose River).

Discussion was held on the removal of a beaver dam from the Brandt Impoundment and the procedure that was taken to remove the dam in the outlet structure.

Motion by Johnson, seconded by Votava, with motion carried to adjourn the meeting.



Vernon Johnson
Vernon Johnson, Secretary