

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
Orville Knott-Red Lake Falls Daniel Wilkens, Treasurer-Fertile Robert Wright, Secretary-Felton Jerome Deal-Wheaton
Naomi Erickson, Administrator-Detroit Lakes

RED RIVER WATERSHED MANAGEMENT BOARD MEETING

January 17, 2006

Red Lake Watershed District, Thief River Falls, Minnesota

The RRWMB met on Tuesday, January 17, 2006, at the Red Lake Watershed District, Thief River Falls, Minnesota.

Chairman John Finney called the meeting to order.

Members present were: Farrell Erickson Dan Money
Orville Knott Daniel Wilkens
Robert Wright Jerome Deal

Others present were: Naomi Erickson, Administrator
Dan Thul, Red River Coordinator
Don Buckhout, MNDNR Red River Basin Coordinator
Nate Dalager, Engineer, HDR Engineering
Nick Drees, Administrator, Middle-Snake-Tamarac Rivers WD
Ron Adrian, Engineer, Houston Engineering
Rob Sando, Administrator, Roseau River WD
Myron Jesme, Administrator, Red Lake WD
Diane Ista, Wild Rice WD
Maynard Pick, Congressman Peterson's office
Jim Skaurud, Wild Rice WD
Allison Frislie, Roseau River WD
Molly MacGregor, Red River Basin Planning-MPCA

No additional items were added to the agenda.

Motion by Manager Erickson to dispense with the reading of the minutes and approve as written, **Seconded** by Manager Deal, **Carried**.

The Treasurer's report was presented and it was approved as read. **Motion** by Manager Money 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 Deal, **Seconded** by Manager Erickson, **Carried**. For further reference, copies of the bills approved are attached hereto in the Treasurer's Report.

Annual Board Organization

The Annual Board Organization was conducted. President Finney turned the meeting over to Vice President Erickson who asked for nominations for President of the Board. Manager Money nominated Manager Finney for President. Nominations were called for three times by Manager Erickson. No further nominations were made. **Motion** to cease nominations and have the Secretary cast a unanimous ballot for John Finney for President by Manager Wilkens, **Seconded** by Manager Wright, **Carried**.

President Finney asked for nominations for Vice President of the Board. Manager Deal nominated Manager Erickson for Vice President. Nominations were called for three times by President Finney. No further nominations were made. **Motion** to cease nominations and have the Secretary cast a unanimous ballot for Farrell Erickson for Vice President by Manager Wilkens, **Seconded** by Manager Deal, **Carried**.

President Finney asked for nominations for Secretary of the Board. Manager Erickson nominated Manager Wright for Secretary. Nominations were called for three times by President Finney. No further nominations were made. **Motion** to cease nominations and have the Secretary cast a unanimous ballot for Robert Wright for Secretary by Manager Wilkens, **Seconded** by Manager Deal, **Carried**.

President Finney asked for nominations for Treasurer of the Board. Manager Deal nominated Manager Wilkens for Treasurer. Nominations were called for three times by President Finney. No further nominations were made. **Motion** to cease nominations and have the Secretary cast a unanimous ballot for Daniel Wilkens for Treasurer by Manager Erickson, **Seconded** by Manager Money, **Carried**.

Resolution Authorizing the Regular Monthly Meeting Date and Time

The Red River Watershed Management Board considered the designation of the regular monthly meeting date and time at the regular board meeting held in Thief River Falls, MN, on Tuesday, January 17, 2006.

On a **motion** by Manager Deal, **seconded** by Manager Wilkens, and on a vote of 7 for and 0 against, the motion passed to designate the third Tuesday of each month at 9:30 a.m. as the regular monthly meeting date and time for the Red River Watershed Management Board.

Resolution Authorizing the Payment of Per Diem/Mileage to Managers

The Red River Watershed Management Board considered the authorization of payment of per diem/mileage to Managers at the regular board meeting held in Thief River Falls, MN, on Tuesday, January 17, 2006.

On a **motion** by Manager Wilkens, **seconded** by Manager Deal, and on a vote of 7 for and 0 against, the motion passed to allow the maximum per diem by state law which is currently \$75.00 per day and the maximum IRS limit for mileage which is currently .445 per mile unless a change occurs.

Resolution Authorizing Deposit/Investment of Funds

The Red River Watershed Management Board considered the authorization of deposit/investment of funds at the regular board meeting held in Thief River Falls, MN, on Tuesday, January 17, 2006.

On a **motion** by Manager Wilkens, **seconded** by Manager Deal, and on a vote of 7 for and 0 against, the motion passed to authorize the Red River Watershed Management Board to reaffirm the adoption of the Treasurer's Manual originally adopted on 4/19/91 and amended on 8/08/95, 1/18/00, and 3/16/04.

Resolution Authorizing Legal Counsel

The Red River Watershed Management Board considered the authorization of legal counsel at the regular board meeting held in Thief River Falls, MN, on Tuesday, January 17, 2006.

On a **motion** by Manager Erickson, **seconded** by Manager Wright, and on a vote of 7 for and 0 against, the motion passed to obtain legal counsel on a case-by-case basis for the Red River Watershed Management Board.

Resolution Appointing Representatives to RRBFDROWG

The Red River Watershed Management Board considered the appointment of representatives to the RRBFDROWG at the regular board meeting held in Thief River Falls, MN, on Tuesday, January 17, 2006.

On a **motion** by Manager Wilkens, **seconded** by Manager Deal, and on a vote of 7 for and 0 against, the motion passed to appoint Robert Wright to the RRBFDROWG to fill the vacated position of Vernon Johnson.

Minnesota Pollution Control Agency

Molly MacGregor discussed the Professional and Technical Services Contract between the Minnesota Pollution Control Agency (MPCA) and the RRWMB. The contract is to assist with the salaries for the Water Quality Project Monitoring initiative. **Motion** by Manager Deal to authorize the contract with MPCA for the Water Quality Project Monitoring initiative, **Seconded** by Manager Erickson, **Carried**.

Financial Coordinator Report

In the absence of D. Nelson, Manager Finney reported that he has discussed the upcoming legislative session with Ray Bohn of the Minnesota Association of Watershed Districts (MAWD). Bohn indicated that although the session isn't scheduled to start until March 1st, his schedule is already showing signs of a significant amount of legislative activity during January and February.

An issue that could cause concern for watershed districts is eminent domain reform which surfaced as a result of last year's Supreme Court decision regarding Kilo vs. City of New London. A large coalition of individuals

and groups have organized to reform eminent domain. N. Erickson distributed a handout regarding the proposed legislation that was forwarded via email from Ray Bohn.

Manager Finney explained that relative to D. Nelson's health issues, Ray Bohn has been assisting him with the board's legislative efforts. **Motion** by Manager Deal to designate Ray Bohn as a representative of RPN Consulting, Inc., **Seconded** by Manager Money, **Carried**.

Administrator Report

A) IRS Standard Mileage Rate

Beginning January 1, 2006, the standard mileage rates for the use of a car (including vans, pickups or panel trucks) will be 44.5 cents per mile for business miles driven. The new rate for business miles compares to a rate of 40.5 cents per mile for the first eight months of 2005. In September, the IRS made a special one-time adjustment for the last four months of 2005, raising the rate for business miles to 48.5 cents per mile in response to a sharp increase in gas prices, which topped \$3 a gallon.

B) Agassiz Valley Water Management Project Litigation

N. Erickson reported that she continues to work with legal counsel in preparing responses relative to correspondence received from opponents of the above-mentioned project. The next date scheduled to provide data for inspection is Thursday, January 26, 2006.

Two letters dated January 11th were received from the Commissioner of Administration regarding advisory opinions that were requested from a citizen relative to letters dated December 31, 2005 and January 2, 2006 respectively. Responses are being prepared by the RRWMB attorney to be forwarded to the Commissioner of Administration regarding the citizen inquiries.

C) Year-end Tax Information

The 2005 year-end tax information has been prepared. The W-2's and 1099's for the board have been distributed. N. Erickson requested the board managers to review the tax information for accuracy and report any discrepancies that should be corrected.

D) Middle-Snake-Tamarac Rivers WD / Open House – Ron Adrian

N. Erickson stated that the Board of Managers of the Middle-Snake-Tamarac Rivers WD have extended an invitation for an Open House honoring Ron Adrian for 32 years of dedicated service as Engineer of the District. The Open House is scheduled for Thursday, January 19, 2006 from 2:00 to 5:00 p.m. at the Bremer Bank Community Room, Warren, Minnesota.

E) Upcoming Meetings/Conferences

1. Red River Basin Flood Damage Reduction Work Group, February 1, 2006, Northland Inn, Crookston.
2. March Conference, Thursday, March 30, 2006, Northland Inn, Crookston, MN.

District Reports

- The Roseau River WD reported that the district engineer is working cooperatively with the U.S. Fish & Wildlife Service and the U.S. Army Corps of Engineers (USACE) on a wetland restoration plan for the

West Interceptor project. After numerous discussions with the USACE, the district was informed that a permit with conditions will be issued prior to the end of January. After the USACE permit is received, the district will then be able to purchase the last remaining 11 acres need for the project currently owned by the MnDNR.

Manager Erickson and Administrator Sando were involved in mediating the remaining 440 acres needed to complete the wetland restoration in Section 33. The negotiations were successfully completed in Bemidji on January 12th.

The project is funded through the U.S. Department of Commerce (EDA) and the State of Minnesota. The WCA permit remains under review. Once the permits have been received and all the property has been purchased, the project will be bid.

Manager Erickson reported that a letter of notification regarding the closure of the flood hazard mitigation grant agreement for the Hay Creek project was received from the Minnesota Department of Natural Resources. Following discussion, the board agreed that a meeting should be scheduled with Ray Bohn to discuss the situation.

- The Red Lake WD reported on the Grand Marais Sub-Watershed Creek Project 60 project. Land acquisitions have been going well. To date, either perpetual easements have been acquired or land has been purchased fee simple for approximately 1,038 acres of land for the Brandt and Euclid East Impoundments. The District plans to have all the properties which have signed options completed by the end of February.

On January 6, 2006, Administrator Jesme attended a joint meeting in Warren, Minnesota with Nick Drees, Administrator of the Middle-Snake-Tamarac Rivers WD, and landowners located near the outlet of the Grand Marais Creek. The meeting was to discuss with landowners the investigations taking place for the restoration and repair of the outlet on the Grand Marais Creek. The restoration and repair of the outlet is one of the phases initiated by the Project Team. The Board of Managers accepted the Red River Basin Flood Damage Reduction Work Group's request to investigate this project at the meeting conducted on November 22, 2005.

- The Bois de Sioux WD reported that contractors have poured the last of the six outlet structures on the North Ottawa project. The remainder of the winter will be spent installing the steel catwalks, gates, and other hardware on all six structures. When conditions are favorable, the inlet and outlet pipes will be installed on each structure. At the January board meeting, discussions will occur to identify the next phases of construction.

Red River Coordinator/TAC Report

Dan Thul reported that there was no TAC meeting this month. The TAC will meet next month and discuss culvert sizing.

USACE Regulatory Branch Position

Robert Whiting, USACE Regulatory Branch Chief, St. Paul District discussed various coordination opportunities between the board and the USACE regarding project teams in the Red River Basin.

He explained that the desire for a coordinated environmental review is well documented in the Mediation Agreement signed in December of 1998. A substantial investment of time and money can be made on a flood damage reduction proposal without assurance that a USACE permit can be obtained. Insufficient understanding of the USACE permit process in project development can result in conflicts at the permit stage.

Flood damage reduction coordination goals include providing information to watershed staff and project team members regarding USACE requirements and information needs for permitting, prior to or concurrent with project planning. Other goals include making USACE staff available for key project team meetings and also providing timely and meaningful regulatory feedback on projects during the planning and project development.

In order to meet the goals of implementing flood damage reduction efforts, the USACE has developed a concurrence process. This process addresses purpose and need, alternatives, the least environmentally damaging practicable alternative (LEDPA), and sequencing in design phase.

Whiting reviewed various options for coordination including:

- 1) The board could enter into an agreement with the USACE to provide funds for additional regulatory staff time.
- 2) The board could hire a consultant to serve as a liaison between USACE regulatory and project teams.
- 3) The USACE could use a third party hiring process to obtain a consultant to serve as a liaison between the USACE and project teams.

Following discussion, the board agreed to consider the various options and contact the USACE when a determination has been made.

District's Funding Requests

No requests for funds were submitted this month.

The next meeting will be on February 21, 2006, at 9:30 a.m. at the Sand Hill River Watershed District, Fertile, Minnesota.

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

Respectfully submitted,

Robert Wright
Secretary

Naomi L. Erickson
Administrator