

RED LAKE WATERSHED DISTRICT
Board of Manager's Minutes
May 28, 2009

Present were: Managers Gene Tiedemann, Lee Coe, Jim Votava, Orville Knott, LeRoy Ose, Dale M. Nelson and Kelly Nordlund. Staff Present: Myron Jesme and Tammy Audette and Legal Counsel Delray Sparby.

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

Tammy Audette read the minutes of May 14, 2009. A motion was made by Coe, seconded by Votava, and passed by unanimous vote that the Board approve the minutes as printed.

The Board reviewed the Financial Report dated May 27, 2009. A motion was made by Tiedemann, seconded by Nordlund, and passed by unanimous vote that the Board approve the Financial Report dated May 27, 2009.

Mark Meister, public information initiative consultant hired by the RRWMB, discussed with the Board his objectives on how to better inform the public about Watershed District's initiatives. Meister discussed how the RLWD can make use of him to get the word out to the public to promote projects that the District is working on. Meister will coordinate with local legislators, media and the District's advisory committees.

The Board discussed hosting a tour of District projects for the RLWD Advisory Committee. It was the consensus of the Board that a tentative date be set for July 16, 2009 with further discussion to be held at the June 11, 2009 Board meeting.

The Board discussed the Parnell Impoundment, RLWD Project No. 81. Nate Dalager, HDR Engineering, Inc. discussed the over all concepts of the project, 2009 summary operation, history of the project, and local and regional protection the project provides. Review of trigger points for the release of stored water after a flood event in relation to the City of Crookston and City of East Grand Forks was presented. Dalager stated that there are separate trigger points during the growing season versus a spring flood event and that after some operational experience there are a few adjustments that should be completed. The Board discussed the creation of a back flow channel within the impoundment to better allow waters to be moved from the west pool back into the east pool. Motion by Tiedemann, seconded by Knott, to authorize HDR Engineering, Inc. to complete an engineering study to review the operational component of the Parnell Impoundment. Motion carried. Dalager will prepare a cost estimate and report back to the Board at the June 25, 2009 meeting.

Legal Counsel Sparby presented a Petition for a New Drainage System to include the area presently known as Pennington County Ditch No. 75 and the proposed lateral attachment thereto. Sparby stated that he had contacted legal counsel for petitioners Roger Kriel and Dave Dahlen in regard to the Petition for the Improvement of Pennington County Ditch 75 and the proposed lateral attachment approved at the May 14, 2009 Board meeting

contingent upon the clarification of the petition as being one for a new legal drainage system. Sparby stated that revisions were made to the petition and a letter will be submitted to the District on behalf of the Petitioner's legal counsel stating that the signatures on the original petition are re-affirmed to go along with the revised new drainage system petition.

Discussion was held on a hearing date for the Redetermination of Benefits to RLWD Ditch 8, Project No. 36. Motion by Knott, seconded by Coe, with motion carried to set the hearing for July 23, 2009 at 10:00 a.m. at the District office for the Redetermination of Benefits to RLWD Ditch 8, Project No. 36. Administrator Jesme discussed property owner's reports that need to be sent to the landowners prior to the hearing. Jesme questioned the Board as to the length of time for payment of the assessment by the landowners. It was the consensus of the Board to have Administrator Jesme and Legal Counsel Sparby determine the process of the property owner's report and the proposed assessment and report back to the Board.

Administrator Jesme and Manager Nordlund met with the Clearwater County Board of Commissioners and discussed the Clearbrook Flood Damage Reduction Project, RLWD Project, 160A. Clearwater County Board has asked the District to further investigate the options concerning Clearbrook FDR Project. It was the consensus of the Board for Jesme, Nordlund and Engineer Jeff Langan to meet with all interested parties to clarify project goals and to further discuss options.

Administrator Jesme stated that an appraisal for the Clearbrook Storm Water Retention Pond Project, RLWD Project 160 should be completed by mid June.

Minnesota Association of Watershed Districts (MAWD) has a vacancy in Region 1 for the MAWD Board of Directors. Manager Coe stated he had submitted his application for the position.

Discussion was held regarding the potential conflict for the June 25, 2009 RLWD Board meeting and the MAWD convention held in Albert Lea. It was the consensus of the Board that there would be a quorum at the June 25th meeting so it is not necessary to change the date.

The Board reviewed the permits for approval. A motion was made by Tiedemann, seconded by Ose, to approve the following permits with conditions stated on the permit: No. 09028, Lessor Township, Polk County; No. 09032, Dave Zavoral, Huntsville Township, Polk County; No. 09033, Kameron Harstad, Esther Township, Polk County; No. 09034, Petro Pumper, North Township, Pennington County; No. 09035, Bible Baptist Church, Crookston Township, Polk County; No. 09036, Rocksbury Township, Pennington County; No. 09037, Gully Township, Polk County; No. 09038, Michael Gasper, Crookston Township, Polk County; No. 09039, Solheim Farms, Crookston Township, Polk County; No. 09041, City of Thief River Falls, Rocksbury Township, Pennington County. Motion carried.

Administrators update:

- Included in the packet is the RRWMB April 21, 2009 meeting minutes.

- Jesme and Manager Knott will present the 2008 Annual Report to Red Lake County Commissioners on June 9, 2009. This will conclude the meetings with the county commissioners.
- Jesme attended a meeting on May 26 at the Crookston City Hall along with Representative Collin Peterson, Senator Amy Klobuchar and NRCS Chief Dave White. The meeting was held to discuss flood control and flood prevention projects located on the Minnesota side of the Red River of the North.
- Legal Counsel Sparby provided a "Release of Claims and Indemnification and Hold Harmless Agreement" for signature by Clifford and Lindy Schulz for haying on the Euclid East Impoundment.
- Marshall-Beltrami SWCD is holding an interagency meeting on June 10th at 9:30 a.m. at the SWCD office in Grygla. This meeting is intended to discuss resource concerns in the RLWD. Items of discussion are weed management grant, sedimentation along the Moose and Mud Rivers or any other projects the District would like to discuss.
- Jesme distributed updated impoundment levels.

Wally Sparby, representing Representative Collin Peterson's office was present to discuss efforts by the congressional district for water retention within watersheds.

Legal Counsel Sparby discussed Release of Claims and Indemnification and Hold Harmless Agreement he prepared. Sparby stated this document releases the District, Board and staff and any other representatives in regard to negligence. It is a general release that should be able to be used for other purposes.

Sparby discussed a partial abandonment petition that the District may receive on an extension ditch on Polk County Ditch 53. Administrator Jesme stated the ditch has been maintained by the landowners and does not resemble a legal system. Therefore the landowners do not want a grass buffer strip and may wish to abandon it.

Discussion was held on liability insurance for the Grand Marais Creek Joint Powers Board. Administrator Jesme questioned if the Joint Powers Board should draft bylaws that mirror the bylaws of the District. Legal Counsel Sparby stated that the District could pass a resolution to authorize services of District staff members to cooperate with the Joint Powers Board; therefore they should be covered under the District's insurance policy. Sparby will draft a resolution for the June 11, 2009 Board meeting.

Motion by Coe, seconded by Nordlund, with motion carried to adjourn the meeting.



Orville Knott, Secretary