

**MINUTES OF THE ROSEAU RIVER WATERSHED DISTRICT BOARD OF
MANAGERS MEETING HELD January 5th, 2011**

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

MANAGERS PRESENT: Floyd Haugen, LeRoy Carriere and Todd Miller. Laverne Voll arrived at the meeting at 8:51 a.m.

STAFF PRESENT: Administrator, Rob Sando; Administrative Assistant Halstensgard

OTHERS PRESENT: Refer to attendance sheet.

CONSULTING STAFF PRESENT: Engineer Randy Knott

DELEGATIONS: There were no delegations for this meeting.

AGENDA: A **motion** was made by Manager Haugen and seconded by Manager Carriere to approve the agenda with the addition of West Interceptor contract under Old Business. Carried - unanimous.

ELECTION OF OFFICERS: Administrator Sando chaired the following election of Chairman. Administrator Sando called for nominations for Chairman. Manager Haugen nominated Manager Miller for Chairman. A **motion** was made by Manager Haugen and seconded by Manager Carriere to cease nominations and cast a unanimous ballot for Manager Miller for Chairman. Motion carried unanimously.

Chairman Miller called for nominations for a Vice-Chairman. Manager Haugen nominated Manager Voll for Vice - Chairman. A **motion** was made by Manager Haugen and seconded by Manager Carriere to cease nominations and cast a unanimous ballot for Manager Voll for Vice-Chairman. Motion carried unanimously.

Chairman Miller called for nominations for Secretary. Manager Haugen nominated Manager Carriere as Secretary. The **motion** to cease nomination and cast a unanimous ballot for Manager Carriere was made by Manager Haugen and seconded by Chairman Miller. Motion carried unanimously.

Chairman Miller called for nominations for Treasurer. Manager Carriere nominated Manager Haugen as the Treasurer. The **motion** to cease nomination and cast a unanimous ballot for Manager Haugen was made by Manager Carriere and seconded by Chairman Miller. Motion carried unanimously.

A **motion** was made by Manager Haugen and seconded by Manager Carriere to keep Citizens State Bank and Border State Bank as official depositories. Motion carried unanimously.

A **motion** was made by Manager Carriere and seconded by Manager Haugen to keep Roseau Times-Region as official newspaper. Motion carried unanimously.

A **motion** was made by Manager Carriere to keep Attorney Pat Moren as primary Legal council on fee basis and contract with other firms on fee basis as deemed necessary by the board. Motion died for lack of second. A **motion** was made by Chairman Miller and seconded by Manager Haugen to hire Attorney Steve Anderson as primary legal council on fee basis and contract with other firms on fee basis as deemed necessary by the board. Managers Miller and Haugen voted in favor, Manager Carriere against.

A **motion** was made by Manager Carriere and seconded by Manager Haugen to appoint Managers Haugen and Miller as the Personnel Committee. Motion carried unanimously.

A **motion** was made by Chairman Miller and seconded by Manager Carriere to appoint Manager Haugen as the representative to the FSA office. Motion carried unanimously.

A **motion** was made by Chairman Miller and seconded by Manager Carriere to have Manager Carriere and Manager Haugen as delegates on the Project Team. Motion carried unanimously. A **motion** was made by Manager Carriere and seconded by Chairman Miller to have Manager Haugen and Manager Voll as delegates on the Roseau River International Watershed Board. Motion carried unanimously.

A **motion** was made by Manager Carriere and seconded by Manager Haugen to have Manager Miller as the delegate to the Red River Watershed Management Board with Manager Frislie as a first alternate and Administrator Sando as the second alternate. Motion carried unanimously.

A **motion** was made by Manager Carriere and seconded by Manager Haugen to have no primary engineering firm and contract with a firm on an as needed basis.

MINUTES: A **motion** was made by Manager Haugen and seconded by Manager Carriere to approve the December 1st, 2010 minutes as mailed. Carried - unanimous. A **motion** was made by Manager Carriere and seconded by Manager Haugen to approve the December 15th, 2010 minutes as mailed. Carried - unanimous.

RECEIPTS:

Receipts -- Memo	Balance
Citizens State Bank -- Interest on checking	\$ 38.42
Beltrami County -- share of taxes	\$ 59.60
Kittson County -- share of taxes	\$ 2,233.27
Roseau County -- share of taxes	\$ 83,434.01
State of Minnesota -- Hay Creek / Norland reimbursement	\$ 238,945.50
Marshall County -- share of taxes	\$ 554.14
Marshall County -- share of taxes	\$ 286.43
Lake of the Woods County -- share of taxes	\$ 176.42
Spruce Township -- gravel cost share	\$ 1,242.42
State of Minnesota -- Hay Creek / Norland reimbursement	\$ 52,059.30
State of Minnesota -- MVC & Bovine TB credit	\$ 37,026.47
TOTAL	\$ 416,055.98

Bills -- Memo	Amount
City of Roseau -- utilities	\$ 256.66
Verison -- cell phone charge	\$ 51.08
CenturyLink -- phone bill	\$ 114.56
Sjoberg's Cable TV -- cable internet	\$ 42.32
Marco -- copier maintenance	\$ 13.50
Roseau Times-Region -- notice	\$ 10.50
Minnesota Energy -- natural gas bill	\$ 185.60
RTW Inc -- workers comp. insurance	\$ 441.00
Patrick D. Moren -- legal fees	\$ 31.25
HDR Engineering -- Project Engineering	\$ 7,838.24
Floyd Haugen -- meetings, mileage and expenses	\$ 182.32
LeRoy Carriere -- meetings, mileage and expenses	\$ 610.71
Todd Miller -- meetings, mileage and expenses	\$ 900.40
LaVerne Voll -- meetings, mileage and expenses	\$ 265.84
Rob Sando -- expenses and mileage	\$ 1,369.10
Rob Sando -- salary	\$ 3,111.86
Tracy Halstensgard -- wages	\$ 1,977.71
Multi Office Products -- supplies calendars	\$ 89.99
PERA -- employee and employer share	\$ 900.51
Internal Revenue Service -- 941 tax	\$ 1,656.72
Doug's Supermarket -- food for meetings and supplies	\$ 39.18
Mitch Magnusson -- debris removal on SD 51	\$ 6,500.00
MonTech Computers -- chillpad	\$ 32.05
DbA Consulting -- QuickBooks consulting	\$ 1,300.00
Quality Printing -- printing	\$ 398.64
RRWMB -- share of taxes	\$ 60,290.64
EFG -- Hay Creek construction expense	\$ 178,864.76
Spruce Valley Corporation -- Hay Creek construction expense	\$ 303,018.55
Red River Basin Commission -- registration	\$ 380.00
Postmaster -- board mailing	\$ 24.50
TOTAL	\$ 570,898.19

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

PROJECT TEAM & ENGINEERS REPORT:

Hay Creek/Norland: Engineer Knott updated the board on the construction progress. Spruce Valley is currently working and intends to continue working as long as conditions hold. Chairman Miller asked about the status with the issue with Wagner Construction and Spruce Valley. Engineer Knott stated that there was no progress made in the negotiations. A **motion** was made by Manager Carriere and seconded by Manager Haugen to table the agreement with Wagner Construction until the next meeting. Motion carried unanimously. A **motion** was made by Manager Carriere seconded by Manager Haugen to pay the Spruce Valley pay estimate #6 in the amount of \$406,102.50. Motion carried unanimously. A **motion** to approve pay EFG in the amount of \$178,864.76 was made by Manger Carriere and seconded by Manager Haugen. Motion carried

unanimously. Engineer Knott updated the board on the fabrication of locks for the structures. A **motion** was made by Manager Carriere, seconded by Manager Haugen, to pay the HDR Engineering Bill for the Hay Creek Norland Project in the amount of \$7,134.02. Motion carried unanimously.

Palmville Project: Chairman Miller discussed the request to the RRWMB for funding. There was discussion on the Operation and Maintenance Plan for the project. Administrator Sando and Engineer Knott made recommendations to the Board on the elevations in Section 3.0 of the O & M plan. It was the recommendation that 1173' and 1169' be set as local trigger points for opening the control structures. Upon Board direction, Administrator Sando will make the recommended changes and further discuss this issue with Randy Prachar. A **motion** was made by Manager Carriere and seconded by Manager Haugen to pay the HDR Engineering Bill for the Palmville project in the amount of \$704.22. Motion carried unanimously

Pontow Ring Dike: Administrator Sando updated the board on the funding for the ring dike. A **motion** was made by Chairman Miller to table payment of the HDR Engineering bill pending funding clarification and submitting bills to the RRWMB, seconded by Manager Haugen. Motion carried unanimously.

Beltrami: Chairman Miller stated that there has been no new information.

Lake Bottom: Chairman Miller updated the board on the meeting on December 14th, 2010. Engineer Dalager gave a presentation at this meeting. The project was discussed at the advisory committee meeting last evening. A **motion** was made by Manager Carriere and seconded by Manager Haugen to pay the HDR Engineering bill in the amount of \$357.45. Motion carried unanimously.

PERMITS:

There were no permits for this meeting

RRWMB Report:

Chairman Miller stated that after the presentation for the Palmville funding, he was fairly confident that the RRWD would receive the money requested. There was discussion on the funding of stream gages. The City of Roseau and the County will cost share with the RRWD for the local portion. Chairman Miller discussed the possibility of starting a web site since the RRWMB reimburses for a portion of the cost. Manager Voll stated that had been discussed a couple of years ago and the board at that time felt it was too cost prohibitive. The next meeting is scheduled to take place in Fargo to coincide with the RRBC meeting on January 18th – 20th.

Administrator's Report:

Administrator Sando reported on the following issues:

- LSOHC preliminary Allocation
- Robert Lee ring dike will be completed next year; Kveen/ Pontow costs submitted for reimbursement

- Hay Creek / Norland update
- Possibility of using PILT for land in the Hay Creek / Norland project area. Administrator Sando will contact the county auditor and treasurer to get their feedback and report back at the next meeting.
- Palmville project
- A letter has been sent to the bank in Canada requesting to close out the account. We have not received the money yet. There was discussion on scheduling the next meeting. Administrator Sando will contact Robin from the RRBC and Duane from the RM of Piney about scheduling a meeting. Administrator Sando will contact the bank and inquire about the funds
- Water Retention Committee
- Advisory Committee meeting update
- Drainage records modernization grant extension. A **motion** was made by Manager Voll seconded by Manager Haugen to approve and sign the grant extension. Administrator Sando will return the agreement to BWSR. Motion carried unanimously.
- RRWMA pool levels. Manager Haugen discussed snowfall and moisture content. The board directed Administrator Sando to request additional drawdown to accommodate additional spring flood storage.
- A **motion** was made by Manager Voll and seconded by Manager Haugen to accept and sign the proposal from Drees, Risky & Vallager, Ltd. for the 2010 audit. Motion carried unanimously.
- Johnson Litigation insurance claim
- Meeting scheduled for January 26th with NRCS, SWCD, City of Roseau & Roseau County. There will be a presentation by Chuck Fritz from International Water Institute on LIDAR.
- RRBC impediment report. Chairman Miller recommended that the MAWD resolution concerning utilizing State and Federal land be incorporated.
- County Ditch #8 brushing, estimate from Roger Berg stated it would cost \$3,600.00 and would not be able to do the work until August. The Board will revisit the issue in the spring.

RRIW: There was no meeting in December.

Warroad Project Team: Chairman Miller updated the board on issues they are working on.

OLD BUSINESS:

Chairman Miller discussed the West Interceptor Contract. Manager Haugen stated that he does not recommend signing the agreement. Upon talking to the auditor, the taxes can be assessed to the individual land parcels. There is a process to do this that would have to be done by legal council.

NEW BUSINESS:

After discussion on evaluating the district rules, it was decided that Managers Carriere and Voll will be on the rules committee. The committee will review the Watershed District Rules and

make recommendations for changes to the Board of Managers. One portion of the Rules that needs to be addressed is the section on ag tiling.

Administrator Sando presented the board with a draft motion concerning the Construction Fund balance. A **motion** was made by Manager Carriere, seconded by Manager Voll to adopt the following motion: To utilize Roseau River Watershed District Capitol Projects Fund; State Ditch #51 effective 12/31/10 for Capital Project; Construction Fund, upon advice from the auditing firm of Drees, Risky & Vallager Ltd. Motion carried unanimously.

Daryle Dahl, has requested a manager attend a meeting with a property owner whose has blocked drainage for private property. The Board directed Administrator Sando to attend the meeting with the County and Landowner on January 11th, 2011 at the Enstrom Town Hall.

An individual addressed the board with concerns with the Two Rivers' Ross Impoundment.

Chairman Miller requested the board revisit the motion to hire Steve Anderson as primary legal council due to an issue with majority vote. Managers Haugen and Miller retracted their original motion. A **motion** was made by Manager Haugen and seconded by Manager Voll to hire Attorney Steven Anderson as primary Legal council on fee basis and contract with other firms on fee basis as deemed necessary by the board. Motion carried with Managers Voll, Haugen and Miller in favor and Manager Carriere opposed.

Manager Carriere presented the board with information from the MAWD conference. The information pertained to Advanced Legal Topics; Data, Meetings and Conflicts. Chairman Miller discussed the session he attended at the MAWD conference.

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.

After a motion by Manager Haugen and seconded by Manager Miller, the meeting was adjourned at 11:20 a.m.

Respectfully submitted,

LeRoy Carriere, Secretary

Tracy Halstensgard, Administrative Assistant