

MINUTES OF THE ROSEAU RIVER WATERSHED DISTRICT BOARD OF MANAGERS MEETING HELD May 4th, 2011

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.

STAFF PRESENT: Administrator, Rob Sando; Administrative Assistant Halstensgard

OTHERS PRESENT: Refer to attendance sheet.

CONSULTING STAFF PRESENT: Engineer Nate Dalager

DELEGATIONS: Jack Swanson and Roger Falk, Roseau County Commissioners; Mike Carroll, DNR Assistant commissioner; Roseau County Engineer, Brian Ketring; Warroad Watershed District Chairman, Loren Horner; Carribou Township resident Leanna Kowalik.

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

MINUTES: A **motion** was made by Manager Carriere and seconded by Manager Haugen to approve the April 6th, 2011 minutes with changes. Motion carried unanimously.

A **motion** was made by Manager Carriere and seconded by Manager Voll to approve the April 14th, 2011 minutes with changes. Motion carried unanimously.

RECEIPTS:

Receipts -- Memo	Balance
Citizens State Bank -- Interest on checking	\$ 16.64
Border State Bank -- purchase of chainsaw	\$ 817.75
MAWD -- registration refund	\$ 180.00
RRWMB -- Palmville reimbursement	\$ 46,653.02
State of Minnesota -- Hay Creek / Norland reimbursement	\$ 273,950.58
RRWMB -- Hay Creek / Norland reimbursement	\$ 45,658.43
Jeff Olson -- purchase of chainsaw	\$ 150.00
TOTAL	\$ 367,426.42

Bills -- Memo	Amount
City of Roseau -- utilities	\$ 214.57
Verison -- cell phone charge	\$ 51.32
CenturyLink -- phone bill	\$ 110.47
Sjoberg's Cable TV -- cable internet	\$ 43.32
Marco -- copier maintenance	\$ 7.52
Roseau Times-Region -- notice	\$ 10.50
Minnesota Energy -- natural gas bill	\$ 149.80
Reliable Office Supplies -- ink	\$ 138.33
Steve Anderson -- legal fees	\$ 156.25
HDR Engineering -- Project Engineering	\$ 3,805.55
Floyd Haugen -- meetings, mileage and expenses	\$ 456.96
LeRoy Carriere -- meetings, mileage and expenses	\$ 141.53
Todd Miller -- meetings, mileage and expenses	\$ 698.34
LaVerne Voll -- meetings, mileage and expenses	\$ 226.31
Rob Sando -- expenses and mileage	\$ 903.86
Rob Sando -- salary	\$ 3,111.86
Tracy Halstensgard -- wages	\$ 1,704.26
PERA -- employee and employer share	\$ 850.63
Internal Revenue Service -- 941 tax	\$ 1,512.00
Doug's Supermarket -- food for meetings and supplies	\$ 18.02
Multi Office Products -- supplies	\$ 146.09
Halverson Sand & Gravel -- gravel	\$ 76.95
Widseth Smith Nolting & Associates -- engineering	\$ 781.40
Quality Printing -- printing	\$ 1,295.33
thune Insurance -- insurance	\$ 1,427.00
Spruce Valley Corporation -- Hay Creek construction expense	\$ 5,031.00
TOTAL	\$ 23,069.17

BILLS: A **motion** was made by Manager Carriere to pay the normal monthly bills, seconded by Manager Haugen. Administrator Sando's expenses and the property taxes will be discussed later in the meeting. Motion carried unanimous.

DELEGATIONS:

Mike Carroll, MN DNR Assistant Commissioner, met with the board to listen to and discuss projects with the Watershed District. Chairman Miller discussed specific points in the RRWD Overall Plan (p. 5 para 2; p. 8; p. 9 para 1 & 2; p. 11 goals) with Mr. Carroll for him to impress upon his staff. Mr. Carroll asked how the Watershed Board addressed prioritizing projects and also dealing with the issues that arise. Chairman Miller spoke about the Board utilizing the Overall Plan, the County Water Plan and the Sequencing Document in prioritizing projects. It is the priority of the board to focus on the outlet and the upstream portions of the watershed. The Board plans to move forward with a possible COE 1135 project on SD 51 and the RRWMA project on the outlet end of the Roseau River, impoundments in Beltrami Island State Forest (specifically on the north and south branches of the upstream end of the Roseau River) and possible culvert sizing in the Hay Creek sub-watershed below Bemis Hill. As far as dealing with issues, using the RRWMA project as an example, the biggest complaint of the Board is the DNR's lack of follow thru in the Project Team process. After expending

considerable RRWD resources it was disappointing that a project did not move forward. The Watershed District lost funding for the project which had been a 75/25 cost share. The primary reason the project didn't move forward was change in WMA management. Issues stated in letters from Paul Tealander, MN DNR, Regional Supervisor, (dated May 23, 2008 - see attached) and an e-mail correspondence from District Engineer Charlie Anderson (dated August 28, 2008 - see attached) were resolvable. Mr. Carroll will be provided with the letters stating why the WMA project did not move forward. Chairman Miller further discussed the sequencing issue, stating that the Lake Bottom project would not be as beneficial without first doing complimentary impoundments at the headwaters (further referencing Sequencing Documents). Mr. Carroll was told that the DNR as well as other state and federal agencies had considerable input into the writing of the RRWD Overall Plan and now should support the Watershed District.

Mr. Carroll reiterated the priorities as follows: RRWMA pool 3 outlet, Upstream dam repair/replace (North Branch Roseau River), sub-watershed culvert sizing (Hay Creek sub-watershed), Lake Bottom Project. Mr. Carroll stated it would be a challenge to switch from Lake Bottom to the RRWMA projects however they will pursue it. Manager Miller stated that the RRWD will continue involvement on the Lake Bottom Project; however it is not a priority for the District at this time.

There was discussion as to why the dams in Beltrami were not rebuilt after they were damaged. Chairman Miller discussed the history of the area starting with the Tri-State Commission, the lease between the State and Federal government and the Red Lake Wildlife Management Area Plan (1980-1989). The lease agreement states that the structures as well as recreational facilities on LUP land were to be maintained, including how the maintenance was to be funded. Mr. Carroll asked for a copy of Chairman Miller's copy of the lease agreement with Chairman Miller's notes. Chairman Miller stated that the State is responsible to replace the structures identified in table 5 of RLWMA Plan. There was discussion on an additional impoundment promised to the Watershed District by Deputy Commissioner Myer. Mr. Carroll stated, "He made the promise and he is still here so I guess we'll build one." There was discussion on the fact that there have not been any updated plans. The lack of public input into public land management was also discussed. Chairman Miller asked why there hadn't been an updated plan in 22 years. Mr. Carroll stated that management plans have changed however there hadn't been public input and the local managers are afforded some freedoms in their areas. Chairman Miller felt that the DNR had no written management plan and is not afforded that amount of freedom. Chairman Miller further stated that the DNR should be consulting with affected local government agencies.

The Board discussed working with the DNR and the process that the DNR follows on projects and permits. Chairman Miller used the permit application for a snowmobile crossing in BISF at a preexisting dam site with a damaged control structure as an example. The DNR refused to work with the District to repair the original structure. The permit application was for two culverts that would increase the capacity from the original structure. The DNR again refused to work with the District in an effort to downsize the two culverts being installed. Instead, they increased the capacity of the channel by adding an additional culvert. Manager Carriere stated that the same scenario occurred at another dam site where the DNR installed a bridge across the channel. The DNR had removed the old control structure and part of the earthen dam replacing it with a bridge which increased channel capacity. Chairman Miller stated that the Board has passed a resolution (see attached) requesting a 20% reduction of upstream water coming off of state land. Mr. Carroll asked what the board opinion is of the three sites proposed by the DNR. Manager Voll stated that they were still positioned mostly on private land and that is a concern for the Board. Manager Voll further stated that the District has spent

approximately \$6.2 million on the Hay Creek / Norland just to replace the acre feet of storage lost in BISF. “We are going backwards in our FDR efforts because the DNR will not cooperate with the Watershed,” stated Manager Voll. Mr. Carroll stated that one problem in BISF is the personal opinions within the DNR as to what the priority should be (ie. Timber, wildlife, fisheries). Mr. Carroll asked the board if we could get back to the Project Team process and work on some of the issues, specifically culvert sizing and the impoundments. Chairman Miller stated that the board will continue with the Project Team process as long as the DNR abides by the process as well. Mr. Carroll stated that the agency would continue to work on targeted areas.

There was discussion on LUP lands and State funding. Chairman Miller talked about culvert sizing. Mr. Carroll stated that they would want to be involved in the discussion on a culvert sizing project and have worked on similar projects in other watersheds. Manager Voll made the point that the DNR representation at the Project Team meeting should be able to make the decision at the table.

Chairman Miller and Mr. Carroll will tour the Beltrami area and suggested sites, Manager Voll will chair the rest of the meeting.

Manager Haugen made the following statement: “Mike, you asked if there were any comments from the Citizens Advisory Committee members after the meetings were over on the Roseau Lake bottom. The comments that have come back to me have been that it has to be a levy or dike at a set elevation so it could hold water and be released when the river could handle it going west. Also, they said we had to try and hold back water up stream, such as Beltrami area) along with the water coming south from Canada (Sprague area). Then to the WMA area, northwest of Roseau, we need to work on running water west out of pool3 and continuing it west and back to the Roseau River closer to where it enters Canada. When the WMA takes out the stop logs out of the south side of pool 2 in the spring, I can notice the water rises and slows up the water in the river in a day to a day and a half north of our farm (or the Trangsrud Bridge). It just fills up the Big Swamp faster which in turn causes problems for the Roseau County drainage along with the Roseau River Watershed and overflow to the south for Kittson County and Two Rivers Watershed. The water in the Roseau River north of our farm has dropped only 11 ½” from the high this spring. Section after section of farmland is flooded for weeks. Then on to SD 69. The county got allotted FEMA money back in 1999 and 2001 to clean this ditch. The county let a bid in 2005. The DNR stopped it late that fall (2005). The machine is still sitting on matts today (5/4/11) where it got stopped. Now the DNR has got the COE involved also. The SD 69 is the only outlet in that area. A person can put a crop in if the spring is right (but late), and then if you get a 2 inch rain, you have lost it without drainage. Paying high ditch taxes along with the FEMA money that was allotted is devastating to the farming in this area.”

Leanna Kowalik stated that when the RRWMA opens the pools to release water and Canada closes their dam, those in between get flooded. Ms. Kowalik stated that there are people who live in that area also. There is an internationally recognized historic Ukrainian Church that is in danger of being flooded.

Loren Horner, Chairman of the Warroad River Watershed District, stated that there are some washed out dams in the Warroad River Watershed portion of BISF.

Commissioner Falk asked about private land that is not for sale and needed for the Lake Bottom project. Chairman Miller stated that would have to be dealt with when the time came. Commissioner Swanson stated that meeting face to face and working issues out is a positive direction.

Manager Voll stated that the DNR Managers in charge of different areas need to quit thinking of the areas that they manage as “theirs.” it belongs to everyone. Chairman Miller asked about having fewer agency representatives at the Project Team. The Board felt that with

agency budgets being cut, there was no reason 6 – 8 DNR representatives needed to be in attendance at Project Team meetings, 3 or 4 should suffice and Mr. Talmage, DNR - Fisheries, could decide. Mr. Carroll stated that there will always be various personnel involved in the project team process bringing their insights to the process. Mr. Carroll agreed that Phil Talmage, as the DNR Project Lead, would decide which DNR members would attend future project team meeting. Manager Voll also stated that when the DNR requests additional information or work on a project, the DNR need to foot the expense, not the watershed. Mr. Carroll mentioned funding some of the project team process.

Manager Voll asked Mr. Carroll what his feeling is about repairing the structures in Beltrami. Mr. Carroll stated he would review the issue and look into what the new plan is. Manager Voll stated that there needs to be public input into any new management plan. Chairman Miller stated there was a contract signed as recent at 2009 that accounts for the maintenance of those structures on LUP land.

Chairman Miller asked Mr. Carroll to please address the 15 – 20 acres of timber belonging to Manager Haugen that was dozed down by the DNR. Mr. Carroll stated he thought the issue was resolved, but he would speak with Manager Haugen.

After a brief break, the meeting resumed with Vice-Chair Voll chairing the meeting.

PROJECT TEAM & ENGINEERS REPORT:

Hay Creek/Norland: A **motion** was made by Manager Carriere and seconded by Manager Haugen to pay the HDR bill in the amount of \$2,970.56. Motion carried unanimously. A **motion** was made by Manager Haugen and seconded by Manager Carriere to pay the Spruce Valley Corporation bill in the amount of \$5,031.00. Motion carried unanimously.

Palmville Project: A **motion** was made by Manager Carriere and seconded by Manager Haugen to pay the HDR bill in the amount of \$656.80. Motion carried unanimously.

Beltrami: After discussion on the billing and Administrator Sando's discussion with Engineer Anderson a **motion** was made by Manager Carriere and seconded by Manager Voll to pay the Widseth Smith Nolting bill for \$682.50. Motion carried unanimously.

Lake Bottom: A **motion** was made by Manager Carriere and seconded by Manager Haugen to pay the HDR bill in the amount of \$178.19. Motion carried unanimously.

COMMITTEE REPORTS:

Rules Committee: Information as been acquired and they will be meeting shortly. Manager Carriere stated that there were three components to tiling rules.

Personnell Committee: Will work on getting information together in the next couple of months.

Governing Documents: Nothing to report

PERMITS:

A **motion** was made by Manager Carrier and seconded by Manager Haugen to approve permit #11-01 (Les Swanson) with the condition that he talk to the Roseau County Trailblazers, Buck Bue, president and get their permission. Motion carried unanimously.

A **motion** was made by Manager Haugen and seconded by Manager Carriere to table Permits #11-02 and #11-03 (Rick Solberg) until the next meeting. Motion carried unanimously.

RRWMB Report:

Administrator Sando stated that Collin Peterson had attended the meeting and gave a brief report on the RRRA.

Administrator's Report:

Administrator Sando included the following issues in his report:

- Hay Creek / Norland construction update Spruce Valley had begun construction again, however the weather had slowed progress again. Compaction testing may begin soon. Administrator Sando handed out a draft operating plan to be reviewed at a later date. An abatement request and PILP request have been submitted to the Roseau County Coordinator.
- Palmville O & M update. The DNR had some issues with the JPA and have made some changes. Garry Bennett will survey the Mickinock Creek site when conditions warrant.
- Red River Retention Authority – Representative Peterson and Byrd were on hand to announce the release of \$10 for WRP (see handout). Administrator Sando stated that this committee is moving forward and gaining participation.
- Real Estate Tax – There was discussion on the ditch tax. There was consensus to leave the taxes as is.
- LUP focus group meeting
- Randy Prachar informed Administrator Sando that the appraisal on the Pohlitz land has not yet started. There was discussion on pursuing wetland credits on this land.
- MCIT insurance – they do not cover dam and levee failure and cancellation would take 1 ½ to 2 years. Administrator Sando recommends staying with the current insurance. Administrator Sando will continue to pursue the MCIT insurance
- Side water inlets – WD#3, Robert Lee. The County is currently working on the engineering on the inlets.
- WD #3 Lat 3 meeting with Joe Laurin – a meeting is scheduled for 8:30 am May 17th at the Social Service Building to discuss outletting of WD #3 water into SD #69.
- Project Team funding -- The FDRWG wants to know if this fiscal years funding will be spent. The board will wait and see where the Beltrami issue goes.
- ROW markers – Manager Voll discussed using steel posts and markers. County Engineer Ketrung stated that there may be issues with a new Federal mandate. There was discussion on signage on road or ditch right-of-way. A **motion** was made by Manager Haugen and seconded by Manager Carriere to use the galvanized posts from the County. Motion carried unanimously. Manager Voll discussed using PVC pipe with reflective tape. Manager Voll made a **motion** to use a reflective PVC marker on the posts, seconded by Manager Haugen. Motion carried unanimously.
- FEMA funds handout. The board discussed cleaning Ditch 16 culvert to culvert.
- Project monitoring

RRIW: No update.

BIG SWAMP: Manager Haugen stated there was no meeting.

West Interceptor: Administrator Sando updated the status of the payment from the City of Roseau.

OLD BUSINESS:

There was discussion on the Drainage Modernization Grant. The RRWD was recognized as having promptly submitted the work plan. Engineer Ketring discussed using the grant for purchase of a scanner. There was discussion on spending the grant funding.

Manager Haugen discussed the need for a walkway to operate the traps on the angle pipes on WD 3 of Lat 3. Engineer Ketring stated that the structure should not be problematic for snow removal. Manager Haugen will get estimates for construction of walkways. Engineer Ketring asked that they be part of the design process. Manger Haugen stated that in Lateral 2 there are two culverts that either don't have traps or the traps are missing and the water is flowing west. Administrator Sando will follow up for the next meeting.

Engineer Ketring stated that Gracia Nelson, Roseau County Emergency Coordinator, had spoke to him about the amount of flood damage from the spring flood. If the Watershed District has any damage due to spring flooding, they are requested to report them to the county.

NEW BUSINESS:

There was nothing on the agenda under new business.

After reviewing the vouchers, a **motion** was made by Manager Carriere, seconded by Manager Voll to approve the Manager's vouchers and Administrators Sando's expenses. Motion carried unanimously.

Upon a motion made by Manager Voll, seconded by Manager Carriere, the meeting was adjourned at 12:10 a.m.

Respectfully submitted,

LeRoy Carriere, Secretary

Tracy Halstensgard, Administrative Assistant