

**MINUTES OF THE ROSEAU RIVER WATERSHED DISTRICT BOARD OF
MANAGERS MEETING HELD OCTOBER 13, 2021**

The meeting was held at the Roseau River Watershed District office located at 714 6th Street SW, Roseau, MN 56751 with participation also available online via WebEx.

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

MANAGERS PRESENT: In person: Cody Schmalz, Jason Braaten, Tony Wensloff, LaVerne Voll and Carter Diesen.

STAFF PRESENT: In Person: Watershed Specialist McCormack. Via WebEx: Administrator Halstensgard.

OTHERS PRESENT: In Person: Matt Magnusson and Mitch Magnusson, landowners; Roger Falk, County Commissioner; Randy Prachar, MN DNR. Via WebEx: Chad Reese and Melanie Benit, Institute for Justice; Terry Kveen; Deb Stone

CONSULTING STAFF PRESENT: In person, Nate Dalager, HDR Engineering.

Manager Braaten took the Oath of Office and was sworn in for his next term.

AGENDA: A **motion** was made by Manager Wensloff, seconded by Manager Braaten to approve the agenda as amended with the addition of LCCMR agreement under Old Business and Permit #21-22 (Greg Braaten) under permits. Closing the meeting for pending litigation was removed from the agenda. Motion carried unanimously.

CONSENT AGENDA: A **motion** to approve the Consent Agenda was made by Manager Braaten and seconded by Manager Wensloff. The motion carried unanimously. Adoption of the Consent Agenda included approving the September 1, 2021 regular meeting minutes, the Treasurer's Report, Permit #21-19, #21-20, #21-21, and manager expense vouchers.

PERMITS:

After Specialist McCormack provided the additional information acquired since the permit application was tabled at the September Board meeting. Manager Voll made a **motion** to approve permit #21-18 (Steven Kvien) for additional information, seconded by Manager Schmalz. Motion carried unanimously.

After discussion on the error on permit application #21-22 (Greg Braaten), Manager Wensloff made a **motion** to deny the permit, seconded by Manager Schmalz. The board encouraged the landowner to complete a new application with the correct information. Motion carried with Manager Braaten abstaining.

REPORTS:

ADMINISTRATOR: Administrator Halstensgard stated that she would report on agenda items as they are presented.

WATERSHED SPECIALIST: Specialist McCormack provided the following update to the Board:

- Roseau Lake - design meetings, mitigation proposal discussions
- Lost River field survey second phase completed
- Norland monitoring equipment has been pulled.
- Southwest outlet structure damage due to motor vehicle accident. There was discussion on additional work to be done while a contractor is on site.
- City Center Site repair update

RRWMB: Manager Braaten updated the board on LIDAR flight taking place this fall and meeting with the DNR Commissioner. Administrator Halstengard discussed the funding request for the Roseau Lake project. The District is requesting an advance of \$480,000.00 for land acquisition. Manager Braaten made a **motion** to approve the agreement for the advance of funds contingent upon approval of legal council, Manager Wensloff seconded. Motion carried unanimously. Administrator Halstengard also updated the board on the proposed request for Flood Hazard Mitigation funds in the 2022 legislative session.

Chairman Diesen asked if there were any comments on the Reports. Mitch Magnusson asked what the funds from the RRWMB would be used for and was informed it was for acquisition.

NEW BUSINESS:

Administrator Halstengard discussed the request for easement from Minnesota Energy. A **motion** to approve the easement was made by Manager Voll and seconded by Manager Wensloff. Motion carried unanimously.

There was no additional public comment on new business.

OLD BUSINESS:

Specialist McCormack updated the board on the farming activities being done on the Spruce Valley 35 wetland bank site. The board reviewed the farming agreement with Tviet Farms. Manager Voll made a **motion** to approve the farming agreement for 1 year, seconded by Manager Wensloff. Motion carried unanimously.

Administrator Halstengard informed the board the first Policy Committee meeting was scheduled for Friday Oct. 16th. Manager Voll had agreed to be the representative and Administrator Halstengard requested the board assign an alternate. Manager Braaten stated he would try to make it. Chairman Diesen stated that he would communicate with Manager Braaten and make sure that one of them was there as an alternate.

Last month the Board was presented with a scope of work from Houston Engineering for the Oak Crest Coulee Retrofit. The proposed planning effort qualified for RRWMB Clean Water Base Funding. The Roseau City Council agreed to participate in the local cost share and Administrator Halstengard will be requesting participation from the Golf Course and the SWCD. A **motion** was made by Manager Braaten, seconded by Manager Schmalz to approve the Houston Engineering Scope of Work and partner with the stated entities. Motion carried with Manager Voll opposed.

A **motion** was made by Manager Wensloff, seconded by Manager Braaten to approve the LCCMR agreement for the Lost River Peatland Restoration project. Motion carried unanimously.

Chairman Diesen asked if there was any public comment on Old Business. Matt Magnusson asked what the Oak Crest Coulee project included. He was informed that, for the Watershed District, it's a water quality project.

PROJECTS:

Roseau Lake: -- Engineer Dalager gave a presentation on the project. There was discussion on the benefits of the projects and the concerns of landowners. The board discussed approving the Operation, Maintenance, and Access Plans and requested hard copies. Approval of the plans will be moved to the November agenda. Deb Stone commented on the landowner's ability to comment on the plans. It was pointed out that the landowners have had multiple opportunities to weigh-in on the Operating Plan.

Whitney Lake: Specialist McCormack comment on the survey of the outlet. He has received profile information from the County, but it was from 2018. Specialist McCormack will work with HDR staff to obtain addition information including cross-sections. Administrator Halstensgard reviewed the Project Team meeting that was held September 16th.

WD #4 update: Special McCormack has provided the Right of Way information to the Viewers. Will continue to update at the November meeting.

Chairman Diesen asked for public comment on the project discussion. Mitch Magnusson addressed the Roseau Lake Operating Plan. Randy Pracher replied to the context of the Plan that Mr. Magnusson was questioning. Matt Magnusson continued the discussion on the Operating Plan and stated that the final document and written public comments should have gone back before the Operating Plan Sub-Committee. Administrator Halstensgard stated that the purpose of the Sub-Committee was to provide input into the drafting of the document. Once the document is submitted to the Watershed Board, it becomes the Board's document (for Project Team purposes). The Board then decided to allow for a 30-day comment period. There is no requirement that the Plan continue to be put before the Sub-Committee. The plans will become part of the Joint Powers Agreement between the Watershed District and the DNR. Terry Kveen commented about improving the capacity of the river downstream of the Lake Bottom by installing additional culverts at Ross Bridge. Specialist McCormack discussed his finding from acquired survey showing the choke-point to be upstream of the Ross Bridge. Chad Reese commented about the Project Work Team process and the interactions during the meeting. Matt Magnusson questioned the process for board voting.

A **motion** was made by Manager Braaten, seconded by Manager Schmalz to adopt the resolution to close the meeting to discuss land acquisition. Motion carried unanimously.

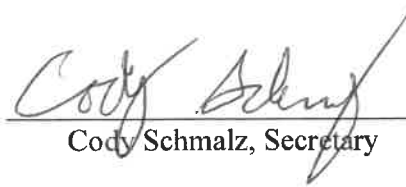
A **motion** was made by Manager Schmalz, seconded by Manager Voll, to open the public meeting. Motion carried unanimously.

Other Items:

Manager Voll asked about a culvert issue on property his brother owns and was directed to complete a permit application.

After a **motion** by Manager Voll and second by Manager Wensloff, the meeting was adjourned at 10:48 a.m.

Respectfully submitted,


Cody Schmalz, Secretary


Tracy Halstengard, Administrator

RRWD October 2021 Bills & Receipts

RRWD Checkbook Balance as of October 1, 2021	\$91,841.61
Receipts:	
Kittson County - SD #51 Buffer aid	\$ 2,197.00
Marshall County - SD #51 levy	\$ 102.85
Citizens State Bank -- interest 8-16-21	\$ 5.82
Total:	\$ 2,305.67
Bills:	
Tracy Halstensgard -- Salary and Insurance	\$5,039.64
Torin McCormack -- Salary and Insurance	\$5,486.64
Jason Braaten - per diem & mileage	\$104.67
Carter Diesen - per diem & mileage	\$101.31
Torin McCormack -- mileage & expenses	\$150.00
Cody Schmalz - per diem & mileage	\$145.55
LaVerne Voll - per diem & mileage	\$231.18
Tony Wensloff - per diem & mileage	\$92.35
Internal Revenue Service -- Withholding	\$3,910.17
Minnesota Department of Revenue -- Withholding	\$630.00
PERA -- Employer / Employee Contribution	\$1,696.28
Cardmember Services -- web service fees, meeting expenses, supplies	\$295.07
City Of Roseau -- utilities	\$200.04
Marco -- Copier agreement	\$162.66
Minnesota Energy -- Natural Gas	\$10.15
Patrick Moren Law Office -- Legal Fees	\$1,137.50
Roseau Electric Co-op -- Int/phone --	\$156.60
SuperOne - supplies	\$53.87
Northern Resources Cooperative -- gas for work truck	\$215.69
Verizon Wireless -- Trimble	\$40.01
League of Minnesota Cities -- membership dues	
	\$2,045.00
D&E Sport Shop -- City Center Site	\$1,899.81
At Your Service Lawncare -- mowing	\$320.63
Techworks -- email upgrade and monitoring March - Aug 2021	\$360.00
Halverson Sand & Gravel -- City Center Site repair & Norland beaver dam removal	\$6,450.13
HDR -- invoices 1200372282, 1200372286 & 1200372287	\$48,991.37
HDR -- invoice 1200372282	\$46,390.34
Total:	\$126,316.66

RESOLUTION CLOSING BOARD MEETING

WHEREAS, the Minnesota Open Meeting Law, Minn. Stat. § 13D.05, subd. 3(c) (3) states that:

“A public body may close a meeting:

To develop or consider offers or counteroffers for the purchase or sale of real or personal property.

Before holding a closed meeting under this paragraph, the public body must identify on the record the particular real or personal property that is the subject of the closed meeting. The proceedings of a meeting closed under this paragraph must be tape recorded at the expense of the public body. The recording must be preserved for eight years after the date of the meeting and made available to the public after all real or personal property discussed at the meeting has been purchased or sold or the governing body has abandoned the purchase or sale. The real or personal property that is the subject of the closed meeting must be specifically identified on the tape. A list of members and all other persons present at the closed meeting must be made available to the public after the closed meeting. If an action is brought claiming that public business other than discussions allowed under this paragraph was transacted at a closed meeting held under this paragraph during the time when the tape is not available to the public, Section 13D.03, subdivision 3, applies.

An agreement reached that is based on an offer considered at a closed meeting is contingent on approval of the public body at an open meeting. The actual purchase or sale must be approved at an open meeting after the notice period required by statute or the governing body’s internal procedures, and the purchase price or sale price is public data.”

WHEREAS, the Roseau River Watershed District will be developing or considering offers or counteroffers for the purchase of the following described real property:


Roseau Lake - Lands under consideration include portions of Sections 7-8, 12-14, 23-24 and 26, Dieter Township (T163N, R41W), Roseau County and Sections 20-22 and 28-29, Unorganized Township (T163N, R40W), Roseau County (see attached map), and;
Site C - Lands under consideration include portions of Section 11, Ross Township (T162N, R41W), Roseau County (see attached map).


On October 13, 2021, during the regular board meeting commencing at 8:00 a.m., at the Roseau River Watershed District Board office located at 714 6th Street SW, Roseau, Minnesota, 56751; and

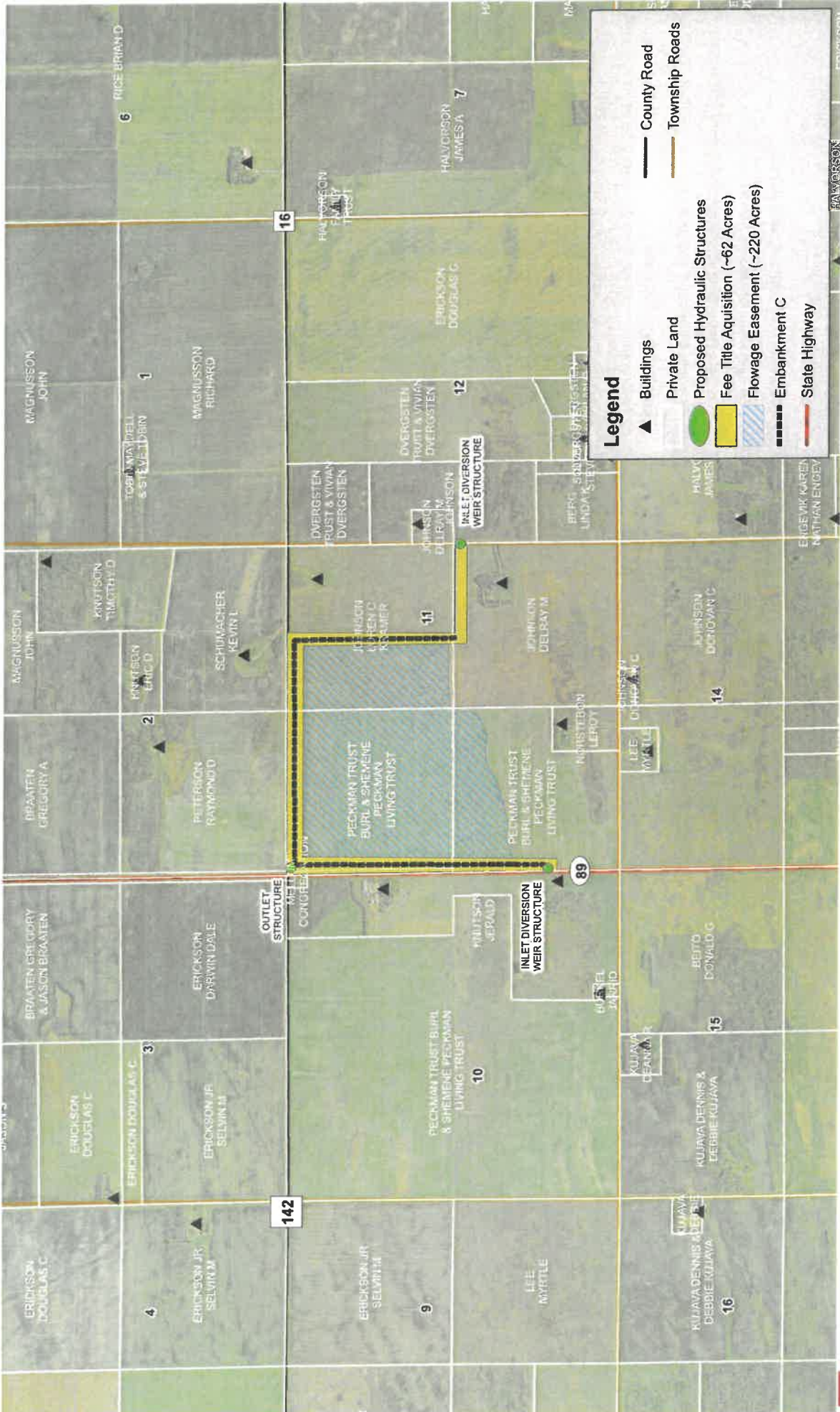
BE IT RESOLVED by the Roseau River Watershed District Board as follows:

1. The Roseau River Watershed District Board hereby closes this meeting pursuant to Minn. Stat. § 13D.05, subd. 3(c)(3) to develop or consider offers or counteroffers for purchase of the above described real property;
2. That any agreement reached based upon an offer considered at this meeting shall be contingent upon approval of the Roseau River Watershed District Board at an open meeting and the actual purchase or sale must be approved at an open meeting after the notice period required by statute or the Roseau River Watershed District Board's internal procedures and the purchase price or sale price as public data.

Dated this 13th day of October, 2021.


Chairman


Secretary



Legend

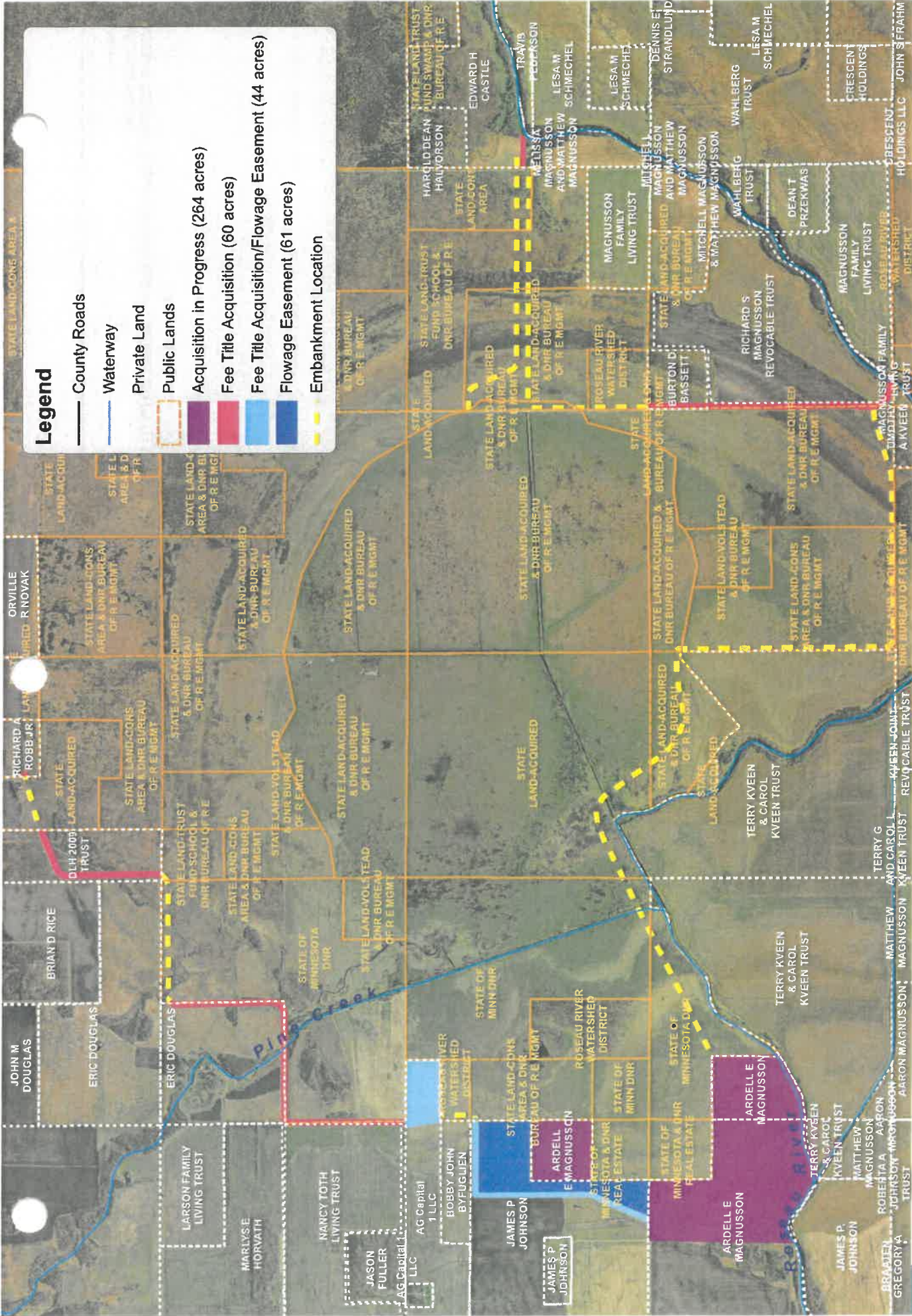
- Buildings
- Private Land
- Proposed Hydraulic Structures
- Fee Title Acquisition (~62 Acres)
- Flowage Easement (~220 Acres)
- Embankment C
- State Highway
- County Road
- Township Roads

RETENTION SITE C
 SEPTEMBER 2019
 WHITNEY LAKE SUBWATERSHED



FEE TITLE AND FLOWAGE EASEMENT AQUISITION





Legend

- County Roads
- Waterway
- Private Land
- Public Lands
- Acquisition in Progress (264 acres)
- Fee Title Acquisition (60 acres)
- Fee Title Acquisition/Flowage Easement (44 acres)
- Flowage Easement (61 acres)
- Embankment Location



ROSEAU LAKE PROJECT

LAND EASEMENTS AND ACQUISITION

UPDATED :EMBER 2020

