

**MINUTES OF THE ROSEAU RIVER WATERSHED DISTRICT BOARD OF  
MANAGERS MEETING HELD October 6, 2010**

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

**MANAGERS PRESENT:** Floyd Haugen, LeRoy Carriere, Laverne Voll, Allison Frislie and Todd Miller.

**STAFF PRESENT:** Administrator Sando, Administrative Assistant Halstensgard

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

**DELEGATIONS:** Brian Dwight and Don Buckhout, BWSR; Daryl Wicklund.

**AGENDA:** A **motion** was made by Manager Carriere and seconded by Manager Haugen to approve the agenda with changes. Motion carried unanimously.

Manager Voll took the oath of office.

**MINUTES:** A **motion** was made by Manager Haugen and seconded by Manager Voll to approve the September 1, 2010 regular board meeting minutes with changes. Motion carried unanimously.

A **motion** was made by Manager Frislie and seconded by Manager Voll to approve the September 29, 2010 special board meeting minutes as mailed. Motion carried unanimously.

**RECEIPTS:**

<b>Receipts -- Memo</b>	<b>Balance</b>
Citizens State Bank -- Interest on checking	\$ 53.86
State of Minnesota -- FEMA payment	\$ 14,230.71
RRWMB -- Hay Creek reimbursement	\$ 70,945.54
State of Minnesota -- Hay Creek reimbursement	\$ 425,673.26
Olson Construction, TRF -- purchase of ring dike plans	\$ 40.00
Border State Bank -- interest on CD #200240	\$ 822.25
<b>TOTAL</b>	<b>\$ 511,765.62</b>

<b>Bills -- Memo</b>	<b>Amount</b>
City of Roseau -- utilities	\$ 196.16
Verison -- cell phone charge	\$ 51.02
CenturyLink -- phone bill	\$ 119.76
Sjoberg's Cable TV -- cable internet	\$ 42.32
Roseau Times-Region -- notice	\$ 196.88
Minnesota Energy -- natural gas bill	\$ 15.61
Patrick D. Moren -- legal fees	\$ 656.25
HDR Engineering -- Project Engineering	\$ 15,485.74
Floyd Haugen -- meetings, mileage and expenses	\$ 540.58
LeRoy Carriere -- meetings, mileage and expenses	\$ 204.79
Allison Frislie -- meetings, mileage and expenses	\$ 364.79
Todd Miller -- meetings, mileage and expenses	\$ 804.37
LaVerne Voll -- meetings, mileage and expenses	\$ 704.10
Rob Sando -- expenses and mileage	\$ 311.16
Rob Sando -- salary	\$ 3,093.63
Tracy Halstensgard -- wages	\$ 2,003.72
Multi Office Products -- supplies	\$ 49.14
PERA -- employee and employer share	\$ 869.79
Reliable Office Supply -- flash drives	\$ 62.42
Doug's Supermarket -- food for meetings and supplies	\$ 74.41
Scott's True Value -- supplies	\$ 34.66
Quality Printing -- printing ring dike plans	\$ 713.93
Thune Insurance -- Managers' bond	\$ 300.00
Greenbush Tribune -- land for sale ads	\$ 178.50
MN-DNR Waters -- permit fee	\$ 150.00
LaValla Sand & Gravel -- ring dike construction	\$ 7,250.00
Houston Engineering -- ring dike engineering	\$ 4,057.50
JOR Engineering -- Project Team engineering (Beltrami)	\$ 1,953.50
LaValla Sand & Gravel -- Hay Creek / Norland	\$ 37,165.00
Internal Revenue Service -- withholding tax	\$ 1,809.44
Minnesota Revenue -- withholding tax	\$ 742.00
R & Q Trucking -- Hay Creek / Norland	\$ 1,003.58
Spruce Valley Corporation -- Hay Creek / Norland	\$ 411,880.32
ICS Construction Inc. -- Hay Creek / Norland	\$ 2,693.79
<b>TOTAL</b>	<b>\$ 495,778.86</b>

**BILLS:** A **motion** was made by Manager Frislie to pay the normal monthly bills, with the insurance bill being discussed later in the meeting, seconded by Manager Haugen. Motion carried unanimous. It was stated that the legal fees incurred due to LaValla Sand & Gravel bonding questions should be reimbursed by Mr. LaValla.

**PROJECT TEAM & ENGINEERS REPORT:**

Hay Creek / Norland:

Engineer Knott reported on construction progress. ICS construction is essentially done and the current pay estimate reflects that. They will be requesting retainage soon. Wagner Construction has moved their equipment off the site. There was some discussion on finalizing the outstanding balance owed Wagner. The board elected to table any discussion on the settlement agreement until the issue with outstanding bills is taken care of. Chairman Miller asked Engineer Knott about the condition of the roads in the project area and the regrouting of the seals in the structures. Chairman Miller stated that attorney and

engineering fees related to this issue with Wagner Construction need to be addressed in the settlement agreement.

#### Ring Dikes:

Engineer Knott discussed the progress on the Kveen/Pontow ring dike. LaValla Sand & Gravel submitted a bill for mobilization and grubbing. Manager Voll discussed the specification for seeding the ring dikes and the compaction testing that is required. A **motion** was made by Manager Frislie seconded by Manager Carriere to pay LaValla Sand & Gravel \$7,250.00 for mobilization, clearing & grubbing and some common excavation.

#### Hay Creek / Norland:

Chairman Miller asked Torris Bakken, Spruce Township, about the cost of graveling the township road (portion of Mattson Island Road). There was discussion on Chairman Miller attending the next township meeting and discussing FDR funding. There was discussion on the participation of the Watershed District and the responsibility of the township for the road. Chairman Miller will attend the next township meeting. There was discussion on restricting use of the road. Mr. Bakken brought up an issue with the "Lindberg road." Mr. Bakken stated that the road has been damaged by contractors using the road for access to the Hay Creek / Norland project area.

A **motion** was made by Manager Frislie and seconded by Manager Voll to approve payment to Spruce Valley Corporation in the amount of \$411,880.32. Motion carried unanimously. A **motion** was made by Manager Voll and seconded by Manager Carriere to approve payment to ISC, Inc in the amount of \$2,693.79. Motion carried unanimously. A **motion** was made by Manager Carriere and seconded by Manager Frislie to approve payment to HDR Engineering in the amount of \$15,485.74. Motion carried unanimously. A **motion** was made by Manager Haugen and seconded by Manager Carriere to approve payment to R & Q Trucking, Inc. in the amount of \$1,003.58. Motion carried unanimously. A **motion** was made by Manager Frislie and seconded by Manager Haugen to approve payment to LaValla Sand & Gravel, Inc. in the amount of \$37,165.00. Motion carried unanimously. In discussing the Houston Engineering bill for the Lee ring dike, Chairman Miller asked about the cost share amounts. A **motion** was made by Manager Haugen and seconded by Manager Voll to approve the Houston Engineering bill for the amount of \$4,057.50 pending clarification from the RRWMB. Motion carried unanimously. A **motion** was made by Manager Voll and seconded by Manager Frislie to approve the JOR Engineering bill for the amount of \$1,953.50 for the Beltrami Island project. Motion carried unanimously.

#### PERMITS:

Administrator Sando showed the board photos of the work that has been done pertaining to the permit request #10-16 (Joseph Rienek). Daryl Wicklund submitted a letter stating his concerns with the dike and requesting an engineer's opinion. Chairman Miller discussed the Watershed District Rules and the possibility of holding a public hearing as requested by Mr. Wicklund. Manager Voll made a **motion** to deny the permit, motion seconded by Manager Frislie. Motion carried unanimously. Manager Frislie made a **motion** that the landowner remove the culvert and return the field ditch to original grade and instruct Administrator Sando to communicate the rules and procedures to the landowner; seconded by Manager Voll. Manager Haugen discussed his position on the issue and what he has observed during this construction. Motion carried unanimously.

Manager Voll discussed the County Highway Department's permit request. Manager Voll stated that removing the current structure, moving and changing culvert with a different location would be a better option. A **motion** was made by Manager Voll to deny the permit. The motion died for lack of second. A **motion** was made by Manager Frislie and seconded by Manager Carriere to approve permit #10-15 (Roseau County Highway Dept.) After some discussion, motion carried with Manager Voll opposed.

A **motion** was made by Manager Voll and seconded by Manager Carriere to approve permit #10-17 (Todd Grugel). Motion carried unanimously.

There was discussion on the location of the culvert and the condition of the ditch for Permit Application #10-18. Chairman Miller stated that the permit should be approved for cleaning only. A **motion** was made by Manager Frislie and seconded by Manager Voll to deny permit #10-18 (Dean Carlson). Motion carried unanimously. Administrator Sando will inform the landowner that cleaning would be acceptable and does not require a permit.

A **motion** was made by Manager Frislie and seconded by Manager Carriere to approve permit #10-19 (Lloyd Fugleberg). Motion carried unanimously.

A **motion** was made by Manager Voll and seconded by Manager Carriere to approve permit #10-20 (Tony Brateng) with the understanding that if the road is in jeopardy of being compromised, the trap is opened. During the discussion, Chairman Miller asked if a public hearing was required being it is a public ditch system. Motion carried unanimously.

**DELEGATIONS:** Don Buckhout and Brian Dwight, BWSR, presented the board with the draft PRAP report (*see attached*) and stated that the board has the opportunity to comment on the Draft. Mr. Buckhout and Mr. Dwight stated that the Board is doing very well, working well with the project team and accomplishing what was set forth in the Overall Plan. Chairman Miller asked that the districts NRE's be acknowledged in the report. Mr. Buckhout requested comments be presented to him in writing. Mr. Buckhout discussed the action items in the report that the board could do to improve. Chairman Miller asked about forming a local TAC committee. Mr. Dwight gave an example from another district. Mr. Dwight strongly recommends that the board have written procedures for operations not only for continuity but to protect the Watershed District. Additional information needs to be provided for projects being considered downstream from the City of Roseau. Comments will be returned to BWSR in early November.

At 10:30 Chairman Miller directed Administrator Sando to open bids on the parcel of land located in Enstrom Township. Pete Grafstrom bid \$550 per acre and Daryl Dahl bid \$670 per acre. Mr. Grafstrom did not wish to meet or raise Mr. Dahl's bid. Manager Voll made a **motion** to accept Mr. Dahl's bid, seconded by Manager Carriere. Motion carried unanimously. Administrator Sando opened the bid for the parcels in Pohlitz Township. A bid was submitted by Darwin and Benjamin Sandin for \$175.00 per acre for the 15 acre parcel and \$100.00 per acre for the 89.19 acre parcel. A **motion** was made by Manager Haugen and seconded by Manager Voll to reject the bids. Motion carried unanimously. Chairman Miller informed the board of an e-mail from Randy Pracher, DNR, of their interest in the land. Chairman Miller stated he felt that re-advertising using broader outlets (outdoor magazines, DNR etc.) would be a good idea. It was the consensus of the board to re-advertise the parcels for sale.

#### **PROJECT TEAM & ENGINEERS REPORT:**

**Beltrami:** Chairman Miller updated the board on the September 9<sup>th</sup> meeting. Mr. Dwight discussed the outcome of that meeting. It was Chairman Miller's idea that if the DNR would not consider the proposed project areas, to shift focus to the headwaters of the Hay Creek sub-watershed. Mr. Dwight offered to continue to facilitate additional meeting. Chairman Miller discussed proposing some "moist soils" in the Norland Impoundment, as NRE's for impoundments in Beltrami.

Roseau County Commissioner Roger Falk discussed the DNR's position on a Roseau Lake project. Chairman Miller stated it was a project worth looking at and asked Administrator Sando to gather all the information pertaining to the proposed project. Mr. Dwight will contact the DNR and look into scheduling another meeting.

**Palmville Project:** Chairman Miller updated the board on the meeting held August 24, 2010. Administrator Sando stated the all permits have been obtained for the work to be completed. There were discussions on the options to alleviate the water issues brought forth by landowners. Manager Haugen made a **motion**, seconded by Manager Voll to remove the culvert as a last resort if all other alternatives are rejected by the O & M committee. Administrator Sando suggested blocking the bottom portion of the pipe. Engineer Knott suggested a screw gate to provide more control with more options. That work would be included in the current bid package. Motion carried with Manager Frislie opposed.

**RRWMB:** Chairman Miller updated the board on the last board meeting. There was discussion on the RRWMB possibly funding culvert sizing in Beltrami. There was discussion on funding. The next meeting will be October 19<sup>th</sup>, 2010 in Fertile.

#### **Administrator's Report:**

Administrator Sando reported on the following:

- ☼ Daryl Dahl land sale legal description. Administrator Sando will work with Attorney Moren and the title company. There will need to be stakes placed.
- ☼ Ring dike update
- ☼ Hay Creek / Norland

- ✿ West Interceptor repair near completion
- ✿ Palmville quote
- ✿ Ditch fund balances and FEMA reimbursement
- ✿ West Interceptor maintenance fund. Legal advice from Rinke – Noonan.
- ✿ Collin Peterson Ad-Hoc Committee

**RRIW:** The next meeting is scheduled for November 15<sup>th</sup>, 2010. Chairman Miller discussed the meeting that was held in Devil's Lake.

**BIG SWAMP PROJECT TEAM:** Manager Haugen stated there was no meeting.

**WARROAD RIVER PROJECT TEAM:** Chairman Miller updated on a proposed project.

**OLD BUSINESS:**

Chairman Miller discussed an article that was published in the Baudette Region and received permission to republish the article.

Manager Voll discussed brushing the portion of CD 8 West of County Road 15. Administrator Sando will contact Roger Berg about clearing the brush.

Chairman Miller discussed the issue with the insurance. Manager's Voll and Haugen had contacted other insurance agencies and did not find any interest in carrying our policy. A **motion** was made by Manager Voll and seconded by Manager Carriere to approve payment to Thune Insurance for Managers bond in the amount of \$300.00. Motion carried unanimously.

There was discussion on the plan from the County for the WD #3 project (FEMA alternative project). Manager Frislie discussed resetting the culverts at an elevation of 1024.5', cleaning the ditch to the south and re-grading and re-sloping to the north. Chairman Miller recommended holding a public hearing. There was discussion on the necessity of a public hearing. A **motion** was made by Manager Voll and seconded by Manager Haugen to remove the existing culverts and replace them at the specified elevation (1024.5'). Motion carried unanimously. Managers Frislie and Haugen will continue to work with the County.

**NEW BUSINESS:**

The MAWD Conference was discussed. Managers Miller and Carriere will be attended and be the representatives (voting members). Managers Voll and Haugen may also be attending.

Manager Haugen discussed the banking transactions. Administrator Sando and Administrative Assistant Halstensgard will work on the CD that is coming due shortly.

The next meeting is scheduled for November 3<sup>rd</sup>, 2010. After reviewing the manager's vouchers, a **motion** by Manager Haugen and seconded by Manager Carriere, to approve the manager's vouchers. Motion carried unanimously.

A **motion** to adjourn the meeting was made by Manager Haugen, seconded by Manager Carriere. Motion carried unanimously. Meeting adjourned at 12:27 p.m.

Respectfully submitted,

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LeRoy Carriere, Secretary

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Tracy Halstensgard, Administrative Assistant