

**MINUTES OF THE ROSEAU RIVER WATERSHED DISTRICT BOARD OF  
MANAGERS MEETING HELD AUGUST 5, 2020**

**ORDER:** Chairman Jason Braaten called the meeting to order at 8:00 a.m. and led the Pledge of Allegiance.

**MANAGERS PRESENT:** in office, Jason Braaten, LeRoy Carriere, Tony Wensloff, Cody Schmalz and Carter Diesen.

**STAFF PRESENT:** in office, Administrator Halstensgard and Watershed Specialist McCormack

**OTHERS PRESENT:** in office, Roseau County Commissioner Roger Falk; Richard Foss, Mitch Magnusson, Brad Blawat, Kasey Solberg, Kevin Johnson, Vangie and Bob Byfuglien, Vern Rugland, Gerlad & Liz Knutson, and Randy Prachar, MN DNR. Via WebEx, Matt Fischer, BWSR; Jerry Bents, Erik Jones and Hannah Rollin, Houston Engineering; Chad Reese, Institute for Justice; Debby Stone, Terry Kveen, Norman Kveen, Hunter O'leary.

**CONSULTING STAFF PRESENT:** Nate Dalager and Jake Huwe, HDR Engineering; Michelle Moren, Attorney

**DELEGATIONS PRESENT:** Richard Foss, landowner; Matt Magnusson, landowner.

**AGENDA:** A **motion** was made by Manager Carriere, seconded by Manager Wensloff to approve the agenda as with the addition of Mickelson Bridge under New Business. Motion carried unanimously.

Due to capacity issues with the current pandemic restrictions, persons wishing to address the board were asked to wait outside until called upon. Attendees via WebEx identified themselves.

**CONSENT AGENDA:** A **motion** to approve the Consent Agenda was made by Manager Wensloff and seconded by Manager Schmalz. Adoption of the Consent Agenda included approving the July 1, 2020 regular meeting minutes, the July 16, 2020 special meeting minutes, the updated Treasurer's Report, and manager and employee expense vouchers, and Permit #20-10 (Channing Kimble), Permit #20-11 & #20-12 (Aaron Olafson), Permit #20-13 (MN DOT). Motion carried unanimously.

**DELEGATIONS:** Richard Foss addressed the board on the issue of the Moose Township road overtopping stating that the board had received a letter from an attorney (Brudvik Law Office). Administrator Halstensgard read the letter aloud (see attached). Mr. Brudvik joined the meeting via conference call and reiterated he position stated in the letter.

Audio issues developed with the WebEx and it was difficult for WebEx attendees to hear.

Attorney Brudvik continued his discussion. Attorney Moren spoke about the permit the last permit issued and Specialist McCormack stated the current conditions and stated there was no violation of the 2006 permit. Attorney Moren that addressed the 1987 permit concerning the ability to cut the

road which does not articulate what constitutes “reasonable loss.” Mr. Brudvik then stated that the permits have a one-year time limit. Specialist McCormack stated that the one-year time limit is for completion of work permitted, not the life expectancy of that work. (i.e. the one-year condition does not mean a permittee has to remove a culvert in a crossing after one year). There was further discussion on the history of the work done in that area. Mr. Brudvik stated that the landowner has no access to the drainage they are being assessed for. Administrator Halstensgard clarified that the ditch is on the east side of the road, the same side as Mr. Foss’s land. After some additional clarification Mr. Brudvik stated that it sounds like the ditch is undersized. There was discussion on the water coming into the WD3 system from the east and the efforts to curtail that. There was additional discussion on the westward flow of water from one ditch system to another. Specialist McCormack will survey the system and conduct an inspection and the board will continue to review options to improve drainage and storage options.

Due to persistent audio difficulties and the space constraints with the current public health restrictions, a **motion** was made by Manager Wensloff, seconded by Manager Carriere to move the regular board meetings to the Roseau City Center for the foreseeable future due to the COVID-19 pandemic. Motion carried unanimously.

Administrator Halstensgard will work with the landowner coalition to schedule a meeting for the board to hear their comments and concerns. Matt Magnusson asked what work has been going on in the background for the Roseau Lake project. There was discussion on ongoing work items for the project. Engineer Dalager referred to the project newsletter as a source of information for the landowners and general public.

Chairman Braaten recused himself from the board at 9:20 a.m. for the CD#16 Improvement discussion. Vice-Chair Wensloff chaired this portion of the meeting. Matt Magnusson asked why the viewers didn’t have to come up with their own map and used the Engineer’s report. Engineer Dalager discussed the process that was followed. Mr. Magnusson asked if the cost cutting measures required a new Viewers’ Report. Engineer Dalager stated that the capacity of the system remained the same so additional viewing is not necessary. There was discussion on the deferred maintenance costs with the reduced cost option. A **motion** was made by Manager Diesen, seconded by Manager Carriere to approve and sign the Findings and Order for the CD#16 Improvement project. Motion carried with Manager Braaten abstaining. Mr. Magnusson stated that he didn’t understand how culverts could cost as much as they were listed in the engineer’s report. He stated he had a price sheet from the county and the cost listed in the Engineer’s report was about double. Engineer Dalager stated the cost in the engineer’s report included installation, which usually is as much as the cost of the culvert. Mitch Magnusson asked about the funding for side water inlets. Specialist McCormack discussed the BWSR Clean Water Fund grant allocation. Manager Schmalz mentioned that it would be in the landowner’s best interest to be involved in the process considering culvert location, size, and elevation.

Manager Braaten resumed chairmanship at 9:45 a.m.

## **PROJECTS:**

**Whitney Lake:** Administrator Halstensgard stated that a one-year extension to the RCPP grant was approved by the NRCS due to COVID-19. Because the extension was granted, the transfer of funds would also be pursued.

**River Restoration:** Houston Engineering's scope of work was presented to the Board. Matt Magnusson stated that he didn't know much about the project, but questioned if the project would impact drainage upstream. There was discussion on the goals of the project and the information that will be gathered in the initial phase of work.

## **UPDATES:**

**Administrator:** Administrator Halstensgard informed the Board that she had been contacted by Brian Dwight, who is consulting with Warroad River Watershed District. Mr. Dwight would like to explore the possibility of the two districts sharing services. The board was concerned about staff workload but is willing to meeting and discuss options. Administrator Halstensgard will let Mr. Dwight know that representatives will meet and move forward with setting a date.

Administrator Halstensgard stated she had been contacted by Alex Halstensgard, Oak Crest Golf Course Superintendent, about flooding issues on the golf course. Administrator Halstensgard met with Mark Wilson, Chairman of the Golf Course Board and Mr. Halstensgard. Because the City of Roseau is planning an expansion near the golf course, it was recommended that the golf course contact Todd Peterson, Roseau City Planner, and coordinate efforts. Administrator Halstensgard will reach out to contacts at Houston Engineering as well. Manager Carriere will be the board delegate for future meetings.

**Watershed Specialist:** Specialist McCormack opened quotes received for a repair of a slope failure on WD #3, Lateral 3. After quotes were opened and read aloud, Manager Wensloff made a **motion**, seconded by Manager Diesen, to go with the low quote from Blooming Valley Services for \$4,957.73. Motion carried unanimously. Specialist McCormack opened quotes received for a repair of the Duxby Levy. After quotes were opened and read aloud, Manager Diesen made a **motion**, seconded by Manager Wensloff, to go with the low quote from Blooming Valley Services for \$8,437.41. Motion carried unanimously.

Specialist McCormack informed the board that there are culverts failing at the outlet of Lateral 2 of WD#3. He has reached out to find replacement costs just for the culverts and has been told by suppliers that, due to supply chain and cost variables, adequate costs quotes and delivery timelines are not available. The work will need to be completed, but due to the unknowns it was the direction of the board to wait until next year to complete the replacement. Matt Magnusson asked where these culverts were located. Specialist McCormack informed him of their location.

Specialist McCormack discussed the issues with the CD 18 outlet and requested that the Board authorize HDR to work on the design work because it outlets directly into the Hay Creek corridor. A **motion** was made by Manager Wensloff, seconded by Manager Carriere to authorize HDR to work with the County on plans to repair that outlet. Motion carried unanimously.

Specialist McCormack updated the board on various summer projects and ongoing maintenance. There was discussion on the graveling of the Palmville access road. A **motion** was made by Manager Diesen, seconded by Manager Schmalz to add additional gravel as needed. Motion carried unanimously.

Specialist McCormack discussed the wetland delineation for the Roseau Lake project and the culverts at the ditch outlet near Stoe's Bridge. Matt Magnusson spoke about the culvert that the District replaced near Butch Baumgartner's land and why that was funded but not other outlets into SD 51. Specialist McCormack spoke to the reasons various culverts are treated differently.

A proposal for Phase 1 of the Arpin project will be coming to the Board at the next board meeting. The Board directed Specialist McCormack to reach out to contractor about fixing the crossing into the parking lot at the office.

Mitch Magnusson asked Specialist McCormack to look at a culvert and trap in the West Intercept that has been sticking.

**RRWMB:** Chairman Braaten updated the board on the status of the Black River Impoundment Project.

**NEW BUSINESS:** Administrator Halstensgard reviewed the levy process and showed the board how the Administrative and RRWMB levies are calculated. The Board discussed the 2021 proposed budget. A **motion** was made by Manager Wensloff, seconded by Manager Carriere to set the Budget Hearing for September 2<sup>nd</sup>, 2020 at 8:30 a.m. at the Roseau City Center. Motion carried unanimously. Administrator Halstensgard reviewed the ditch levy information.

Specialist McCormack presented the hydraulic analysis for the Mickelson Bridge replacement sent to us by the County. There was discussion on the size of the culverts and costs of the work proposed. Engineer Dalager discussed the work being proposed as part of the Roseau Lake project. Manager Wensloff stated that the landowner needs access as soon as possible and the work for the Roseau Lake project won't be completed as quickly as a replacement will be. Matt Magnusson asked if the Watershed will still be responsible for removing the debris that accumulates at that crossing. It was stated that the District would continue with removal once the bridge is replaced. It was the recommendation of the Board that the County submit a permit application for the work as presented in the Houston Engineering analysis. Mitch Magnusson asked if the debris that is currently held up by the bridge will be removed. It was stated that the river has been high and conditions dangerous for contractors to complete the work. There was discussion on the previous contract for debris removal.

**OLD BUSINESS:**

- The office has not received the bond for the new ditch petition as of the meeting today.
- Attorney Moren discussed the Kelman Kvien land purchase.

**OTHER ITEMS:**

Pursuant to the Minnesota Open Meeting Law, Minn. Stat. § 13D.05, subd. 3(c) (3) the Roseau River Watershed District closed the meeting to consider offers or counteroffers for the purchase of the following described real property: NW1/4 subj. to 1.91 ac Hy easement and SW1/4 less S 1075' of the E 710' of SE1/4SW1/4 all in Section 11 Township 162 Range 41. A **motion** was made by Manager Wensloff, seconded by Manager Carriere to pass the resolution to close the meeting. Motion carried unanimously. After discussion, a **motion** was made by Manager Carriere seconded by Manager Wensloff to close the closed session. Motion carried unanimously.

There being no further business before the board, a **motion** by Manager Wensloff and second by Manager Schmalz, to adjourn the meeting at 11:20 a.m. Motion carried unanimously and the meeting was adjourned.

Respectfully submitted,

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Cody Schmalz, Secretary

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Tracy Halstensgard, Administrator

## RRWD August 2020 Bills &amp; Receipts

RRWD Checkbook Balance as of August 5th, 2020	\$671,483.33
<b>Receipts:</b>	
Citizens State Bank -- checking account interest 7-20-20	\$ 31.59
Beltrami County -- first half taxes	\$ 623.46
Kittson County -- first half taxes	\$ 3,690.79
Institute for Justice -- payment for information request	\$ 428.22
<b>Total:</b>	<b>\$ 4,774.06</b>
<b>Bills:</b>	
Tracy Halstensgard -- Salary and Insurance	\$4,929.04
Torin McCormack -- Salary and Insurance	\$5,314.04
Tracy Bergstrom -- Wages	\$806.03
Jason Braaten -- Per Diem and Expenses	\$105.00
LeRoy Carriere -- Per Diem and Expenses	\$184.70
Carter Diesen -- Per Diem and Expenses	\$277.05
Cody Schmalz -- Per Diem and Expenses	\$293.95
Tony Wensloff -- Per Diem and Expenses	\$277.05
Tracy Halstensgard -- mileage	\$128.23
Internal Revenue Service -- Withholding	\$4,029.64
Minnesota Department of Revenue -- Withholding	\$659.00
PERA -- Employer / Employee Contribution	\$1,768.63
Cardmember Services -- Freefind, conference expenses	\$2,034.42
City Of Roseau -- utilities	\$246.86
Marco -- Copier Maintenance --	\$98.70
Minnesota Energy -- Natural Gas	\$13.59
Multi Office -- office supplies	\$130.64
Roseau Times-Region -- notices	\$306.00
Patrick Moren Law Office -- Legal Fees --	\$2,843.75
Sjoberg Cable -- Int/phone --	\$180.04
Dot.Com Connection -- website updates	\$223.17
SuperOne Foods -- supplies	\$79.07
Verizon Wireless -- Trimble	\$40.01
RCHD -- mowing and trap	\$265.17
HDR -- Invoices 1200278193 & 1200278190	\$25,892.57
HDR -- Invoices 1200279202	\$81,468.91
HDR -- Invoices 1200276724, 1200279199 & 1200278192	\$14,612.51
Houston -- Hay Creek Subwatershed Invoice #0048390	\$1,093.60
Terracon -- Roseau Lake soil boring	\$14,202.00
Frontier Precision, Inc -- maintenance contract	\$1,390.50
Michael Baumgartner -- CD 16 viewing	\$270.00
Robert Wagner -- CD 16 viewing	\$2,489.59
Jerry Bennett -- CD 16 viewing	\$500.00
RRWMB -- share of taxes	\$68,368.43
BIL Manufacturing -- trap	\$342.00
Kelman Elizabeth Kvien -- land purchase	\$152,606.40
Roseau County Recorder -- land purchase recording	\$46.00
<b>Total:</b>	<b>\$388,516.29</b>