



Red River Watershed Management Board

Board of Managers

John Finney, President-Humboldt Steve Lee-Badger Dan Money-Hallock Ron Osowski-Oslo
Orville Knott, Vice President-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 20, 2009

Two Rivers Watershed District, Hallock, Minnesota

The RRWMB met on Tuesday, January 20, 2009, at the Two Rivers Watershed District, Hallock, Minnesota.

President John Finney called the meeting to order.

Members present were:

Steve Lee	Dan Money
Ron Osowski	Orville Knott
Daniel Wilkens	Robert Wright
Jerome Deal	

Others present were:

- Naomi Erickson, Administrator
- Ron Harnack, Project Coordinator
- Dan Thul, Red River Coordinator
- Ron Adrian, Engineer, Houston Engineering, Inc.
- Rob Sando, Administrator, Roseau River WD
- Nick Drees, Administrator, Middle Snake Tamarac Rivers WD
- Myron Jesme, Administrator, Red Lake WD
- Nate Dalager, Engineer, HDR Engineering
- Charlie Anderson, Engineer, JOR Engineering, Inc.
- Blake Carlson, Engineer, JOR Engineering, Inc.
- Jerry Bents, Engineer, Houston Engineering, Inc.
- Bob Bezek, MNDNR Regional Hydrologist
- Keith Mykleseth, The Nature Conservancy

No additional items were added to the agenda.

Motion by Manager Knott to approve the minutes as written with minor corrections, **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 Osowski, **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 Knott who asked for nominations for President of the Board. Manager Deal nominated Manager Finney for President. Nominations were called for three times by Manager Knott. 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 Wilkens, **Carried**.

President Finney asked for nominations for Vice President of the Board. Manager Deal nominated Manager Knott 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 Orville Knott for Vice President by Manager Wilkens, **Seconded** by Manager Deal, **Carried**.

President Finney asked for nominations for Secretary of the Board. Manager Money 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 Lee, **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 Knott, **Seconded** by Manager Osowski, **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 Hallock, MN, on Tuesday, January 20, 2009.

On a **motion** by Manager Deal, **seconded** by Manager Osowski, 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 Hallock, MN, on Tuesday, January 20, 2009.

On a **motion** by Manager Deal, **seconded** by Manager Wilkens, 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 .55 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 Hallock, MN, on Tuesday, January 20, 2009.

On a **motion** by Manager Money, **seconded** by Manager Knott, 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 Hallock, MN, on Tuesday, January 20, 2009.

On a **motion** by Manager Deal, **seconded** by Manager Money, 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.

Public Information Initiative

In the absence of Mark Meister, the public information monthly report was distributed. A feature article titled "*Watersheds Praised and Awarded at MAWD Convention*" was developed. A copy of the article was distributed to newspapers for publication.

N. Erickson distributed a copy of the draft watershed calendar. Dr. Meister has been coordinating the calendar project with JOR Engineering, Inc. who agreed to sponsor the initiative. JOR Engineering has requested that the calendar be redesigned for distribution in 2010.

Dr. Meister continues to develop a steering committee to provide leadership for the Water Quality Project Monitoring and River Watch initiatives administered by the RRWMB. A preliminary meeting will be scheduled with representatives from the RRWMB, RRBC, and IWI to gauge interest in future funding, staff sharing, and River Watch planning/coordination.

The Wild Rice Watershed District Stakeholder Survey developed by Customer Connections was distributed. The firm was retained by the District to conduct a 360 Survey as a personal development tool. Following discussion, the Board of Managers agreed that since the RRWMB does not have direct knowledge regarding the operations of the Wild Rice Watershed District, it would be inappropriate to complete the survey.

Water Quality Project Monitoring Committee

Manager Wilkens reported that he met with Jim Ziegler-MPCA to discuss the Water Quality Project Monitoring employee reviews and possible pay increases. A salary increase of 2% retroactive to January 1, 2009 for Wayne Goeken, Danni Halvorson, and Evelyn Ashiamah-Finch was agreed on to be presented to the board for consideration. **Motion** by Manager Deal to authorize a 2% salary

increase for the employees associated with the Water Quality Project Monitoring initiative retroactive to January 1, 2009, **Seconded** by Manager Wright, **Carried**.

Red River Coordinator/TAC Report

Thul stated that the Technical Advisory Committee (TAC) met prior to the board meeting and discussed revisions needed to the Governing Documents publication, Section 5 – Star Value Method.

Thul added that a response was received from Dr. Gary Sands of the University of Minnesota regarding the letter forwarded from the board dated December 16, 2008. The letter requested that the Agricultural Tile Drainage Study be completed with a final report prepared. Dr. Sands agreed to provide a draft of the final report to the TAC for review in February prior to distribution to the board.

Project Coordinator Report

Ron Harnack reviewed the Project Coordinator Report. The Work Group met on Tuesday, January 13, 2009 at the Lake Agassiz Regional Library, Detroit Lakes, MN. The following projects were considered for recommendation to the Board of Water and Soil Resources (BWSR) for funding through the Red River Valley RIM Reserve Initiative (\$3,000,000):

1. Two Rivers WD – Springbrook Coulee	\$ 370,000
2. Buffalo-Red River WD – South Branch	\$1,496,000
3. Red Lake WD – Grand Marais Outlet	\$ 734,000
4. Wild Rice WD – Lower Wild Rice River Corridor	<u>\$ 400,000</u>
Total	<u>\$3,000,000</u>

A bill will be introduced later this month regarding the Farmstead Ring Dike Program for a biennial request for fiscal years 2010-11 of \$236,500/yr. (\$473,000).

A flood damage reduction bill is being drafted regarding funding for the following projects currently under construction: Middle Snake Tamarac Rivers WD / Agassiz Valley – Phases 2-3, \$1,470,000; Roseau River WD / Hay Creek – Phase 1, \$2,400,000; and Bois de Sioux WD / North Ottawa – Final Phase, \$3,000,000.

A draft letter requesting funding provided through the Federal Economic Stimulus Initiative was distributed. Following discussion the board agreed to request support from the federal congressional delegation for grants to states for flood damage reduction projects, grants to states for maintenance and repair of publically owned dams, appropriations for the U.S. Army Corps of Engineers Flood Control Project Program, and appropriations to FEMA for Flood Hazard Mitigation Projects. **Motion** by Manager Money to direct R. Harnack and N. Erickson to finalize the letter and forward it to the federal congressional delegation, **Seconded** by Manager Deal, **Carried**.

Administrator Report

A) Funding Commitments Worksheet

N. Erickson distributed a revised funding commitments worksheet.

B) Consolidated Conservation Lands

A response received from Mike Carroll, MNDNR-Regional Director, regarding the proposed rules governing drainage projects impacting state-owned lands in consolidated conservation (con-con) areas was distributed. The letter indicated that he would be available to provide updates on the project in February.

C) IRS Standard Mileage Rate

Beginning January 1, 2009, the standard mileage rate for the use of a car (including vans, pickups or panel trucks) will be 55 cents per mile for business miles driven. The new rate for business, medical and moving purposes are slightly lower than rates for the second half of 2008 that were raised by a special adjustment mid-year in response to a spike in gasoline prices. The business mileage rate was 50.5 cents in the first half of 2008 and 58.5 cents in the second half.

D) Year-end Tax Information

The 2008 year-end tax information has been prepared. The W-2's and 1099's for the board have been distributed. Please review the tax information for accuracy and report any discrepancies that should be corrected.

E) Red River Basin Flood Damage Reduction Work Group

The Red River Basin Flood Damage Reduction Work Group met on January 13, 2009 in Detroit Lakes, MN. Please refer to the Project Coordinator Report above for further information.

F) Citizens for Farmland Preservation

A letter dated January 2, 2008 from the Citizens for Farmland Preservation (CFFP) group was distributed. The CFFP group inquired as to whether the RRWMB violated Minnesota's Open Meeting Law when meetings were conducted outside the jurisdictional boundaries of the board.

N. Erickson reported that the letter was forwarded to legal counsel, Louis Smith, Smith Partners, for review and she distributed a draft response prepared with counsel. The Board of Managers reviewed the draft response and directed that it be sent to CFFP.

G) Legislative Briefing

N. Erickson reported that at the October board meeting the Board of Managers agreed that, as in past years, the upcoming legislative briefing should be conducted in February in St. Paul during the legislative session. The February board meeting was scheduled in conjunction with the legislative briefing. The Red River Basin Flood Damage Reduction Work Group agreed to co-sponsor the event at their January 13, 2009 meeting in Detroit Lakes, MN.

The Board of Managers discussed whether to reconsider the February board meeting in St. Paul, given the issues raised in the recent inquiry from the CFFP group. The Board noted that all of its meetings have been duly noticed and open to the public; that the Board has found that it is far more feasible to meet in St. Paul with legislators during the legislative session than in the Red River basin; and that combining the meetings is still accessible to the public while saving significant expenses from duplicate meetings.

Following board discussion, the Board of Managers agreed to request an Attorney General's opinion, reviewing the legal charge of the RRWMB and its meeting practices and advising whether these practices comply with the Open Meeting Law. The Board of Managers also agreed to proceed with plans for the February 17, 2009 board meeting in St. Paul, in keeping with past practice, unless advice to the contrary is received from the Attorney General's office prior to the

meeting. **Motion** by Manager Deal to refer the issue to the Attorney General's office to request an opinion, **Seconded** by Manager Wilkens, **Carried**.

H) **March Conference – Project Team Reports**

The 11th Annual Joint Conference of the RRWMB and the Red River Basin Flood Damage Reduction Work Group (March Conference) has been tentatively scheduled for Tuesday, March 31, 2009, at the Northland Inn, Crookston, MN. Please be prepared to have one representative from each respective Project Team present a 10- minute summary of activities and/or accomplishments from the past year at the conference.

I) **Upcoming Meetings/Conferences**

1. **Red River Basin Commission's 26th Annual Red River Basin Land & Water International Summit Conference**, January 20-22, 2009, Hotel Fort Garry, Winnipeg, MB.
2. **Red River Basin Flood Damage Reduction Work Group**, February 17, 2009, Kelly Inn, St. Paul, MN.
3. **March Conference**, *Tentative Date* ~ Tuesday, March 31, 2009, Northland Inn, Crookston, MN.

District Reports

No Watershed District reports were submitted this month.

District's Funding Requests

1. **Roseau River WD / Loan Advance / Hay Creek / Norland Project**

The following motion was authorized at the December 16, 2008 board meeting: **Motion** by Manager Deal to approve a project loan of \$100,000 and proceed with the development of a loan agreement for the Hay Creek / Norland Project of the RRWD, contingent that the project progress to a Step II submittal within three years from the date of approval of the Step I submittal (November 21, 2006), **Seconded** by Manager Osowski, **Carried**.

Since the December board meeting additional information was provided that responds to the board's funding procedures. **Motion** by Manager Lee to reconsider the decision made at the December 16, 2008 board meeting to authorize a project loan to the Roseau River WD for the Hay Creek / Norland Project, **Seconded** by Manager Wilkens, **Carried**. **Motion** by Manager Deal, **seconded** by Manager Lee, to adopt the following resolution:

Resolution to Confirm Funding Advance for the Hay Creek Setback Levees and Norland Impoundment Project

WHEREAS, on December 16, 2008, the Red River Watershed Management Board (RRWMB) approved a funding advance to the Roseau River Watershed District (District) for the Hay Creek Setback Levees and Norland Impoundment Project (Project), in the amount of \$100,000.00 in

order to facilitate final design, permitting, and preparation of a Step II submittal for the project, contingent on the District's presentation of a Step II submittal for approval by the RRWMB on or before November 21, 2009;

WHEREAS, at its meeting of January 20, 2009, the RRWMB received additional information from the District that describes the District's hardship and need for short-term funding in order to complete the Step II submittal;

WHEREAS, the District's Step I submittal of October 17, 2006, and the RRWMB's approval on November 21, 2006 conclude that the Project is feasible, will provide significant local and regional flood control benefits, and has a great potential for basin-wide benefits beyond the local District;

WHEREAS, the RRWMB recognizes the importance of developing project plans and design in a timely and cost-effective manner that meets the goals and policies of the RRWMB, and also seeks to promote wise stewardship of the RRWMB's financial resources;

THEREFORE BE IT RESOLVED, that the Red River Watershed Management Board hereby finds that the District has demonstrated an urgent need and hardship case for a funding advance in order to proceed with Project design, permitting, and preparation of a Step II submittal; and that the Project is in conformity with the District's watershed management plan, and has great potential for basin-wide benefits in the larger watershed of the Red River of the North;

BE IT FURTHER RESOLVED, that the RRWMB, upon reconsideration of all of the information described above, hereby confirms its decision of December 16, 2008 to provide a funding advance to the District in the amount of \$100,000.00, subject to the following conditions:

1. The District will submit a Step II application for the Project for approval by the RRWMB no later than November 21, 2009. Failure to obtain RRWMB approval of a Step II application by November 21, 2009 shall obligate the District to repay the funding advance in full no later than November 21, 2010.
2. The District will execute an agreement to document these obligations with the RRWMB pursuant to the RRWMB's Funding Procedures.

The question was on the adoption of the resolution and there were 7 yeas and 0 nays as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>
DEAL	X		
FINNEY			X
KNOTT	X		
LEE	X		
MONEY	X		
OSOWSKI	X		
WILKENS	X		
WRIGHT	X		

Upon vote, the President declared the Resolution adopted.

The next meeting will be on February 17, 2009, at 9:30 a.m. at the Kelly Inn, St. Paul, Minnesota.

There being no further business, the meeting adjourned at 1:30 p.m.

Respectfully submitted,

Robert Wright
Secretary

Naomi L. Erickson
Administrator