

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

December 21, 2004

Sand Hill River Watershed District, Fertile, Minnesota

The RRWMB met on Tuesday, December 21, 2004, at the Sand Hill River Watershed District, Fertile, Minnesota.

Chairman John Finney called the meeting to order.

Members present were: Farrell Erickson Dan Money
Ron Osowski Vernon Johnson
Roger Hanson Robert Wright
Jerome Deal

Others present were: Naomi Erickson, Administrator
Dick Nelson, Financial Coordinator
Dan Thul, Red River Coordinator
Ron Adrian, Engineer, Middle-Snake-Tamarac Rivers WD
Rob Sando, Administrator, Roseau River WD
Jerry Bennett, Administrator, Wild Rice WD
Myron Jesme, Administrator, Red Lake WD
Blake Carlson, Engineer, JOR Engineering
Charlie Anderson, Engineer, JOR Engineering
Mark Hatton, Dahl, Hatton, Muir & Reese
Don Buckhout, Minnesota Department of Natural Resources
Kelly Nelson, Assistant Engineer, Middle-Snake-Tamarac WD
Alvin Nybladh, Middle-Snake-Tamarac WD

Additional items were added to the agenda. Manager Finney requested to add an update regarding a digital elevation modeling (DEM) proposal. Don Buckhout requested to add discussion regarding the upcoming mediation proceedings between the board and the Buffalo-Red River WD.

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

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

Annual Review

Mark Hatton, Dahl, Hatton, Muir & Reese Ltd., discussed the annual review conducted for the board. Each year an Independent Accountant's Report on Applying Agreed-Upon Procedures is developed for the board. These procedures consist of confirming cash balances and collateral for deposits, reviewing minutes, ensuring naming financial institutions and election of officers, and reviewing disbursements. Performing an audit for the board would consist of procedures that would be wider in scope including random sampling.

As per Minnesota Statutes 103D.355 Annual audit, the requirement states that the managers must have an annual audit completed of the books and accounts of the watershed district. The annual audit may be made by a public accountant or by the state auditor. The annual audit must be made by a certified public accountant or the state auditor at least once every five years, or when cumulative district revenues or expenditures exceed an amount established by the board in consultation with the state auditor.

Following discussion, the board agreed that an audit should be conducted once every five years, as cited in Minnesota Statutes. **Motion** by Manager Deal to conduct an audit once every five years beginning in 2005, with annual reviews to be conducted the other years, **Seconded** by Manager Osowski, **Carried**.

Financial Coordinator Report

D. Nelson reported that the bonding bill is scheduled to be presented on January 5, 2005. The bill will be identical to the one that was proposed last year.

D. Nelson referred to the 22nd Annual Red River Basin Land and Water International Summit Conference scheduled for January 12-14, 2005, at the Ramada Plaza, Fargo, ND. He stated that during the conference the Red River Basin Commission plans on filling the vacancy for the Minnesota At-large board member position previously occupied by Don Ogaard.

Digital Elevation Modeling

Manager Finney stated that he attended a meeting conducted on December 16, 2004 on the North Dakota State University campus regarding a digital elevation modeling (DEM) proposal. The scope of the project is the 13 counties along the Red River on the U.S. side of the basin with an estimated project cost of ~ \$3 million dollars, increasing to over \$7 million dollars should it be conducted on a watershed basis.

The steering committee discussed a proposal developed at the state level (Minnesota Department of Natural Resources) which promoted a state-wide collection. Following discussion, the committee agreed that due to the significant cost of the project, it would not be feasible to pursue the proposal at this time.

Red River Coordinator/TAC Report

Thul stated that the Technical Advisory Committee (TAC) did meet prior to the board meeting. The TAC discussed the digital elevation modeling (DEM) proposal reviewed by the steering committee. Jerry Bents concurred with Manager Finney that following a review of the proposal, the steering committee abandoned the initiative due to the costly nature of the project.

Myron Jesme, Administrator-Red Lake WD, distributed a grant application submitted by their district to the Northwest Minnesota Foundation regarding a Farm to Stream Project. The total project cost is estimated at \$35,000. Please refer to the *District Reports* section for further information.

Thul suggested that the interagency group formed to address drainage issues including Al Kean-BWSR and Dr. Gary Sands-University of Minnesota could discuss the grant proposal approved for the Red Lake WD and determine whether the RRWMB should assist with funding the project in order to further develop flow data.

Thul referred to the basin framework plan developed by the Red River Basin Commission (RRBC). The MIKE 11 model that was developed by the RRBC will be used in conjunction with the plan. The TAC agreed that they would like to review the model to determine whether it would be a beneficial tool for the RRWMB.

Thul added that at a meeting he attended regarding the basin framework plan of the RRBC, discussion occurred relative to the policy and goals of the RRWMB. He noted that there seems to be a general lack of perception about the board's goals in terms of project funding. He suggested that the board take a proactive approach to communicating their objectives. **Motion** by Manager Deal to authorize Naomi Erickson and Dan Thul to attend member district board meetings to present an update on board activities, **Seconded** by Manager Money, **Carried**.

Administrator Report

A) Red River Basin Flood Damage Reduction Work Group

N. Erickson attended the Work Group meeting conducted on November 17, 2004, at the Northland Inn, Crookston, MN. The handout *Summary of Decisions* was distributed.

B) Legislative Meeting

N. Erickson stated that she attended the Minnesota Red River Basin Legislators' Meeting conducted on November 23, 2004, at the Days Inn, Moorhead, MN. The meeting was moderated by Ron Harnack who addressed the connections between local, basin and state organizations, as well as the process mechanisms that must be followed for project implementation. An overview of Red River Basin Commission activities was presented by Lance Yohe. Don Buckhout discussed the state perspective regarding the development of projects and distributed a catalog of flood damage reduction and natural resource enhancement projects that were developed in conjunction with the 1998 Flood Damage Reduction Mediation Agreement. John Finney referred to the proposed bonding for fiscal year 2005 which includes the following initiatives: City of Warren, PL 566 \$200,000; Two Rivers WD, Ross No. 7 \$100,000; Roseau River WD, Malung \$110,000; Roseau River WD, Palmville \$323,000; Roseau River WD, Roseau River WMA \$367,000; and Red Lake WD, Grand Marais \$2,600,000. The meeting also included comments from Senator Keith Langseth and Representatives Kent Eken and Morris Lanning who were in attendance.

C) Minnesota Association of Watershed Districts (MAWD)

The MAWD 34th Annual Meeting and Trade Show was conducted on December 2-4, 2004, at the Arrowwood Resort and Conference Center, Alexandria, MN. The conference will be featured in an upcoming issue of *News & Views*.

N. Erickson reported that discussion occurred among board members, staff and attorneys during the conference regarding the need for a Watershed District Attorney's Conference. It was agreed that it would be beneficial to schedule a conference to address watershed district obligations under watershed law, implementation of the mediation agreement, forming a cooperative basin-wide legal team, establishing

criteria for legal assistance from the RRWMB, and the development of procedures for litigation occurring in the basin. Attendees agreed that the conference should be conducted prior to the March Conference, preferably in February.

D) Funding Committee

N. Erickson noted that she attended the Funding Committee of the Work Group conducted on December 8th from 10:00 a.m. to 12:00 p.m., at the Alexandria Airport Terminal, Alexandria, MN. A meeting summary was distributed.

E) Leadership Program for Local Water Management Partners

N. Erickson explained that at the September 21, 2004 board meeting, the board agreed to fund the aforementioned program at a level not to exceed \$15,000. Following approval of the funding request, a review of the procedures for submitting programs for consideration in the Governing Documents "Section 4 – Funding Procedures," was conducted. One criteria for funding approval states that programs for consideration for funding should include a recommendation from the Technical Advisory Committee (TAC) prior to approval. The Governing Documents further states that variations from this requirement may be allowed but only when receiving six affirmative votes of the board.

Motion by Manager Money to approve funding the Leadership Program with variation from the current criteria (7) listed in the Governing Documents, **Seconded** by Manager Deal, discussion followed. As there was no further discussion a vote was taken. Those voting in favor of the motion included: Erickson, Hanson, Deal, Johnson, Wright, Osowski, Money, and Finney. Those opposing the motion included: none.
Motion carried.

F) Upcoming Meetings/Conferences

1. 22nd Annual Red River Basin Land and Water International Summit Conference, "Shared Resources, Shared Responsibilities," January 12-14, 2005, Ramada Plaza, Fargo, ND.
2. Leadership Program for Local Water Management Partners:
Northern Location: Best Western Inn, Thief River Falls, MN
Session 1 – January 25-26 (1-8 pm & 8 am -1 pm)
Session 2 – February 22-23 (1-8 pm & 8 am -1 pm)

Southern Location: Holiday Inn, Lakeside, Detroit Lakes, MN
Session 1 – January 27-28 (1-8 pm & 8 am -1 pm)
Session 2 – February 24-25 (1-8 pm & 8 am -1 pm)
3. March Conference, Thursday, March 31, 2005, Northland Inn, Crookston, MN.
4. Red River Basin Institute, Second International Water Conference "Research and Education in an International Watershed: Implications for Decision-Making" at the Ft. Garry Hotel in Winnipeg, Manitoba, April 6 –7, 2005.

Mediated Negotiations

Don Buckhout, Minnesota Department of Natural Resources, stated that letters were received from both the RRWMB and the Buffalo-Red River WD regarding their willingness to enter into mediated negotiations to address issues of mutual concern which led to a break in formal relations between the two organizations. He explained that the issues to be addressed in the mediated negotiations should be determined by both organizations. As convener and mediator of the negotiations, Buckhout assisted the board with issue identification which is usually the prelude to actual negotiations.

District Reports

- The Roseau River WD reported that the Board of Managers have been working with JOR Engineering on the revised plan for the West Intercept Project. The Board has been in contact with Kurt Deter of Rinke-Noonan law firm to assist them with the proper legal procedures. The District is now in the process of purchasing the necessary fee title acres for the construction of the project as well as the temporary construction easements.
- The Middle-Snake-Tamarac Rivers WD reported on the Public Law 566 (Snake River Watershed) Project. Actual construction on the project has been halted for the 2004 construction season. Work on Phase 2 had been halted earlier this fall and work on Phase 3b was halted last week. The Burlington Northern Sante Fe (BNSF) Railroad bridge has been installed and the floodway excavated on the railroad right of way. Work remaining on the bridge and channel includes the placement of the rip rap and seeding. These are planned to be completed early next summer. The contracts for the installation of box culverts on TH #75 over the floodway are being finalized. The District is working with the Canadian Pacific (Soo Line) Railroad and MnDOT concerning the structure under Trunk Highway #1. Construction of the project should be completed next year.

A draft mitigation plan for the project was received and the District will be working with agencies throughout the winter months to finalize the plan.

- The Red Lake WD reported that the District received a 50/50 cost share grant from the Northwest Minnesota Foundation for a Farm to Stream Project. The project cost for this proposal is \$35,000 which will consist of a two-year study to comprehensively investigate how water quality affected by agricultural drainage and best management practices relates to drainage in several different locations in the District. Results will show the effects of subsurface drainage and other agricultural practices on downstream waters in three different ecoregions. The District intends to work collaboratively with the Red Lake Nation on its wild rice farms to share information and experiences.
- The Wild Rice WD reported that the Board of Managers approved scheduling an informational meeting to discuss repair options to the Green Meadow Dam. The public informational meeting is scheduled for Wednesday, January 5, 2005, at 9:00 a.m. at the Ada, VFW. The Green Meadow dam provides approximately 2,500 acre-feet of flood storage and was originally constructed by the Natural Resource Conservation Service (NRCS) in cooperation with the Norman County Soil & Water Conservation District (SWCD). The dam is currently under watershed jurisdiction for operation and maintenance.

Dam inspections following the 2002 summer flood resulted in the Board of Managers approving soil borings and a geotechnical analysis to determine structural integrity of the dam. Midwest Testing Laboratories completed the analysis and has made recommendations to restore the dam to an acceptable level of operating efficiency. The repairs identified by Midwest Testing are in the range of \$100,000 to

\$200,000. The Board is working toward implementing the repairs as soon as project constraints can be finalized.

- The Bois de Sioux WD reported that the Board is entering a purchase agreement on a lot in Wheaton to erect a new office building. Staff have been directed to get estimates on the draft floor plan and to report back at the January board meeting.

District's Funding Requests

No requests for funds were submitted this month.

The location of the January board meeting was discussed. The board had previously discussed reinstating the annual meeting of the Red River Joint Water Resources Board (RRJWRB) and the RRWMB. Following discussion, the board directed Naomi Erickson to contact Tom Fischer, a senator from North Dakota who was hired by the RRJWRB to discuss the possibility of scheduling a joint meeting on January, 18, 2005.

There being no further business, the meeting was adjourned at 2:00 p.m.

Respectfully submitted,

Robert Wright
Secretary

Naomi L. Erickson
Administrator