



## Red River Watershed Management Board

### ***Board of Managers***

John Finney, President-Humboldt Todd Miller-Warroad Dan Money-Hallock Ron Osowski-Oslo  
Orville Knott, Vice President-Red Lake Falls Daniel Wilkens, Treasurer-Fertile Diane Ista-Ada Jerome Deal, Secretary-Wheaton  
Naomi Erickson, Administrator-Detroit Lakes

## RED RIVER WATERSHED MANAGEMENT BOARD MEETING

January 19, 2010

Canad Inn, Grand Forks, North Dakota

The RRWMB met on Tuesday, January 19, 2010 at the Canad Inn, Grand Forks, North Dakota.

President John Finney called the meeting to order.

Members present were:

Todd Miller	Ron Osowski
Orville Knott	Daniel Wilkens
Diane Ista	Jerome Deal

Others present were:

- Naomi Erickson, Administrator
- Ron Harnack, Project Coordinator
- Dan Thul, Red River Coordinator
- Mark Meister, CR\*CS
- Nate Dalager, Engineer, HDR Engineering
- Chuck Fritz, Director, International Water Institute
- Nick Drees, Administrator, Middle Snake Tamarac Rivers WD
- Myron Jesme, Administrator, Red Lake WD
- Keith Mykleseth, The Nature Conservancy
- LeRoy Ose, Red Lake WD
- Jerry Bents, Engineer, Houston Engineering, Inc.
- Rick St. Germain, Engineer, Houston Engineering, Inc.
- Wayne Goeken, Monitoring Coordinator
- Ron Adrian, Engineer, Houston Engineering, Inc.

Manager Deal requested that a presentation on behalf of the Minnesota Association of Watershed Districts (MAWD) be added to the agenda under *District Reports*.

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

The Treasurer's report was presented and it was approved as read. **Motion** by Manager Deal to approve the Treasurer's Report, **Seconded** by Manager Miller, **Carried**. A one-page handout of monthly bills to be approved was distributed. **Motion** to approve and pay bills by Manager Knott, **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 Osowski 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 Deal, **Seconded** by Manager Miller, **Carried**.

President Finney asked for nominations for Vice President of the Board. Manager Osowski 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 Deal, **Seconded** by Manager Miller, **Carried**.

President Finney asked for nominations for Secretary of the Board. Manager Miller nominated Manager Deal 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 Jerome Deal for Secretary by Manager Osowski, **Seconded** by Manager Wilkens, **Carried**.

President Finney asked for nominations for Treasurer of the Board. Manager Knott 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 Osowski, **Seconded** by Manager Miller, **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 Grand Forks, ND, on Tuesday, January 19, 2010.

On a **motion** by Manager Osowski, **seconded** by Manager Wilkens, and on a vote of 6 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 Grand Forks, ND, on Tuesday, January 19, 2010.

On a **motion** by Manager Wilkens, **seconded** by Manager Miller, and on a vote of 6 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 .50 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 Grand Forks, ND, on Tuesday, January 19, 2010.

On a **motion** by Manager Deal, **seconded** by Manager Wilkens, and on a vote of 6 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 Grand Forks, ND, on Tuesday, January 19, 2010.

On a **motion** by Manager Deal, **seconded** by Manager Osowski, and on a vote of 6 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**

Mark Meister reviewed the public information monthly report. The 2010 calendar has been prepared and copies are available at the close of today's meeting. Manager Ista commended Dr. Meister and members of the Public Information Committee on the development of the calendar and noted that it will be an excellent tool to emphasize the initiatives of the board and its member districts.

Meister reported that the first draft of the video is ready for review. He noted that H. VanOffelen has assumed the lead on this project, however, with the completion of the calendar he plans to again assist with finalizing the project.

Meister stated that an assessment of the board's public information initiatives should be scheduled in the upcoming months. A two-year review is needed to assist in strategic planning purposes.

### **Red River Basin Commission**

Manger Finney reported that the annual request for the Minnesota local share of \$75,000 was received from the Red River Basin Commission (RRBC).

Manager Finney noted that in April of 2009, Houston Engineering, Inc. contacted the RRBC regarding funding for a stream gaging effort to gather flow information in areas where no U.S. Geological Survey (USGS) gaging was being conducted. Rick St. Germain, Houston Engineering, Inc. stated that the original proposal was estimated at \$30,000 with a cost share as follows: RRBC \$10,000;

Red River Joint Water Resource Board \$10,000; and RRWMB \$10,000. Manager Finney explained that a question occurred regarding the responsible billing party for Charlie Anderson's participation on the technical committee and requested N. Erickson to further review.

### **Project Coordinator Report**

Ron Harnack reviewed the Project Coordinator Report. A draft of the letter developed in response to the proposed Red River Diversion project was distributed. R. Harnack explained that following the previous monthly meeting, the draft letter was finalized in conjunction with himself, N. Erickson, M. Meister, and J. Finney.

N. Erickson added that issuing the letter was postponed following the previous monthly meeting after further review pending the anticipated weigh-ins of affected government agencies, RRBC, and possibly downstream entities. A 5-page letter from the DNR's Regional Director to the USACE's Col. Christensen was distributed.

N. Erickson noted her concern regarding the potential political and public ramifications of sending the letter. As downstream municipalities would be the most impacted by the diversion, she suggested that they would be better suited to forward the letter. Manager Ista supported sending the letter as it reminds project proposers to keep downstream interests in mind as the project proceeds.

M. Meister also cautioned the board regarding the consequences of sending the letter. He stated that the letter could potentially invite a rebuttal from the Fargo-Moorhead area regarding the impacts of drainage within the board's member districts. He added that the board should avoid positioning themselves in the media as possibly opposing a project that could save the flood victims of Fargo-Moorhead.

Manager Finney added that the draft letter as revised depicts the board in a neutral position regarding the proposed project. R. Harnack noted the importance of the board sending a letter citing the potential to mitigate downstream impacts by providing upstream storage.

Manager Finney inquired whether any revisions to the draft letter were needed. Jerry Bents, Houston Engineering, Inc. suggested referring to the proposed project as the *Proposed Fargo-Moorhead Red River Diversion* project in the reference line of the letter.

**Motion** by Manager Ista to forward the letter with the above-referenced revision to the USACE and cities of Fargo and Moorhead regarding the proposed project, **Seconded** by Manager Osowski, **Carried**.

R. Harnack distributed a draft letter to the Lessard-Sams Outdoor Heritage Council (LSOHC) regarding applications for habitat funding submitted by RRWMB member districts but not selected for further consideration. N. Erickson distributed a copy of an article that appeared in the Star Tribune regarding an opportunity to obtain state funding to incorporate natural resource enhancements within projects. Following discussion, the Board of Managers requested R. Harnack to collaborate with N. Erickson to finalize the letter prior to distribution.

R. Harnack suggested that the RRWMB consider sponsoring a legislative briefing for area legislators in St. Paul in conjunction with their February board meeting as has been done previously. N.

Erickson reported that she contacted the board's attorney relative to the legal implications of conducting a board meeting in St. Paul in conjunction with a legislative briefing. Mr. Smith responded that should the board's practice of holding its monthly meeting in conjunction with a legislative briefing be challenged in a lawsuit, sufficient footing is available for a defense.

R. Harnack stated that it may be more practical to have member districts meet with individual legislators to promote the board's bonding and policy initiatives (as they do at the MAWD Legislative Breakfast) while also including the RRWMB chair in meetings with the House and Senate Bonding Committee chairs as well as other delegates.

N. Erickson suggested that another option would be to host a Legislative Briefing in conjunction with the Work Group and send, at most, three RRWMB Work Group representatives with John Finney since those four members would not constitute a quorum.

M. Meister added that from a public perception, it would be advisable to schedule the regular monthly meeting in the basin, while conducting a separate briefing with legislators.

Following discussion, the Board of Managers agreed to authorize the Executive Committee to attend legislative hearings as needed at the request of the Project Coordinator rather than conduct their regular monthly meeting in conjunction with a legislative briefing. **Motion** by Manager Osowski to authorize the Executive Committee to attend legislative hearings at the request of the Project Coordinator, **Seconded** by Manager Deal, **Carried**.

### **Water Quality Project Monitoring Report**

Wayne Goeken reported that the International Water Institute (IWI) and RRWMB personnel continue to coordinate the transition of River Watch and the overall monitoring program from the RRWMB to IWI. Chuck Fritz added that a sub-committee has been meeting to discuss the various options regarding the River Watch transition with the most likely alternative currently being to establish River Watch as a non-profit organization.

### **Red River Coordinator/TAC Report**

Thul reported that a sub-committee consisting of John Finney, Dan Wilkens, Ron Osowski, Ron Harnack and himself attended a meeting with the Red River Joint Water Resource Board (RRJWRB) on Monday, January 18, 2010 at the Canad Inn, Grand Forks, to discuss drainage issues.

Manager Knott inquired whether the RRJWRB had a position on the proposed Fargo-Moorhead Red River Diversion project. Manager Finney responded that the proposed project was not discussed at the meeting.

Thul reported that he attended the RRBC's Red River Flood Prevention Planning study committee meeting. The Minnesota and North Dakota legislatures each appropriated \$500,000 to the RRBC to develop, in consultation and cooperation with boards and commissions involved in water management and flood prevention and control in the Red River Basin, a recommendation for a plan of action to address, mitigate, and respond to flooding issues in the Red River watershed.

Thul stated that the Technical Advisory Committee (TAC) reviewed an update to the USACE Watershed Feasibility Study's project management plan (PMP) and recommends approval by the Board of Managers for the proposed changes. **Motion** by Manager Wilkens to authorize the proposed changes to the PMP of the USACE Watershed Feasibility Study, **Seconded** by Manager Knott, **Carried**.

Thul noted that the TAC discussed the Prioritization Worksheet for flood damage reduction projects included in the Governing Documents publication. The form was developed for watershed districts to determine the initial feasibility of pursuing a potential project site for project development and must be included with the Step II application to the RRWMB. Following discussion, the TAC agreed that the board should consider a revision to include the worksheet with Step I applications, rather than Step II applications.

N. Erickson reported that, upon direction from the chair of the Transition Team, she requested the board's attorney to review the Funding Procedures in preparation for the upcoming review of the Governing Documents publication. Mr. Smith responded that in general the funding procedures and Star Value formula work well, however, given the limited financial resources of the board he encouraged prioritization of available funding in order to assure that the projects with the highest Star Value are the projects progressing. N. Dalager noted his concurrence with Mr. Smith's comments.

Manager Finney stated that at the October board meeting, the Board of Managers authorized the establishment of a Finance Committee at the prerogative of the President to assist with planning for future financial obligations. The following individuals were appointed to the Finance Committee: John Finney, Jerome Deal, Daniel Wilkens, Naomi Erickson, Myron Jesme, Ron Harnack and Dan Thul. Manager Finney requested that the Finance Committee conduct their first meeting on Wednesday, January 20, 2010 at the Canad Inn, Grand Forks, ND.

## **Administrator Report**

### **A) Funding Commitments Worksheet**

A revised funding commitments worksheet as of December 31<sup>st</sup> was distributed. N. Erickson reported that for future board meetings, the projections worksheet will be distributed and updated as needed.

### **B) IRS Standard Mileage Rate**

Beginning January 1, 2010, the standard mileage rate for the use of a car (including vans, pickups or panel trucks) will be 50 cents per mile for business miles driven. The new rate for business miles compares to a rate of 55 cents per mile for 2009.

### **C) Year-end Tax Information**

The 2009 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.

## **District Reports**

- The Roseau River WD reported on the Hay Creek/Norland Project. Phases 1 and 3 of the project are nearing completion. Outlet structures for Phase 2 have been started and should be completed by July of 2010. The permit from the Minnesota Department of Natural Resources was approved. Bids should be let for construction this spring for the inlet structures and dike construction for Phase 2.

The District is planning two new ring dikes through the Environmental Quality Incentives Program (EQIP) and the rural ring dikes program with construction to begin this summer. Engineering for both ring dikes has begun and cost estimates are ~ \$120,000 - \$130,000 per dike.

## **Stream Gaging**

Rob Sando, Administrator-Roseau River WD, stated that he received notification that a stream gage on the Roseau River near Caribou, MN was scheduled to be removed by the U.S. Geological Survey (USGS). N. Erickson responded that she received notification from USGS regarding the scheduled removal of discontinued stream gage structures and she would forward the information to the Roseau River WD.

## **District's Funding Requests**

### **1. Middle Snake Tamarac Rivers WD / Step II Submittal / Brandt-Angus Flood Control Project**

The information required for a Step II submittal was distributed at the previous monthly meeting. The estimated total project cost is currently \$4.5 million, with a local cost-share breakdown as follows: 50% RRWMB commitment of \$1.125M, and 50% MSTRWD commitment of \$1.125M.

N. Dalager explained that the project would divert waters from an unnamed tributary of Polk County Ditch No. 44 (and Judicial Ditch No. 75) into an off-channel storage site and hold it for release during periods of less damaging flows. The proposed project involves the construction of approximately 3 miles of embankment, an inlet channel about 1 mile in length, an outlet channel; and the associated outlet works. It is anticipated that the structure would be gated so that most of the storage would be controlled by the operation of gates.

**Motion** by Manager Deal to authorize the Step II submittal of the Brandt-Angus Flood Control Project, **Seconded** by Manager Osowski, **Carried**.

### **2. Wild Rice WD / Funding Advance / Upper Becker Dam Enhancement Project**

A request for an advance of funds was distributed for review. The Step II application for the project was authorized at the May 19, 2009 board meeting with a RRWMB commitment of \$3.3 million.

Manager Ista stated that the cost estimate for land required to construct the project is \$2,275,827.00. J. Bents, Houston Engineering, Inc. noted that although the total remaining land acquisition cost is estimated at ~ \$2.275 million, in the short-term only \$1.15 million would be needed from the RRWMB by March 15, 2010 to execute an option to purchase land. Following

discussion, the Board of Managers agreed that current funds would be available to disburse a funding request of \$1.15 million when submitted by the District.

N. Erickson inquired about the status of the CD No. 18 – Goose Prairie Water Management Project. A funding advance of \$600,000 was disbursed to the District on January 22, 2008 for land acquisition. J. Bents indicated that the District is no longer pursuing this portion of Project No. 42 and that land previously acquired for the project using the funding advance from the RRWMB is currently for sale. Manager Finney requested N. Erickson to consult with the board's attorney regarding the loan agreement that was executed regarding the land acquisition to determine the guidelines for repayment.

**Service Award**

Manager Deal, representing the Minnesota Association of Watershed Districts presented Manager Finney with an award recognizing the Joe River Watershed District for 50 years of water management and conservation.

The next meeting will be on February 16, 2010, at 9:30 a.m. at the Sand Hill River Watershed District, Fertile, Minnesota.

There being no further business, the meeting adjourned at 1:25 p.m.

Respectfully submitted,

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Jerome Deal  
Secretary

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Naomi L. Erickson  
Administrator