

RED LAKE WATERSHED DISTRICT
Board of Manager's Minutes
April 23, 2015

Vice President Gene Tiedemann called the meeting to order at 9:00 a.m. at the Red Lake Watershed District Office, Thief River Falls, MN.

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

Landowners Todd Stanley and Trent Stanley requested to appear before the Board for discussion on the Permit Rules and Regulations.

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

Motion by Coe, seconded by Knott, to dispense reading of the April 9, 2015 Board meeting minutes and approve them as presented. Motion carried.

The Board reviewed the Financial Report dated April 22, 2015. Motion by Ose, seconded by Coe, to approve the Financial Report dated April 22, 2015. Motion carried.

Administrator Jesme updated the Board on the final construction costs of the Burnham Creek Project, RLWD Project No. 43B-D, Phases 1-4. Jesme stated that 50% of the funding has been received so far.

Administrator Jesme stated that following District projects have requests for haying from local landowners: Euclid East Impoundment, Project No. 60C and Brandt Impoundment, Project No. 60D. Motion by Knott, seconded by Coe, to approve haying upon receipt of the signed waiver agreement by each individual landowner. Motion carried.

Engineer Jeff Langan, Houston Engineering, Inc. reviewed Change Order No. 1 for the Grand Marais Creek Channel Restoration Project, Phase 2-Diversion Structure, RLWD Project No. 60F in the amount of \$18,837.04. Langan stated that the change order is for stabilization of 400 feet of the north slope that would be completed as part of the installation of the Diversion Structure. The remaining 1200 feet that requires stabilization would be a cooperative project with the District and Polk County as part of the Grand Marais Creek Cut Channel Project, RLWD Project No. 60FF. Langan stated that the additional 1200' will not be constructed until approved by Polk County. Motion by Torgerson, seconded by Coe, to approve Change Order No. 1 for the Grand Marais Creek Channel Restoration Project, Phase 2-Diversion Structure, RLWD Project No. 60F in the amount of \$18,837.04. Motion carried. Langan stated that the Contractor and Subcontractor for the Grand Marais Creek Channel Restoration Project, RLWD No. 60F will begin disking and seeding within the next several weeks. Administrator Jesme discussed his concern about looking at the area seed bed for establishment of the vegetation prior to seeding, in

particular around the area of Millette's property. Langan stated that liquidated damages will start to be assessed when road restrictions come off and conditions are suitable to begin construction.

The Board reviewed the proposed changes to the Permit Rules and Guidance Document. Administrator Jesme stated that he will meet with Legal Counsel Sparby in regard to some of the questions on State Statutes. Manager Coe stated he received a call from landowner Todd Stanley in regard to his concerns on the proposed changes. Landowners Todd Stanley and Trent Stanley expressed their concern with the use of verbiage for private drainage ways, and that it did not exclude field/surface drainage. Both landowners stated the need to redefine the definition of the rules to not include field/surface drainage. Trent Stanley stated that he felt there was a conflict between the Rules and the Guidance documents, he further discussed the two page rules that the District currently has in place, questioning if there was any inadequacy of those rules. Jesme stated that the Guidance document is intended for the use of District staff members. Manager Tiedemann stated that that the Rules and Regulations need to be clarified. Further discussion was held on the length of ditch required for maintenance at the outlet of a tiled field. Trent Stanley further discussed his concern regarding completion of a permit with the indicated 365 days. It was noted that landowners can apply for a one year permit extension, prior to the expiration of the permit.

Gary Lee and Lisa Newton, East Polk SWCD, presented a funding request for installation of a Water and Sediment Basin on property owned by Jeff Matson, located in Section 10, Hill River Township, Polk County. Lee stated that an additional site had previously been granted funding through the District, but a Contractor was not secured to complete the construction. It is the hope of the SWCD that with the construction of two sites a Contractor will be secured. Lee stated that the total project cost is \$21,978.94, with 75% of the cost-share secured a grant and the remaining balance would be paid by the SWCD, the landowner, and funds through the District's Erosion Control Fund. Lee requested 35% of the total project cost from the District's Erosion Control Fund, RLWD Project No. 164. Motion by Knott, seconded by Coe, to approve a 35% cost share for the installation of Water and Sediment Basin on property owned by Jeff Matson, from the District's Erosion Control Fund, RLWD Project No. 164. Motion carried. Lee also stated that they are in discussion with landowners along the Poplar and Hill River and are hoping to apply for a grant for the installation of further water and sediment basins.

Further discussion was held on the District's Permit Rules and Regulations. Discussion was held on exemption from repair or replacement on previously permitted tile systems. Legal Counsel Sparby stated the need to better define public drainage ways and to clarify the term "surface drainage". It was the consensus of the Board to reword private drainage and ensure that the Guidance document reflects the same.

The Board reviewed the permits for approval. Motion by Ose, seconded by Coe, to approve the following permits with conditions stated on the permit: No. 15020, Gary Pulkrabek, Euclid Township, Polk County; No. 15021, Gary Pulkrabek, Northland Township, Polk County; No. 15022, Christian Brothers Racing, North Township, Pennington County; No. 15023, Roger Piche, Lake Pleasant Township, Red Lake County; and No. 15024, Maynard Solberg, Mayfield Township, Pennington County. Motion carried.

Administrator Jesme stated that the landowners are in the process of reviewing the Petition for Abandonment of Judicial Ditch No. 5 (Four Legged Lake) RLWD Project No. 102. Jesme stated that the landowners may request some revisions to the petition prior to circulating it for signature. Jesme discussed concerns expressed from County officials in regard to the abandonment of the ditch system. It was the consensus of the Board, to hold an Informational Meeting with landowners in the benefitted area of Judicial Ditch No. 5 to explain the abandonment process on May 19th, at 5:30 p.m. at the Dudley Town Hall, located within the City of Leonard. Engineer Nate Dalager, HDR Engineering, Inc. stated that staff members from the District and HDR will survey the area to determine elevations of culverts in place.

Administrator Jesme reviewed the total project costs for construction of RLWD Ditch 15, Project No. 175. Jesme stated that Polk County is requesting the District sign a Resolution indicating the amount of levy request. Motion by Knott, seconded by Coe, authorize President Nelson and Administrator Jesme to draft and sign a resolution, requesting Polk County levy \$1,430,000.00 for construction of RLWD Ditch 15, Project No. 175. Motion carried.

The Board reviewed correspondence of Minnesota Power regarding the Great Northern Transmission Line Update and Invitation to upcoming Open Houses.

The 2015 MAWD Summer tour will be held June 24-26, 2015 in Duluth, MN.

The Board reviewed the River Rendezvous Newsletter written by the International Water Institute.

Administrators Update:

- Jesme and Manager Knott attended the RRWMB meeting in Ada on April 21st.
- The Red Lake 1W1P Advisory Committee and Policy Committee met on April 15th.
- Jesme presented information concerning the Lessard Sams Outdoor Heritage funding that was secured for the Grand Marais Outlet Restoration at the NW Minnesota Foundation Legacy Fund Training on April 16th.
- Jesme attended the Roseau River WD meeting on April 1st, to give a presentation to their Board and guests concerning maintenance and legal proceedings for the establishment of legal drainage systems. The discussion included the petition, viewing, and hearing procedures, and how the District handles special revenue and our systematic approach in levying for each system.
- Staff members Olson and Hitt will participate in the Thief River Falls Expo to be held at the Ralph Engelstad Arena at 4:00 p.m. this afternoon.

Manager Ose discussed a sediment bar in State Ditch 83 located at the border of Agassiz National Wildlife Refuge boundary line. Administrator Jesme stated that he will discuss this issue with Ditch Inspector Gary Lane.

Manager Coe stated that he attended the NW Minnesota Foundation Legacy Fund Training that was held in Bemidji.

Manager Torgerson inquired on the status of the Pine Lake Area Project. Administrator Jesme stated that HDR Engineering, Inc. is currently studying the area, with a Project team meeting and possible tour to be held in the near future.

Legal Counsel Sparby discussed several items that he is working on with Administrator Jesme. Jesme stated that he has been in discussion with several landowners along the Grand Marais Creek Channel Restoration Project in regard to the installation of railings on the flat bed railroad crossings.

Motion by Torgerson, seconded by Ose, 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