

Red River Watershed Management Board

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Board of Managers

John Finney, President-Humboldt Farrell Erickson, Vice Pres.-Badger Dan Money-Hallock Ron Osowski-Oslo
Vernon Johnson-Clearbrook Daniel Wilkens, Treasurer-Fertile Robert Wright, Secretary-Felton Jerome Deal-Wheaton
Naomi Erickson, Administrator-Detroit Lakes

RED RIVER WATERSHED MANAGEMENT BOARD MEETING

August 17, 2004

City Council Chambers, Warren, Minnesota

The RRWMB met on Tuesday, August 17, 2004, at the City Council Chambers, Warren, Minnesota.

Chairman John Finney called the meeting to order.

Members present were: Farrell Erickson Dan Money
Ron Osowski Vernon Johnson
Daniel Wilkens Warren Seykora
Jerome Deal

Others present were: Naomi Erickson, Administrator
Dick Nelson, Financial Coordinator
Dan Thul, Red River Coordinator
Ron Adrian, Administrator, Middle-Snake-Tamarac Rivers WD
Jon Roeschlein, Administrator, Bois de Sioux WD
Rob Sando, Administrator, Roseau River WD
Don Buckhout, Minnesota Department of Natural Resources
Julie Goehring, Communications Coordinator, RRBC
Charlie Anderson, Engineer, JOR Engineering
Wayne Goeken, Monitoring Coordinator
Brian Dwight, BWSR
Maynard Pick, Congressman Peterson's office

No additional items were added to the agenda.

Motion by Manager Deal to approve the minutes as written with minor corrections, **Seconded** by Manager Money, **Carried**.

The Treasurer's report was presented and it was approved as read. **Motion** by Manager Johnson to approve the Treasurer's Report, **Seconded** by Manager Deal, **Carried**. A one-page handout of monthly bills to be approved was distributed. **Motion** to approve and pay bills by Manager Money, **Seconded** by Manager Osowski, **Carried**. For further reference, copies of the bills approved are attached hereto in the Treasurer's Report.

Financial Coordinator Report

D. Nelson stated that the chance of a special session occurring this year is remote, however, discussion has occurred relative to passing a bonding bill at the beginning of session next year.

D. Nelson reported that several seats are up for re-election this fall in the House of Representatives. He added that potential exists for several republican seats to change to democrat.

Red River Coordinator/TAC Report

Thul stated that the Technical Advisory Committee (TAC) did not meet prior to the board meeting. He referred to the compliance survey that was conducted by the Minnesota Department of Natural Resources (DNR) regarding the ag dikes located along the river. He noted that an error occurred in the DNR survey which indicated that the dikes in a particular area were not in compliance. He has been working with the Middle-Snake-Tamarac WD and it was determined that, in fact, the dikes were in compliance. He thanked the District for their assistance in addressing this issue.

Red River Basin Commission

Julie Goehring, Communications Coordinator, Red River Basin Commission (RRBC) reported that Vice Chair Dan Wilkens conducted the August 5, 2004 board meeting in the absence of Bud Oliver. Don Norquay, Manitoba Water Stewardship Assistant Deputy Minister replaced Dwight Williamson on the Board. Norquay reported on Manitoba's new Water Stewardship Department which covers drainage, water licensing, watershed planning, surface and ground water management, fisheries, and water quality and drinking water safety.

Goehring stated that Jon Roeschlein also gave an update on the North Ottawa Impoundment Project at the board meeting. He provided background on the participating agencies and the history and development of the project. This is one of the first projects supported by the RRBC.

Administrator Report

A) Data Practices Act (DPA) Policy

N. Erickson stated that a draft of the proposed RRWMB DPA Policy was distributed for board consideration at the July board meeting. Issues regarding assigning an hourly fee for the time utilized by the designated authority to provide the information requested, as well as specific procedures for reviewing office files were discussed. N. Erickson reported that she discussed these issues with attorney Louis Smith for clarification who then drafted a revised document regarding policies and procedures for public access to documents.

N. Erickson noted that on June 25th a letter was received from the Commissioner of Administration regarding an advisory opinion that was requested from a citizen regarding whether the RRWMB was in compliance with Minnesota Statutes, Chapter 13 involving public access procedures. A response was prepared and forwarded to the Commissioner on July 7th regarding the citizen inquiry. On August 9th another letter was received from the Commissioner of Administration that stated the RRWMB was not in compliance with Minnesota Statutes, Chapter 13 since the board had not yet adopted a procedures policy regarding public access to documents. The Commissioner urged the board to adopt a policy as soon as possible. **Motion** by Manager Money to adopt the revised DPA Policy with minor changes, **Seconded** by Manager Deal, **Carried**.

B) North Ottawa Impoundment Project Ground Breaking Ceremony

N. Erickson stated that the North Ottawa Impoundment Project groundbreaking ceremony has been scheduled for Monday, September 20, 2004 at 2:00 p.m. on site approximately 3 miles south of Tintah on MN Highway No. 9 and approximately 2 miles east. Since the regularly scheduled monthly meeting will occur the next day, Tuesday, September 21, 2004, it is hoped that the Board of Managers will be in attendance at the groundbreaking ceremony.

C) Water Quality Project Monitoring

N. Erickson reported that on August 10th she met with Wayne Goeken-Monitoring Coordinator, Jim Ziegler-MPCA, and Jon Schauer-Consulting Unlimited to assist with the development of reports regarding the Water Quality Project Monitoring initiative. The group discussed the need for detailed and summary reports to be developed to assist with preparing budget information.

D) Annual Report

N. Erickson stated that the 2003 audit was completed and the independent accountant's report has been received. The information needed to prepare the 2003 Annual Report was delivered to Precision Printing of Minnesota who prepared a cost estimate for printing the reports. An estimate of \$1,200 (\$4.00 per report) for 300 copies was received. **Motion** by Manager Wilkens to accept the bid for printing 300 2003 Annual Reports, **Seconded** by Manager Johnson **Carried**.

E) Upcoming Meetings/Conferences

1. Red River Basin Flood Damage Reduction Work Group, November 17, 2004, at the Northland Inn, Crookston, MN.

Leadership Program for Local Water Management Partners

Brian Dwight, Board of Water & Soil Resources (BWSR), discussed a proposal developed by Jody Horntvedt, University of Minnesota Extension Service and himself to conduct a leadership program. The objective of developing a program for local water management partners is to strengthen the needed cooperation and coordination of efforts to deliver watershed-based water management programs. The focus of the program is on "building the team" for "unified water management" and has its roots in the principles outlined in the Red River Basin Flood Damage Reduction Work Group's mediation agreement. The target audience and/or participants include elected and appointed officials of watershed districts, county commissioners, tribal representatives, and Soil and Water Conservation District managers.

An overview of the estimated costs of the program was discussed. The estimated cost of the program is ~\$37,500 with half of the funding provided by the Red River Basin Flood Damage Reduction Work Group. The remaining funds will be sought from other funding sources and will include charging a registration fee. Dwight inquired about the possibility of obtaining funding assistance through the RRWMB. Following discussion, the board agreed to forward a letter to the Association of Minnesota Counties (AMC) stating that the RRWMB is a financial contributor to the program although the amount of the RRWMB contribution was not yet determined.

Minnesota Statutes

Brian Dwight, BWSR, discussed the funding options available to watershed districts in addition to the annual general levy under Minnesota Statutes 103D.905 subd. 3. A handout was distributed describing funds of a watershed district. The statute states “in addition to the annual general levy, the managers may annually levy a tax not to exceed 0.00798 percent of taxable market value for a period not to exceed 15 consecutive years to pay the cost attributable to the basic water management features of projects initiated by petition of a political subdivision within the watershed district or by petition of at least 50 resident owners whose property is within the watershed district.”

Dwight further stated that, to his knowledge, the only watershed district that has utilized this funding option is the Buffalo-Red River WD. He added that an Attorney General’s opinion might be useful in determining the scope of “the basic water management features of projects” as noted in the statute.

District Reports

- The Roseau River WD reported on the Hay Creek Project. Administrator Sando and Manager Erickson met with the U.S. Army Corps of Engineers in St. Paul on July 27, 2004. Cost estimates for the project have increased to \$8.85 million. Also, the native seeding costs have increased and realignment of the 500 foot corridor with the south interceptor ditch is currently being reviewed.
- The Middle-Snake-Tamarac Rivers WD reported that the Court of Appeals dismissed the appellant’s appeal of a District Court ruling concerning the Agassiz Valley Water Resource Management Project. The appeals will now move to the damages phase. The next project team meeting has not yet been scheduled.

The Marshall County Commissioners have reappointed Doug Sorenson to a 3-year term and appointed John Nelson of Oslo to a 3-year term on the Board of Managers. John Nelson replaces Jim Johnson who had served as a manager since 1983.

- The Red Lake WD reported on the Grand Marais Watershed (Project No. 60) Project. A draft option agreement has been submitted to a landowner regarding 80 acres of land which will be needed for the Euclid East site. It was determined that only the south half of the NW ¼ of Section 24, Belgium Township will be needed, and the District will not be required to pay for relocating the building site since, at this time, the landowner believes he will continue to reside at this location. A signed option is still needed for a small 13.6 acre tract on the Brandt site, however, no problems are expected with this acquisition.
- The Wild Rice WD reported that the Board of Managers reviewed the Engineer’s Report for the proposed repairs to the Heiberg Dam that includes the installation of a 220-ft. sheet piling and earthen embankment to replace the original embankment along with removal of the existing old powerhouse and adjacent buildings. The dam crest will be lowered to provide for fish passage with the installation of concrete sloped ice blocks on top of the modified crest to assist in the breakup of ice. A rock arch rapids below the dam will be constructed to allow for fish migration and increase safety by creating low velocity water and eliminating the existing hydraulic roller effect. The cost for the repair is estimated to be approximately \$824,000.

At this time, FEMA, DNR and U.S. Fish & Wildlife Service funding commitments total \$670,000. The DNR has proposed additional funding to come from the bonding bill, which did not occur during the legislative session. Because the additional costs are related to fish passage, the Board agreed that the additional funding needed should not be assessed back to the local benefiting area and that construction would not be started until a funding package is completed. A hearing is scheduled to review the Engineer’s Repair Report for 7:00 p.m. on Wednesday, September 15, 2004, Community Center in Twin Valley.

- The Bois de Sioux WD reported that bids were opened on August 12, 2004 for Outlet Structures and Exterior Ditches. Bids were accepted for \$740,840.00 and \$248,566.80 respectively. Comstock Construction of Wahpeton was awarded the contract for the Structure work, while Riley Brothers Construction of Morris was awarded the exterior ditch contract. The Outlet Structure's bids came in about \$100,000 over the Engineer's estimate and are attributed to the higher cost of steel and concrete. The dirt work bid actually came in under the Engineer's estimate by about \$10,000.00.

Water Quality Project Monitoring Report

Wayne Goeken- Monitoring Coordinator discussed a contract with the Rivers Council of Minnesota. He explained that the \$1,000 contract is part of a Legislative Commission on Minnesota's Resources (LCMR) contract to participate in training sessions relating to data interpretation of water quality efforts. **Motion** by Manager Money for the RRWMB to enter into the contract with the Rivers Council of Minnesota, **Seconded** by Manager Erickson, **Carried**.

Goeken added that the budget for the water quality project monitoring effort is short for fiscal year 2004 by ~\$15,000. Fiscal year 2004 funding includes \$100,000 from the Minnesota Pollution Control Agency and \$50,000 from the RRWMB. Manager Wilkens agreed to discuss the shortfall at the Funding Committee meeting of the Red River Basin Flood Damage Reduction Work Group at their meeting tomorrow in Alexandria.

Buffalo-Red River Watershed District

Manager Finney reported that he and Manager Johnson attended a meeting of the Buffalo-Red River WD (BRRWD) to discuss the potential for their watershed district rejoining the RRWMB. He stated that an open discussion occurred regarding the operation of the RRWMB. He added that he requested the BRRWD Board of Managers to entertain a motion at their August 9th board meeting to rejoin the RRWMB to which they agreed to comply. He further noted that he contacted Bruce Albright, Administrator of the BRRWD, following their August board meeting to inquire about the vote. Albright stated that the issue was not addressed at the board meeting.

Manager Wilkens noted that the issue of the BRRWD requesting reimbursement for their project team needs to be addressed. He explained that no funds were allocated for the BRRWD project team in the FY04 budget, however, a voucher was submitted for payment from their district for expenses incurred in conjunction with their project team.

Don Buckhout added that the Red River Basin Flood Damage Reduction Work Group allocated \$20,000 for FY04 for each of the project teams functioning within the member districts of the RRWMB. He explained that funds that were not spent in prior years could be reallocated to cover the expenses of the BRRWD project team should the Work Group decide to do so. He noted that the decisions of the Work Group are decided on a consensus basis.

Board of Water & Soil Resources

Manager Deal reported that the Board of Water & Soil Resources (BWSR) is currently working with the Department of Finance to finalize a budget. Budget constraints continue to be a consideration.

District's Funding Requests

No requests for funds were submitted this month.

The next meeting will be on September 21, 2004, at 9:30 a.m. at the Dakota Magic Hotel and Casino, Hankinson, North Dakota.

There being no further business, the meeting was adjourned by acclamation at 1:15 p.m.

Respectfully submitted,

Robert Wright
Secretary

Naomi L. Erickson
Administrator