

RED LAKE WATERSHED DISTRICT
Board of Manager's Minutes
January 10, 2019

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, Brian Dwight, Dale M. Nelson, Allan Page, LeRoy Ose and Les Torgerson. Staff Present: Myron Jesme and Tammy Audette and Legal Counsel, Delray Sparby.

The Board reviewed the agenda. A motion was made by Ose, seconded by Tiedemann, and passed by unanimous vote that the Board approve the agenda. Motion carried.

The Board reviewed the December 31, 2018 minutes. Motion by Dwight, seconded by Torgerson, to approve the December 31, 2018 Board meeting minutes as presented. Motion carried.

The Board reviewed the Financial Report dated January 9, 2019. Administrator Jesme noted that the description on Check No. 37267, should also include ditch mowing for 2017 and 2018. Manager Nelson requested the payment of \$500.00, be approved to Jason Bruggeman, for cleaning/detailing of the District's five vehicles. Motion by Sorenson, seconded by Torgerson, to approve the Financial Report dated January 9, 2019, with the addition of requested payment to Jason Bruggeman in the amount of \$500.00. Motion carried.

The Board reviewed the Investment Summary as of January 9, 2019. Staff member Arlene Novak reviewed the quotes received from area banking institutions. Novak recommended that the District invest one 6-month Certificate of Deposit with Unity Bank (CDARS) and deposit the remaining two into the District's checking account. Motion by Ose, seconded by Page, to invest one 6-month Certificate of Deposit with Unity Bank (CDARS) and deposit the remaining two Certificate of Deposits in the District's checking account. Motion carried.

Polk County, Red Lake County and Pennington County confirmed the reappointment of Managers Sorenson, Page, and Nelson, respectively, for an additional 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 Ose, nominated Dale M. Nelson. Upon calling for further nominations three times, no further nominations were made. Motion by Torgerson, seconded by Sorenson, 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 Page nominated Gene Tiedemann. Upon calling for further nominations three times, no further nominations were made. Motion by Page, seconded by Dwight, for nominations to cease, and that the secretary cast a unanimous ballot for Gene Tiedemann for vice-president of the Board. Motion carried.

Nominations were opened for Secretary. Manager Torgerson nominated Terry Sorenson. Upon calling for further nominations three times, no further nominations were made. Motion by Tiedemann, seconded by Ose, for nominations to cease, and that the secretary cast a unanimous ballot for Terry Sorenson for secretary of the Board. Motion carried.

Nominations were opened for Treasurer. Manager Torgerson nominated LeRoy Ose. Upon calling for further nominations three times, no further nominations were made. Motion by Tiedemann, seconded by Dwight, for nominations to cease, and that the secretary cast a unanimous ballot for LeRoy Ose for treasurer of the Board. Motion carried.

President Nelson reviewed the Advisory Board members. It was the consensus of the Board to remove Keith Driscoll, as he has been unable to attend meetings. Discussion was held on extending an invitation to the local SWCD offices, requesting participation on the Advisory Committee. Motion by Ose, seconded by Tiedemann, to approve the Advisory Committee members, with the recommended changes, and extend an invitation to the local SWCD offices. Motion carried.

A motion was made by Ose, seconded by Dwight, and passed by unanimous vote that the regularly scheduled Board meetings be held at 9:00 A.M. at the Red Lake Watershed District Office on the second and fourth Thursdays of each month for 2019.

A motion was made by Sorenson, seconded by Page, that the following institutions be designated as depositories for the RLWD: Northern State Bank, Border State Bank, American Federal Bank, Unity Bank North-Certificate of Deposit Account Registry Service (CDARS) through Promontory Interfinancial Network, LLC, Ultima Bank, Riverwood Bank-Bemidji, Edward Jones, with the following signatures on the signature cards at the financial institutions: Dale M. Nelson, Gene Tiedemann, LeRoy Ose, Terry Sorenson, Myron Jesme and Arlene Novak. Motion carried.

The position of Delegate and Alternate to the Red River Watershed Management Board (RRWMB) was discussed. Manager Nelson stated that Manager Ose is currently the Delegate and will begin the second year of a 3-year term, with Manager Torgerson as Alternate.

Delegates and Alternate to the Minnesota Association of Watershed Districts were discussed. Motion by Torgerson, seconded by Sorenson, to appoint Managers Ose and Tiedemann as Delegates and Manager Page as an alternate. Motion carried.

The Budget/Salary Committee was discussed by the Board. A motion was made by Ose, seconded by Page, to appoint Managers Dwight, Sorenson and Tiedemann to serve on the Budget/Salary Committee. Motion carried.

The Board discussed representatives on the Grand Marais Creek Joint Powers Board. A motion was made by Torgerson, seconded by Ose, to appoint Managers Nelson, Tiedemann and Page to the Grand Marais Creek Joint Powers Board, with Manager Sorenson as an alternate. Motion carried. Administrator Jesme stated that the By-Laws of the Grand Marais Creek Joint Powers Board stated that a yearly meeting shall be called of the Joint Powers Board members. It was the consensus of the Board, to schedule a Joint Powers Board meeting.

The committees for the JD 2 and JD 72 Joint Ditch Boards were reviewed. Motion by Page, seconded by Ose, to appoint Managers Sorenson and Torgerson to the JD 2 and JD 72 Joint Ditch Boards. Motion carried.

Discussion was held on the appointment of representatives to the Pine Lake Area Project Work Team. Motion by Ose, seconded by Page, to appoint Managers Sorenson and Torgerson as Delegates and Manager Dwight as Alternate to the Pine Lake Area Project Work Team. Motion carried.

Discussion was held on the appointment of representatives to the Four-Legged Lake Project Work Team. Motion by Tiedemann, seconded by Page, to appoint Managers Sorenson and Torgerson as Delegates and Manager Dwight as Alternate to the Four-Legged Lake Project Work Team. Motion carried.

Discussion was held on the appointment of representatives to the Black River Impoundment Project Work Team. Motion by Sorenson, seconded by Dwight, to appoint Managers Nelson and Page as Delegates and Manager Tiedemann as Alternate to the Black River Impoundment Project Work Team. Motion carried.

Discussion was held on the appointment of representatives to the 20% Flood Reduction Committee. Motion by Tiedemann, seconded by Sorenson, to appoint Managers Nelson, Ose and Torgerson to the 20% Flood Reduction Committee. Motion carried.

Discussion was held on the appointment to the Policy Committee and Advisory Committee for the Red Lake River One Watershed One Plan (1W1P). Motion by Sorenson, seconded by Torgerson, to appoint Manager Tiedemann as Delegate and Manager Nelson as Alternate to the Policy Committee and Managers Nelson and Page to the Advisory Committee for the Red Lake River 1W1P. Motion carried.

Discussion was held on the appointment to the Policy Committee and Advisory Committee for the Thief River One Watershed One Plan (1W1P). Motion by Tiedemann, seconded by Page, to appoint Manager Ose as Delegate and Manager Nelson as Alternate to the Policy Committee and Managers Nelson and Dwight to the Advisory Committee for the Thief River 1W1P. Motion carried.

Discussion was held on the appointment of representatives to the Blackduck Lake Structure Joint Powers Board. Motion by Ose, seconded by Tiedemann, to appoint Managers Dwight and Torgerson to the Blackduck Lake Structure Joint Powers Board. Motion carried.

Dillon Nelson, EIT, HDR Engineering Inc., updated the Board on the status of the Thief River Falls Westside FDR Project, RLWD Project No. 178. Nelson stated that the BWSR North Region Committee reviewed the proposed changes to the Red Lake River 1W1P, RLWD Project No. 149, for the potential inclusion of a Water Management District, which will now move on for review and approval to the BWSR State committee on January 23, 2019. Nelson stated that Administrator Jesme and staff from HDR Engineering, Inc., Pennington County, City of Thief River Falls, and MnDOT, have coordination meetings every two weeks to discuss design aspects and stay updated on progress of each of the projects. Recently a meeting was held with Sjoberg's Cable TV regarding a large fiber optic that will need to be shifted. Nelson stated that Phase I of the project, which would consist of repairs to the outlet and construction of the diversion channel will take place this summer/fall, and Phase 2 which would consist of finishing the diversion channel, tie into County Ditch 70 and the City of Thief River Falls storm sewers will be completed in 2020. Discussion was held on land acquisition for right-of-way requirements. It was the consensus of the Board, that Board representatives would be present for discussion on land acquisition.

Engineer Jeff Langan, Houston Engineering, Inc., discussed an agency permitting meeting that was held for the Black River Impoundment, RLWD Project No. 176. Members of the Wetland Conservation Act (WCA) committee requested an impact summary. Langan stated that WCA is currently working on wetland banking on the 100-year fringe of the pool. Administrator Jesme stated that discussion needs to be held with the Sorvig Family, to see if they wish to participate in wetland banking. It was noted that discussion should be held with the RRWMB, to update them on the ability to potentially acquire wetland banking on impoundment projects.

The Board reviewed a Petition from Pennington County for the Re-Alignment and Modification of a Portion of the Existing Drainageway and Outlet of Red Lake Watershed District Project No. 122, commonly referred to as the Challenger Ditch. Discussion was held on appointing Houston Engineering to be prepared to explain the hydraulic capacity with the petitioned changes for the hearing. This will have to be addressed at the hearing as the petition would change the alignment of the Challenger Ditch system. It is also the feeling of the Board and legal counsel that changes do not affect the benefitted area of the project. Motion by Tiedemann, seconded by Ose, to accept the Petition from Pennington County for the Re-Alignment and Modification of a Portion of the Existing Drainageway and Outlet of Red Lake Watershed District Project No. 122, and assign the Petition as Red Lake Watershed District Project No. 122A. Motion carried. Motion by Tiedemann, seconded by Torgerson, to appoint Houston Engineering to provide a preliminary plan for the hearing on the realignment of Red Lake Watershed District Ditch No. 122A. Motion carried. Motion by Sorenson, seconded by Ose, to set a hearing date for the realignment of Red Lake Watershed District No. 122A for February 28, 2019 at 10:00 a.m. at the District office. Motion carried. Pennington County Engineer Mike Flaagan is working on right-of-way with the landowners. It was noted that there will be no cost to the landowners in the benefitted area of the project. Manager Nelson requested a meeting with Houston Engineering, Inc. prior to the hearing date to review the information.

Administrator Jesme stated that a meeting with the BWSR North Region Committee was held on January 2, 2019 to review the Amendment to the Red Lake River 1W1P, RLWD Project No. 149. The BWSR North Region Committee recommended that the BWSR Board approve the amendment at the BWSR Board meeting on January 23, 2019.

MAWD dues for 2019 were presented to the Board. Motion by Torgerson, seconded by Tiedemann, and passed unanimously to approve paying \$7,500 for the 2019 MAWD dues. Motion carried.

Minnesota Viewers Association dues for 2019 were presented to the Board. Motion by Sorenson, seconded by Page, and passed unanimously to approve paying \$200 for the 2019 Minnesota Viewers Association dues. Motion carried.

Legal Counsel Sparby discussed Minnesota State Statute 13D.02 as it pertains to the Minnesota Open Meeting Law requirements. Sparby indicated that appearance by telephone is only allowed if the chief officer of the Board determines an in-person meeting or a meeting conducted through interactive television is not practical or prudent because of a health pandemic or an emergency declared under chapter 12 of the Minnesota Statutes. Sparby indicated that if the statutory requirements were met for attendance by interactive television, that the District could allow attendance of the Board of Managers from a different location, other than the District office. The location would need to be accessible to the public and viewed through interactive television. Manager Dwight stated that he would like to see the District investigate the cost of interactive television should the need ever arise. Manager Torgerson stated that he would like to participate in a committee to look at various options. It was the consensus of the Board to authorize staff to research the cost of interactive television and the cost of a conference call phone pod. Sparby stated that he will do further research on the requirements of meetings using interactive television.

Administrators Update:

- Jesme and Manager Ose will attend the RRWMB meeting on January 15, 2019 at 9:30 a.m. at the EGF City Hall. Followed by the Red River Basin Commission Conference held in Grand Forks.
- A Thief River 1W1P Advisory and Policy Committee meeting was held on January 9, 2019 at the District office. The main objective of the meeting was to review Section 4 to develop a draft which can be submitted to the Policy Committee for approval. The Planning Committee will meet on January 22 to review the revisions, as well as develop estimated costs for the implementation of the plan.
- A Natural Resource Advisory Committee meeting for the Pine Lake Subwatershed project will be held on January 18th at the District office. The goal of the meeting is to cover the RRWMB Technical Paper 13 for alternative analysis for this planning region. TP 13 was a scientific document in part with the Mediation Agreement adopted by various governmental entities as part of the 1998 Mediation Agreement.

- Included in the packet was an August 2018 Water Quality Report.
- The District office will be closed on January 21, 2019 in observance of the Martin Luther King Holiday.

Manager Tiedemann asked the status of the JD 5, RLWD Project No. 102 (Four-Legged Lake) court hearing in March. Administrator Jesme stated that a reply needs to be submitted to the Clearwater County Environmental Services office.

Manager Torgerson suggested that the District invite a trout organization to view the area of the trout stream designation in reference to the Pine Lake subwatershed.

Manager Dwight discussed the need for local involvement regarding individuals leaving garbage on the ice while ice fishing.

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



Terry Sorenson, Secretary