

RED LAKE WATERSHED DISTRICT  
Board of Manager's Minutes  
June 27, 2017

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, Allan Page, Gene Tiedemann, Les Torgerson, Terry Sorenson and Brian Dwight. Absent: LeRoy Ose. Staff Present: Myron Jesme and Tammy Audette and Legal Counsel Delray Sparby.

The Board reviewed the agenda. President Nelson requested the addition of the initiation of the Black River Impoundment Project be added to the agenda. A motion was made by Tiedemann, seconded by Sorenson, and passed by unanimous vote that the Board approve the agenda with the addition of the initiation of the Black River Impoundment Project. Motion carried.

Motion by Torgerson, seconded by Tiedemann, to dispense reading of the June 8, 2017 Board meeting minutes and approve them as printed. Motion carried.

The Board reviewed the Financial Report and Investment Summary dated June 26, 2017. Motion by Page, seconded by Sorenson, to approve the Financial Report and Investment Summary dated June 26, 2017. Motion carried.

Administrator Jesme stated that Unity Bank North, Red Lake Falls and First National Bank, Bemidji requested the District to authorize a partial release of securities. Motion by Tiedemann, seconded by Dwight, to approve the signature for release of partial securities from Unity Bank North, Red Lake Falls and First National Bank, Bemidji. Motion carried.

The Board reviewed a Clean Water Fund One Watershed One Plan (1W1P) Program Grant Agreement with the Board of Water and Soil Resources for the Thief River 1W1P, RLWD Project No. 149A. Administrator Jesme stated that the District is listed as the Fiscal Agent for the Thief River 1W1P. Motion by Torgerson, seconded by Page, to authorize Administrator Jesme the authority to sign as the Clean Water Fund 1W1P Program Grant with the Board of Water and Soils Resources as the Fiscal Agent for the Thief River 1W1P, RLWD Project No. 149A. Motion carried.

The Red River Watershed Management Board and Red River Joint Water Resource District will hold a joint meeting followed by a tour of several projects located within the Red River Valley on July 19, 2017, departing from the CanadInns, Grand Forks, ND at 11:00 a.m. District projects included in the tour are the site of proposed Black River Impoundment and the Grand Marais Creek Channel Restoration Project, RLWD Project No. 60F. Jesme asked that if any Board members would like to attend, to contact Tammy so she can RSVP.

The Board reviewed a renewal quote for ArcGIS Desktop Basic for a single and secondary maintenance with extensions in the amount of \$1,858.79. Motion by Sorenson, seconded by Tiedemann, to approve the renewal of ArcGIS in the amount of \$1,858.79. Motion carried.

Engineer Tony Nordby, Houston Engineering, Inc, stated that he is working on completing the preliminary design of the inlet ditches and right of way requirements for the proposed Black River Impoundment. Meetings with landowners will be held in the near future. Work will begin on a Dam Safety Permit and other permitting aspects of the project. Discussion was held on the RRWMB Star Value, and the hearing process that is required. A meeting will be scheduled with individuals from Pennington County for discussion concerning legal drainage systems that may be affected by the proposed project. Discussion was held on the procedure for the initiation of a possible project. Motion by Page, seconded by Torgerson, to initiate the Black River Impoundment under Minnesota Statute 103D.701, (2), by unanimous vote of the Board of Managers and assign it RLWD Project No. 176. Motion carried unanimously.

Discussion was held on the Election of Jurisdiction of the Buffer Law. Administrator Jesme stated that the District presently has jurisdiction of 279.01 miles of ditches, with the majority of the ditches not in compliance of the Buffer Law located within Clearwater County. Discussion was held on funding the local SWCD offices have received for assistance with buffer strip installation.

Motion by Tiedemann, seconded by Torgerson, and passed by unanimous vote to approve the following Resolution Regarding Election of Jurisdiction for the Minnesota Buffer Law:

**WHEREAS**, provisions in Minnesota Statute 103F.48 (Buffer Law) allow a county or watershed district to affirm jurisdiction to carry out the compliance provisions regarding riparian vegetated buffers and alternative water quality practices for those waterbodies identified on the Department of Natural Resources' Buffer Protection Map; and

**WHEREAS**, a watershed district with jurisdiction over a noncompliant site shall enforce corrective actions through a coordinated approach under the authority granted in the Minnesota Statute 103B.101, subd. 12a, the Buffer Law, and Minnesota Chapter 103D; and

**WHEREAS**, the **Red Lake Watershed District** agrees to carry out corrective actions on a parcel basis to ensure compliance with the buffer requirements, which may include an Administrative Penalty Order (APO) plan under the authority provided in Minnesota Statutes 103B.101, subd. 12a and 103F.48; and

**WHEREAS**, the **Red Lake Watershed District** is electing jurisdiction on all public drainage ditches for which it is the drainage authority identified on the Department of Natural Resources' Buffer Protection Map located in the individual counties as follows:

County Name	Marshall	Beltrami	Pennington	Red Lake	Clearwater	Polk
Miles of 103E Public Drainage Ditch	23.36	1	31.02	44.65	73.83	105.15

; and

**WHEREAS**, the Buffer Law requires that each Local Government Unit provide notice affirming jurisdiction and identify the rule, ordinance, or other official controls that will be used to carry out the compliance provisions of the buffer requirements to the Board of Water and Soil Resources, including a copy of the adopting resolution.

**WHEREAS**, Myron Jesme, Administrator of the Red Lake Watershed District, or person acting as the Administrator of the Red Lake Watershed District, is designated as the contact person to the Board of Water and Soil Resources for future Buffer Law questions.

**THEREFORE, BE IT RESOLVED** that the **Red Lake Watershed District** hereby accepts the authority and administrative responsibility to implement the Buffer Law as the Local Government Unit within the legal boundaries of **Red Lake Watershed District** for the water features identified above as of **June 27, 2017** in accordance with Minnesota Statute 103F.48.

The Board reviewed correspondence from Clearwater County Engineer Dan Sauve, and a resolution passed by the Clearwater County Board of Commissions for Judicial Ditch 5, RLWD Project No. 102, regarding parameters the County would accept for converting Judicial Ditch 5 over to a flood damage reduction project, known as Four Legged Lake FDR Project, RLWD Project No. 102A. Administrator Jesme discussed the concerns of Clearwater County in regard to road saturation and safety on County Road 2. Discussion was held on proposed pool levels for the Four Legged Lake FDR Project. Nate Dalager, HDR Engineering, Inc. indicated that he is presenting three alternatives to the Project Work Group and that he would present that to the Board. It was the consensus of the Board, to instruct Dalager to present the three options for consideration at the July 13, 2017 Board meeting.

Brad Johnson, Houston Engineering, Inc. presented Plans and Specifications and Engineers Estimate for the repairs to the Blackduck Lake Outlet Structure, RLWD Project No. 50E. Due to this project receiving partial funding from the State, it was determined that prevailing wages apply to the construction. Motion by Page, seconded by Dwight, to approve the Plans and Specifications for the repairs to the Blackduck Lake Outlet Structure, RLWD Project No. 50E and set the Bid Opening for July 27, 2017 at 10:00 a.m. at the District office. Motion carried. Administrator Jesme and Legal Counsel Sparby will finalize the Construction Easement with the local landowner.

The Board reviewed the permits for approval. Motion by Tiedemann, seconded by Dwight, to approve the following permits with conditions stated on the permit: No. 17065, Timothy Gabor, Hamre Township, Beltrami County; No. 17066, Wade Joppru, North Township, Pennington County; No. 17068, Jeff Genereux, Terrebonne Township, Red Lake County; No. 17070, Thomas Halverson, River Falls Township, Pennington County; No. 17071, Robin Hannanen, Badger Township, Polk County; No. 17072, Kristina Dahle, Smiley Township, Pennington County; and, No. 17074, Brent Bennett, Rocksbury Township, Pennington County. Motion carried.

Discussion was held on the MAWD Summer Tour held June 21-23, 2017 in Bemidji, MN.

The Board reviewed the 2018 General Fund Budget and Salary Schedule.  
Administrators Update:

- Jesme and Manager Dwight presented the 2016 Annual Report to the Beltrami County Commissioners on June 20<sup>th</sup>.
- Jesme and Tammy Audette participated in a conference call with Marco staff regarding installation and migration for the new District server. Marco will be on-site at the District office on July 19<sup>th</sup>, with additional dates set aside on July 20<sup>th</sup> and 21<sup>st</sup> if required. Ashley Hitt will work with Marco staff for the installation of the GIS files. District staff has been assured of very little disturbance or delays to daily work.
- Included in the packet was correspondence from the MCPA in regard to potential fee increases for various MPCA programs.
- Jesme and Manager Nelson will meet later today with representatives from Pennington County and the City of Thief River Falls, regarding the Westside Drainage study.
- Jesme attended a Local Governmental Water Roundtable Workgroup meeting on June 16<sup>th</sup> in St. Cloud to discuss future Clean Water Funding for the 1W1P process. Additional meetings will be held late this summer, early fall to address questions from BWSR, as they proceed towards finalizing recommendations for the 1W1P.
- Included in the packet was the April Water Quality Report.

Manager Dwight stated that he is working on the potential of having the Minnesota Conservation Corps assistance on clearing and snagging projects within the District.

Legal Counsel Sparby stated that he has forwarded the abstracts for the Black River Impoundment Project, RLWD Project No. 176 to the abstract company. Sparby indicated that updating of the abstracts will take 4-6 weeks. Payment on the Sorvig Flowage Easement is dependent upon the title review, with purchase of the dike and ditch under separate agreement. Sparby recommended waiting to purchase right-of-way for the ditches until after the hearing process is held. It was the consensus of the Board, that Administrator Jesme meet with the Pennington County Attorney and Auditor in regard to how the proposed project could affect existing Pennington County Ditches.

It was the consensus of the Board, that the District office would be closed on July 3, 2017.

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



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LeRoy Ose, Secretary