

RED LAKE WATERSHED DISTRICT
Board of Manager's Minutes
January 13, 2011

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

The Board reviewed the agenda. Engineer Nate Dalager, HDR Engineering, Inc. requested to appear before the Board to update the Board on the Improvement to Pennington County Ditch 1 / Thief River Falls Flood Damage Reduction Project, RLWD Projects No. 171 and 171A. A motion was made by Coe, seconded by Tiedemann, and passed by unanimous vote that the Board approve the agenda with the addition of Nate Dalager, HDR Engineering, Inc.

Tammy Audette read the minutes of December 23, 2010. A motion was made by Knott, seconded by Tiedemann, and passed by unanimous vote that the Board approve the minutes as printed.

The Board reviewed the Financial Report and Investment Summary dated January 12, 2011. Motion by Coe, seconded by Mandt, and passed by unanimous vote that the Board approve the Financial Report and Investment Summary dated January 12, 2011. Administrator Jesme stated that a CD at Unity Bank North will mature on January 15, 2011. It was the consensus of the Board to reinvest the maturing CD at its current location.

Engineer Nate Dalager, HDR Engineering, Inc. was present to update the Board on the Improvement to Pennington County Ditch 1/Thief River Falls Flood Damage Reduction Project, RLWD Projects No. 171 and 171A. Dalager discussed how the funding for the ditch improvement would be from the benefitted area with funding from the Flood Damage Reduction part of the project through the District, State of MN and Water Management District. Dalager stated that his office is in the process of developing the final plans and specifications for the two projects mentioned above. Administrator Jesme updated the Board on the status of the viewing. We are hoping that the hearing for the Water Management District will be held sometime in March. Discussion was held on having a meeting to update the city, county and Petitioners. It was the consensus of the Board that Manager Nelson, Jesme and Dalager attend a county commissioner and city council meeting in the near future to update them on the present status of both projects.

Engineers Jeff Langan and Tony Nordby, Houston Engineering, Inc. appeared before the board to discuss the Grand Marais Creek Cut Channel Stabilization Project, RLWD Project No. 60F. Discussion was held by the Board in regard to a commitment of funds from the Board or other agencies to help augment the cost of the project with the funding received from the Clean Water Fund Competition Grants Awarded through BWSR. Langan stated that the Engineers Report was prepared as part of the overall Grand Marais Creek Restoration Project and not as a stand-

alone project for stabilization of the cut channel. Langan stated that additional preliminary engineering and surveying should be completed. The District is committed to spending 25% of the grant as part of the grant agreement but can pay as much as they deem necessary. Motion by Knott, seconded by Coe, to authorize Houston Engineering, Inc. to proceed with additional engineering/surveying not to exceed \$10,000 for the Grand Marais Creek Cut Channel Stabilization Project, RLWD Project No. 60F. Motion carried. Administrator Jesme discussed the Joint Powers Board that was created as part of the Grand Marais Creek Restoration Project, RLWD Project No. 60F and questioned that since the Grand Marais Creek Cut Channel Stabilization Project is a stand-alone project, would that portion of the project be separated from the Joint Powers Board since the entire project is within the District.

Engineer Jeff Langan, Houston Engineering, Inc. presented the Detailed Survey Report for the Lateral to Pennington County Ditch 75, RLWD Project No. 170A. Motion by Mandt, seconded by Tiedemann, to accept for filing the Detailed Survey Report for the Lateral to Pennington County Ditch 75, RLWD Project No. 170A. Motion carried.

Motion by Coe, seconded by Knott, to appoint Rodney Langaas, Jerry Bennett and Roger Beiswenger as Viewers for the Lateral to Pennington County Ditch 75, RLWD Project No. 170A. Motion carried.

The Board reviewed the Capital Project Fund Transfers as of December 31, 2010.

Marshall County and Beltrami County respectively confirmed the reappointment of Managers Ose and Coe to another 3-year term on the Board.

Election of officers was conducted with President Nelson turning the meeting over to Vice President Gene Tiedemann. Manager Tiedemann called for nominations for president. Manager Coe, seconded by Mandt, nominated Dale M Nelson. Upon calling for further nominations three times, no further nominations were made. Motion made by Coe, seconded by Knott, for nominations to cease, and that the secretary cast a unanimous ballot for Dale M. Nelson for president of the Board. Motion carried.

Vice President Tiedemann turned the meeting over to President Nelson to conduct elections for the remaining Board positions.

Nominations were opened for vice-president. Manager Knott, seconded by Mandt, nominated Gene Tiedemann. Upon calling for further nominations three times, no further nominations were made. Motion made by Coe, seconded by Knott, for nominations to cease, and that the secretary

cast a unanimous vote ballot for Gene Tiedemann for vice-president of the Board. Motion carried.

Nominations were opened for secretary. Manager Ose, seconded by Mandt, nominated Orville Knott. Upon calling for further nominations three times, no further nominations were made. Motion made by Coe, seconded by Tiedemann, for nominations to cease, and that the secretary cast a unanimous vote ballot for Orville Knott for secretary of the Board. Motion carried.

Nominations were opened for treasurer. Manager Tiedemann, seconded by Mandt, nominated Lee Coe. Upon calling for further nominations three times, no further nominations were made. Motion made by Knott, seconded by Mandt, for nominations to cease, and that the secretary cast a unanimous vote ballot for Lee Coe for Treasurer of the Board. Motion carried.

The Overall Advisory Committee and the specific watershed area Advisory Committee members were discussed by the Board. A motion was made by Tiedemann, seconded by Ose, to approve the Overall Advisory Committee and Advisory Committee lists as presented. Motion carried.

The positions of Delegate and Alternate to the Red River Watershed Management Board (RRWMB) was discussed. Manager Knott is currently serving his second year of a 3-year term, with Manager Ose as the Alternate. Motion by Mandt, seconded by Tiedemann, to re-appoint Knott as Delegate and LeRoy Ose as Alternate. Motion carried.

Delegates and Alternate to the Minnesota Association of Watershed Districts were discussed. Motion by Mandt, seconded by Knott, to appoint Managers Coe and Tiedemann as Delegates and Manage Ose as the alternate. Motion carried.

The committees for the JD 2 and JD72 Joint Ditch Boards were reviewed. A motion was made by Tiedemann, seconded by Coe, and passed by unanimous vote to appoint Managers Mandt and Nordlund to the JD 2 and JD 72 Joint Ditch Boards.

The Budget/Salary Committee was discussed by the Board. A motion was made by Mandt, seconded by Ose, to approve Managers Nelson, Coe and Tiedemann to serve on the Budget/Salary Committee. Motion carried.

A motion was made by Knott, seconded by Coe, and passed by unanimous vote that the regularly scheduled Board meetings continue to be held on the second and fourth Thursdays of each month for 2011.

A motion was made by Coe, seconded by Ose, that the following financial institutions be designated as depositories for the RLWD: Northern State Bank, Border State Bank, Unity Bank North, First National Bank of Bemidji, American State Bank and Citizen's State Bank with the following signatures on the signature cards at the financial institutions: Dale M. Nelson, Gene Tiedemann, Orville Knott, Lee Coe, Myron Jesme and Arlene Novak. Motion carried.

Administrator Jesme presented information relating to an educational video for the River Watch Program at a cost of \$3,336. Jesme stated that the video would be 5-8 minutes long and would be shown to schools within the District to promote the River Watch Program. Motion by Tiedemann, seconded by Ose, to authorize Administrator Jesme to proceed with the educational video for the River Watch Program. Motion carried.

The Minnesota Viewers Association annual dues for 2011 were presented for approval. A motion was made by Coe, seconded by Mandt, with motion carried to approve the payment of \$125.00 for the Minnesota Viewers Association 2011 dues.

The Board reviewed the Annual Drainage, Wetland and Natural Resources Conference that will be presented by Rinke Noonan on February 3, 2011 in St. Cloud. It was the consensus for each Board member to contact Tammy if they choose to participate in the Conference.

Permit No. 10202, Tom Oscarson, Gervais Township, Red Lake County was reviewed. Motion by Knott, seconded by Tiedemann, to table Permit No. 10202, Tom Oscarson until the 2011 spring runoff. Motion carried.

Administrators Report:

- On January 4th, Manager Nelson, Jesme and Audette, along with MnDNR representatives Doug Franke and Ross Heir attended an informational meeting with approximately 18 landowners concerning the present condition of what is referred to as Pembina/Goose Lake Wildlife Management Area. This meeting was intended to hear concerns from upstream and downstream landowners along with suggestions as to what the landowners would like to see changed. The landowners agreed that they would like the District to submit a written request to the MnDNR to reflect their wishes expressed at the meeting.
- Manager Nordlund, Administrator Jesme, Brad Johnson, Houston Engineering, three Clearwater county Commissioners and Clearwater County Engineer attended an informational meeting in Leonard in regard to alleged raising of a culvert on the legal drainage system known as JD #5 (Four Legged Lake). The meeting went very well with two points coming out of the meeting that will assist us in what direction the District may

go. It was determined that the culvert was indeed raised as suspected and the vast majority of the landowners present want the culvert in question to remain as close to the present elevation as possible. Jesme instructed the landowners that there are three options in which they could proceed: they could petition for an abandonment (which was not favored by the landowners); they could petition for an improvement; or the culvert could be reset to an elevation as near as it was prior to the raising, at very little cost. It was the consensus of the landowners to think about these options and get back to the District.

- Included in the packet is a thank you from Tom and Wendy Goddard for the District's participation in the Red Lake River Bank Stabilization Project that the District cost shared this past summer with the Pennington SWCD.
- The State Auditor's Office recommended some policy and procedural items that we should add to the District's "Personnel Policy and Procedures".
- Manager Knott and Jesme will be attending the RRWMB meeting on January 18th which will be held in conjunction with the 28th Annual Red River Basin Land Water International Summit Conference in Fargo. Included in your packet is the approved RRWMB minutes for October 2010.
- The District received the executed grant from the USGS, the sub grant agreement from UND and the draft sub agreement from The Nature Conservancy but expect the executed agreement in a few days.
- Things are moving forward with the notice to amend the District's Plan for a Water Management District. Jesme was informed by BWSR that we should be in line for a hearing to amend the Overall Plan sometime in March, 2011. If the amendment proceeds, BWSR will hold a hearing for establishment of the Water Management District and if that is approved, we can then proceed with the construction of the Diversion/FDR component of the Thief River Falls Flood Damage Reduction Project.
- The District's Pay Equity Report is due on January 31, 2011. This process is governed under Minnesota Law (Minnesota Statutes Section 471.991, 471.999 and Minnesota Rules Chapter 3920), that requires public jurisdictions to eliminate any sex-based waged inequities in employee compensation. This report has to be approved by the Board of Managers. Jesme will have it completed for the January 27, 2011 Board meeting.
- Included in the packet is the Advisory Committee Recommendations to the Water Roundtable.
- Included in your packet is a Water Quality Report dated December 2010.
- The standard mileage rate will change to .51 cents per mile effective January 1, 2011.

Legal Counsel Sparby stated that it is the responsibility of the District, if the landowners on JD 5, RLWD Project No. 102 (Four Legged Lake) do not proceed with a petition, to proceed and reset the culvert as near as possible to a practical elevation.

Sparby stated that letters were sent out to the Petitioners for the Improvement to Pennington County Ditch 75, RLWD Project No. 170 to pay all costs incurred. Jesme stated he had one response from a landowner since the letters had been sent out.

The Board met in Executive Session.

Motion by Coe, seconded by Mandt, to adjourn the meeting.

A handwritten signature in cursive script that reads "Orville Knott". The signature is written in black ink on a white background.

Orville Knott, Secretary