

**MINUTES OF THE ROSEAU RIVER WATERSHED DISTRICT BOARD OF  
MANAGERS MEETING HELD JULY 3, 2019**

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

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

**STAFF PRESENT:** Administrator Halstensgard, Specialist McCormack, and Assistant Bergstrom

**OTHERS PRESENT:** Roger Falk, Roseau County Commissioner,

**CONSULTING STAFF:** Michelle Moren, Attorney; Jake Huwe, HDR, Nate Dalager, HDR

**DELEGATIONS PRESENT:** Joe Laurin, Landowner

**AGENDA:** A **motion** was made by Wensloff and seconded by Manager Carriere to approve the agenda as presented. The motion carried unanimously.

**CONSENT AGENDA:**

A **motion** to approve the Consent Agenda was made by Manager Wensloff and seconded by Manager Carriere. The motion carried unanimously. Adoption of the Consent Agenda included approving the June 5, 2019 minutes, permits #19-17 (G. Slater), #19-18 (MN Power); the Treasurer's Report with the addition of the RRWMB share of taxes bill in the amount of \$87,862.91, and manager and employee expense vouchers.

**PROJECTS:**

Chairman Braaten turned the meeting over to Manager Wensloff at 8:05 a.m. for the Whitney Lake discussion.

Whitney Lake:

Engineer Dalager gave the board a brief summary of the process / next steps for Roseau County Ditch 16 improvement project. Administrator Halstensgard updated the board regarding viewers for the project. Engineer Huwe presented the Preliminary Survey Report for CD 16 which included two alternatives for ditch improvement. Engineer Dalager commented on the possibility of the RRWMB being a funding partner for the improvement. There was discussion regarding the importance of not only doing retention projects, but also conveyance improvements. The design for CD16 follows RRWMB drainage standards which divides water burden equitably throughout the system. Following the presentation, Manager Carriere made a **motion** to adopt the Findings and Order (see attached) setting a public hearing for the petition for improvement to CD16 to take place on August 7, 2019 at 8:30 a.m. at the Roseau River Watershed District office. Manager Diesen seconded the motion which passed unanimously. Manager Braaten abstained from the vote.

There was discussion regarding a tract of land in Retention A that will be coming up for sale at a sheriff auction. Attorney Moren explained that the successful bidder would not take ownership for the land for a one year time period which could potentially stall the project. An open house for Whitney Lake and WRAPS will be scheduled in late September early October.

Chairman Braaten resumed his position at the meeting at 8:33 a.m.

Roseau Lake:

A project team meeting is scheduled for July 18, 2019 at the RRWD office. Both the final alignment and the Final Engineer's Report will be presented to the team on that date. The EAW is almost ready to be presented internally to DNR staff. Engineer Dalager commented that fieldwork needs to be completed.

Beltrami:

Administrator Halstensgard called the board's attention to the CD23 proposal provided by Houston Engineering to model the hydrology and hydraulics to analyze existing conditions, repaired conditions, and proposed conditions. CD23 is administered by Roseau County and there has been little discussion on how or if the watershed and the county would work together on this project. Surveying on the system has been completed, modeling has not. No action was taken by the board on Houston's proposal.

### **DELEGATIONS:**

Landowner, Joe Laurin addressed the board regarding the conciliation hearing. Mr. Laurin presented a document outlining his summary regarding the proceedings. Mr. Laurin would like the RRWD to follow up with the ACOE regarding jurisdiction of the legal drainage system (SD69) and the Duxby Levee. Mr. Laurin would also like the Board to direct Attorney Moren to look into adverse possession and prescriptive easement. Attorney Moren commented that looking into those items would mean that she is doing research on behalf of a private citizen. Specialist McCormack will reach out to the ACOE. Specialist McCormack suggested that a petition for a ditch improvement would allow engineering to take place in the WD3 system.

### **NEW BUSINESS:**

Per diem increases for watershed board managers passed during this year's legislative session in Minnesota. According to legislation, manager per diem can be in the range of \$75 to \$125. For the purpose of drafting the 2020 Administrative Budget, Administrator Halstensgard will assume an increase in 2020.

WD3 Lateral 2 / SD51 Sediment Reduction Quotes: Three contractors provided quotes for this project based upon plans and specifications provided to them by the watershed. After discussion regarding time frame for project completion, Manager Wensloff made a **motion** to hire R & Q Trucking, Inc. as the contractor for the project with a deadline of September 30, 2019. Also included in the motion was the authority for RRWD staff to award the contract to the next highest quote if they are unable to honor the deadline. The motion was seconded by Manager Carriere and passed unanimously.

Specialist McCormack has been contacted regarding vandalism on some of the traps on WD3 Lateral 2. He presented an option for the installation of a lever mechanism to allow the trap to be opened or closed without cutting the cables on the trap. Specialist McCormack will look into fitting the vandalized traps with lever mechanisms.

### **OLD BUSINESS:**

There was no old business up for discussion.

### **PERMITS:**

Permit #19-08: Richard Magnusson submitted a permit application for pattern gravity drained tile on the S ½ of section 10, Jadis Township outletting into the West Intercept via 12" culvert either below or adjacent to the existing culvert providing surface drainage. There are no control measures submitted with the

design. In a **motion** made by Manager Wensloff and seconded by Manager Diesen, the board unanimously approved the permit application with the condition that 10 cubic yards of riprap be installed at the outlet.

Permit #19-16: Grimstad Township submitted an application to construct a new road between sections 13 and 14 connecting County Road 4 and 200th Street. The road ROW ditch would be sloped northward. As per submitted plans, one culvert will be removed and 5 additional culverts will be installed. After discussion, the board determined that additional information was necessary. Manager Carriere made a **motion** to table the permit until Specialist McCormack is able to go to the area and take grade shots. Manager Diesen seconded the motion which passed unanimously.

Permit #19-19: Haugen Family Farms submitted an application to install a series of crossings on properties that have expiring CRP contracts. Culverts and crossings will be installed in Stafford 12 and 13, Malung 7 and 22, Mickinock 1, Beaver 6, and Falun 33. Manager Wensloff made a **motion** to approve permit number 19-19. Manager Diesen seconded the motion which passed unanimously.

### **REPORTS:**

Administrator Halstengard presented the topic of land access for the purpose of survey. Over the past field seasons RRWD staff secured permission from most landowners to enter their properties, however this has left survey work incomplete since some landowners have not offered permission. After consulting legal staff, the board will need to determine if and how they will exercise their statutory authority of right of entry to complete field work. There was lengthy discussion regarding how to address the issue. The board determined that a detailed letter describing the use of minimally invasive survey alternatives and the timeframe for fieldwork will be sent to landowners where work remains to be completed.

Administrator Halstengard attended the MAWD Summer Tour and returned with legislative updates regarding Clean Water Fund restructuring. Administrator Halstengard informed the board of the multiple communications regarding the river debris at Mickelson Bridge. A letter has been drafted and will be sent to the Jadis Township Board on this issue. Manager Wensloff received comment regarding weed management near Norland Impoundment.

Specialist McCormack presented the board with the option of purchasing an ATV with a winch and tracks. The Ranger owned by the watershed district is 10 years old and has limited access to areas due to clearance, weight, and width. An ATV with tracks would allow for use in muddy and slushy conditions, access to areas requiring low ground pressure, and access during high water. The board requested that Specialist McCormack do further research into government pricing. The purchase price of the ATV would be able to be charged back to projects.

Intercept industries continues to work on trap design and pricing for culverts draining into the West Intercept Ditch.

Specialist McCormack shared that Representative Fabian volunteered to help grill at the park party on June 26, 2019. He will be giving a presentation on the River Trail in Crookston on July 31, 2019.

Chairman Braaten commented on the RRWMA Ribbon Cutting. Kevin Farmer, National Watershed Operations Program Manager for NRCS will be at the RRWD office on Tuesday, July 9, 2019.

### **OTHER BUSINESS:**

The next RRWD Board meeting will take place on August 7, 2019 at 8:00 am.  
Manager Carriere made a **motion** to adjourn at 10:20 a.m. The motion was seconded by Manager Diesen,  
and passed unanimously.

Respectfully submitted,

  
Cody Schmalz, Secretary

  
Tracy Halstengard, Administrator

RRWD  
July 2019 Treasurer's Report

DRAFT

07.03.19

RRWD Checkbook Balance as of June 28, 2019	\$513,043.92
RRIW Checkbook Balance as of June 30, 2019	\$4,401.84
<b>Receipts:</b>	
Roseau County -- Share of Taxes	\$364,084.88
Marshall County -- Share of Taxes	\$294.28
Citizens State Bank Interest --	\$42.67
<b>Total:</b>	<b>\$364,421.83</b>
<b>Bills:</b>	
Tracy Halstensgard -- Salary and Insurance	\$4,740.85
Tracy Halstensgard -- Mileage	\$301.02
Torin McCormack -- Salary and Insurance	\$5,170.85
Torin McCormack -- Mileage / Personal Equipment	\$464.12
Tracy Bergstrom -- Wages and Insurance	\$2,849.09
Jason Braaten -- Per Diem and Expenses	\$203.48
LeRoy Carriere -- Per Diem and Expenses	\$138.52
Carter Diesen -- Per Diem and Expenses	\$87.82
Tony Wensloff -- Per Diem and Expenses	\$75.06
Internal Revenue Service -- Withholding (June)	\$4,398.62
Minnesota Department of Revenue -- Withholding (June)	\$876.00
PERA -- Employer / Employee Contribution -- (June)	\$2,069.29
ACE -- office supplies	\$13.23
Cardmember Services -- Freefind, hotel, USPS, Ribbon Cutting	\$631.83
City Of Roseau --	\$272.12
Dot.Com Connection -- Web maintenance	\$42.99
Marco -- Copier Maintenance -- yearly + monthly (2)	\$1,985.02
Minnesota Energy -- Natural Gas	\$39.67
Multi Office Products -- Inv: 13101; 13105 -- envelopes/paper	\$41.02
Northern Resources Cooperative --	\$95.47
Patrick Moren Law Office -- Legal Fees -- WD3/Admin	\$1,662.50
Postmaster -- Stamps	\$110.00
Roseau Times Region -- Meeting Notices	\$49.73
Sjoberg Cable -- Int/phone --	\$177.86
Super One Foods --	\$176.14
Verizon Wireless -- Trimble	\$40.01
Halverson Sand & Gravel -- SW Norland Aggregate Surfacing	\$3,590.00
HDR -- 04.28.19 to 05.25.19 -- SWI Design -- outlet stab	\$9,167.23
HDR -- 03.31.19 to 04.27.19 -- SWI Design	\$1,469.87
HDR -- 04.25.19 to 05.25.19-- RL TO#1 -- Final Engineers	\$11,440.97
HDR -- 03.31.19 to 04.27.19 -- RLTO#1 -- Final Engineers	\$10,446.73

HDR -- 04.28.19 to 05.25.19 -- WL TO#1	\$12,554.42
Makin' Noise DJ -- Summer Festival in the Park	\$300.00
Roseau County SWCD -- Rain Gauge	\$35.27
RRWMB -- Share of Taxes	\$87,862.91
Total:	\$136,867.40

**STATE OF MINNESOTA  
BEFORE THE  
ROSEAU RIVER WATERSHED DISTRICT  
AS THE DRAINAGE AUTHORITY FOR  
ROSEAU COUNTY DITCH #16**

**In the Matter of:**

**The Petition for Improvement of  
County Ditch #16**

**PRELIMINARY FINDINGS AND ORDER**

The Roseau River Watershed District (RRWD) sitting as the drainage authority for Roseau County Ditch #16, convened on March 6, 2019, at 12:00 p.m., located at 714 6th Street SW, Roseau, Minnesota 56751. Following a request for corrections, RRWD reconvened on April 3, 2019 at 8:00 a.m. at the same location for review of said Petition. Based on the record and proceedings, Manager Diesen moved, seconded by Manager Carriere, to adopt the following Findings and Order:

**Findings:**

1. That a Petition was presented to the Secretary of the Roseau River Watershed District on February 6, 2019, requesting improvement of the Roseau County Ditch #16 system pursuant to Minnesota Statute §103E.215.

2. Michelle E. Moren, attorney at law for the Roseau River Watershed District, reviewed the Petition filed with the Watershed District and advised the Watershed District that the Petition met the requirements of the proceedings for improvements with the following corrections required:

a. Petitioners were requested to provide the Watershed District with the specific nature of the improvement being requested. On March 29, 2019, Petitioners provided the RRWD with requested additional information in regard to the nature of the improvement; specifically, Petitioners seek improvement of the legal drainage system as shown on the attached map, which is the entirety of the Ditch 16 system, to design criteria outlined in the *Red River of the North Basin - Basin Technical and Scientific Advisory*

*Committee (BTSAC) Briefing Paper #3: Water Management Options for Surface Drainage. See attached Exhibit "A".*

b. Petitioners were required to file a \$40,000.00 Petitioner's bond with the Roseau River Watershed District. Petitioners obtained a satisfactory bond in said amount on March 21, 2019. A copy of said Bond is attached hereto as Exhibit "B".

3. That the Roseau River Watershed District finds that it has jurisdiction over the proceedings and pursuant to Minnesota Statute §103E.241 subd. 1, desires to appoint an engineer to make a preliminary survey.

### **Order:**

Based on the foregoing Findings and the entire record of proceedings before the Board, the Board acting as the drainage authority for Roseau County Ditch #16, hereby orders as follows:

1. That HDR Engineering located at 213 LaBree Avenue North, Thief River Falls, Minnesota 56701, is hereby appointed as the engineer for these proceedings and shall make the preliminary survey pursuant to Minnesota Statute §103E.

2. Prior to commencing any work, the engineer must subscribe to an oath to faithfully perform the assigned duties in the best manner possible and file a bond in the amount of \$5,000 with the Secretary of the Roseau River Watershed District within ten (10) days after being appointed.

3. The engineer may appoint assistant engineers and hire help necessary to complete the engineer's duties. The engineer shall be responsible for the assistant engineers and may remove them.

4. The engineer shall make an expense report every two weeks after the beginning of the engineer's work until the construction of the contract is awarded. The report must show costs incurred by the engineer and expenses incurred under the engineer's direction relating to the proceeding, and include the names of the engineer, engineer assistants, and employees and the time each was employed, and every item of expense incurred by the engineer. The engineer must file this report with the auditor as soon as possible and may not incur expenses for the proceeding greater than the Petitioners' bond.



After discussion, the Board Chair called the question. The question was on the adoption of the foregoing Findings and Order, and there were 3 yeas, \_\_\_\_\_ nays, 1 absent, and 1 abstentions as follows:

	Yea	Nay	Absent	Abstain
Wensloff	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carriere	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Diesen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yea	Nay	Absent	Abstain
Schmalz	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Braaten	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Upon vote, the Chair declared the motion passed and the Findings and Order adopted.

  
 \_\_\_\_\_  
 Chair or Acting Chair

Dated: 4/3/19

I, Tracy Halstensgard, Roseau River Watershed District, Administrator, do hereby certify that I have compared the above motion; Findings and Order with the original thereof as the same appears of record and on file with the Roseau River Watershed District and find the same to be a true and correct transcript thereof. The above Order was filed with me, Roseau River Watershed District Administrator, on April 3<sup>rd</sup>, 2019.

IN TESTIMONY WHEREOF, I hereunto set my hand this 3<sup>rd</sup> day of April 2019.

  
 \_\_\_\_\_  
 Tracy Halstensgard



**Legend**

-  State Ditch 51
-  Public Roads
-  County Ditch 16

**County Ditch 16  
Ross, MN**



Drawn By: TMM  
Date: 1/10/2019

0 0.05 0.1 0.2 Miles