

**MINUTES OF THE ROSEAU RIVER WATERSHED DISTRICT BOARD OF  
MANAGERS MEETING HELD April 7<sup>th</sup>, 2010**

**ORDER:** Chairman Todd Miller called the meeting to order at 8:00 a.m.

**MANAGERS PRESENT:** Floyd Haugen, LeRoy Carriere, Laverne Voll and Todd Miller. Manager Frislie arrived at the meeting at 8:20.

**STAFF PRESENT:** Administrator, Rob Sando; Administrative Assistant Halstengard

**OTHERS PRESENT:** Refer to attendance sheet.

**CONSULTING STAFF PRESENT:** Attorney Pat Moren.

**DELEGATIONS:** Dean Larson, FutureView 2010, Pictometry presentation.

**AGENDA:** A **motion** was made by Manager Voll and seconded by Manager Haugen to approve the agenda with changes. Carried - unanimous.

**MINUTES:** A **motion** was made by Manager Haugen and seconded by Manager Carriere to approve the March 3<sup>rd</sup>, 2010 minutes as mailed. Carried - unanimous.

**RECEIPTS:**

<b>Receipts -- Memo</b>	<b>Balance</b>
Citizens State Bank -- Interest on checking	\$ 99.64
RRWMB -- PT reimbursement FY 2010	\$ 9,441.51
State of Minnesota -- Malung & Palmville reimbursement	\$ 22,272.84
Border State Bank -- interest on CD #200240	\$ 1,042.14
<b>TOTAL</b>	<b>\$ 32,856.13</b>

<b>Bills -- Memo</b>	<b>Amount</b>
City of Roseau -- utilities	\$ 300.04
Verison -- cell phone charge	\$ 51.29
CenturyLink -- phone bill	\$ 113.41
Sjoberg's Cable TV -- cable internet	\$ 42.32
Tony Torn -- copier maintenance	\$ 13.05
Roseau Times-Region -- notice	\$ 7.88
Minnesota Energy -- natural gas bill	\$ 84.39
Reliable Office Supply -- office supplies	\$ 151.64
Patrick D. Moren -- legal fees	\$ 1,062.50
HDR Engineering -- Project Engineering	\$ 6,908.62
Floyd Haugen -- meetings, mileage and expenses	\$ 181.02
LeRoy Carriere -- meetings, mileage and expenses	\$ 69.26
Allison Frislie -- meetings, mileage and expenses	\$ 228.03
Todd Miller -- meetings, mileage and expenses	\$ 450.23
LaVerne Voll -- meetings, mileage and expenses	\$ 130.90
Rob Sando -- expenses and mileage	\$ 1,042.87
Rob Sando -- salary	\$ 3,093.63
Tracy Halstensgard -- wages	\$ 1,829.71
IRS -- withholding	\$ 1,631.38
PERA -- employee and employer share	\$ 856.70
Petrowski Telecommunications -- install phone service (Oct 2008)	\$ 171.90
Doug's Supermarket -- food for meetings and supplies	\$ 27.76
Border Insurance Network -- general liability insurance	\$ 7,739.00
MonTech Computers -- battery backup	\$ 85.49
Lengemann -- Stream gages	\$ 2,342.33
<b>TOTAL</b>	<b>\$ 28,615.35</b>

**BILLS:** A **motion** was made by Manager Carriere to pay the normal monthly bills, seconded by Manager Voll. Motion carried unanimous.

**PROJECT TEAM & ENGINEERS REPORT:**

Hay Creek/Norland: Engineer Dalager informed the board that Phase 2 is ready to advertise for bid with the bid opening at the May meeting. There was discussion on the availability of State funding. Advertisement for bids will be sent out according to specifications. Engineer Dalager discussed the questions concerning the SEH Engineering report being prepared for the County. Chairman Miller asked Engineer Dalager questions concerning the ground cover for the embankment and other issues discussed in the questions from SEH (County engineering firm). Engineer Dalager will be forwarding the responses to the County and SEH and work with them to finalize the permit. Manager Voll spoke about some erosion that occurred this spring along with some damage to some township roads. There was discussion on North Pine Aggregate, contractor for phase 2a, being near bankruptcy and payment due contractor and sub-contractors. Engineer Dalager stated he saw no advantage to doing further business with North Pine Aggregate. He also suggested withholding retainage to finish the seeding and warranty work (cleanup issues). Attorney Moren suggested writing a letter to North Pine Aggregate stating the opinion of the board and give them an opportunity to answer. Manager Frislie made a **motion** and Manager Voll seconded, to call North Pine Aggregate and follow up with a letter to state the Boards opinion. A copy of the letter will be sent to Greenview Landscaping and R & Q Trucking. There was further discussion on Engineer Dalager touring the project and determining if the issues qualify as warranty work. Engineer Dalager suggested including the final seeding from Phase 1 under the new contract for the Mitigation. Chairman Miller suggested calling North Pine and getting their standpoint and following up with a letter. Motion carried unanimously. Administrator Sando asked about giving a copy of the bond to Tom Loftstrand of

Greenview Landscaping and was directed to provide that to Mr. Lofstrand. There was discussion on including Tom Lofstrand's name on the check. Manager Voll discussed graveling some township roads adjacent to the project. Chairman Miller stated there needed to be a determination whether or not the damage was due to construction. A **motion** was made by Manager Frislie, seconded by Manager Voll to put the gravel in the locations stated by Manager Voll. Motion carried unanimously. Administrator Sando will oversee the graveling. A **motion** was made by Manager Carriere, seconded by Manager Frislie to pay the HDR Engineering bill in the amount of \$6,639.05. Motion carried unanimously.

Manager Voll spoke about withholding retainage on engineering expenses for projects. There was discussion on the proposed contract with HDR. Manager Voll stated that he didn't believe that the board should sign the contract. Engineer Dalager spoke about the contract and stated that the contract language could be changed. Engineer Dalager stated that changes had been made to the Red Lake and MRST River Watershed Districts and he would provide those examples to the board. There was continued discussion on the project costs and engineering estimates.

Palmville Project: There was discussion on the stream gages. Chairman Miller discussed the language in the O & M concerning water backing up on landowners. Chairman Miller asked about setting an elevation as a trigger to remove stop logs. Administrator Sando will contact the County to obtain the elevation at Wes Pesek's and Betty Larsen's fields

Pontow Ring Dike: Administrator Sando stated that a meeting has been scheduled for tomorrow at the NRCS office with the engineers, watershed and landowners. There was discussion on the funding of ring dikes. A **motion** was made by Manager Haugen, seconded by Manager Carriere to pay the HDR Engineering bill in the amount of \$269.57. Motion carried unanimously.

#### **PERMITS:**

Administrator Sando stated that he was asked by Garry Bennett, DNR, for comment on the permit. Administrator Sando informed Mr. Bennett that the Watershed felt the previous culverts were oversized. A revised permit was submitted with an increase to three culverts due to issues with fish passage. A **motion** was made by Manager Frislie and seconded by Manager Carriere to approve permit #10-01 (Fourtown Sportsman's Club). There was continued discussion on the location and funding. Chairman Miller stated that he felt this should be brought before the Project Team since this has been identified as a possible project site and to table this permit. Motion failed for lack of support. The board directed Administrator Sando to contact Garry Bennett and inform him of the Board's opinion. A project team meeting may be scheduled to further discuss.

A **motion** was made by Manager Frislie seconded by Manager Carriere to approve Permit #10-03 (MN DOT). Motion carried unanimously.

A **motion** was made by Manager Haugen seconded by Manager Voll to approve Permit #10-04 (Moose Township). Motion carried unanimously.

Chairman Miller addressed Roseau County Commissioner Jack Swanson concerning a letter from Attorney Kurt Deter concerning Roseau County Ditch 69 and WD 3. There was discussion on the County establishing the portion of ditch in question as a county ditch.

#### **RRWMB Report:**

Chairman Miller updated the board on the March RRWMB meeting. Chairman Miller stated there was discussion on creating a Federal authority made up of local members. There was discussion on mitigation and flood reduction. The reduction in state funding for stream gaging was discussed. Manager Miller discussed options for continuing to fund the Malung stream gage. Chairman Miller updated the Board on the finance committee meeting. Another issue that was discussed was a report on the effects of ag drainage on flooding. The results of the report could be used to open the Drainage Law to make changes.

## **Administrator's Report:**

Administrator Sando reported on the following issues:

- Hay Creek funding of local share (see attached handout). Manager Miller suggests selling some of the land that the Watershed District owns to help pay for the construction. Manager Miller also discussed providing for long term maintenance. The statute provides for levying every so many years for maintenance. Administrator Sando will be providing the board with information concerning, land values, borrowing, funding options, etc.
- West Interceptor damage sites – handout provided to board.
- RRBFRWG minutes
- Budget update
- East diversion storage
- Beltrami – Marshall SWCD is dissolving
- Insurance exclusion -- A **motion** was made by manager Frislie and seconded by Manager Carriere to sign the insurance letter waiving terrorist coverage. Motion carried unanimously.

Dean Larson, from software company FutureView 2010, had a presentation for the board on Pictometry.

**RRIW:** The next meeting is scheduled for April 29, 2010 in Roseau. Manager Voll gave an update on the March meeting. There was a study done in 1974 on the Sprague Creek and Pine Creek inflows to the United State and what flows back into Canada. Manager Voll stated it was a very interesting study and would be presenting the information at the April 29<sup>th</sup> meeting. Manager Voll asked about providing a meal for the meeting. Chairman Miller spoke about the Canadian Roseau River Overall Plan and the need to continue to work on plans and issues between the two districts. The Board will post a special meeting for that day.

**BIG SWAMP PROJECT TEAM:** Manager Frislie spoke about the Two Rivers Watershed District's project team meeting. Manager Frislie felt that the scope of the Project Team is too large to there was an additional meeting in the afternoon to discuss issues with County Ditch 72. Manager Frislie suggested looking at a possible storage area along the Whitney Lake Ditch. Manager Haugen stated that he felt that would not be a feasible location. There was extensive discussion on drainage and maintenance issues in the Ditch 72 and 69 systems. Chairman Miller stated that after June or July or LIDAR would be available and an engineer could take a real preliminary look at elevations.

## **OLD BUSINESS:**

Chris Johnson litigation letter from Attorney Moren's Law Office was discussed. There will be a trial before a judge.

Ditch 69 information was discussed earlier in the meeting.

Manager Voll introduced the issue of Attorney Moren being at each of the meetings. After discussion on the necessity of having an attorney at each meeting, Manager Voll made a **motion** to use Attorney Moren only on an as needed basis for meetings, seconded by Chairman Miller. Attorney Moren spoke about the budget for general legal fees. Manager Frislie clarified that if the motion passes Attorney Moren will only attend meetings at the request of the Board, if it fails the status will stay the same. Motion carried with Manager Frislie and Manager Carriere opposed.

Manager Voll asked about retaining a percentage of engineering fees. Manager Voll brought up the issue with the lowering of the pipeline under the Hay Creek Connection channel. Engineer Dalager stated his view of the issue with the pipeline that protocol was followed and contingencies were planned for in the engineer's estimate. Engineer Dalager stated that the entire project may come in lower than project estimate.

## **NEW BUSINESS:**

Chairman Miller talked about the LIDAR presentation and asked Engineer Dalager if LIDAR is currently available for the Whitney Ditch area. Engineer Dalager would look into it.

After reviewing the managers' vouchers, a **motion** was made by Manager Voll and seconded by Manager Carriere to approve payment of those vouchers. Motion carried unanimously.

The next meeting is scheduled for May 5th, 2010. After a **motion** by Manager Voll and seconded by Manager Haugen, the meeting was adjourned at 12:50 a.m.

Respectfully submitted,

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LeRoy Carriere, Secretary

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Tracy Halstensgard, Administrative Assistant