

**MINUTES OF THE ROSEAU RIVER WATERSHED DISTRICT BOARD OF
MANAGERS MEETING HELD JANUARY 6, 2021**

ORDER: Chairman Jason Braaten called the meeting to order at 12:00 p.m. and led the Pledge of Allegiance.

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

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

Pursuant to Minnesota Statutes §13D.021, because of the declaration by Governor Tim Walz on March 13, 2020 of a Peacetime State of Emergency due to the COVID-19 Pandemic, the meeting will be conducted by telephone or other electronic means. Jason Braaten, as the Chairman of the Roseau River Watershed District Board of Managers, has determined that an in-person meeting is not practical or prudent due to the health pandemic. Some or all of the Managers may appear at the meeting via electronic means. The office will be closed to the public. Public participation was via WebEx with login information provided in the standard meeting notices.

OTHERS PRESENT via WebEx: Rob Sip, Red River Watershed Management Board; Roger Falk and Daryl Wicklund, Roseau County Commissioners; Keith Weston, Red River Retention Authority; Deb Walchuk, NRCS; Randy Prachar, MN DNR; Dillon Nelson and Kerry Berg, HDR Engineering; Jerry Bents, Houston Engineering; Chad Reese and Malanie Benit, Institute for Justice; Landowners Mark Wierschke, Terry Kveen, Levi Novacek, Mitch Magnusson, Matt Magnusson, Deb Stone, Conor Beck, Kurt Kveen, David Losson, Hunter O'Leary.

CONSULTING STAFF PRESENT: In person, Nate Dalager, HDR Engineering; Via WebEx, Michelle Moren, Attorney

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

ELECTION OF OFFICERS: Board members discussed officer positions and the benefits of change in manager's roles. Administrator Halstensgard, acting as Teller, read aloud the Role of Chairperson and called for nominations for Chairman. Manager Wensloff nominated Manager Diesen for Chairman. There being no further nominations, Manager Voll made a **motion** to cease nominations and cast a unanimous ballot for Manager Diesen for Chairman, seconded by Manager Wensloff. Motion carried unanimously. The meeting was turned over to Chairman Diesen.

After reading the Role of Vice-Chair, Chairman Diesen called for nominations for Vice-Chairman. Manager Voll nominated Manager Braaten for Vice – Chairman. There being no further nominations, Manager Wensloff made a **motion** to cease nominations and cast a unanimous ballot for Manager Braaten for Vice-Chairman, seconded by Manager Voll. Motion carried unanimously.

After reading the Role of Secretary, Chairman Diesen called for nominations for Secretary. Manager Voll nominated Manager Schmalz for Secretary, There being no further nominations,

Manager Wensloff made a **motion** to cease nominations and cast a unanimous ballot for Manager Schmalz for Secretary, seconded by Manager Braaten. Motion carried unanimously.

After reading the Role of Treasurer, Chairman Diesen called for nominations for Treasurer. Manager Braaten nominated Manager Wensloff for Treasurer. There being no further nomination, Manager Braaten made a **motion** to cease nomination and cast a unanimous ballot for Manager Wensloff and seconded by Manager Voll. Motion carried unanimously.

A **motion** was made by Manager Wensloff and seconded by Manager Schmalz to name Bremer Bank, Citizens State Bank and Border State Bank as official depositories. Motion carried unanimously.

A **motion** was made by Manager Voll and seconded by Manager Braaten to name Roseau Times-Region as official newspaper. Motion carried unanimously.

A **motion** was made by Manager Wensloff, seconded by Manager Voll to name Attorney Michelle Moren as primary Legal council on fee basis and contract with other firms on fee basis as deemed necessary by the board. Motion carried unanimously.

A **motion** was made by Manager Wensloff, seconded by Manager Braaten continue to contract with engineering firms on an as needed basis. Motion carried unanimously.

A **motion** was made by Manager Voll, seconded by Manager Schmalz to appoint Managers Braaten and Wensloff to the Roseau Lake and Whitney Lake Project Teams. All managers will be named as alternates and meetings will be posted as special board meetings allowing for all managers to attend. Motion carried unanimously.

A **motion** was made by Manager Wensloff and seconded by Manager Voll to appoint Manager Diesen as the representative to the FSA office. Motion carried unanimously.

A **motion** to appoint Manager Braaten as the delegate to the RRWMB and Manager Voll as the alternate was made by Manager Wensloff, seconded by Manager Schmalz. Motion carried unanimously.

A **motion** was made by Manager Wensloff, seconded by Manager Braaten to appoint Manager Voll and Manager Schmalz as delegates on the Roseau River International Watershed Board. Motion carried unanimously.

A **motion** was made by Manager Wensloff, seconded by Manager Braaten to appoint Managers Braaten and Diesen to the Personnel Committee. Motion carried unanimously.

A **motion** was made by Manager Voll, seconded by Manager Schmalz to appoint Managers Wensloff and Diesen to the Land Use Committee. Motion carried unanimously.

The following meeting schedule for 2020 was adopted by a **motion** by Manager Wensloff, seconded by Manager Diesen. The motion carried unanimously.

2021 Regular Meetings

January 6 – 12 p.m.
February 3 – 12 p.m.
March 3 – 12 p.m.
April 7 - 8 a.m.
May 5 – 8 a.m.
June 2 -- 8 a.m.

July 7 – 8 a.m.
August 4 -- 8 a.m.
September 1 – 8 a.m.
October 6 – 8 a.m.
November 3 – 8 a.m.
December 1 -- 8 a.m.

CONSENT AGENDA: A **motion** to approve the Consent Agenda was made by Manager Wensloff and seconded by Manager Schmalz. The motion carried unanimously. Adoption of the Consent Agenda included approving the December 2, 2020 regular meeting minutes, the Treasurer's Report, manager and employee expense vouchers, Permit #20-31, and Permit #20-32.

PERMITS: Specialist McCormack discussed a request by Douglas Erickson for a modification to permit #20-23 (change of culver size). After discussion and review, a **motion** was made by Manager Schmalz, seconded by Manager Braaten, to approve the modification request. Motion carried unanimously.

NEW BUSINESS: A **motion** was made by Manager Wensloff, seconded by Manager Braaten to approve and authorize Chairman Diesen and Administrator Halstensgard to sign the letter of engagement with Brady Martz for 2020 financial audit services. Motion carried unanimously.

OLD BUSINESS: There was no Old Business for this meeting.

REPORTS:

RRWMB: Rob Sip, RRWMB Executive Director, gave a presentation to the board on the funding the Red River Watershed Management Board (RRWMB) has allocated to it's member districts. Director Sip discussed the project funds and programs that the RRWMB participates in. The Board discussed the RRWMB's Water Quality and Monitoring program. It was the feeling of the Board that the program was valuable in promoting the work that watersheds do beyond retention. A **motion** was made by Manager Voll to send a letter of support for the Water Quality and Monitoring program, seconded by Manager Wensloff. Motion carried unanimously. Manager Braaten mentioned the Flood Hazard Mitigation bonding funds that were set aside by the State for the RRWMB to allocate. There is a finance committee recommendation in place to provide funding to four projects in the valley (Red Path in Bois de Sioux WD, Klondike in Two Rivers WD, Whitney Lake in Roseau River WD and Goose Prairie in Wild Rice WD). The RRWMB will take up the recommendation at their January meeting.

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

- Access gates were opened on the Norland Impoundment to allow snowmobile access.
- Monitoring reports were completed for the required sites.
- Rates and available equipment were obtained from four contractors to provide debris removal on SD #51. Specialist McCormack recommended hiring more than one contractor to get the maximum amount of work done while conditions allow. The board discussed options on how to proceed. A **motion** was made by Manager Braaten to contract with Backwoods Services and Matt Anderson to start work as directed by Specialist McCormack & the Land-use Committee after their assessment of work to be

completed. Each contractor is authorized to work 120 hours and the Board will re-evaluate at the February meeting. Motion was seconded by Manager Schmalz and carried unanimously.

- Arpin (Lost River) project update
- Projects and Programs presentation – updated the board on status of progress as it pertains to the 2004 Overall Plan.

ADMINISTRATOR: Administrator Halstensgard presented a written update as well as discussing a proposal for press releases written by Alicia Baumen as needed to provide information to be published in the newspaper and online. A **motion** was made by Manager Wensloff, seconded by Manager Braaten to authorize Administrator Halstensgard to work with Ms. Bauman to develop press releases. Motion carried unanimously. Administrator Halstensgard informed the board of a DNR Listening Session she attended with DNR Commissioner Sarah Strommen.

PROJECTS:

Establishment of WD #4: -- Engineer Dillon Nelson gave a presentation on the Preliminary Survey Report. There was some discussion on the MN Statute 103E process. Attorney Moren asked if the Preliminary Survey Report had been submitted to the MN DNR. Engineer Nelson stated that it had. A **motion** was made by Manager Wensloff to accept the Preliminary Survey Report, seconded by Manager Braaten. Motion carried unanimously. A **motion** was made by Manager Wensloff to schedule the Public Hearing on the Preliminary Survey Report for February 3rd, 2021 at 1 p.m., seconded by Manager Schmalz. The motion carried unanimously.

Ditch 16 Update – Engineer Dalager and Administrator Halstensgard updated the board on the status of the project. Easements are being drafted and permit applications are being prepared. Administrator Halstensgard will be meeting with the County to discuss funding of the project. Manager Braaten recused himself from the board as asked about the petitioners' bond. Attorney Moren will follow up and report back on when that bond can be released.

Roseau Lake – Engineer Dalager gave a presentation to the Board on the brief history of the project, Alternative 2A', Alternative 1, and how the two alternatives function. There was discussion on what the operating plan would be for the project with Alternative 1. Engineer Dallager explained what the structures (inlets, outlet, and 1034' spillways) would be.

Mitch Magnusson commented on the elevations for operations for the two alternatives. Engineer Dalager explained the different elevations when the project would be operated. Terry Kvien commented that some of their best crops are when they can intentionally flood the island.

Administrator Halstensgard discuss the resolution to move forward with Alternative 1. The DNR will be drafting the record of decision on the Environmental Assessment Worksheet (EAW). If the Board wishes to move forward with Alternative 1, adopting the resolution will allow the DNR to include that in their determination.

Mitch Magnusson asked how the project went from being two ditches running west from the Lake Bottom to the current project and how the board can move forward with any project and not expect to acquire easement from land on the south side of the river. Deb Stone also questioned how the board can move forward with the project with out listing to the landowners. Manager Braaten stated that local landowners participated in the Project Team that developed the alternatives for the project. Mr. Magnusson and Ms. Stone stated that the Magnusson and Kveen families have repeatedly conveyed their position on selling easement and the effects they believe the project will have to their property to the Board over the last several months and even years as part of the project team. They feel they have not been listened to because the Board has not agreed with their position on impacts. In fact the Board has on several occasions, including

changing alternatives, made changes to the project based on their input. Mr. Magnusson asked what the Board would do with land south of the river under Alternative 1. The recommendation is to not acquire any easements on land south of the river. Administrator Halstensgard read the resolution (attached). There was continued discussion on the function of the project. Ms. Stone stated that the Board shouldn't rely on one engineer's opinion. It was pointed out that projects like this that are developed in the Red River Valley are reviewed by the RRWMB's Technical Advisory Committee (TAC) which consists of four engineers with experience working in the Red River Basin, the Flood Damage Reduction Work Groups Technical Advisory Committee, the MN DNR as the project partner, and various other agency hydrologists and engineers. Hunter O'Leary asked about the exterior drainage going around private land. Engineer Dalager stated land outside of the embankment will have access to the exterior drainage. Mr. O'Leary also asked about the height of the dike on the east side of their property. Engineer Dalager replied with dike height elevations. Mr. Magnusson stated he would be willing to accompany anyone who wants to take a tour of the lake bottom on a snowmobile. There was additional discussion about the project moving forward. Manager Voll asked about presenting the 3-D contour maps to show the elevations. Manager Wensloff read a question sent to him by Matt Magnusson. The question concerned the difference in easement acquisition between Alternative 2A' and Alternative 1. Engineer Dalager stated unequivocally that flooding on the south side of the natural river channel will not be made worse with Alternative 1 compared to current conditions therefore flowage easements are not required. Matt Magnusson was able to unmute and ask the question himself. Engineer Dalager reiterated his answer. A **motion** was made by Manager Braaten, seconded by Manager Wensloff to adopt the resolution as proposed. The motion carried with Managers Schmalz and Voll opposed.

Administrator Halstensgard presented the Board with the resolution to accept the amendment for the additional Flood Hazard Mitigation funds for the project (see attached). A **motion** was made by Manager Wensloff, seconded by Manager Braaten to adopt the resolution. Motion carried unanimously.

Whitney Lake – Kerry Berg, HDR Engineering, gave an update on the RCPP plan update. Keith asked about the process for public comment on the Environmental Assessment. It was stated that we would follow the required process for public comment. Deb Walchuk, NRCS, provided an update on the operations funding available.

Administrator Halstensgard summarized the resolution to close the meeting to discuss land acquisition (see attached). A **motion** was made by Manager Braaten, seconded by Manager Schmalz to adopt the resolution to close the meeting. Motion carried unanimously.

A **motion** was made by Manager Voll and seconded by Manager Wensloff to reopen the regular meeting. Motion carried unanimously.

After a **motion** by Manager Braaten and second by Manager Voll, the meeting was adjourned at 3:46 p.m.

Respectfully submitted,

Cody Schmalz, Secretary


Tracy Halstensgard, Administrator

RRWD January 2021 Bills & Receipts

RRWD Checkbook Balance as of December 31, 2020	\$234,435.89
Receipts:	
City of Roseau -- seed cost reimbursement	\$ 1,031.25
Beltrami County -- share of taxes	\$ 273.09
Roseau County -- share of taxes	\$ 84,557.01
League of Minnesota Cities -- dividend	\$ 65.00
Kittson County -- share of taxes	\$ 2,179.48
Lake of the Woods County -- share of taxes	\$ 881.56
Marshall County -- share of taxes	\$ 310.16
Marshall County -- share of taxes	\$ 1,719.93
Total:	\$ 91,017.48
Bills:	
Tracy Halstensgard -- Salary and Insurance	\$5,038.64
Torin McCormack -- Salary and Insurance	\$5,485.64
Torin McCormack -- Mileage / Personal Equipment	\$75.00
Tracy Bergstrom - wage	\$397.05
Jason Braaten -- Per Diem and Expenses	\$105.00
Carter Diesen -- Per Diem and Expenses	\$221.50
Cody Schmalz -- Per Diem and Expenses	\$146.98
LaVerne Voll -- Per Diem and Expenses	\$226.10
Tony Wensloff -- Per Diem and Expenses	\$184.70
Internal Revenue Service -- Withholding	\$4,011.53
Minnesota Department of Revenue -- Withholding	\$632.00
PERA -- Employer / Employee Contribution	\$1,751.02
Cardmember Services -- MAWD Conference registration, internet file storage service	\$419.48
City Of Roseau -- utilities	\$189.56
Marco -- old unit audit, Copier agreement & initial fees	\$1,105.07
Marco -- monthly copier expense	\$237.66
Minnesota Energy -- Natural Gas	\$110.85
Patrick Moren Law Office -- Legal Fees	\$1,050.00
Roseau Times Region -- Meeting Notices	\$61.20
Sjoberg Cable -- Int/phone --	\$180.04
Roseau Electric Co-op -- fiber optice installation	\$150.00
North Pine Services -- snow removal	\$66.50
Verizon Wireless -- Trimble	\$40.01
LSSP Corporation -- PinPoint subscription	\$1,184.00
Carlson Prairie Seed -- River Trail City Center site	\$1,031.25
Northwoods Inc -- new on demand water heater installed	\$2,125.00
TrueNorth Steel -- SWI expense	\$819.73
Red River Watershed Management Board -- share of taxes	\$17,466.83
WSB -- Lost River Forest Peatland Restoration	\$612.00
HDR -- Invoices 1200311101, 1200311349, 1200310557	\$17,879.00
HDR --Invoices 1200311342, 1200311103	\$62,934.33
Houston Engineering -- river restoration, invoices through 12-19-20 & 11-21-20	\$20,271.51
Total:	\$146,209.18

**Resolution No. 01-06-2021-01 For Flood Hazard Mitigation Grant Funding
Assistance to Roseau River Watershed District for the
Roseau River Lake Bottom Rehabilitation Project**

BE IT RESOLVED that the Roseau River Watershed District, hereinafter referred to as the "Grantee" acting as legal sponsor
(LGU)
for the flood risk reduction project or phase described in the State of Minnesota Flood Hazard Mitigation Grant #131709/3000122306,
dated September 18, 2017 is hereby authorized to apply to the Department of Natural Resources for additional funding to complete this
project or phase.

BE IT FURTHER RESOLVED that the Grantee has the legal authority and the institutional, administrative, and managerial capability
to ensure adequate acquisition, construction, maintenance and protection of the proposed project or phase.

BE IT FURTHER RESOLVED that the Grantee has the financial capability to provide the required matching funds in the amount of
\$250,000 and that the source of Grantee's matching funds shall be Red River Watershed Management Board Construction Funds, and
Roseau River Watershed District Construction Funds and will not include other State funding sources.

BE IT FURTHER RESOLVED that the Grantee hereby pledges to complete the project or phase if it exceeds the total funding
provided by the Department of Natural Resources and the required local match.

BE IT FURTHER RESOLVED that upon approval of its request by the state, the Grantee will enter into an amended agreement with
the State of Minnesota for the above- references project or phase, and that the Grantee certifies that it will comply with all applicable
laws and regulations as stated in the amended contract agreement.

NOW, THEREFORE BE IT RESOLVED that Chairman Carter Diesen is hereby authorized to execute such
agreements as are necessary to implement the project or phase on behalf of the Grantee.

I CERTIFY THAT the above resolution was adopted by the Roseau River Watershed District Board of Managers
on January 6, 2021.


SIGNED:


(Signature)

Chairman
(Title)

January 6, 2021
(Date)

WITNESSED:


(Signature)

Administrator
(Title)

January 6 2021
(Date)

February 2015

RESOLUTION OF BOARD POSITION

On the Roseau Lake Rehabilitation Project

WHEREAS, the Roseau Lake Rehabilitation project was established as a partnership between the Roseau River Watershed District and the Minnesota Department of Natural Resources, and;

WHEREAS, an Engineer's Report was completed and submitted to the partners in June of 2019 which included a list of possible project alternatives, three of which were carried forward for further evaluation, Alternative 1, Alternative 2A and Alternative 2A', and;

WHEREAS, an Environmental Assessment Worksheet (EAW) for the project has been completed based on Project Alternative 2A' as described in the Engineer's Report and submitted for public comment, and;

WHEREAS, the project partners have continued review the three Alternatives for practicality and reduction of environmental impacts, and now;

THEREFORE BE IT RESOLVED, that the RRWD Board of Managers is committing to the construction of Alternative 1 as described in the Engineer's Report, thus minimizing environmental impacts and impacts to private property.

Dated this 6th day of January, 2021.



Chairman



Secretary

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, Pursuant to Minnesota Statutes §13D.021, because of the declaration by Governor Tim Walz on March 13, 2020 of a Peacetime State of Emergency due to the COVID-19 Pandemic, the meeting will be available by telephone or other electronic means. The meeting site will be closed to the public. Some or all of the RRWD Board Managers may be present on site, some or all may appear via WebEx.

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

Site C - Lands under consideration include portions of Section 11, Ross Township (T162N, R41W), Roseau County (see attached map).

Site A - Lands under consideration include portions of Sections 20-24, 27-28, Moose Township (T162N, R42W), Roseau County and Sections 19-20, Ross Township (T162N, R41W), Roseau County (see attached map).

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).

On January 6, 2021, commencing at 12:00 p.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 6th day of January, 2021.


Chairman


Secretary

