

RED LAKE WATERSHED DISTRICT
Board of Manager's Minutes
April 12, 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, and Gene Tiedemann. Absent: Les Torgerson and LeRoy Ose. Staff Present: Myron Jesme and Tammy Audette and Legal Counsel Sparby.

The Board reviewed the agenda. Manager Dwight requested the addition of Red Lake Nation, Preliminary Engineers Report for Four-Legged Lake and Subsurface Drainage Rules. A motion was made by Tiedemann, seconded by Sorenson, and passed by unanimous vote that the Board approve the agenda with the addition of Red Lake Band of Chippewa Indians, Preliminary Engineers Report for Four-Legged Lake and Subsurface Drainage Rules. Motion carried.

The Board reviewed the March 13, 2018 minutes. Motion by Sorenson, seconded by Page, to approve the March 13, 2018 Board meeting minutes as presented. Motion carried.

The Board reviewed the March 19, 2018 minutes. Motion by Tiedemann, seconded by Page, to approve the March 19, 2018 Board meeting minutes as presented. Motion carried.

The Board reviewed the Financial Report dated April 11, 2018. Motion by Tiedemann, seconded by Sorenson, to approve the Financial Report dated April 11, 2018 as presented. Motion carried.

Staff member Arlene Novak reviewed proposals from American Federal Bank-Fosston and Ultima Bank-Fosston for the potential investment of funds. Novak stated that both banks offer Money Market Accounts, with accelerated interest rates about three times what the District is currently earning. After considerable discussion by the Board, a motion was made by Sorenson, seconded by Dwight, to open a Money Market Account with an initial deposit of \$500,000 to American Federal Bank-Fosston, and authorizing American Federal Bank-Fosston as a depository of the District. Motion carried.

The Board reviewed the General Fund Budget as of March 31, 2018.

Bids were opened for agricultural land for rent located within the proposed Black River Impoundment, RLWD Project No. 176. The following bids were received: Richard Salentiny, \$45.00 per acre; Tom Koop, \$40.00 per acre if rent is paid up front, \$45.00 per acre if rent is split ½ due in the spring, ½ due in the fall, \$50.00 per acre if payment is due in the fall; Nick Knott, \$72.00 per acre; and David Garry, \$47.00 per acre. Administrator Jesme noted that the FSA provided the farmable acreage on the property at 396.23 acres. Motion by Sorenson, seconded by Tiedemann, to accept the high bid from Nick Knott at \$72.00 per acre for a total of \$28,528.56, with rental payment due by June 1, 2018. Motion carried.

Matt Fischer, Board of Water and Soil Resources (BWSR) appeared before the Board to discuss the mechanism for the formation of a Water Management District (WMD) within the District's jurisdiction. The creation of a WMD would provide a general equitable mechanism for funding targeted and specific watershed "Projects" addressing local resource concerns and priorities. Fischer stated that a WMD should be set up while the District is working through the One Watershed One Plan (1W1P) process. Fischer recommended that since the District is working through the Thief River 1W1P, the Delegate representing the District on the Policy Committee could request the inclusion of WMD within the Thief River 1W1P Plan. Discussion was held on the potential development of a WMD with the Red Lake River Watershed 1W1P as it relates to the Thief River Falls West Side Flood Damage Reduction Project, RLWD Project No. 178. Motion by Dwight, seconded by Sorenson, to authorize Manager Ose, Delegate to the Thief River 1W1P Policy Committee, to propose the inclusion of a Water Management to the Thief River 1W1P Plan. Motion carried.

Brian Ophsahl, Brady Martz and Associates, presented the 2017 Annual Audit Report. After various questions by the Board, a motion was made by Tiedemann, seconded by Page, and passed by unanimous vote that the Board approve the 2017 Annual Audit Report as presented.

Laura Stengrim, Executive Director-Visit Thief River Falls and Dave Bergman, Explore MN Tourism appeared before the Board to discuss the Pine to Prairie Birding Trail. Stengrim stated that the Pine to Prairie Birding Trail is a unique partnership with communities in NW Minnesota, local, state and federal agencies and various interest groups; the trail is over 200 miles in length with 45 sites. Stengrim reviewed the site selection criteria, stating that the MnDNR assists in evaluating sites along the trail. Stengrim requested the Board to consider including the Parnell Impoundment, RLWD Project No. 81, and the Euclid East Impoundment, RLWD Project No. 60C as potential sites to be added to the trail. Motion by Page, seconded by Dwight, to authorize the addition of the Parnell Impoundment, RLWD Project No. 81, and the Euclid East Impoundment, RLWD Project No. 60C, to the Pine to Prairie Birding Trail, after the evaluation by the MnDNR. Motion carried. Manager Dwight recommended that Ms. Stengrim present this information to the RRWMB for consideration and potential partnership.

Administrator Jesme stated that as part of the Joint Powers Agreement with Hines Township for the Blackduck Lake Project, RLWD Project No. 50E, the agreement states that the Joint Board should meet annually. It was the consensus of the Board, to authorize Jesme to set up a meeting with the Joint Powers Board for the Blackduck Lake Project, RLWD Project No. 50E.

Administrator Jesme reminded the Board, that the Ditch 16, RLWD Project No. 176, Preliminary Hearing will be held on April 26, 2018 at 10:00 a.m. at the District office, during the regularly scheduled Board meeting.

Administrator Jesme stated that various meetings have been held with the City of Thief River Falls, Pennington County, and MnDOT, regarding the proposed Thief River Falls West Side Flood Damage Reduction Project, RLWD Project No. 178. The Board reviewed a letter that was submitted to the City of Thief River Falls from the MnDNR regarding funding consideration through the state's Flood Damage Reduction Grant Assistance Program. The District submitted

a grant application requesting \$1,500,000 in cost-share funding from this program to assist with the funding package for the \$5.0 million project. Potential funding from the RRWMB will be discussed at their April 17, 2018 meeting. Jesme stated that MnDOT will be completing work on Highway 32 south of Thief River Falls in 2020 and are in the process of working on the final design. MnDOT is willing to install the needed structures to work in conjunction with the proposed TRF West Side FDR Project and is requesting the alignment details by May 2018. Engineer Nate Dalager, HDR Engineer, Inc., stated that he is working on completion of the Preliminary Engineers Report. It was the consensus of the Board, to schedule a meeting with the City of Thief River Falls, Pennington County and MnDOT, to discuss the potential funding scenario. Managers Nelson and Tiedemann will participate in the meeting.

Administrator Jesme updated the Board on the redetermination of benefits for Judicial Ditch 72, RLWD Project No. 41. Jesme stated that the Joint Powers Board will meet next Tuesday to amend or clarify the previous motion approving the redetermination of benefits for Judicial Ditch 72.

The Board reviewed a Release of Claims and Indemnification and Hold Harmless Agreement for gopher trapping on District projects. Motion by Tiedemann, seconded by Page, to approve the Release of Claims and Indemnification and Hold Harmless Agreement for LeRoy Christensen, on the Louisville/Parnell Project, RLWD Project No. 121, Parnell Impoundment, RLWD Project No. 81, and the Brandt Impoundment, RLWD Project No. 60D. Motion carried.

The Board reviewed an update and status on the proposed BWSR Buffer Administrative Penalty Order Amendment. Administrator Jesme stated that in the very near future, the Board will have to approve a Buffer Enforcement policy like what the Counties have approved. Jesme indicated that he is working with BWSR and Buffalo Red River Watershed District staff to draft a policy paper which better follows existing Watershed District law.

The Board reviewed the following MAWD information: 2018 Update-Quarter One; 2018 Summer Tour; and draft Training Work Plan.

Pennington SWCD submitted a request for a financial donation for the Area I Envirothon. The Area I Envirothon will be held on April 25, 2018, at Agassiz National Wildlife Refuge. Motion by Tiedemann, seconded by Sorenson, to donate \$300 to the Area I Envirothon to promote education and awareness of water quality issues. Motion carried.

The Board reviewed the permits. Motion by Tiedemann, seconded by Sorenson, to approve the following permits with conditions: RLWD Permit No. 18011, Minnesota Department of Transportation, Lowell Township, Polk County; No. 18013, Dennis Schulz, Euclid Township, Polk County; No. 18014, Enbridge Energy, Leon Township, Clearwater County; and Table Permit No. 18012, Jordey Marquis, Silverton Township, Pennington County, for further review. Motion carried.

Mike Enright, Ellingson Drainage, appeared before the Board stating that he is the local representative for the installation of tile drainage for Ellingson Drainage. Enright stated that they

work with landowners for the installation of splash guard mats and rock riprap at the outlet of tile drains to help prevent erosion. Manager Tiedemann discussed his concern with open drains and creation of a berm. Manager Dwight recommended the implantation of some type of non-erosive outlet to the District's Tile Drainage Rules. Further discussion was held on the potential of cost sharing with tile drain outlets currently in place for erosion control matters. Further discussion will be held on the District's Tile Drainage Rules at the April 26, 2018 meeting.

Administrator Jesme stated that he recently completed a six-month employee evaluation for staff member Christina Slowinski, recommending an increase of \$1.00 per hour pay raise, retroactive to March 18, 2018. Motion by Tiedemann, seconded by Page, to approve the \$1.00/hour raise for Christina Slowinski effective March 18, 2018. Motion carried.

Discussion was held on updating the District's Fox Lawson review. Motion by Sorenson, seconded by Dwight, to authorize Administrator Jesme to proceed with the Fox Lawson review based on the Budget and Salary Committee recommendation. Motion carried.

Discussion was held on the District's Overall Technical Advisory Committee meeting that was held on March 19, 2018 at the District. It was the consensus of the Board, to authorize the staff to work on the development of a survey to be submitted to the Advisory Committee, requesting suggestions on what type of information/format the Advisory Committee would like to see presented at the yearly meetings. Staff will develop a draft survey to present to the Board, prior to submittal to the Advisory Committee.

Administrators Update:

- Jesme and Manager Ose and Sorenson attended the RRMWB meeting on March 20, 2018 in Moorhead in conjunction with the RRWMB and RRBFDWG March Conference. Included in the packet was the survey results from the March Conference, information from the "Small Group" discussions as well as the RRWMB meeting highlights.
- The Thief River 1W1P Advisory Committee met on April 11th at 9:00 a.m., followed by the Policy Committee meeting. The Planning Work Group later in the day to receive an update on the Zonation process of the plan.
- BWSR is working on a press release for all of the 1W1P Pilot Projects, which would include the Red Lake River 1W1P. The press release is intended to assist in telling the story on how we can move forward once the planning process is complete.
- Included in the packet was the League of Cities Insurance Trust 2017-2018 premium rates as well as the 2017-2018 coverage changes.
- Jesme attended the Pennington County Township Association meeting on April 11th.
- Included in the packet was the January 2018 Water Quality Update.

Managers Nelson and Dwight discussed a meeting they attended with members of Red Lake Nation. Discussion was held on the desire of the Red Lake Nation to have a seat on the District's Board of Managers. A petition would need to be submitted to BWSR for an additional seat on the Board of Managers. Legal Counsel Sparby suggested requesting the opinion of the Attorney General. It was the consensus of the Board, to have Legal Counsel Sparby research the legalities of an additional seat on the District's Board of Managers.

Manager Dwight discussed his concerns on the Four-Legged Lake Project, RLWD Project No. 102A as it relates to the alternatives for the CSAH Standards and Specifications in the drafting of the Preliminary Engineers Report. Engineer Nate Dalager, HDR Engineering, Inc. stated that the Preliminary Engineers Report for the Four-Legged Lake Project, RLWD Project No. 102A will be presented at the April 26, 2018 meeting.

Discussion was held on the Resolution passed by the Sandhill River Watershed District to withdraw from the RRWMB.

Engineer Tony Nordby, Houston Engineering, Inc., stated that they have gathered the right-of-way requirements for the diversion ditches for the Black River Impoundment Project, RLWD Project No. 176. Discussion was held on scheduling a hearing soon. Nordby will present the Preliminary Engineers Report at the April 26, 2018 Board meeting.

Administrator Jesme stated that he had several calls regarding the maintenance assessment on the Water Management District for the Thief River Falls FDR Project, RLWD Project No. 171A.

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

A handwritten signature in blue ink that reads "LeRoy Ose". The signature is written in a cursive style and is positioned above a horizontal line.

LeRoy Ose, Secretary