

**MINUTES OF THE ROSEAU RIVER WATERSHED DISTRICT BOARD OF  
MANAGERS MEETING HELD DECEMBER 7, 2022**

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

**MANAGERS PRESENT:** Tony Wensloff, Jason Braaten, LaVerne Voll, Cody Schmalz, and Carter Diesen.

**STAFF PRESENT:** Administrator Halstengard, and Watershed Specialist McCormack.

**OTHERS PRESENT:** Roger Falk, Roseau County Commissioner; Tracer Bower and Joe Zavoral, RJ Zavoral & Sons. Landowners: Matt Magnusson.

**CONSULTING STAFF PRESENT:** Nate Dalager, HDR Engineering; Erik Jones, HEI; and Michelle Moren, Attorney.

**AGENDA:** A **motion** was made by Manager Wensloff, seconded by Manager Voll to approve the agenda with the addition of River Restoration under Project Updates. Motion carried unanimously.

**CONSENT AGENDA:** Administrator Halstengard stated that the Treasurer's Report in the printed packet is updated and there are no other bills or receipts to report. A **motion** to approve the consent agenda was made by Manager Wensloff and seconded by Manager Voll. The motion carried unanimously. Adoption of the Consent Agenda included approving the October 25, 2022 special meeting minutes, November 2, 2-22 regular meeting minutes, November 15, 2022 special meeting minutes, December Treasurer's Report, Permits 22-23, and manager and employee expense vouchers as read by Manager Braaten.

**PROJECT UPDATES:**

Manager Braaten recused himself from the board for the following discussion.

CD #16: Representatives from RJ Zavoral & Sons requested final payment for the project. There was discussion on the status of project vegetation going into the winter. John Zavoral stated that there is a 1-year warranty on the work. Specialist McCormack and Engineer Dalager stated they had no objections to final payment. A **motion** was made by Manager Voll, seconded by Manager Wensloff to approve the payment of the remaining retainage. Motion carried.

After some discussion, the Board directed Administrator Halstengard to contact the County and request reimbursement. Administrator Halstengard will request to be on an upcoming meeting agenda.

Manager Braaten rejoined the board.

**Roseau Lake:** Specialist McCormack updated the Board on the Mitigation proposal. Administrator Halstengard updated the Board on the status of the additional Flood Hazard Mitigation bonding funds. Manager Wensloff made a **motion** to authorize the Administrator and Chair to sign the required documentation, seconded by Manager Braaten. Motion carried.

Manager Voll asked about the status of the SD 51 Cutoff #1 project. Engineer Dalager stated that work is continuing and there should be an update for the board by the February meeting.

WD #115: Attorney Moren stated the Finds & Order that were adopted at the November meeting have been put into writing and included in the packet for the Board to review. If the Board has reviewed the document and has no changes, the board would move to adopt the written Findings & Order. Chairman Diesen called for a **motion** to accept and approve the Findings and Order for the Watershed Ditch #115 project. The motion was made by Manager Braaten, seconded by Manager Wensloff and carried unanimously.

Administrator Halstensgard stated that the two resolutions needed for the County were also included in the meeting packet for the Board's consideration. A **motion** was made by Manager Wensloff, seconded by Manager Braaten, to adopt the Reimbursement Resolution. Manager Voll asked about the benefits and changes to land values. There was discussion on the process and the statutory requirements for viewers. Administrator Halstensgard called the roll-call vote and the motion carried unanimously. A **motion** was made by Manager Braaten, seconded by Manager Voll, to adopt the Bonding Term, Interest Rate, and Deficiency Resolution. Administrator Halstensgard called the roll-call vote and the motion carried unanimously.

Engineer Dalager discussed the scope of services for the remaining engineering. After discussion Manager Braaten made a **motion** to approve the scope of services, seconded by Manager Wensloff. Motion carried.

River Restoration: Engineer Jones gave an update on the Environmental Assessment Worksheet (EAW) and requested board authorization to move forward with publishing the document for review. Manager Schmalz suggested additional public input before moving forward. There was discussion on doing public outreach and the environmental review concurrently. It was stated that landowners also have the ability to comment on the EAW during this review. Manager Wensloff made the **motion** to move forward with the review process, seconded by Manager Voll. Motion carried.

NEW BUSINESS: Administrator Halstensgard gave a brief review of the MAWD conference and presented the 2023 dues information. A **motion** to pay the 2023 dues was made by Manager Wensloff, seconded by Manager Schmalz. Motion carried.

OLD BUSINESS: There was no old business for this meeting.

### REPORTS:

RRWMB: Manager Braaten briefly reviewed the written update and invited board members to the December meeting with legislators. Manager Braaten and Administrator Halstensgard will be attending a meeting with MN DNR Commissioner Strommen on behalf of the RRWMB December 8<sup>th</sup> in Bemidji.

WATERSHED SPECIALIST: Along with his written report Specialist McCormack discussed the need to purchase a new laptop. A **motion** was made by Manager Voll, seconded by Manager Wensloff, to purchase a new laptop from Roseau Computers for up to \$1,500. Motion carried. The Roseau Robotics Team would like to do a small native planting as a community engagement project. They have requested partnering with the watershed. A **motion** was made by Manager Wensloff, seconded by Manager Voll, to partner with the robotics team on a project on the district's lot. Motion carried.

ADMINISTRATOR: Administrator Halstensgard discussed the modified 1W1P timeline. There is a possibility for receiving implementation funding in 2023 if we can get the plan approved and have all the other pieces (joint powers agreement, work plan, banking and insurance) in place by April or May. The policy committee met at 7:15 this morning to authorize moving forward. The board was provided with the draft joint powers agreement.

Administrator Halstensgard updated the board on the DNR's effort to make changes to MN Stat. 103E.015 to provide early coordination with agencies for petitioned drainage projects. Administrator Halstensgard encouraged board members to talk to legislators, county officials, and ag groups about these efforts to hinder drainage in the state. There was also discussion on the drainage portal proposal and the effort to define "adequacy of outlet."

Manager Voll made a **motion** to adopt the resolution to close the meeting to discuss land acquisition for real property located in NW NW; SECTION 28 TOWNSHIP 163 RANGE 40, and the sale of real property located in SW SW; SECTION 21 TOWNSHIP 163 RANGE 40 seconded by Manager Wensloff. Motion carried and the meeting was closed to the public.

A **motion** was made by Manager Wensloff, seconded by Manager Voll, to reopen the public meeting. Motion carried.

A **motion** was made by Manager Voll, seconded by Manager Wensloff, to approve the proposed land exchange between the Watershed District and Burt Bassett, with an appraisal of the land to be acquired in the exchange. Motion carried.

Manager Braaten made a **motion** to adopt the resolution to close the meeting to discuss employee evaluations of Specialist Torin McCormack and Administrator Tracy Halstensgard, seconded by Manager Wensloff. Motion carried and the meeting was closed to the public.

A **motion** was made by Manager Braaten, seconded by Manager Voll, to reopen the public meeting. Motion carried.

After discussion, a **motion** was made by Manager Braaten, seconded by Manager Wensloff, to approve the following adjustments: increase the Administrator's and Specialist's salary by 6.5% (based on 2022 salary); Specialist McCormack's insurance will be increased to \$1,800; Administrator's Halstensgard's insurance will be changed to a "single" stipend of \$500 with an adjustment to salary of an additional \$1,000; change the cell phone stipend to \$100.

A **motion** was made by Manager Voll, seconded by Manager Schmalz, to increase part time employee, Tracy Bergstrom's wage to \$20.00 per hour. Motion carried.

**OTHER BUSINESS:**

Manager Wensloff spoke about the need for an equipment / vehicle update plan. Staff will have options to present to the Board at the January meeting.

The next meeting will be January 4, 2023 at 8:00 a.m. After a **motion** by Manager Braaten and seconded by Manager Diesen, the meeting was adjourned at 11:00 a.m.

Respectfully submitted,



LaVerne Voll, Secretary



Tracy Halstengard, Administrator

December 2022 Bills & Receipts

Checkbook Balance as of Nov 29, 2022	\$262,100.84
<b>Receipts:</b>	
State of Minnesota -- Market Value Credit	\$ 7,342.64
RRWMB -- Water Quality Funding (CD 16 SWIs & Oak Crest Coulee)	\$ 34,621.24
Roseau County Treasurer -- tax levies	\$ 170,226.38
Beltrami County -- tax levies	\$ 194.47
LOW County -- Tax levies	\$ 302.38
Marshall County -- tax levies	\$ 1,584.99
Citizens State Bank -- interest 11-21-22	\$ 46.73
<b>Total:</b>	<b>\$ 214,318.83</b>
<b>Bills:</b>	
Tracy Halstensgard -- Salary and Insurance	\$ 5,627.59
Torin McCormack -- Salary and Insurance	\$ 5,695.59
Tracy Bergstrom - wages	\$ 223.24
Jason Braaten -- per diem and mileage	\$ 387.56
Carter Diesen -- per diem and mileage	\$ 270.87
Tracy Halstensgard -- mileage	\$ 575.00
Cody Schmalz -- per diem and mileage	\$ 349.64
LaVerne Voll -- per diem and mileage	\$ 413.81
Tony Wensloff -- per diem and mileage	\$ 115.44
Cardmember Services -- web service fees, meeting expenses, supplies, conferences	\$ 1,085.59
City Of Roseau -- utilities	\$ 194.81
Marco -- Copier agreement & service	\$ 166.15
Patrick Moren Law Office -- Legal Fees	\$ 4,750.00
Roseau Electric Co-op -- Int/phone --	\$ 158.99
Northern Resources Cooperative -- gas for vehicle	\$ 169.50
Multi Office Products, Inc -- office supplies	\$ 216.38
Verizon Wireless -- Trimble	\$ 40.01
Red River Watershed Management Board -- share of taxes	\$ 43,417.46
Mark Beito -- Palmville beaver trapping	\$ 225.00
RJ Zavoral & Sons -- Final payment CD 16	\$ 31,836.44
Roseau - LOW Title & Abstract -- Slater abstract	\$ 391.00
Minnesota Energy Resources -- natural gas utility	\$ 129.01
TruNorth Steel -- Trap	\$ 757.00
Houston Engineering -- Inv #62293 Oak Crest Coulee	\$ 13,439.25
WSB -- Lost River / Arpin project Invoice #19	\$ 16,544.25
HDR -- Inv #1200473447 & 1200473454	\$ 34,793.18
HDR -- Inv #1200473467 & #1200473479	\$ 6,963.40
Roseau County Recorder -- DLH trust easement recording	\$ 92.00
Eric & Kristin Douglas -- land acquisition	\$ 7,393.85
<b>Total:</b>	<b>\$ 176,422.01</b>

## **RESOLUTION CLOSING BOARD MEETING**

WHEREAS, the Minnesota Open Meeting Law, Minn. Stat. § 13D.05, subd. 3(a) states that:

“A public body may close a meeting to evaluate the performance of an individual who is subject to its authority. The public body shall identify the individual to be evaluated prior to closing a meeting. At its next open meeting, the public body shall summarize its conclusions regarding the evaluation. A meeting must also be open at the request of the individual who is the subject of the meeting.”

WHEREAS, the Roseau River Watershed District will be conducting employee performance evaluations on December 7, 2022, during the regular monthly meeting of the board of managers at the Roseau River Watershed District Board office located at 714 Sixth Street Southwest, Roseau, MN; and

BE IT RESOLVED by the Roseau River Watershed District Board as follows:

1. The Roseau River Watershed District Board hereby closes this meeting pursuant to Minn. Stat. § 13D.05, subd. 3(a) to conduct performance evaluations for employees Tracy Halstensgard and Torin McCormick.
2. The specific subjects to be discussed, pursuant to Minn. Stat. § 13D.01, subd. 3, are the performances of the respective employees;
3. The individual(s) who is (are) the subject of this meeting shall have the option to attend this closed meeting. Said individual(s) also has (have) the right to open this meeting to the public.

Dated this 7<sup>th</sup> day of December, 2022.

  
Chairman

  
Secretary

## **RESOLUTION CLOSING BOARD MEETING**

WHEREAS, the Minnesota Open Meeting Law, Minn. Stat. § 13D.05, subd. 3(c) (3) states that:

“A public body may close a meeting:

To develop or consider offers or counteroffers for the purchase or sale of real or personal property.

Before holding a closed meeting under this paragraph, the public body must identify on the record the particular real or personal property that is the subject of the closed meeting. The proceedings of a meeting closed under this paragraph must be tape recorded at the expense of the public body. The recording must be preserved for eight years after the date of the meeting and made available to the public after all real or personal property discussed at the meeting has been purchased or sold or the governing body has abandoned the purchase or sale. The real or personal property that is the subject of the closed meeting must be specifically identified on the tape. A list of members and all other persons present at the closed meeting must be made available to the public after the closed meeting. If an action is brought claiming that public business other than discussions allowed under this paragraph was transacted at a closed meeting held under this paragraph during the time when the tape is not available to the public, Section 13D.03, subdivision 3, applies.

An agreement reached that is based on an offer considered at a closed meeting is contingent on approval of the public body at an open meeting. The actual purchase or sale must be approved at an open meeting after the notice period required by statute or the governing body's internal procedures, and the purchase price or sale price is public data.”

WHEREAS, the Roseau River Watershed District will be developing or considering offers or counteroffers for the purchase of a portion of the following described real property: NW NW; SECTION 28 TOWNSHIP 163 RANGE 40

WHEREAS, the Roseau River Watershed District will be developing or considering offers or counteroffers for the sale of a portion of the following described real property: SW SW; SECTION 21 TOWNSHIP 163 RANGE 40

On December 7, 2022 during a regular board meeting commencing at 8:00 a.m., at the Roseau River Watershed District Board office located at 714 6<sup>th</sup> Street SW, Roseau, Minnesota, 56751; and

BE IT RESOLVED by the Roseau River Watershed District Board as follows:

1. The Roseau River Watershed District Board hereby closes this meeting pursuant to Minn. Stat. § 13D.05, subd. 3(c)(3) to develop or consider offers or counteroffers for purchase of the above described real property;

2. That any agreement reached based upon an offer considered at this meeting shall be contingent upon approval of the Roseau River Watershed District Board at an open meeting and the actual purchase or sale must be approved at an open meeting after the notice period required by statute or the Roseau River Watershed District Board's internal procedures and the purchase price or sale price as public data.

Dated this 7<sup>th</sup> day of December, 2022.



Chairman



Secretary