

**MINUTES OF THE ROSEAU RIVER WATERSHED DISTRICT BOARD OF
MANAGERS MEETING HELD FEBRUARY 2, 2022**

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

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

STAFF PRESENT: Administrator Halstensgard. Watershed Specialist McCormack.

OTHERS PRESENT: Randy Prachar, MN DNR; Daryl Dahl, Roseau County Assistant Engineer; Landowners Matt Magnusson, and James Johnson.

CONSULTING STAFF PRESENT: Dillon Nelson and Nate Dalager, HDR Engineering; Michelle Moren, Attorney.

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

CONSENT AGENDA: A **motion** to approve the Consent Agenda was made by Manager Wensloff and seconded by Manager Voll. The motion carried unanimously. Adoption of the Consent Agenda included approving the January 5, 2022 regular meeting minutes, the Treasurer's Report, and manager and employee expense vouchers.

PERMITS: There were no permits for this meeting.

NEW BUSINESS:

Manager Voll made a **motion** to pay the 2022 MAWD dues, seconded by Manager Wensloff. Motion carried unanimously.

Administrator Halstensgard discussed issues with two access doors and the overhead garage door and presented a quote for repair and replacement. A **motion** was made by Manager Wensloff, seconded by Manager Braaten, to approve the work and authorize Administrator Halstensgard to move forward with hiring a contractor. The Board requested reaching out to Steve Nelson for an additional quote. Motion carried unanimously.

The Board discussed the proposal to repair the Roseau Dam. After discussion on the District's role, a **motion** was made by Manager Braaten, seconded by Manager Voll, to accept the Joint Powers Agreement (JPA) with the DNR. Motion carried unanimously. There were two proposals to complete the initial engineering required to submit a grant application. A **motion** was made by Manager Braaten, seconded by Manager Voll, to accept the proposal from HDR Engineering, contingent upon the JPA for the project being fully executed by the DNR. Motion carried unanimously.

Administrator Halstensgard presented the BWSR Grant Agreement for the WD #4 sidewater inlets. There was some discussion on what would happen if the project did not move forward. Administrator Halstensgard stated that the District would refund the 50% up-front funding and end the contract. A **motion** was made by Manager Voll, seconded by Manager Braaten, to

approve the agreement and authorize Administrator Halstensgard to be the authorized representative. Motion carried unanimously.

OLD BUSINESS:

Watershed District Lot Sale - Administrator Halstensgard spoke about the edits to the purchase agreement for the District's lot. Attorney Moren reviewed the changes with the Board and stated that due to the time constraints for JBC Commercial Realty to apply for grant funding, as council after talking to Chairman Diesen, authorization was given to make the changes to the agreement. The board will need to formally approve those edits today. A **motion** was made by Manager Wensloff, seconded by Manager Voll, to accept the changes to the purchase agreement. Motion carried unanimously.

Duxby (Lins) culvert discussion – Administrator Halstensgard gave a brief review of the recent discussions with the County on how to proceed with the recommendations by the US Army Corps of Engineers (USACE) to trap the culvert. Specialist McCormack discussed the USACE recommendation and the reasons for that recommendation. There was discussion on the challenges in trapping the current culvert. Daryle Dahl spoke about the fact that the drainage area has changed since the culvert was installed. Engineer Dalager spoke about a previous study he completed that reviewed the impacts of trapping culverts along the river. After additional discussion, Manager Wensloff made a **motion** to authorize Specialist McCormack to work with Engineer Dalager to bring a recommendation to the board at the next meeting, seconded by Manager Braaten. Motion carried unanimously.

REPORTS:

RRWMB: Manager Braaten referenced the update that was included in the meeting packet.

WATERSHED SPECIALIST: Specialist McCormack reviewed his update that was included in the meeting packet.

ADMINISTRATOR: Administrator Halstensgard reviewed her written update that was included in the meeting packet.

PROJECTS:

WD #4: Engineer Nelson gave the Board a presentation on the proposed design changes to the project. There was discussion about project details that included questions from the audience. Staff and Engineer Nelson are coordinating a meeting with the County Highway Department as well as a meeting with the landowners in the proposed benefitted area.

Manager Braaten recused himself from the board.

Ditch 16 Update – RJ Zavoral & Sons had not responded to Engineer Huwe's proposed change order so that will be discussed at a future meeting. A Joint meeting with the County Board of Commissioners was tentatively scheduled for February 8th at the Courthouse starting at 10:30. Administrator Halstensgard will notice it as a special meeting. There was discussion about potential agenda items.

Manager Braaten rejoined the board.

Roseau Lake – The Board received a draft of the Joint Powers Agreement with the DNR. Administrator Halstensgard asked that if they board has any comments or edits, to let her know as soon as possible.

Administrator Halstensgard introduced an email from Chuck Holtman to the board acknowledging there is no conflict of interest. A **motion** was made by Manager Wensloff to retain Smith Partners law firm and waive potential conflict of interest, seconded by Manager Braaten. Motion carried unanimously.

An updated project map was provided to the Board. Engineer Dalager commented on the status of the project. Matt Magnusson initiated discussion on potential projects outside of the footprint of the Roseau Lake project. Mr. Magnusson stated landowners opposed to the project feel they will be negatively impacted and have inquired about components that could be added to the project to negate those impacts. It was stated that landowners would need to come to the Board with their ideas and the District would address them as they do all landowner led projects. Since those efforts would be on private land, they would not be funded by the District.

Manager Schmalz discussed his concerns with cattail control on the project.

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

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

A **motion** was made by Manager Wensloff, seconded by Manager Schmalz, to approve the purchase agreement to sell the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Thirty-three (33), Township One Hundred Sixty-three (163) North, Range Forty (40) West of the Fifth Principal Meridian of Minnesota to Castle Camp LLC. Motion carried unanimously. A **motion** was made by Manager Wensloff, seconded by Manager Braaten for the board to assume the closing costs associated with acquisitions for projects. Motion carried unanimously. A **motion** was made by Manager Braaten, seconded by Manager Voll to approve the purchase agreement with edits for the 4.26 acres from Castles. Motion carried unanimously. Attorney Moren stated for the record that the Board established per acre easement amounts were \$1,750 for infrastructure easement and \$1,200 for the flowage easement. Both easements types are perpetual conservation easements. A **motion** was made by Manager Wensloff, seconded by Manager Schmalz to approve the entering into the purchase agreement with Eric J. Douglas and Kristin C. Douglas Trust for the property located in Southwest Quarter (SW $\frac{1}{4}$) and the South Half of the Southeast Quarter (S $\frac{1}{2}$ SE $\frac{1}{4}$) of Section 12, in Township 163-164 North, Range 41 West, Roseau County. Motion carried unanimously. A **motion** was made by Manager Wensloff, seconded by Manager Schmalz to approve the entering into the purchase agreement with DLH Trust for the property located in the Southwest Quarter of Section 7 (SW $\frac{1}{4}$ of Sec. 7), Township One Hundred Sixty-Three (Twp. 163) North of Range Forty (Rng. 40), West, Roseau County. Motion carried unanimously.

The next meeting will be March 2, 2022 at 12:00 p.m. After a **motion** by Manager Wensloff and second by Manager Braaten, the meeting was adjourned at 2:17 p.m.

Respectfully submitted,


LaVerne Voll, Secretary


Tracy Halstensgard, Administrator

February 2022 Bills and Receipts

Checkbook Balance as of January 24, 2022	\$288,056.35
Receipts:	
Lake of the Woods County -- share of taxes	\$ 73.84
Beltrami County -- share of taxes	\$ 316.25
Roseau County -- share of taxes	\$ 19,820.10
Citizens State Bank -- interest 12-20-21	\$ 30.84
Total:	\$ 20,241.03
Bills:	
Tracy Halstengard -- Salary and Insurance	\$5,622.59
Torin McCormack -- Salary and Insurance	\$5,690.59
Jason Braaten -- per diem and mileage	\$359.18
Carter Diesen -- per diem and mileage	\$402.47
Tracy Halstengard -- mileage	\$141.57
Torin McCormack -- reimbursed expense	\$150.00
Cody Schmalz -- per diem and mileage	\$342.02
LaVerne Voll -- per diem and mileage	\$136.50
Tony Wensloff -- per diem and mileage	\$346.32
Internal Revenue Service -- Withholding	\$3,760.37
Minnesota Department of Revenue -- Withholding	\$657.00
PERA -- Employer / Employee Contribution	\$1,745.30
Cardmember Services -- web service fees, meeting expenses, supplies	\$179.25
City Of Roseau -- utilities	\$209.32
Marco -- Copier agreement & service	\$204.90
Minnesota Energy -- Natural Gas	\$244.20
Patrick Moren Law Office -- Legal Fees	\$3,850.00
Roseau Times Region -- Meeting Notices	\$45.90
Roseau Electric Co-op -- Int/phone --	\$154.60
Northern Resources Cooperative -- gas for work truck	\$180.07
Verizon Wireless -- Trimble	\$40.01
Multi Office Products -- notary stamp	\$70.35
MAWD -- 2022 dues	\$1,945.00
Calder Well Drilling, Inc - CD 16 well sealing	\$925.00
North Pine Services -- snow removal	\$626.89
Houston Engineering -- River Restoration and Oak Crest Coulee	\$18,486.45
WSB -- Lost River project	\$130.00
HDR -- Invoices 1200399048, 1200399044 & 1200399041	\$11,962.59
HDR -- 11-21-21 to 12-25-21 -- Roseau Lake - Inv #1200399035	\$43,649.45
Total:	\$102,257.89

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 12-14, 23, 24, and 26, Dieter Township (T163N, R41W), Roseau County and Sections 7, 21-22, and 28-30, Unorganized Township (T163N, R40W), Roseau County (see attached map), and;

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

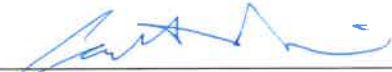
SE1/4 SE1/4 of Sect. 33 Unorganized Township (T163N, R40W).

On February 2, 2022, during the regular board meeting 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 2nd day of February, 2022.

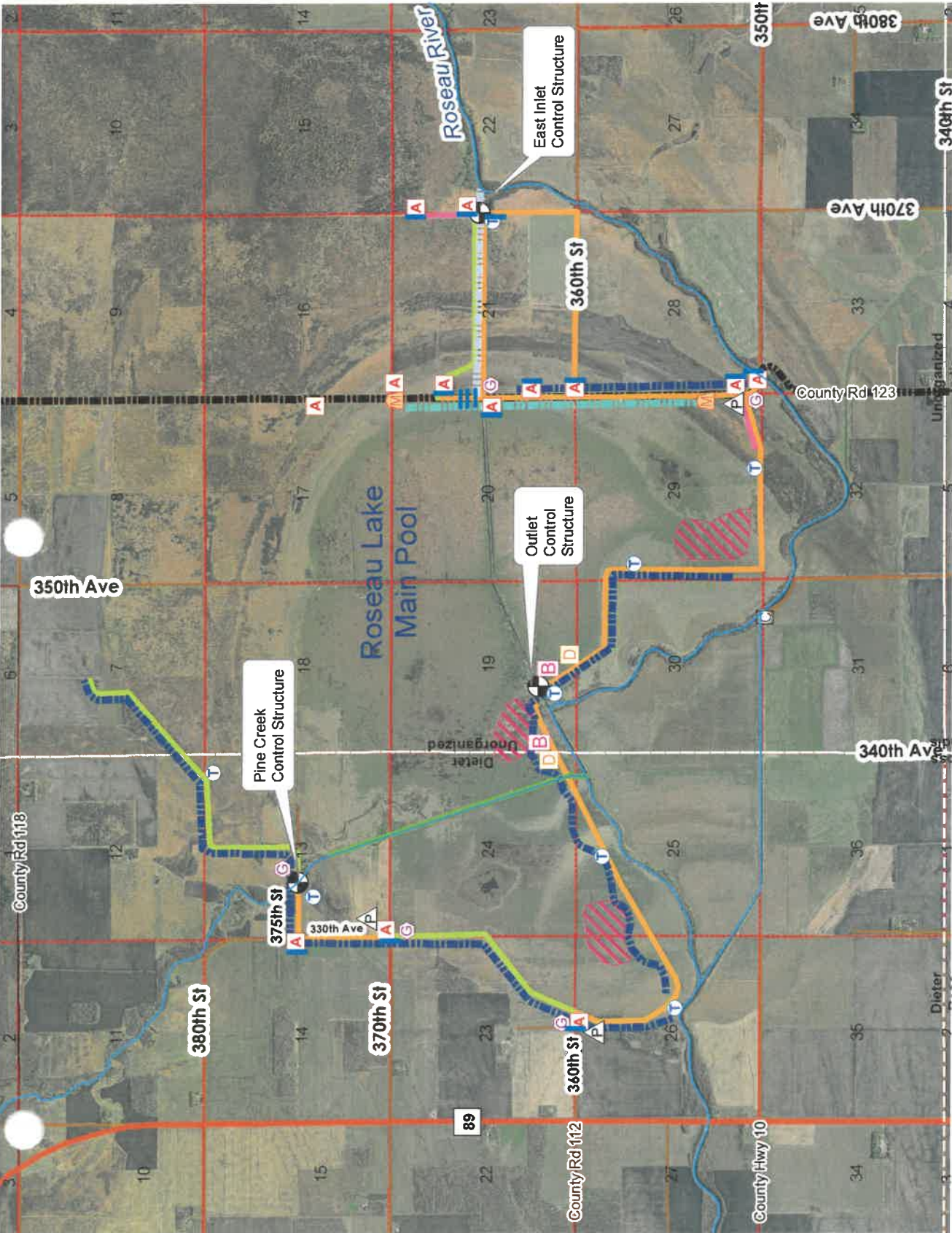


Chairman

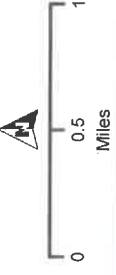


Secretary

- Interway
- Culverts
- Viewing Mound, Boat Ramp, and Parking Area
- Cutoff Plug
- Turnaround
- Gated Access
- Duck Banding Area
- Parking Area
- Boat Ramp
- Approach
- Gated Structure
- Ditch
- East Inlet Ditch
- Navigation Channel
- Pine Creek Restoration
- Inlet Weir
- Grass Top Embankment
- Gravel Top Embankment
- Borrow Area
- CR 123 Road Raise
- Township Roads
- Township Roads
- Major Roads
- County Roads
- Sections



ROSEAU LAKE REHABILITATION PROJECT



**ALTERNATIVE 1 PROJECT FEATURES
JANUARY 20, 2022**

