

MINUTES OF THE ROSEAU RIVER WATERSHED DISTRICT BOARD OF MANAGERS MEETING HELD AUGUST 3, 2016

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

MANAGERS PRESENT: Tony Wensloff, Carter Diesen, LeRoy Carriere and Jason Braaten.

STAFF PRESENT: Administrator Halstensgard and Technician McCormack

OTHERS PRESENT: Randy Prachar, RRWMA Area Manager – MN DNR

CONSULTING STAFF PRESENT: Randy Knott, HDR Engineering; Michelle Moren, Attorney.

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

MINUTES: A **motion** was made by Manager Carriere and seconded by Manager Braaten to approve the July 6, 2016 regular meeting minutes as distributed. Motion carried unanimously.

RECEIPTS:

Receipts -- Memo	Balance
Interest -- Checking account	\$ 59.97
Marshall County -- share of taxes	\$ 268.47
Beltrami County -- share of taxes	\$ 584.22
Kittson County -- share of taxes	\$ 3,017.57
RRWMB -- RRWMA reimbursement	\$ 96,531.81
City of Warroad -- annual outlet fee	\$ 1,800.00
Roseau County -- share of taxes	\$ 267,047.33
MN DNR -- Thompson Forest road delineation	\$ 575.00
State of Minnesota -- WRAPS reimbursement	\$ 48,676.78
Total	\$ 418,561.15

Bills	Amount
Tracy Halstensgard -- wages	\$ 4,228.24
Torin McCormack -- wages	\$ 4,487.24
Tracy Halstensgard -- mileage and reimbursement	\$ 249.48
Torin McCormack -- mileage and reimbursement	\$ 228.96
Brady Castle -- wages	\$ 1,456.66
Brady Castle -- mileage & reimbursements	\$ 261.08
LeRoy Carriere -- per diem & expenses	\$ 336.53
Carter Diesen -- per diem & expenses	\$ 173.11
Jason Braaten -- per diem & expenses	\$ 243.43
Tony Wensloff -- per diem & expenses	\$ 235.33
PERA -- employer / employee contribution	\$ 1,483.22
Internal Revenue Service -- withholding	\$ 4,090.87
MN State withholding -- Payroll tax withheld	\$ 722.00
Sjobergs TV -- internet access	\$ 50.04
Marco -- copier maintenance & annual audit	\$ 59.37
Minnesota Energy -- natural gas bill	\$ 54.06
CenturyLink -- phone service	\$ 119.86
City of Roseau -- utilities	\$ 229.70
HDR engineering -- invoices for 5/1/16 - 5/28/16	\$ 38,562.50
RRWMA - \$16,380.32; RL - \$9,314.64; CD 8 - \$8,448.74; repair plans - \$2,768.80; permit review - \$1,250.00	
dot.com Connection -- website service	\$ 90.00
Cardmember Services -- gas, postage & mitigation sign posts	\$ 398.77
Roseau Times Region -- notices	\$ 127.13
Moren Law Office -- legal fees	\$ 712.50
Houston Engineering -- Beltrami Project	\$ 11,955.83
Multi Office Products, Inc -- paper, inc & supplies	\$ 290.40
Jake's Pizza -- food for PT meeting	\$ 112.54
RJ Zavoral & Sons, Inc -- Pay estimate #3	\$ 210,294.90
Kofstad Signs -- signs	\$ 76.95
Roseau Ace Hardware -- mitigation supplies	\$ 103.54
Conservation Corps -- Norland mitigation	\$ 20,214.70
Northern Resources Co-op -- gas card	\$ 109.18
Scott's True Value -- supplies	\$ 15.27
Total	\$ 301,773.39

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

PERMITS:

Technician McCormack discussed permit application #16-15 (Mark Wierschke). There was discussion on the elevation of a culvert in the ditch and the way the water would flow if the work were completed. A **motion** was made by Manager Braaten, seconded by Manager Carriere to

deny the permit request due to the feasibility of the work proposed. Motion carried unanimously.

Technician McCormack discussed permit application #16-16 (Erik Dunham). After discussion, a **motion** was made by Manager Carriere, seconded by Manager Diesen to deny the permit due to lack of information in application (ditch profile, construction plan, township approval & adjacent landowner acknowledgement). Motion carried unanimously.

Technician McCormack discussed permit #16-17 (Roseau County). A **motion** was made by Manager Braaten, seconded by Manager Diesen to approve the permit as submitted. Motion carried unanimously.

Technician McCormack discussed permit #16-18 (Roseau County). A **motion** was made by Manager Diesen, seconded by Manager Carriere to approve the permit as submitted. Motion carried unanimously.

Technician McCormack discussed permit #16-19 (Matt Millner). A **motion** was made by Manager Carriere, seconded by Manager Braaten to approve the permit as submitted. Motion carried unanimously.

Technician McCormack discussed permit #16-20 (Matt Millner). A **motion** was made by Manager Diesen, seconded by Manager Braaten to approve the permit as submitted. Motion carried unanimously.

Technician McCormack discussed permit #16-21 (Lisa Byfuglien). A **motion** was made by Manager Braaten, seconded by Manager Carriere to approve the permit as submitted. Motion carried unanimously.

Technician McCormack discussed permit #16-22 (Roseau County). There was extensive discussion concerning the history of the request to provide an outlet for WD3 Lat 3 to the JD 69 system. A **motion** was made by Manager Carriere, seconded by Manager Diesen to deny the permit based on the previous assessment that this work would require a public hearing. Motion carried unanimously.

Technician McCormack discussed permit #16-23 (Mark Tveit). A **motion** was made by Manager Carriere, seconded by Manager Braaten to approve the permit as submitted. Motion carried unanimously.

Technician McCormack discussed permit #16-24 (Vali Hamilton). A **motion** was made by Manager Carriere, seconded by Manager Diesen to approve the permit as submitted. Motion carried unanimously.

PROJECTS:

RRWMA: Randy Knott, HDR Engineering gave an update on the following items: Pool 2 structure construction; Pool 3 structure finish items; ditching spoil disposal; wet conditions. Randy Prachar, MN DNR spoke about the work progress and the conditions. Mr. Prachar stated that Zavoral's foreman was good to deal with and they were getting things done.

Chairman Wensloff discussed the draft road agreement between the District and the County. A committee of County and District personnel met and made edits to the original draft. The direction of the board was to coordinate another meeting with the committee to discuss the changes.

Randy Knott discussed a letter from R J Zavoral & Sons dated Aug. 1, 2016. The purpose of the letter is to request a time extension and compensation due to wet conditions.

A **motion** was made by Manager Carriere to close the regular meeting and open the public hearing, seconded by Manager Braaten. Motion carried unanimously. The public hearing notice was read by Chairman Wensloff as follows:

***NOTICE OF PUBLIC HEARING TO CONSIDER USE OF STATE DITCH
#51 FUNDS FOR THE ROSEAU RIVER WILDLIFE MANAGEMENT AREA
POOL 2 AND POOL 3 OUTLET PROJECT***

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Roseau River Watershed District (RRWD) Board of Managers on the 3rd day of August, 2016 at 9:00 a.m. The public hearing will be held at the RRWD office located at 108 3rd Ave SW, Roseau MN 56751. The purpose of the hearing will be for the Board to consider utilizing funds from State Ditch #51 for the Roseau River Wildlife Management Area Pool 2 and Pool 3 Outlet Project and determine if the utilization of said funds for the project will maintain the efficiency of the ditch systems pursuant to Minnesota Statutes §103E.701.

At the hearing any affected person and/or entity representative may testify for or against the utilization of said funds.

Randy Knott gave a brief presentation to the board on the benefits to SD 51 from the project and possible scenarios to determine the funding cost share amounts. Administrator Halstensgard noted that the District did not receive any verbal or written comments and there was no one present at the meeting to comment. Based on engineering, the project will help maintain the efficiency of the SD 51 system. There was some discussion on the various cost share scenarios. A **motion** was made to close the public hearing and reopen the regular meeting by Manager Braaten, seconded by manager Carriere. Motion carried unanimously. Manager Carriere made a **motion** to table the decision to use SD 51 to cost share local project costs until construction is complete, seconded by manager Braaten. Motion carried unanimously.

Randy Knott discussed the issue of placing spoil at the moist soils site. This has been complicated by the wet conditions. The board discussed the challenges due to the wet conditions including pumping of water at the site. A decision on additional pumping costs will be made at a future board meeting. A **motion** was made by Manager Braaten, seconded by Manager Carriere to authorize spoil hauling and work for the moist soils unit in an amount up to \$45,000 in cooperation with recommendations by HDR, DNR and staff. Motion carried unanimously. After discussion, a **motion** was made by Manager Carriere seconded by Manager Diesen to agree to a contract time extension. The September 15th deadline would be suspended. Work on conveyance channel would be done once freeze up starts. Start date needs to be approved by Randy Knott and Randy

Prachar. Work could begin on November 14, 2016 and conclude by February 1, 2017. Motion carried unanimously.

Roseau Lake Project: Technician McCormack spoke about the water levels. Administrator Halstensgard informed the board of a committee meeting held at the HDR office in TRF. The next Project Team meeting will be August 18th. Administrator Halstensgard, Nate Dalager and Randy Prachar met with landowners Terry, Tim and Norman Kveen and Mitch Magnusson to provide an update on the project. Kveens do not live in the area so when they are in the area, we try to meet with them to provide an update and give them an opportunity for input.

Beltrami: The board discussed a proposal from Houston Engineering for project survey work. Administrator Halstensgard stated that Houston has been very helpful and cooperative in the reporting that is required. Manager Carriere discussed the RRWMB cost share proposal.

Whitney Lake: There was discussion on the landowner input meeting. Manager Braaten worked with Administrator Halstensgard on the landowner list. The date of the meeting was changed due to a scheduled visit by DNR Commissioner Landwehr.

Ditch 8 and other maintenance: Technician McCormack discussed the quotes for the following work:

A **motion** was made by Manager Diesen, seconded by Manager Braaten to hire R & Q Contracting for the dip-dip road side inlets for the amount of \$25,816.00. Motion carried unanimously.

A **motion** was made by Manager Carriere, seconded by Manager Diesen to hire Conn Trucking for CD 16 culvert replacement for the amount of \$1,405.00. Motion carried with Manager Braaten abstaining.

A **motion** was made by Manager Carriere, seconded by Manager Diesen to hire Conn Trucking for WD 3 culvert replacement for the amount of \$1,480.00. Motion carried with Manager Braaten abstaining.

A **motion** was made by Manager Carriere, seconded by Manager Braaten to hire Beito Repair for SD 51 cutoff 10 slope repair for the amount of \$5,706.10. Motion carried unanimously.

A **motion** was made by Manager Braaten, seconded by Manager Carriere to hire Beito Repair for WD 3 slope repair for the amount of \$6,139.10. Motion carried unanimously.

Manager Braaten spoke about his conversation with the COE representative concerning the Duxby Levee inspection. A **motion** was made by Manager Braaten, seconded by Manager Carriere to hire Northpine for Duxby Levee brushing for the amount of \$4,197.60. Motion carried unanimously.

REPORTS:

RRWMB: Manager Carriere discussed the following items:

- RCPP cost share
- 2017 Tax levy
- RRBC meeting update
- Legislative report
- Buffer rules

Administrator: A **motion** was made by Manager Carriere, seconded by Manager Braaten to schedule the public hearing for 9:00 a.m. on September 7, 2016 for the 2017 budget and levies as discussed. Motion carried unanimously.

Technician: Technician McCormack updated the board on the following items:

- Richard Larson and Kyle Verbout ditching compliance issues. The board discussed at length the rules and process regarding this issue. The landowners engaged in ditching that has created serious erosion / bank stabilization issues. A **motion** was made by Manager Braaten, seconded by Manager Carriere to bill Richard Larson for the repair. Motion was withdrawn. After extensive discussion on legal consultation, a **motion** was made by Manager Braaten, seconded by Manager Carriere to follow the process outlined in Section 11.4 Enforcement Powers of Managers of the Roseau River Watershed District Amended Rules 2014 and schedule a public hearing for September 7, 2016 at 9:30 a.m. for Richard Larson to address the board on this issue. Motion carried unanimously. A **motion** was made by Manager Braaten, seconded by Manager Diesen to follow the process outlined in Section 11.4 Enforcement Powers of Managers of the Roseau River Watershed District Amended Rules 2014 and schedule a public hearing for September 7, 2016 at 10:00 a.m. for Kyle Verbout to address the board on this issue. Motion carried unanimously.
- Great Northern power line
- A **motion** was made by Manager Braaten, seconded by Manager Carriere to add portions of CD 8 to the spraying to be done by Larson Helicopter. Motion carried unanimously.

OLD BUSINESS: Technician McCormack discussed the request for an extension for Permit #14-20. Because it has been over 1 year since the permit was approved, the applicant must reapply.

NEW BUSINESS: Manager Diesen spoke about the District's investments. A **motion** was made by Manager Carriere, seconded by Manager Braaten to direct Manager Diesen and Administrator Halstengard to combine investments if necessary and reinvest with the best interest rate. Motion carried unanimously.

OTHER BUSINESS:

Manager Diesen read the vouchers aloud and a **motion** was made by Manager Carriere, seconded by Manager Braaten to approve the Managers' and staff expense vouchers. Motion carried unanimously.

There being no further action items on the agenda, a **motion** was made by Manager Diesen and second by Manager Braaten, the meeting was adjourned at 11:21 a.m.

Respectfully submitted,

Cody Schmalz, Secretary

Tracy Halstengard, Administrator