

Red River Watershed Management Board

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Board of Managers

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RED RIVER WATERSHED MANAGEMENT BOARD MEETING

May 23, 2000

Kittson County Courthouse, Hallock, Minnesota

The RRWMB met on Tuesday, May 23, 2000, at the Kittson County Courthouse, Hallock, Minnesota.

Chairman Ron Osowski called the meeting to order.

Members present were: John Finney Farrell Erickson
Harlan Solberg Vernon Johnson
Daniel Wilkens Nathan Redland
Curtis Nelson Jerome Deal

Others present were: Don Ogaard, Executive Director
Naomi Jagol, Administrative Assistant, Sand Hill River WD
Maynard Pick, Congressman Peterson's office
Keith Cummins, Two Rivers WD
Chuck Fritz, Administrator, Red Lake WD
Brian Dwight, BWSR
Dick Nelson, Financial Coordinator
Dan Thul, Red River Coordinator
Rick St. Germain, Engineer, Houston Engineering
Brent Johnson, Engineer, Houston Engineering
Ron Adrian, Administrator, Middle River-Snake River WD
Charlie Anderson, Engineer, JOR Engineering
Jerry Bennett, Administrator, Wild Rice WD

Manager Solberg requested that a Step I proposal be added to the agenda. Ogaard responded that funding requests could be considered under item no. 13 on the agenda.

Motion by Manager Nelson to dispense with the reading of the minutes of the April 18, 2000 meeting, **Seconded** by Manager Deal, **Carried**. **Motion** by Manager Deal to approve the minutes as written, **Seconded** by Manager Finney, **Carried**.

The Treasurer's report was presented and it was approved as read. **Motion** by Manager Deal, **Seconded** by Manager Erickson, **Carried**.

Manager Wilkens reviewed the monthly bills received. A one-page handout of monthly bills to be approved was distributed. **Motion** to approve and pay bills by Manager Johnson, **Seconded** by Manager Solberg, **Carried**. For further reference, copies of the bills approved are attached hereto in the Treasurer's Report.

Consideration of 2001 Funding of MN Local Government Portion/Red River Basin Board

Ogaard explained that counties are not able to collect taxes and disburse to another organization. He noted that the Red River Basin Board (RRBB) needs to establish a uniform tax basis for future funding needs. He added that potential exists for matching state funds should the RRWMB be willing to raise the ad valorem levy to assist with this effort.

Manager Wilkens stated that he anticipated the local government portion needed from Minnesota to be approximately \$100,000. Manager Osowski suggested that the RRWMB funding the Minnesota portion of the local government portion could be contingent upon North Dakota contributing the same amount.

Manager Nelson noted that this issue was discussed at the Buffalo-Red River WD meeting conducted on May 22nd. He inquired about the accomplishments of the RRBB during the last three-year period. Manager Wilkens responded that the inventory process is nearly complete. Wilkens added that upon completion of the inventory process, the water management plan for the Red River Basin will be developed.

Manager Finney inquired whether the size of the RRBB was a detriment to the organization. Manager Wilkens responded that members of the RRBB determined that a wide representation was needed to make the organization effective.

Manager Johnson added that the RRBB is the organization addressing issues in the Red River Basin and should be supported by other organizations in order to succeed. Manager Osowski noted that it could take a few years for the organization to gain recognition.

Ogaard explained that the RRWMB would need to make a decision prior to setting the levy limit in July whether or not they would consider funding the local government portion. Manager Deal stated that the funding could be contingent not only on obtaining the same amount from North Dakota, but also upon receiving state matching funds.

Motion by Manager Wilkens to support the RRBB at \$100,000 per year for a three-year term, contingent upon receiving an equal amount from ND, **Seconded** by Manager Johnson, discussion followed. Manager Erickson inquired whether the motion would be passed based on obtaining other funding sources. Manager Wilkens responded that this would be the case.

As there was no further discussion a vote was taken. Those voting in favor of the motion included: Osowski, Finney, Erickson, Solberg, Johnson, Wilkens, Redland, and Deal. Those opposing the motion included: Nelson. **Motion carried.**

WD's Work Plan Review/Bois de Sioux WD, Wild Rice WD

Dwight distributed a handout outlining the watershed district long-range plans for the Bois de Sioux WD (BdSWD) and the Wild Rice WD (WRWD).

Dwight explained that the WRWD would be incorporating the plan update into their systems approach. He added that the activities identified in the systems approach work plan covers the major planning components identified in the guidelines adopted by the Flood Damage Reduction Work Group (FDRWG). The District would then incorporate the products of this project with that of their water quality assessment project which was conducted a couple of years ago to accomplish the items required for the Overall Plan Update. The estimated cost to complete the plan update is \$95,000.00

Dwight stated that the BdSWD would be addressing the plan update as a single effort. A Citizens Advisory Committee (CAC) will be developed as well as a Technical Advisory Committee (TAC) to work with the District in this process. An extensive public outreach campaign is being conducted in order to gather input as to the nature, extent, and severity of the issues facing the District. This planning process will include the development of a hydrologic model and building additional GIS data layers that would help identify issues and methods to address them. The estimated cost to complete the plan update is \$240,800.00.

Dwight explained that funding would be provided for the plan updates in the amount of 50% from state funds. He added that the contract for planning would be conducted through BWSR and the remainder of funding would be shared equally by the RRWMB and the local watershed district. He noted that the payment schedule would be as follows: 45% after approval by the state, RRWMB, and the local watershed district; 45% at the completion of approximately 50% of the work; and 10% after final approval of the plan by BWSR.

Dwight discussed the RRWMB payment schedule on the second page of the handout. He noted that the WRWD is submitting a funding request in the amount of \$10,687.50, and the BdSWD is submitting a funding request in the amount of \$27,090.00.

Ogaard noted that he had reviewed each work plan and they were both complete.

Dwight encouraged the watershed districts to utilize the facilitator services provide by BWSR. He noted that BWSR has committed \$35,000 to hire a full-time equivalent position to be filled utilizing three different individuals. He stated that he would be coordinating the activities of the facilitators.

Motion by Manager Deal to approve the work plans submitted by the BdSWD and the WRWD, **Seconded** by Manager Wilkens, **Carried**.

Dwight added that the next watershed districts scheduled for plan updates include the Red Lake WD, Joe River WD, and Two Rivers WD.

District Reports

- The Joe River WD reported that the District and the Minnesota Department of Transportation (MnDOT) reached an agreement on May 8, 2000 regarding a permit to raise MN Trunk Highway 171 from the junction of MN Highway 75 to the Village of St. Vincent, MN. A conflict had existed between the District and MnDOT relative to the increase in flood damages caused by the highway upgrade. MnDOT contracted with Water Management Consultants of Richmond, British Columbia to conduct a hydraulic analysis of the proposed area using an adaptation of the "MIKE 11" model created in Denmark. It was determined that a structure with the ability to handle a minimum of 36,000 cfs flow would be needed to avoid worsening flood damages to the surrounding community. MnDOT also determined that a bridge is needed to compensate for the overflow on Trunk Highway 171. The bridge will be approximately 270 to 300 feet in length. MnDOT projects that the grade raising and bridge construction should be completed during the 2003 or 2004 construction season.
- The Roseau River WD reported that the Roseau River Flood Committee/Project Team met on May 3, 2000. The project team toured a potential project site south of Roseau with possible laterals or an impoundment site. The project team also reviewed concept plans for the Roseau lakebed and various proposals for the Hay Creek project from the USACE.

- The Two Rivers WD reported that a petition was received from the City of Kennedy for a WD project to control flooding within the city. The District named the project “Kennedy #6” and has appointed JOR Engineering as the project engineering firm. The project will consist of channel work to the existing coulee that passes through town. Existing culverts will be examined and the coulee will be made to match Kittson County Ditch #4 which is located upstream with Kittson County #27 downstream. Survey work and plan design will begin during the month of June.
- The Middle River-Snake River WD reported that appraisers have taken their oath of office for the Public Law 566-Snake River Watershed project. The appraiser’s report is expected to be completed by approximately July 1st should the required information be available. In addition, the Board of Managers directed that a Step II submittal be forwarded to the RRWMB for the impoundment portion of this project. The Step II submittal is expected to be presented to the RRWMB at their June meeting.
- The Red Lake WD reported that the Preliminary Engineer’s Report is complete regarding the spot cleaning on State Ditch #83. The Board will schedule a hearing date as soon as the mailing list is updated. The project is anticipated to cost approximately \$300,000 and is the result of a settlement agreement between the District and the Minnesota Department of Natural Resources.
- The Sand Hill River WD reported that Don Hultman, USFWS, met with the Lake Improvement District Board on May 4, 2000 to discuss extending the 100-day temporary permit that was scheduled to expire on May 15, 2000. After discussion, Hultman extended the temporary permit until December 31, 2001 with no restrictions on pumping during the nesting season (May 15 to July 15). This will allow the LID and USFWS time to explore options and evaluate the pumping operation. The remaining obstacle to the pumping operation is the USACE restriction of 10-cfs during the growing season. The LID has requested a change to their permit to allow 15-cfs. The USACE is scheduled to respond to the LID request on Monday, May 22, 2000. The pump has been in operation this spring since April 21, 2000. The lake level has dropped approximately 30 inches from its all time high, with another 3.5 feet remaining to reach the OHW.

A project team meeting was conducted on May 11, 2000 with Luther Aadland, DNR-Fisheries, in attendance. The team toured the Maple Creek area to review potential water storage areas and natural resource enhancements. An agency team will spend time researching the area in more detail. The team visited drop structures and several culverts that inhibit fish passage on the Sand Hill River. At the conclusion of the tour, Aadland discussed several alternatives to resolve the fish passage issues. Aadland stated that he would prepare additional information for review at a future meeting.

- The Buffalo-Red River WD reported that an electric pump was added to the Turtle Lake siphon. On May 9th, the Long Lake siphon was closed for a two-week period because the DNR placed walleye fry in the lake. The siphon will be started again on May 23rd. The BRRWD, DNR, and MPCA have agreed on an “open water” water quality monitoring plan for the project and also authorized Houston Engineering to apply for a DNR permit to lower the lake below the OHW. The permit application will include the operation plan for use of the siphons if necessitated by high water conditions.

The bid opening for the Deerhorn Creek Levee project was held on May 22, 2000. The Step III submittal will be presented at the RRWMB meeting today. Once the contracts are signed, a copy will be submitted to Ed Fick-DNR for full payment of the \$400,000 of funding allocated by the Red River Basin Flood Damage Reduction Work Group.

- The Bois de Sioux WD reported that bids were opened for the Traverse County Ditch (TCD) #27 repair project. The low bidder failed to provide a 10% bid bond as required in the solicitation. The Board rejected

the low bid since the 10% bid bond was not provided and awarded the contract to the second lowest bidder. The difference in bids was approximately \$850.00. An injunction is being sought by the low bidder to force the Board to allow the additional bond to be provided and award the contract to them. The bonding company was found to be at fault. The District has been threatened by lawsuits from both bidders and hopes to resolve the issue quickly in order for the project to move forward.

Financial Coordinator Report – Dick Nelson

Nelson distributed a handout outlining the legislative funding that was obtained in this year's bonding bill.

The state share for cost-share reimbursement was raised to 75% of project costs for the full term of construction on the projects named in the funding package. The capability exists to shift funds to other projects if any one of the named projects does not progress to construction in the next two years.

The final state appropriation for Hay Creek (Roseau River WD), North Ottawa (Bois de Sioux WD), Helgeland (Middle River-Snake River WD), and Thief River Watershed (Red Lake WD) is \$5,575,000.

The RIM funding was reduced to \$1,000,000 statewide. Ring dikes were funded with a \$300,000 appropriation (50/50 match).

Nelson stated that now that the RRWMB has obtained state funds, the individual watersheds should develop timelines regarding when the funding would be needed. He added that it would be helpful if legislators could tour some of the projects that would be constructed using the legislative funding obtained.

Nelson noted that he obtained tremendous support in the House side from Jim Tunheim, Tim Finseth, Bob Westfall, Bernie Lieder, Rod Skoe, and Kevin Goodno. Support was received on the Senate side from Leroy Stumpf, Keith Langseth, and Roger Moe. Others that assisted were Lessard, Krenz, Bishop, and Knoblauch.

Ogaard explained that the contract between Dick Nelson and the RRWMB requires a review at the end of a 6 month period. He requested comments from the Board.

Wilkins stated that he had heard very positive comments regarding Dick Nelson and referred to the letter forwarded to the RRWMB from Ray Bohn of MAWD. The letter stated that "his knowledge of the specifics of the projects, attention to detail, and never give-up attitude was invaluable as we fought for every dollar we could get out of a very tight bonding bill." Ogaard added that Nelson did a terrific job of keeping in contact with himself and Chairman Osowski in order to keep them informed.

Ogaard explained that the contract would continue unless a board member would make a motion to discontinue the contract giving a 30-day notice. He noted that the contract includes a salary of \$5,000 per month plus expenses. Manager Osowski suggested that the contract should remain as it is. No objections were noted.

Memorial Recognition Award

Manager Osowski presented Janice Younggren a plaque in memory of Harley Younggren recognizing his years of service to the RRWMB. Erik Younggren, Harley and Janice's son, was also in attendance to accept the award.

Red River Coordinator/TAC Report

Thul stated that the Technical Advisory Committee (TAC) had met and discussed the IJC Task Force Report. He noted that he would discuss the proposed revisions to the report during the Executive Director's Report.

USGS Representatives Report – Jim Steich

Steich distributed a map of gaging stations depicting the location of stream gages operated on both the North Dakota and Minnesota sides of the Red River. He explained the various types of gages including continuous record stations, high flow sites, stage only, or lake gages.

Steich discussed the information produced from the sites funded by the RRWMB. He noted that the information is used primarily by federal and state agencies that work with hydrology. He added that the information is also posted on the USGS web site where current data could be retrieved.

Ogaard referred to correspondence that was forwarded to USGS regarding the various contracts between the RRWMB and the USGS. Steich responded that work is contracted with the RRWMB using both the North Dakota and Minnesota district offices of USGS. Steich suggested that possibly these contracts could be consolidated.

Ogaard suggested that the TAC could work with USGS to disseminate information. Steich responded that the USGS could coordinate with the TAC to discuss the information obtained.

Thul stated that the USGS is paying 50% funding for most gages. He added that the USACE, NDSWC, and the DNR have participated in funding gages and that when a partner decides to no longer fund a gage, the USGS contacts the RRWMB to obtain funding.

Ogaard inquired about the contact person at USGS to consolidate the various contracts with the RRWMB. Steich responded that he would forward this information to the RRWMB.

Executive Director Report – Don Ogaard

A) Institute for Environmental Conflict Resolution

Ogaard stated that over 400 individuals attended the conference of which nearly 200 were presenters. He explained that mediators from all over the country discussed issues ranging from removal of dams on the Columbia River to resolving issues of Indian tribes. He added that he obtained a handout regarding dispute resolution which he would forward to each watershed district office if requested to do so.

Ogaard referred to the upcoming meeting to resolve issues of concern of individual watershed districts regarding the RRWMB. He explained that at the previous monthly meeting it was determined to schedule a special meeting to address the concerns.

Manager Wilkens suggested that the Executive Director, Chairman, and one other board member could attend each individual watershed district meeting to address the concerns rather than scheduling a special meeting. He added that this forum would provide for better discussion. He noted that when the Governing Documents are published, Ogaard had planned to attend each board meeting to review the documents and in doing so, would address the majority of the concerns.

Motion by Manager Wilkens to authorize the Executive Director, Chairman, and one additional board member to attend each individual watershed district board meeting to review the Governing Documents and address the issues of concern, **Seconded** by Manager Solberg, **Carried**.

B) Flood Damage Reduction Project Development Procedures

A handout was distributed relative to the development, permitting, and funding of flood damage reduction projects. He requested that comments on the document be forwarded by June 15th prior to receiving approval by the RRWMB.

C) Project Prioritization Worksheet

The Project Prioritization Worksheet was distributed along with changes to the proposed text.

Manager Nelson stated that the Buffalo-Red River WD (BRRWD) concurred with the comments forwarded from the Wild Rice WD (WRWD). Manager Johnson suggested that the number value system utilized should be a graduated system.

Manager Wilkens suggested that the worksheet be forwarded to the TAC for review.

Ogaard requested Bennett to discuss the list of recommendations forwarded by the WRWD. Bennett stated that the WRWD recommended that the RRWMB establish a separate application process for funding assistance that is used for projects and programs defined in the guiding documents that are not for the sole purpose of water retention. Bennett added that another suggestion was for the RRWMB to develop a separate ranking system for projects and programs that utilize other measures to reduce flood damages that have been identified to be eligible for funding by the RRWMB under their general criteria. Bennett noted also that the RRWMB could include as part of the ranking system, recommendations from the FDR work group and project teams. Bennett stated that the final recommendation was for the RRWMB to establish a separate fund (budget) to assist with the financing of projects and programs that are approved for funding by the RRWMB under this process.

Bennett inquired whether the RRWMB would support the development of an addition to the worksheet regarding projects with primarily localized benefits. Ogaard responded that the policy of the RRWMB states that projects that include primarily local benefits should be funded locally.

Bennett suggested that should the RRWMB develop an annual budget, a portion of annual revenues could be used to fund local projects. Manager Osowski noted that budgeting could get very complicated and added that board members should discuss the issues that are not specifically addressed in the Governing Documents.

Manager Deal suggested that the TAC could review the worksheet and apply it to various completed projects to determine its effectiveness. Ogaard recommended that the TAC apply the worksheet to one proposed project and one completed project prior to the next monthly meeting. Following discussion, the board determined that the North Ottawa Project and the Nereson Impoundment Project be used for applying the worksheet.

D) ND/MN Summer Tour

Ogaard explained that Minnesota is responsible for the summer tour this year and inquired whether the RRWMB would be interested in hosting the tour.

Manager Finney suggested that a tour be conducted starting in Grand Forks and visit the Angus Oslo Site #4 and the Parnell Impoundment Project. Following discussion, the board determined that the tour should be scheduled on a Friday.

Motion by Manager Wilkens to authorize the summer tour, **Seconded** by Manager Erickson, **Carried**.

E) Proposed Executive Director Contract

Ogaard inquired whether there were any comments relative to the contract that was distributed at the previous monthly meeting. There were no comments received from the board.

Motion by Manager Wilkens to approve the Executive Director contract, **Seconded** by Manager Erickson, **Carried**.

F) Proposed Letter to IJC on Task Force Report

Ogaard distributed a letter developed to be forwarded to the IJC regarding comments on the IJC Red River Basin Task Force Report, "The Next Flood, Getting Prepared."

Manager Nelson stated that the BRRWD had reviewed the report and determined it was predominantly negative. Ogaard noted that the first paragraph of the report denotes that the report was based on the Flood of '97 and should be read within that context.

Thul stated that the TAC had reviewed the report and developed various recommendations that could be forwarded to the IJC. Ogaard suggested that Thul forward the TAC recommendations to him so they could be incorporated in the letter to the IJC.

Motion by Manager Wilkens to authorize the Executive Director and the TAC to review the report and finalize the recommendations to be forwarded to the IJC, **Seconded** by Manager Deal, **Carried**.

Ring Dike Funding

Manager Wilkens explained that since the state only appropriated \$300,000 for ring dike funding in this year's bonding bill, the RRWMB would need to keep track of the watershed districts planning to construct ring dikes this year. Ogaard requested that each watershed district develop and forward a list of potential sites for ring dikes.

District's Funding Requests:

1. Wild Rice River WD / Lockhart Township Runoff Storage Project, Step I Submittal:

Bennett distributed the Step I submittal for the project. He explained that the project is located in northwestern Minnesota within Norman County and drains into Judicial Ditch No. 53 which is under the jurisdiction of the WRWD. Landowners within the drainage basin and assessment area have expressed concern about the frequency of crop loss. The proposed project is the installation of a runoff detention structure (wetland enhancement) that would reduce flows into the Judicial Ditch No. 53 Main and the Marsh River. The project would provide additional potential benefits including water quality improvement, wildlife enhancement, erosion control, as well as opportunities for recreation and aesthetic value.

Bennett added that the project would be consistent with the flood storage easement program administered by BWSR. The project includes a cost-sharing component of 75/25 from the state. Manager Wilkens inquired whether the easements obtained for the project would be temporary or permanent. Bennett

responded that the easements would be of a permanent nature, but could be terminated by mutual agreement of BWSR, the watershed district, and the landowner.

Motion by Manager Johnson for a variance from the policy manual regarding presenting Step II and Step III during the same monthly meeting, **Seconded** by Nathan Redland, **Carried**.

2. **Two Rivers WD / Ross 32 Impoundment Project, Step I Submittal:**

Manager Solberg distributed the Step I submittal to the RRWMB for consideration. The project would provide relief to a local flood situation as well as providing tributary and main stem benefits.

Charlie Anderson discussed the history of the project. The proposed site is located in the northeast corner of the watershed district. The impoundment would have gated storage of 3,300 acre-feet and ungated storage of 800 acre-feet. Along the northwest boundary of the impoundment is a ridge which is an old beach ridge from Lake Agassiz. Presently, runoff from the area to the east flows in culverts that pass through the ridge in Section 32. The water would be impounded by the ridge on the northwest side, a constructed dike on the west side and a county road that would be raised on the south side. The main outlet would be located just upstream from the culverts through the ridge.

Manager Wilkens inquired whether homes exist along the ridge. Manager Solberg responded that on the north side of the ridge some homes exist.

Manager Wilkens inquired whether the project would involve a land purchase or easements. Anderson responded that the watershed district would be considering a direct purchase at the cost of approximately \$340.00 per acre.

Ogaard suggested scheduling the next monthly meeting in Roseau so a tour could be conducted since the requirements of a Step I submittal include viewing the project area.

Motion by Manager Solberg to poll the board to determine whether the RRWMB would be supportive of the project, **Seconded** by Manager Erickson, **Carried**. The Board poll was unanimously in favor of the project.

3. **Red Lake WD / Parnell Project Modification / Step I Submittal:**

Manager Johnson distributed a Step I Submittal for the Parnell Project Modification. He requested Charlie Anderson to discuss the project.

Anderson explained that the Parnell Impoundment in Polk County in the RLWD was completed in 1998. The total cost of the project was \$3,061,947.85, of which \$2,577,115.29 was provided by the RRWMB. The flood storage capacity is 4,000 acre-feet. It was originally designed to function as an ungated, off-channel, flood control impoundment. The RLWD is proposing to modify the project to allow for complete gate controlled operation. This modification would substantially increase the potential flood control benefits.

Fritz stated that last spring there was severe local flooding, however, the project was limited with regard to operation due to its original design. He suggested that a tour could be conducted for those board members who have not seen the project to comply with the Step Process.

Motion by Manager Johnson to poll the board to determine whether the RRWMB would be in favor of the modification, **Seconded** by Manager Nelson, **Carried**. The Board poll was unanimously in favor of the modification to the project.

Fritz noted that he would forward meeting notices via email regarding a tour of the project area.

4. Buffalo-Red River WD / Deerhorn Creek Basin Flood Control Project / Step III Submittal:

Rick St. Germain distributed a Step III submittal to the Board for review. The project consists of three separate, interrelated elements. Two project elements include a flood control levee system along the lower reaches of Deerhorn Creek, and improvements to Wilkin County Ditch No. 42. The third element consists of a flood detention dam and reservoir on the main stem of Deerhorn Creek near the center of Section 21, Prairie View Township, Wilkin County. The drainage area for the proposed reservoir is 21.2 square miles.

St. Germain stated that the estimated cost of the project is \$1,368,086.00 and would be broken down as follows:

Mediation Funds	\$ 400,000.00
BRRWD (80% of Total Cost less Mediation Funds)	\$ 774,468.80
RRWMB (20% of Total Cost less Mediation Funds)	<u>\$ 193,617.20</u>
Total Project Estimate	\$ 1,368,086.00

Motion by Manager Nelson to accept the Step III Submittal, **Seconded** by Manager Johnson, **Carried**.

Motion by Manager Nelson to reaffirm the funding package to include RRWMB funding of 20% of the project cost after \$400,000 of the mediation funds have been applied to the total project cost, **Seconded** by Manager Johnson, **Carried**.

Manager Wilkens noted that a letter should be forwarded from the BRRWD to Ed Fick-DNR stating that the project has been authorized for funding by the RRWMB.

The next meeting will be on June 20, 2000, at 9:30 a.m. at the Roseau River Watershed District office, Roseau, Minnesota.

There being no further business, the meeting was adjourned at 4:10 p.m.

Respectfully submitted,

Farrell Erickson
Secretary

Naomi L. Jagol
Administrative Assistant