

REGULAR MEETING of the BOARD OF MANAGERS
Wednesday June 1, 2022 – 8:00 a.m.
RRWD OFFICE 714 6th Street SW, ROSEAU MINNESOTA



Draft Agenda

❖ **CALL TO ORDER:**

- Pledge of Allegiance
- Approve agenda: _____

❖ **CONSENT AGENDA:** _____

- May 4, 2022 regular board meeting minutes
- Treasurer's report
- Review and approve manager and employee expense vouchers

❖ **NEW BUSINESS:** _____

❖ **OLD BUSINESS:** _____

- 2022 flood update _____

❖ **REPORTS:**

- RRWMB: _____
- Specialist: _____
- Administrator: _____

❖ **CLOSED MEETING RESOLUTION:**

❖ **OTHER ITEMS:** _____

❖ **NEXT MEETING DATE:** July 6, 2022 @ 8:00 a.m.

❖ **MOTION TO ADJOURN:** _____ Time: _____

❖ **DATES TO REMEMBER:**

- June 16 – River Restoration Project Team @ 1pm
- June 21 – RRWMB meeting
- July 4 – Independence Day – Office closed

**MINUTES OF THE ROSEAU RIVER WATERSHED DISTRICT BOARD OF
MANAGERS MEETING HELD MAY 4, 2022**

ORDER: Chairman Carter Diesen called the meeting to order at 8:00 a.m. and led the Pledge of Allegiance.

MANAGERS PRESENT: Jason Braaten, LaVerne Voll, Tony Wensloff, Cody Schmalz and Carter Diesen.

STAFF PRESENT: Administrator Halstensgard. Watershed Specialist McCormack.

OTHERS PRESENT: Roger Falk, Roseau County Commissioner; Randy Prachar, MN DNR; Landowners Matt Magnusson.

CONSULTING STAFF PRESENT: Nate Dalager and Jake Huwe, HDR Engineering; Erik Jones, Houston Engineering; and Michelle Moren, Attorney.

AGENDA: A **motion** was made by Manager Wensloff, seconded by Manager Braaten to approve the agenda. Motion carried unanimously.

CONSENT AGENDA: A **motion** to approve the Consent Agenda was made by Manager Wensloff and seconded by Manager Schmalz. The motion carried unanimously. Adoption of the Consent Agenda included approving the April 6, 2022 regular meeting minutes, the Treasurer's Report, and manager and employee expense vouchers.

DELEGATIONS: There were no delegates for this meeting.

PERMITS: There were no permit applications for this meeting.

NEW BUSINESS:

Administrator Halstensgard addressed the request from Minnesota Energy for an easement across the West Intercept in Sect. 22 of Jadis Township. The exhibit provided by Minnesota Energy is a draft. No final exhibit has been provided. After discussion and recommendation by Attorney Moren, Manager Braaten made a **motion** to approve the easement once a final legal description and exhibit are received, and authorize Chairman Diesen to sign said easement. The motion was seconded by Manager Voll and carried unanimously.

A written request was received from Hunter O'Leary to hay portions of Section 24 of Dieter Township that the District owns. After discussion, Manager Voll made a **motion** to approve the request, seconded by Manager Wensloff. Motion carried unanimously.

The Board was presented with the representation letter from Brady Martz for the 2021 audit. Administrator Halstensgard reviewed portions of the draft report with the Board. A **motion** was made by Manager Braaten to accept the draft and authorize Chairman Diesen to sign the letter. The motion was seconded by Manager Schmalz and carried unanimously.

Specialist McCormack gave an update on the flooding conditions and project operation.

OLD BUSINESS: There were no items for this meeting.

PROJECTS:

River Restoration: Administrator Halstensgard gave the board a brief update on the last project team meeting and presented Houston Engineering's scope of work for the next phase of work to include drafting the Environmental Assessment Worksheet, permitting, and plans and specs. Manager Schmalz raised some concerns about the project. Engineer Jones provided additional background and reviewed the process moving forward including how the project construction would be phased. Funding for the project was also discussed. There was discussion about the benefits of the project as it relates to the SD 69 system. a **motion** was made by Manager Braaten, seconded by Manager Schmalz to accept the scope of work and authorize Houston Engineering to move forward with the proposed work. Motion carried unanimously.

Oak Crest Coulee: Chairman Diesen and Administrator Halstensgard updated the board on the Roseau City Council meeting they attended. The consensus of the board was to proceed with funding applications for Alternatives 3 & 4.

Hay Creek Subwatershed: Administrator Halstensgard discussed the path that led to the completion of the Hay Creek Subwatershed Implementation Profile. In May of 2021 the project was submitted to MPCA for Section 319 Small Watersheds Focus Program funding. This is Federal money that could be cost-shared with state and local funds. MPCA reached out the end of March for an interview to advance the project through the process. The directive of the Board was to continue to move forward with requesting the funds.

Roseau Lake: Manager Wensloff updated the board on meetings he's had with landowners. Manager Wensloff stated he would like to meet with the landowners again with Engineer Dalager. Matt Magnusson spoke about concern he has with the impacts to their property due to flooding including the integrity of their private dikes. Manager Voll made a **motion** authorizing Engineer Dalager attend a meeting with landowners organized by Manager Wensloff, seconded by Manager Schmalz. Motion carried unanimously.

There was discussion with Mr. Prachar about how the project would have operated during this spring event, had it been in place.

REPORTS:

RRWMB: Manager Braaten referred to the update in the packet and suggested managers call legislators and encourage them to pass bonding and other watershed supported bills.

WATERSHED SPECIALIST: Specialist McCormack reviewed his update that was in the meeting packet with additional discussion on the following issues:

- Haying contracts
- Section 21 storage option (Norland). A **motion** was made by Manager Voll seconded by Manager Schmalz to pursue the additional storage adjacent to the Norland Impoundment. Motion carried unanimously.
- Palmville access damage
- Duxby Levee damage

ADMINISTRATOR: The only additional comment Administrator Halstensgard had beyond her written report was that the County has granted the permit to remove the culvers under CR 115 as a part of the WD 4 project.

Closed meeting to discuss land acquisition: Administrator Halstensgard read aloud the legal descriptions as listed in the closed meeting resolution. A **motion** was made by Manager

Wensloff to adopt the resolution to close the meeting, seconded by Manager Braaten. The motion passed unanimously and the meeting was closed.

A **motion** was made by Manager Wensloff, seconded by Manager Schmalz to reopen the regular meeting. Motion carried unanimously.

OTHER ITEMS:

Specialist McCormack discussed the issues he's been seeing with the pumping of water during this high-water event. He has been approached by various landowners concerned with neighbors pumping water potentially increasing their risk of damage. There was discussion on the District's rules for tile pumping and what other district's do to discourage untimely pumping.

The next meeting will be June 1, 2022 at 8:00 a.m. After a **motion** by Manager Wensloff and second by Manager Voll, the meeting was adjourned at 11:23 a.m.

Respectfully submitted,

LaVerne Voll, Secretary

Tracy Halstensgard, Administrator

May 2022 Bills & Receipts

Checkbook Balance as of April 28, 2022	\$224,083.95
Receipts:	
Citizens State Bank -- interest 4-18-22	\$ 14.13
Total:	\$ 14.13
Bills:	
Tracy Halstensgard -- Salary and Insurance	\$5,627.60
Torin McCormack -- Salary and Insurance	\$5,695.60
Jason Braaten -- per diem & mileage	\$128.31
Carter Diesen -- per diem & mileage	\$402.47
Tracy Halstensgard -- mileage	\$56.82
Cody Schmaltz -- per diem & mileage	\$342.03
LaVerne Voll -- per diem & mileage	\$424.98
Tony Wensloff -- per diem & mileage	\$461.75
Internal Revenue Service -- Withholding	\$3,783.32
Minnesota Department of Revenue -- Withholding	\$647.00
PERA -- Employer / Employee Contribution	\$1,745.30
Cardmember Services -- web service fees, meeting expenses, supplies	\$1,793.29
City Of Roseau -- utilities	\$198.26
Marco -- Copier agreement & service	166.15
Patrick Moren Law Office -- Legal Fees	\$5,650.00
Roseau Times Region -- Meeting Notices	\$91.80
Roseau Electric Co-op -- Int/phone --	\$156.99
Environmental Systems Research Institute -- software maintenace	\$2,049.80
Northpine Services -- snow removal	\$379.38
Verizon Wireless -- Trimble	\$40.01
Smith Partners -- Roseau Lake & WD #4 legal consultation	\$821.70
dot.com connection -- website development	\$330.00
Brady Martz -- 2021 audit	\$7,875.00
Houston Engineering -- Inv #0059201 & inv #0059006	\$28,944.20
Roseau County Ag Society -- fair booth rental	\$150.00
WSB -- Lost River project --Inv R-016905-000-16	\$972.00
Jon Schauer -- Accounting consultation	\$350.00
Edward, Clinton & Kathleen Castle -- earnest money	\$500.00
HDR -- Inv #1200419615, #1200419674 & #1200420708	\$18,011.36
HDR -- Inv #1200420703	\$56,364.29
Total:	\$144,159.41

June 2022 Treasurer's Report

Checkbook Balance as of May 25, 2022	\$225,961.30
Receipts:	
State of Minnesota -- LSOHC funding - River Restoration project	\$ 97,993.10
Red River Watershed Management Board -- Base funding pay request #3	\$ 23,171.15
State of Minnesota -- Whitney Lake reimbursement (FHM grant)	\$ 23,748.76
Roseau SWCD -- 1W1P reimbursement	\$ 4,229.10
Edward Castle -- earnest money	\$ 500.00
Citizens State Bank -- interest	
Total:	\$ 149,642.11
Bills:	
Tracy Halstensgard -- Salary and Insurance	\$ 5,627.60
Torin McCormack -- Salary and Insurance	\$ 5,695.60
Jason Braaten -- per diem & mileage	
Carter Diesen -- per diem & mileage	
Tracy Halstensgard -- mileage	
Cody Schmaltz -- per diem & mileage	
LaVerne Voll -- per diem & mileage	
Tony Wensloff -- per diem & mileage	
Internal Revenue Service -- Withholding	
Minnesota Department of Revenue -- Withholding	
PERA -- Employer / Employee Contribution	
Cardmember Services -- web service fees, meeting expenses, supplies	
City Of Roseau -- utilities	
Marco -- Copier agreement & service	\$ 166.15
Patrick Moren Law Office -- Legal Fees	
Roseau Times Region -- Meeting Notices	
Roseau Electric Co-op -- Int/phone --	\$ 156.99
Northern Resources Cooperative -- gas for vehicle	\$ 324.01
Northpine Services -- snow removal	\$ 221.26
Verizon Wireless -- Trimble	\$ 40.01
Smith Partners -- Roseau Lake & WD #4 legal consultation	\$ 1,380.86
Mark Beito -- Palmville beaver trapping	\$ 300.00
Minnesota Energy Resources -- natural gas utility	\$ 136.85
Houston Engineering -- Inv #	
Anderson Bros. Construction -- SD51 debris removal - cutoff 10	\$ 371.25
Blooming Valley Services -- Duxby emergency repair	\$ 720.50
WSB -- Lost River project --Inv	
Jon Schauer -- Accounting consultation	\$ 350.00
Edward, Clinton & Kathleen Castle -- earnest money	\$ 500.00
HDR -- 3-27-22 to 4-23-22 general services Inv #1200428320	\$ 780.99
HDR -- 3-27-22 to 4-23-22 WD #4 Inv #1200428328	\$ 2,688.49
HDR -- 3-27-22 to 4-23-22 Roseau Lake Inv #1200429054	\$ 47,775.83
Total:	\$ 67,236.39

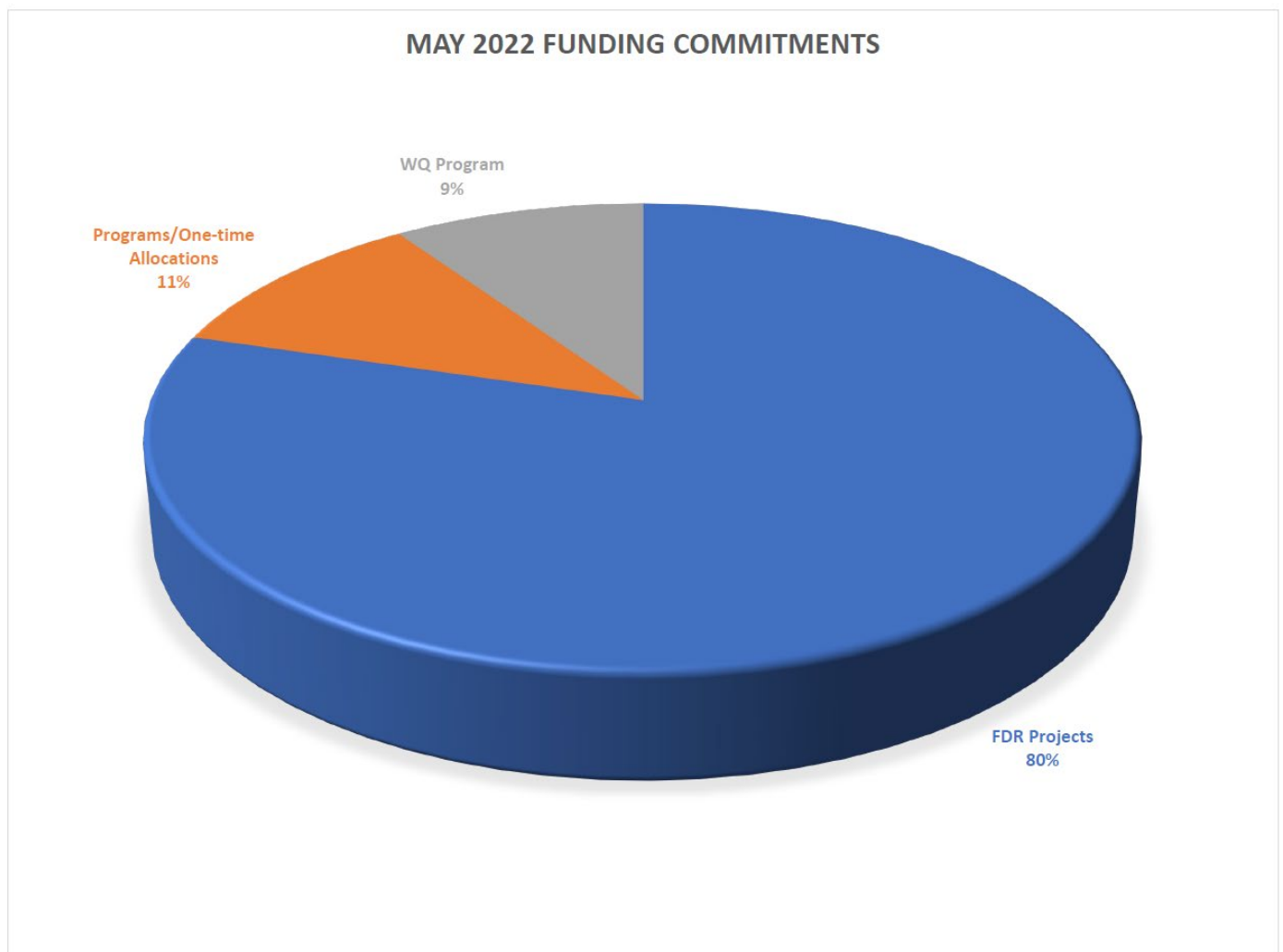


Meeting Highlights – May 17, 2022

1. Funding Commitments: Information was presented regarding current funding commitments of the Red River Watershed Management Board (RRWMB) for Flood Damage Reduction (FDR) and water quality projects that are in various phases along with annually funded programs and one-time allocations. Current commitments include the following:

• FDR Projects:	\$20,509,075.80
• Water Quality Program:	
○ Base Funding	\$ 365,926.27
○ Competitive Funding	\$ 2,083,016.53
• Annually Funded Programs/One-time Allocations:	\$ 2,784,237.88
<u>TOTAL Remaining Funding Commitments:</u>	<u>\$25,742,256.48</u>

Below is an illustration of current RRWMB funding commitments as of May 2022. Annual operating expenses are not included in funding commitments.



2. **JD 19/Nelson Slough Step 2 Submittal:** The Middle-Snake-Tamarac Rivers Watershed District (MSTRWD) submitted Step 2 materials and information for the JD 19/Nelson Slough Project to the RRWMB Managers for consideration. The RRWMB share of the Project is now estimated to be \$2.9 million due to inflation. The MSTRWD may possibly receive higher levels of state funding because Natural Resource Enhancements are being included as part the Project. Final funding information from the State of Minnesota is unknown at this time.
3. **JD 75 Water Quality Funding Agreement:** The RRWMB Managers approved by resolution, a funding agreement of \$206,700 in Water Quality Program Competitive Funding for the JD 75 Project being developed by the MSTRWD. The Project was approved at the April 2022 regular meeting and the funding agreement was formally approved. The MSTRWD will be providing \$153,000 in local match funds from the JD 75 ditch system. The RRWMB Water Quality and Monitoring Advisory Committee (WQMAC) previously reviewed the Project and had provided recommendations to the RRWMB Managers.
4. **Upper Reaches Wild Rice Riverbank Stabilization Project:** The RRWMB Managers approved by resolution, a funding agreement of \$150,000 in Water Quality Program Competitive Funding for the Wild Rice Watershed District (WRWD) to implement the Project. The WRWD will be providing match funds of \$428,890 from local and state sources. The RRWMB WQMAC previously reviewed the Project and had provided recommendations to the RRWMB Managers.
5. **Red Lake Watershed District (RLWD) Water Quality Request:** The RLWD requested \$100,000 in Water Quality Program Base Funds to construct streambank stabilization projects to reduce sediment loading to the Red Lake River and Black River. Total project costs are \$387,296, with match funds of \$287,296 coming from the RLWD and state sources.
6. **Vehicle Purchase:** The RRWMB Managers authorized by resolution the purchase of a vehicle for use by staff. A vehicle use policy was also adopted by the RRWMB Managers to guide the proper use of vehicles by staff in accordance with the RRWMB public purposes.
7. **Flood Update:** Updates were provided by RRWMB membership about the current flooding situation. Information was shared about Governor Tim Walz's visit to the Red River Basin on May 14, 2022, which was attended by RRWMB and MSTRWD representatives.
8. **2022 Annual Conference Recap:** Information was shared about the recent conference and approximately 90 people attended the event. Total conference costs were \$18,179, with \$8,000 in sponsorships and \$951 in registration fees being received. Final costs were \$9,447 which is shared 50/50 with the Flood Damage Reduction Work Group.
9. **Next Meeting:** The RRWMB will hold its next meeting on Tuesday, June 21, 2022 at 10:00 a.m. at the RRWMB office – 11 Fifth Avenue East, Ada, Minnesota, 56510.

May 2022 Board Meeting, Specialist Update

Roseau Lake Rehabilitation Project

- The Wetland Mitigation Permit is ready for submittal. I will be working with HDR on finalizing the public water permits for the other project features.
- River Levels within Roseau Lake peaked at 1037.47, 0.07' higher than the fall 2019 event.

Hay Creek Norland

- The impoundment was operated on April 24th its at maximum gated storage and we are yet to release any water due to downstream flooding.
- 2 dam safety inspections were completed along the dikes during May, no seepage or slumping was encountered and the structures were solid. There will need to be some fill brought in on the outlet structures and the connection channel structure to prevent seepage between the structure and the first box culvert section.

Palmville

- Palmville structures were closed on April 24th due to the local trigger being met on April 23rd. The structures continue to hold back water due to the downstream flooding and drainage concerns. To date the structures have been inspected 2-6 times per week to assess ditch levels, vibration and seepage. No safety issues have been encountered throughout the current operation.

Duxby Levee Culvert

- There was a leak from the trapped culvert in the east ROW of Cnty 113, immediately south of the transrud bridge. A temporary repair failed and I ordered 2 loads of clay from Blooming Valley to plug the river side of the culvert. The plug has been holding up, allowing water levels behind the levee to stabilize.
- There was a section of levee along the Farris lands that overtopped, and a culvert that appears to have failed. When water levels subside and the levee has dried I will be assessing the need for culvert and trap replacement and the elevation at the overtopped location.


SD 51


- Anderson construction removed woody debris from the box culverts along cutoff 10 in order to protect the local roadways.
- There is a substantial slope failure that formed along the Whalberg dike near the 310 bridge, the total extent is not known at this time due to the high water.

Other Items

- I will be providing updates to FEMA as damages from this event surface from floodwaters.
- I have had preliminary discussions with the HWY DEPT and Randy Prachar regarding the SD 69/SD 72 former plug sites. It appears there is a desire to collect survey information to replace the plug locations. George Coulombe did reach out to me with interest to locate the exact locations of the former plugs and any additional legal survey needs. We can discuss the districts interest and potentially partnering with Two Rivers WD on this Juneberry related issue.
- MN Hwy 11 project (MnDOT's) Stephen Slick and I will be working on drainage related issues along the Hwy 11 corridor to compliment replacement of centerline culverts and their elevations.

Permits

 **- Denotes Permits received approval from 2 brd members*

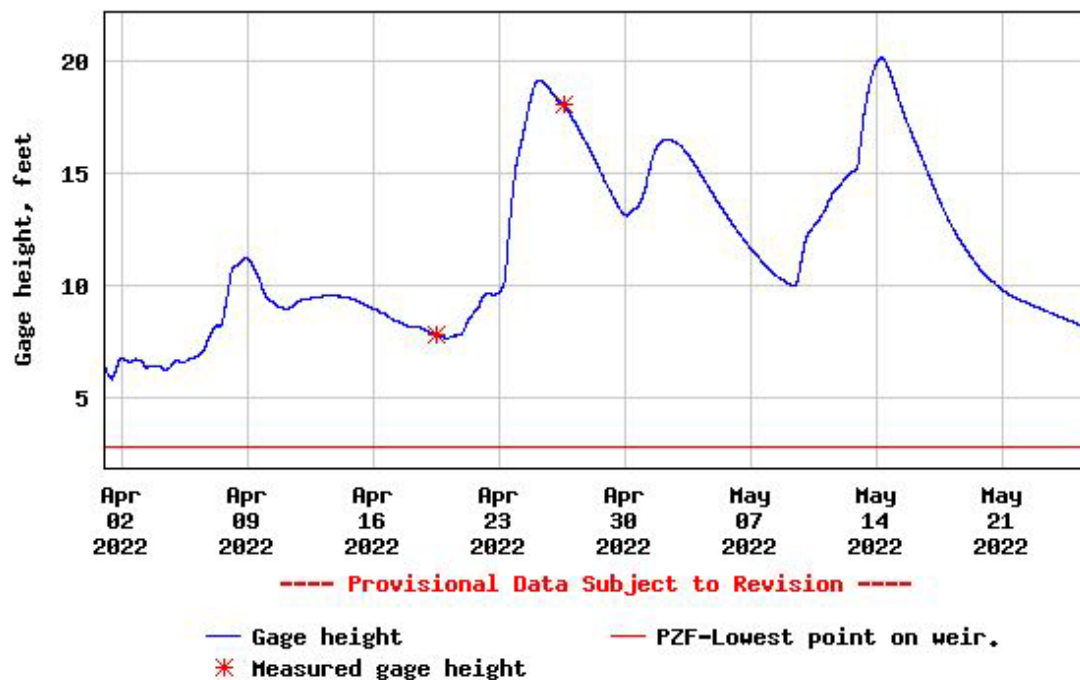
 *** - Denotes Permits typical of new field crossing or access*

No Permits Submitted at the time of this update

Gage height, feet

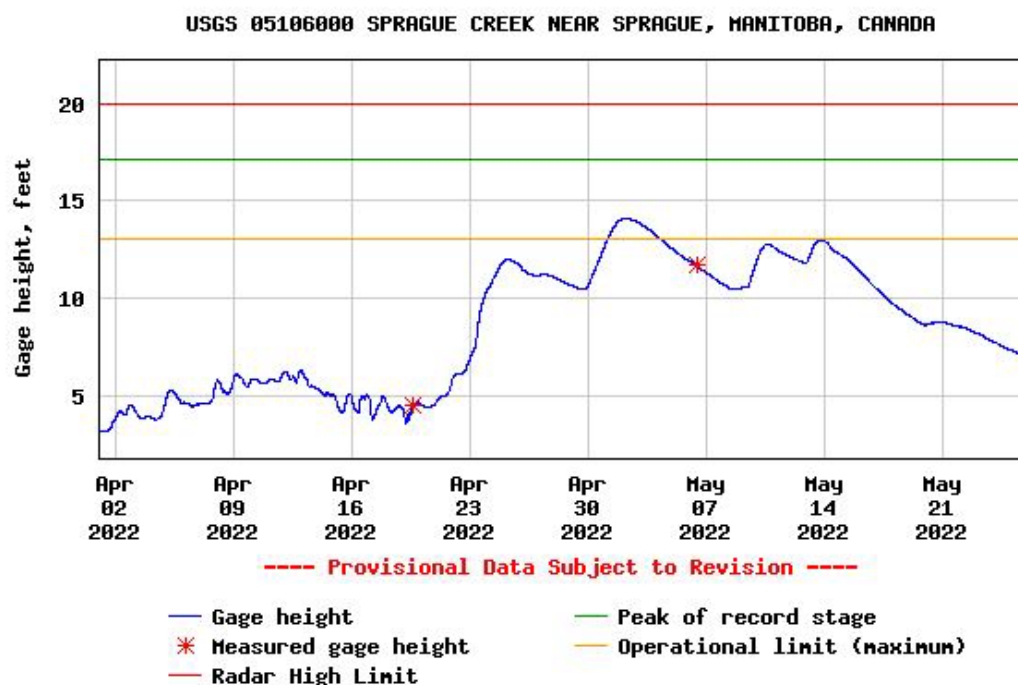
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USGS 05104500 ROSEAU RIVER BELOW SOUTH FORK NEAR MALUNG, MN



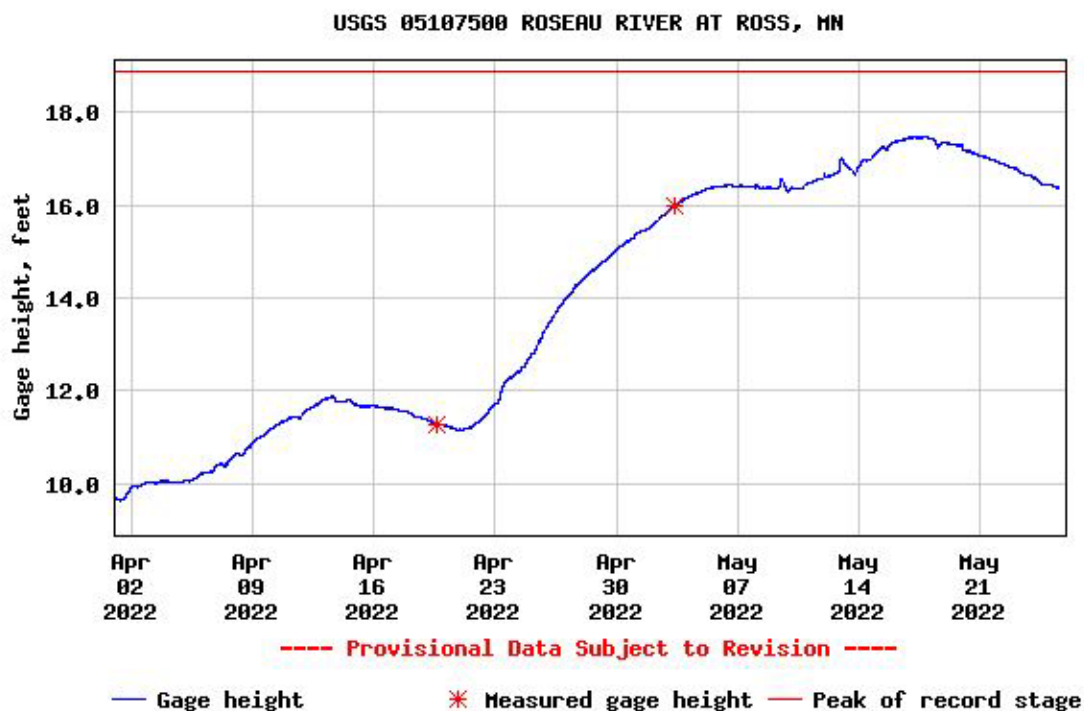
Gage height, feet

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Gage height, feet

Most recent instantaneous value: 16.37 05-25-2022 12:30 CDT



Gage height, feet

Most recent instantaneous value: 10.12 05-25-2022 12:30 CDT

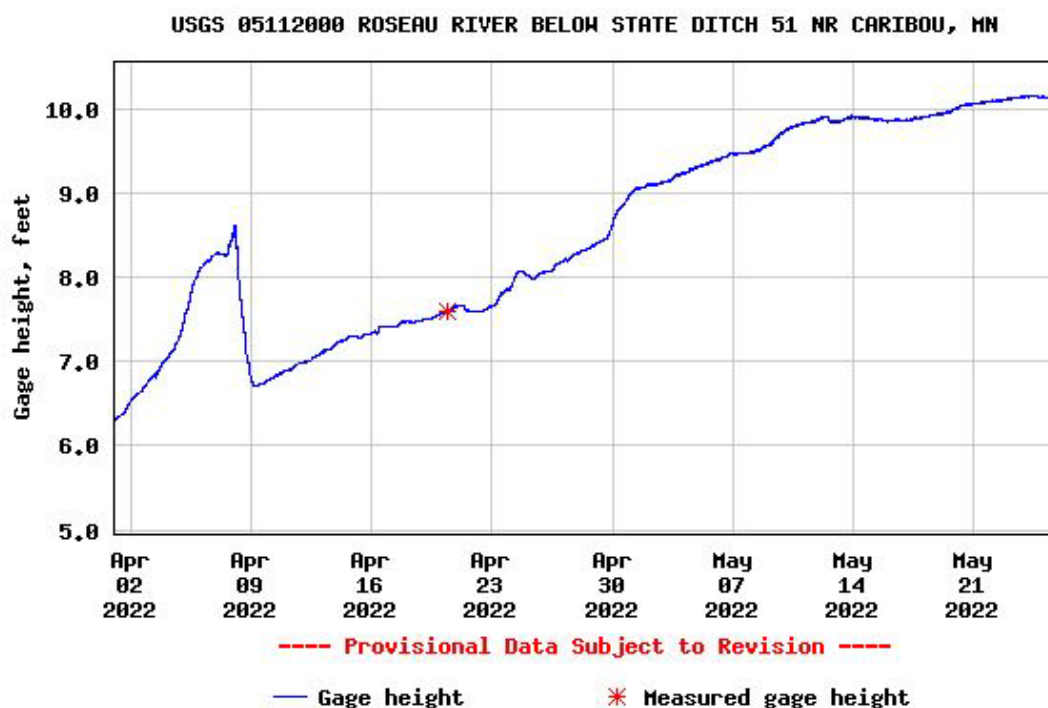
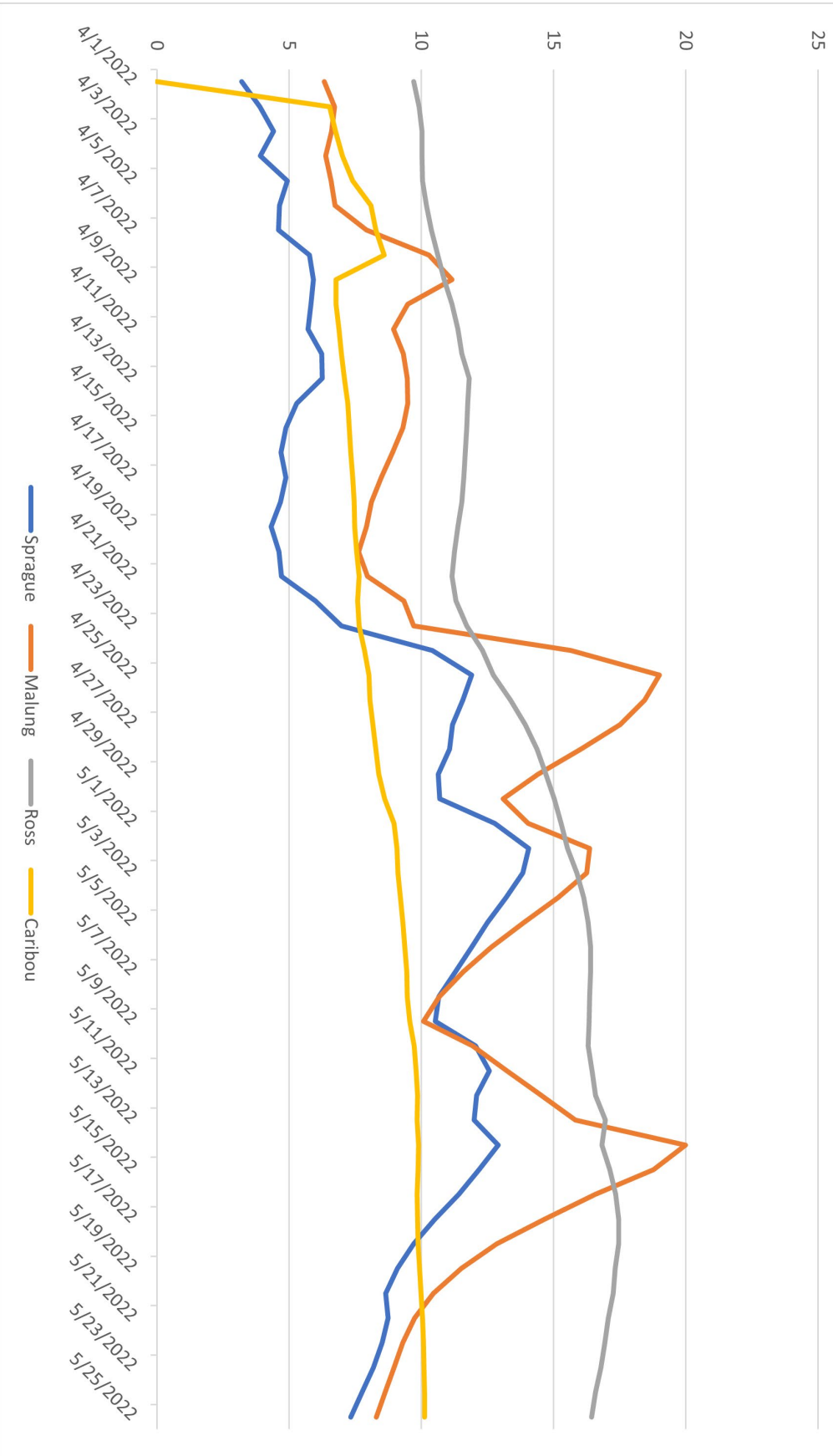
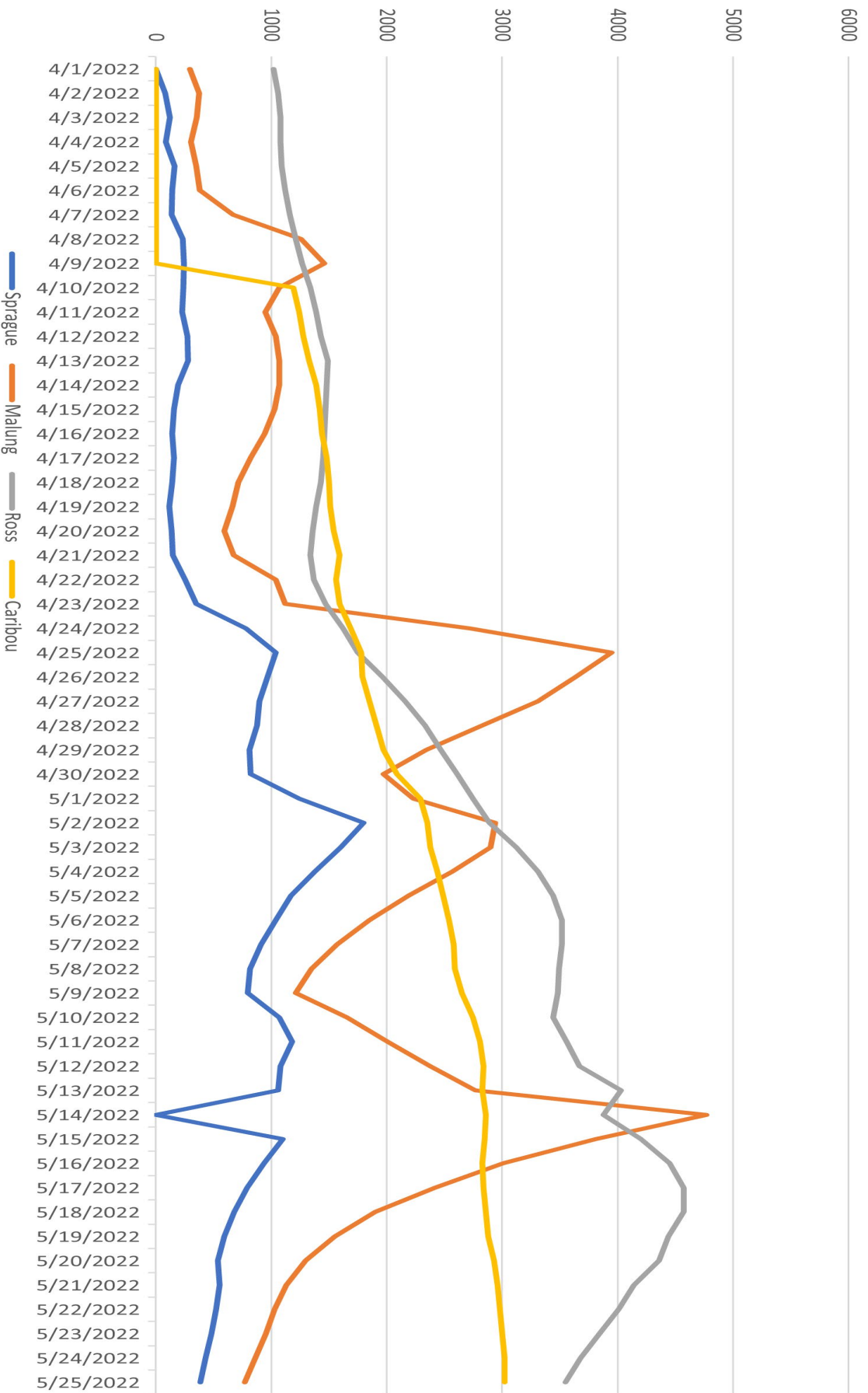


Chart Title



Cubic Feet (CFS) Discharge



ADMINISTRATIVE UPDATE

June 1, 2022

1W1P: The Policy Committee met May 12th and approved the Advisory Committee (AC) member list, 1W1P boundary, the Land and Water Resource Narrative, and the Priority Issues list. The AC will be meeting July 7th. The Steering Committee and the AC will be working on the goals for the priority issues list. For all the current information, check out the website at <https://www.roseauriver1w1p.org/>

WD #4: After last month's approval of our request to remove culverts under CR115 from the Highway Department, I reached out to the Viewers'. They are working on reviewing the changes to the project.

Oak Crest Coulee: I have submitted the application to the RRWMB for consideration at their June meeting. Ericka and I will be presenting the project at that meeting. The Board will likely refer it to the Water Quality and Monitoring Committee for review and revisit it at their July meeting.

Whitney Lake: The Board will be discussing land acquisition during a closed portion of the meeting.

Roseau Lake: The Toth acquisition is moving forward with the assistance of Chuck Holtman. The Toth family is hoping to complete the deal as soon as possible so we are not doing a purchase agreement but instead moving right to acquisition. The Castle purchase agreement has been sent to the state for approval (for the sale of the 40 acres to Castles). Once their approval is received, we will complete that acquisition as well. The Johnson and Heller acquisitions are moving forward as well.

There has been additional correspondence from the Institute for Justice as well as Terry Kveen. The board and legal counsel have been provided that information.

The County Board adopted a resolution to formally abandon a portion of SD 87 (Pine Creek) as requested in our petition. This was necessary for the project, specifically the Pine Creek Restoration component.

We've been meeting with the Highway Department, along with Randy Prachar, to discuss the Lake Bottom Road. We've found there are some gaps in information regarding the recording of the right-of-way (ROW) as the road was built and/or improved. There will likely be more steps in the process as a result, but once completed the proper recordings will be in place.

River Restoration: The May PT meeting was cancelled. The next one is scheduled for June 16th.

Hay Creek Subwatershed: We had the second interview on May 23rd. They were doing second interviews with 11 applicants and awarding 5-7 grants. I think we have a good chance. We've received a lot of support from various entities.

Misc:

- FEMA eligible damages will continue to be assessed post flood event.

RESOLUTION CLOSING BOARD MEETING

WHEREAS, the Minnesota Open Meeting Law, Minn. Stat. § 13D.05, subd. 3(c) (3) states that:

“A public body may close a meeting:

To develop or consider offers or counteroffers for the purchase or sale of real or personal property.

Before holding a closed meeting under this paragraph, the public body must identify on the record the particular real or personal property that is the subject of the closed meeting. The proceedings of a meeting closed under this paragraph must be tape recorded at the expense of the public body. The recording must be preserved for eight years after the date of the meeting and made available to the public after all real or personal property discussed at the meeting has been purchased or sold or the governing body has abandoned the purchase or sale. The real or personal property that is the subject of the closed meeting must be specifically identified on the tape. A list of members and all other persons present at the closed meeting must be made available to the public after the closed meeting. If an action is brought claiming that public business other than discussions allowed under this paragraph was transacted at a closed meeting held under this paragraph during the time when the tape is not available to the public, Section 13D.03, subdivision 3, applies.

An agreement reached that is based on an offer considered at a closed meeting is contingent on approval of the public body at an open meeting. The actual purchase or sale must be approved at an open meeting after the notice period required by statute or the governing body's internal procedures, and the purchase price or sale price is public data.”

WHEREAS, the Roseau River Watershed District will be developing or considering offers or counteroffers for the purchase of the following described real property:

Roseau Lake - Lands under consideration include portions of Sections 12-14, 23, 24, and 26, Dieter Township (T163N, R41W), Roseau County and Sections 7, 21-22, and 28-30, Unorganized Township (T163N, R40W), Roseau County (see attached map), and; portions of S1/2 NE, SE NW, LOT 3; SECT. 4 (T163N, R40W)

Site C - Lands under consideration include portions of Section 11, Ross Township (T162N, R41W), Roseau County (see attached map), and;

Site A – lands under consideration include portions of Sections 20 – 23, 27, and 28, Moose Township (T162N, R42W), Roseau County (see attached map).

On May 4, 2022 during the regular board meeting commencing at 8:00 a.m., at the Roseau River Watershed District Board office located at 714 6th Street SW, Roseau, Minnesota, 56751; and

BE IT RESOLVED by the Roseau River Watershed District Board as follows:

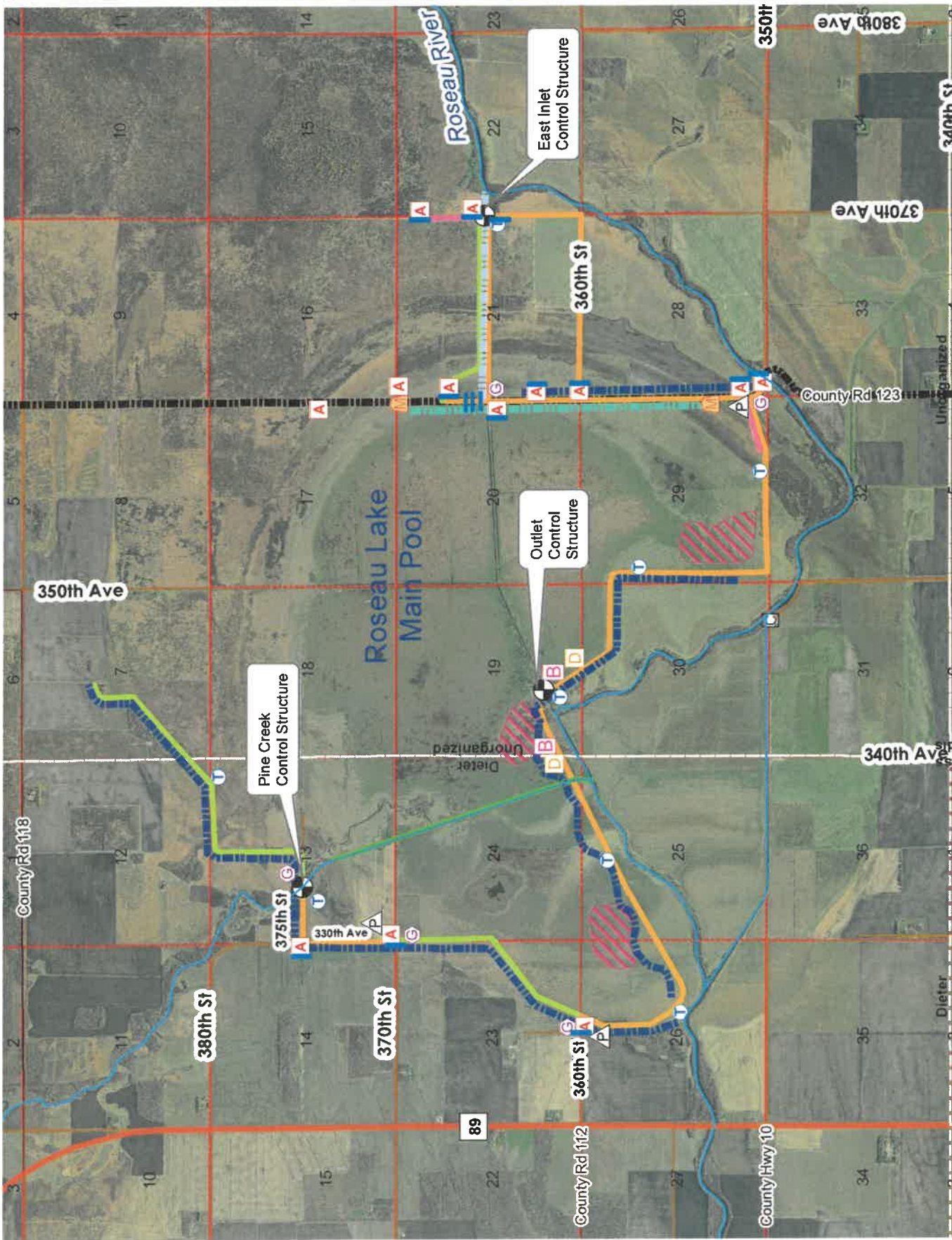
1. The Roseau River Watershed District Board hereby closes this meeting pursuant to Minn. Stat. § 13D.05, subd. 3(c)(3) to develop or consider offers or counteroffers for purchase of the above described real property;
2. That any agreement reached based upon an offer considered at this meeting shall be contingent upon approval of the Roseau River Watershed District Board at an open meeting and the actual purchase or sale must be approved at an open meeting after the notice period required by statute or the Roseau River Watershed District Board's internal procedures and the purchase price or sale price as public data.

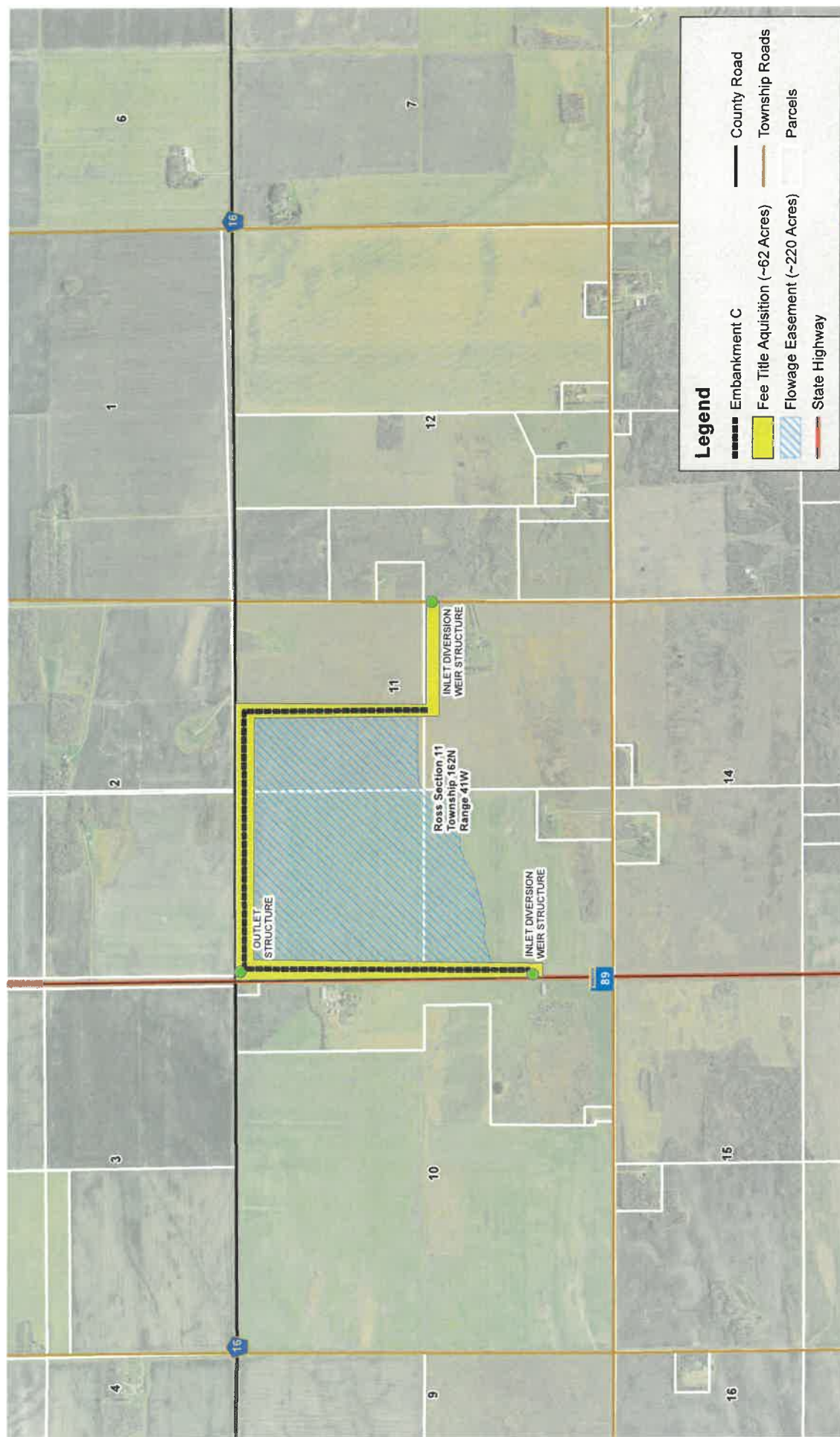
Dated this _____ day of _____, 2021.

Chairman

Secretary

- Waterway
- Culverts
- Viewing Mound
- Boat Ramp, and Parking Area
- Cutoff Plug
- Turnaround
- Gated Access
- Duck Banding Area
- Parking Area
- Boat Ramp
- Approach
- Gated Structure
- Ditch
- East Inlet Ditch
- Navigation Channel
- Pine Creek Restoration
- Inlet Weir
- Grass Top Embankment
- Gravel Top Embankment
- Borrow Area
- CR 123 Road Raise
- Township Roads
- Major Roads
- County Roads
- Sections





**FEE TITLE AND FLOWAGE
EASEMENT ACQUISITION**

RETENTION SITE C
MAY 2022
WHITNEY LAKE SUBWATERSHED



3

PATH: X:\PROJECTS\PSWD\GENERAL\WATNEY\LAKE MAP DOCS\INADVERTION A-C\818TAMH0R\04\05\LAJYD - USER: JHUWU - DATE: 07/24/17

