APPROVED MINUTES
RED RIVER WATERSHED MANAGEMENT BOARD MEETING
January 16, 2018 Meeting Minutes
Red Lake River Watershed District | Thief River Falls, Minnesota

1. Call to Order: The Red River Watershed Management Board (RRWMB) met on Tuesday, January 16, 2018 at the Red Lake Watershed District, Fertile, Minnesota. President John Finney called the meeting to order. Managers present were: LeRoy Ose, Dan Money, Jason Braaten, Daniel Wilkens, Greg Holmvik, and Jerome Deal. Managers absent were: Roger Mischel.

Others present included:
- Lisa Frenette, RRWMB Legislative Liaison (Via Conference Call)
- Jerry Bents, Engineer, Houston Engineering, Inc. (HEI)
- Rodger Hemphill, Interim DNR Red River Coordinator
- Allen Wold, Manager, Bois de Sioux Watershed District (BDSWD)
- Nate Dalager, Engineer, HDR Engineering, Inc.
- Blake Carlson, Engineer, WSN Engineering, Inc.
- Morrie Lanning, Consultant, Barr Engineering, Inc.
- Myron Jesme, Administrator, Red Lake Watershed District (RLWD)
- Nathan Kestner, Northwest Regional Manager, EWR, Minnesota Department of Natural Resources (DNR)
- April Swenby, Administrative Assistant, Sand Hill River Watershed District
- Deb Walchuk, Red River Basin Coordinator, USDA Natural Resources Conservation Service
- Ted Priester, Executive Director, RRBC
- Chad Engels, Engineer, Moore Engineering
- Neil Peterson, Pennington County Commissioner
- Tracy Halstensgaard, Administrator, Roseau River Watershed District (RRWD)
- Kevin Ruud, Administrator, Wild Rice Watershed District (WRWD)

2. Approval of Meeting Minutes/Agenda: Motion by Manager Deal to dispense with the reading of the minutes and, Seconded by Manager Braaten, Carried.
A Motion by Manager Money to approve as written the December 19, 2017 meeting minutes, Seconded by Manager Deal, Carried.

Motion by Manager Braaten to approve as written the special meeting minutes on December 12, 2017, Seconded by Manager Deal, Carried.

3. Financial Reporting: An updated financial report was presented and the managers were asked to discard the draft that was e-mailed to them prior to the meeting. The draft Treasurer’s report was presented and it was approved as read. Motion by Manager Holmvik to approve the Treasurer’s Report, Seconded by Manager Deal, Carried. It was noted this is a draft Treasurer’s report and will be finalized at a later date. Disbursements and receipts will not change, but it was noted that the expense/income accounts may change when more information is obtained for transactions that took place in December.

The bills presented for approval as of January 16, 2018, were as follows:

<table>
<thead>
<tr>
<th>Date</th>
<th>Name</th>
<th>Memo</th>
<th>Amount</th>
</tr>
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<tbody>
<tr>
<td>1/8/18</td>
<td>Arvig Communication</td>
<td>Phone Line in Detroit Lakes</td>
<td>$652.43</td>
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<td>Buffalo Red River Watershed District</td>
<td>Project Team Expenses</td>
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<td>1/12/2018</td>
<td>Dot.Com Connection</td>
<td>Website Maintenance</td>
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<td>Houston Engineering, Inc.</td>
<td>TAC Expenses</td>
<td>$9,088.50</td>
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<td>1/8/2017</td>
<td>MCI</td>
<td>Long Distance in Detroit Lakes</td>
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<tr>
<td>12/31/2017</td>
<td>MN PEIP</td>
<td>Sip Health Insurance</td>
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<td>1/8/2018</td>
<td>Norman County Index</td>
<td>Classified Ad - Exec. Assist.</td>
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<td>1/8/2018</td>
<td>Red Lake Watershed District</td>
<td>Website Reimbursement</td>
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<td>1/8/2018</td>
<td>Red River Retention Authority</td>
<td>First Half of 2018</td>
<td>$16,000.00</td>
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<td>1/12/2018</td>
<td>Robert Sip</td>
<td>Expenses</td>
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<td>12/31/2017</td>
<td>Ronald D. Harnack</td>
<td>Project Coordinator Expenses</td>
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<td>12/31/2017</td>
<td>Sand Hill River Watershed District</td>
<td>Website Reimbursement</td>
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<td>1/8/2018</td>
<td>Smith Partners</td>
<td>December 2017 Invoice</td>
<td>$4,965.53</td>
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<td>Thief River Falls Times and Watch</td>
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<td>Widseth, Smith, and Nolting, Inc.</td>
<td>Invoice and TAC Expenses</td>
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Motion to approve and pay bills along with manager vouchers presented by Manager Holmvik, Seconded by Manager Deal, Carried. For further reference, copies of the bills approved are attached hereto in the Treasurer’s Report.
Manager Wilkens presented a draft of what is being proposed for the future reporting to the managers. It was noted on the bills to be paid that there is a penalty for exiting a three year contract with Arvig Communication Services (ACS) for telephone services at the prior home office in Detroit Lakes.

4. **Annual Board Organization**

The Annual Board Organization was conducted. President Finney turned the meeting over to Vice President Holmvik who asked for nominations for President of the Board. Manager Deal nominated Manager Finney for President. Nominations were called for three times by Manager Holmvik. 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 Money, **Carried**.

President Finney asked for nominations for Vice President of the Board. Manager Wilkens nominated Manager Holmvik 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 Greg Holmvik for Vice President by Manager Deal, **Seconded** by Manager Braaten, **Carried**.

President Finney asked for nominations for Secretary of the Board. Manager Braaten 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 Money, **Seconded** by Manager Wilkens, **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 Deal, **Seconded** by Manager Braaten, **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 16, 2018.

On a **motion** by Manager Deal, **seconded** by Manager Money, 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 16, 2018.

On a **motion** by Manager Deal, **seconded** by Manager Ose, 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 54.5 cents 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 16, 2018.

On a motion by Manager Deal, seconded by Manager Braaten, 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, 3/16/04, 1/21/14, and 5/19/15.

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 16, 2018.

On a motion by Manager Deal, seconded by Manager Wilkens, 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 Authorizing Annual Audit

The Red River Watershed Management Board considered the authorization of an annual audit at the regular board meeting held in Thief River Falls, MN, on Tuesday, January 16, 2018.

On a motion by Manager Ose, seconded by Manager Money, and on a vote of 7 for and 0 against, the motion passed to authorize an annual audit for the Red River Watershed Management Board.

5. Funding Requests: There were no additional project step process reports and applications presented.

6. Reports:
   a. Internal RRWMB Committees: Since the prior meeting, there have been no internal committee meetings.

   b. External Committees:
      i. Drainage Work Group (DWG): Manager Wilkens presented written highlights from the Drainage Work Group meeting that was held on January 4, 2018.

   c. Executive Director Report:
      i. Executive Director Sip noted that weekly e-mail updates have been sent to the Managers to keep them informed of his activities and noteworthy items. He asked for feedback regarding information that is being shared regarding the amount and type. Sip explained that it is his goal to utilize the web-site for posting meeting information, allowing RRWMB partners, meeting attendees, and the general public to have electronic access to all meeting materials.
Red River Watershed Management Board

The Managers will receive a hard copy of meeting materials approximately one week prior to board meetings via regular postal service mail.

ii. Executive Director Sip presented draft talking points that he will be using in the future when engaging member watershed districts, county commissioners, and other local officials.

iii. Bonding Insurance – An update was presented and Managers Braaten and Mischel have been contacted to complete the necessary documentation for updating the RRWMB bonding insurance.

iv. Sip presented a flyer announcing the Rinke Noonan Drainage and Wetland Conference that will be held February 15, 2018 in St. Cloud.

v. Feedback was requested from Emily Javens, Executive Director of MAWD regarding an open meeting law on-line survey that is being shared with watershed district managers regarding attendance from remote locations. Myron Jesme understood that there is additional review regarding technology required to provide complete transparency at remote locations.

vi. An on-line survey was sent out to watershed district’s and counties from the Association of Minnesota Counties regarding the implementation and administration of the Minnesota Buffer Law.

vii. Nanette Bischoff of the US Army Corps of Engineers (ACOE) submitted a request for work-in-kind for the RRB feasibility study. It is believed that the RRWMB has a surplus for work-in-kind credits presently. Sip will work with ACOE and the RRWMB Technical Advisory Committee to ensure that documentation is submitted.

d. Legislative Report: Lisa Frenette presented the report via conference call.

i. Appointments: Frenette will be arranging appointments with legislators for Executive Director Sip to meet them and to discuss RRWMB bonding projects, financial requests, and other legislative initiatives.

ii. MN Soil Loss Rule: The MN Board of Water and Soil Resources (BWSR) is commencing an update of the existing rules that have been in existence for many years. Meetings are expected to commence in February 2018. Frenette and Sip will be involved in this process.

iii. Drainage Work Group: The subgroup for Accelerating Drainage System Acquisitions met January 11, 2018. The proposed legislative changes will be discussed at the next full Drainage Work Group meeting.

iv. 404 Assumption: BWSR continues to have discussion with the EPA and ACOE on this matter. Recent correspondence from the ACOE does not suggest that many of the waters in Minnesota would be eligible for assumption. According to BWSR, this has not been finalized and they continue to move forward with drafting potential agreements assuming primary issues can be resolved. A meeting of the 404 Assumption Study stakeholders is being planned for February 2018 to provide an update on the analysis and next steps. The process of developing the memorandum of agreement with ACOE is also underway.

v. MAWD: MAWD would like to increase the administrative tax levy from $250,000 to $500,000. MAWD has requested RRWMB to discuss support for this action. It was Frenette’s opinion that MAWD should lead this as it affects every watershed district in the state of Minnesota.
Manager Money was not opposed to increasing the levy but would like discussion with the other watershed districts. Tracy Halstensgard stated that she was asked to meet with Representative Dan Fabian regarding this issue and to develop legislative priorities. Halstensgard expressed interest in staying unified with MAWD in RRWMB lobbying efforts and recognizing that each watershed district is unique with their financial needs.

Manager Deal added the Bois de Sioux Watershed District does not have the resources for staffing to implement the state requirements for water quality, for example, and find a levy increase beneficial. The Bois de Sioux Watershed District has submitted information to MAWD requesting an increase.

Myron Jesme stated that watershed districts have a host of statutes available to them for taxing that do not involve increasing the levy. Jesme suggested supporting a legal counsel update to inform watershed district administrators of the district levy options. Halstensgard stated that not all boards are in favor of implementing a new levy, even though statue allows for additional levying for specific items and it is better accepted to increase an existing one.

Chairman Finney recollected that the RRWMB sent a letter of support when the levy increased from $125,000 to $250,000. Manager Ose stated that he would like to see a letter of support, as not all watershed districts have to implement an increase but would have the option if needed. Manager Holmvik agreed that support can be provided as long as MAWD leads the effort and not the RRWMB. Manager Holmvik stated that he does not want this action to harm the watershed districts and the RRWMB as they go forward to the legislature requesting funds for projects.

Frenette mentioned that she has had conversations with Representative Dan Fabian who is open to conversations regarding the need for the increase. Frenette explained the political roadblocks in moving forward with a levy increase. Frenette suggested meeting with Representative Fabian to discuss the pros and cons for supporting the increase in the levy. The board asked Executive Director Sip to draft a letter in favor of all of MAWD’s resolutions presented, prioritizing each resolution. Sip will present a draft to the managers at the appropriate time.

Representative Fabian would also like to discuss the option of using wetland banking credits for project maintenance in the northern end of the Red River Valley and implementing legislation on a state level to support these options. Myron Jesme reported that the RLWD is moving forward with a banking site within an impoundment but has not received any funds from the state. Jesme reported the RLWD board is already moving forward with the idea of using wetland banking in conjunction with impoundment sites. Tracy Halstensgard stated that the RRWD board has discussed this option and feels that her board would support this. The board agreed to proceed with more discussions with Representative Fabian regarding legislation for wetland banking credits for project implementation and maintenance.
Red River Watershed Management Board

Frenette also agreed that legal counsel reiterating levy options for watershed districts would be helpful. All managers were in favor of discussions of how the RRWMB and the watershed districts can use wetland banking credits for help with funding their projects and maintenance of their projects. Nathan Kestner of DNR suggested including BWSR in the meeting so that they are able offer historical information. Sip and Frenette will schedule a meeting.

vi. **EQB EAW/EIS Rule Update:** The EQB ERAP committee met in early December 2017 to discuss several items related to the rule update process. It seems apparent that the ERAP committee is potentially adding additional layers to the EAW process. To date, EQB still has not discussed exempting the mandatory thresholds rules for the RRWMB or other entities that are looking for relief.

vii. **Bonding Priorities:** The managers were provided a spreadsheet illustrating the funding needs and proposed projects within the basin. Frenette suggested collaborating with the DNR with the watershed district priorities. Nate Dalager stated that the RRWMB Governing Documents have a process for prioritization. Manager Money suggested looking at the projects that are in the Step process first. Jerry Bents added that community projects are outside the Step process, such as the Nielsville Ring Dike. Executive Director Sip suggested offering the task of prioritization to the Finance Committee and will organize a committee meeting.

7. **Old Business:**
   a. **March Conference:** Executive Director asked for direction regarding hiring Joel Heitkamp for the Annual Conference. It was a board consensus to continue having Joel Heitkamp at the Annual Conference. Sip will make contact and will schedule this.

8. **New Business:**
   a. **RRWMB Committee Recommendations:** The following recommendations were made and approved. It was stated that Executive Director Sip will participate on all committees.

**INTERNAL COMMITTEES**

1. **Governing Documents Committee**
   Jason Braaten
   Jerome Deal
   Greg Holmvik
   Dan Money
   Rob Sip
Red River Watershed Management Board

2. **Public Information Committee** ($10,000 Annual Discretionary Budget – June 16, 2009)
   Jerome Deal (Committee Chair)
   Greg Holmvik
   Dan Money
   LeRoy Ose
   Rob Sip

3. **Human Resources Committee**
   Jerome Deal
   John Finney
   Greg Holmvik
   Dan Wilkens
   Rob Sip

4. **Monitoring Advisory Committee (Established June 2008)**
   Dan Money
   Dan Wilkens
   Rob Sip

5. **Red River Basin Flood Damage Reduction Work Group**
   Jerome Deal, Co-Chair
   Greg Holmvik
   LeRoy Ose
   Dan Wilkens
   Rob Sip
   Alternates - Dan Money and Jason Braaten

6. **Mediation Agreement / Ten-Year Outcomes**
   Jerome Deal – Committee Chair
   Rodger Hemphill
   Lisa Frenette
   Rob Sip

7. **Budget and Finance Committee**
   Jerome Deal – Committee Chair
   John Finney
   Lisa Frenette
   Rodger Hemphill
   Myron Jesme – Administrator Representative
   Dan Wilkens
   Rob Sip
   Nikki Swenson
8. **Legislative Committee**
Jason Braaten  
Lisa Frenette  
Dan Money – Committee Chair  
LeRoy Ose  
Rob Sip  

EXTERNAL COMMITTEES:

1. **Red River Retention Authority**
Jerome Deal  
John Finney  
Greg Holmvik  
Alternates: LeRoy Ose and Roger Mischel

2. **Red River Basin Commission**
Delegates: John Finney and Dan Wilkens  
Alternate: Greg Holmvik for John Finney  
Alternate: Dan Money for Dan Wilkens

3. **NRCS Regional Conservation Partnership Program (RCPP) Committee**
Greg Holmvik  
Roger Mischel  
Kevin Ruud  
Rob Sip

4. **Drainage Work Group**
Jerome Deal  
Lisa Frenette  
Dan Wilkens  
Rob Sip

5. **State NRCS Technical Committee**
Dan Money  
Alternate - Rob Sip

6. **International Water Institute**
Dan Wilkens

7. **Red River Basin Watershed Feasibility Study (WFS) Technical Committee**
Jerry Bents, Chuck Fritz, Rodger Hemphill, Dan Money, and Rob Sip
Red River Watershed Management Board

BOARD MEMBER COMMITTEE REPRESENTATION

**Jason Braaten (RRWD)**
1. Governing Documents
2. FDR Work Group, Alternate
3. Legislative Committee

**Jerome Deal (BdSWD) – RRWMB Secretary**
1. Governing Documents
2. Public Information Committee
3. Human Resources Committee
4. FDR Work Group, Co-Chair
5. Mediation Agreement and Ten-year Outcomes
6. Budget and Finance Committee
7. Red River Retention Authority
8. Drainage Work Group

**John Finney (JRWD) – RRWMB President**
1. Human Resources Committee
2. Red River Basin Commission, Delegate
3. Budget and Finance Committee
4. Red River Retention Authority
5. International Water Institute

**Greg Holmvik (WRWD) – RRWMB Vice President**
1. Governing Documents
2. Public Information Committee
3. Human Resources Committee
4. Red River Basin Commission, Alternate
5. FDR Work Group
6. Red River Retention Authority
7. NRCS RCPP Committee

**Roger Mischel (MSTRWD)**
1. Red River Retention Authority, Alternate
2. NRCS RCPP Committee

**Dan Money (TRWD)**
1. Governing Documents
2. Public Information Committee
3. Monitoring Advisory Committee
4. FDR Work Group, Alternate
5. Legislative Committee
6. Red River Basin Commission, Alternate
7. State NRCS Technical Committee
8. Red River Basin Watershed Feasibility Study Technical Committee
LeRoy Ose (RLWD)
1. Public Information Committee
2. FDR Work Group, Alternate
3. Legislative Committee
4. Red River Retention Authority (Alternate)

Dan Wilkens (SHRWD) – RRWMB Treasurer
1. Human Resources Committee
2. Monitoring Advisory Committee
3. Red River Basin Commission, Delegate
4. FDR Work Group
5. Budget and Finance Committee
6. Drainage Work Group
7. International Water Institute

New Business Continued:

b. Transitional Information and Updates:
   i. Unauthorized EFT Payments: Several payments were automatically paid in the month January for previous staff. Manager Wilkens and Sip worked with Bremer Bank to place Stop Payments on the EFT payments for previous employees. Sip will continue to work on recovering these funds. RRWMB legal counsel has been contacted regarding this issue.
   ii. Unemployment Claim: An unemployment claim has been made by previous staff and legal counsel has reviewed the information.
   iii. Files/equipment: Sip has met with previous staff and obtained 25 boxes of files, computers, IT equipment, and office furniture.
   iv. Marco Contract: The RRWMB was released from the Marco contract.
   v. MCI Contract: The RRWMB was released from the MCI long distance contract.

c. Contract Authority: Executive Director Sip requested the board consider a policy entering into contracts on behalf of the RRWMB. Sip stated that various contracts are necessary to engage in daily business. After discussing, the Managers approved the following:

   i. Level 1 Contract – Contracts under $5,000 can be entered into immediately and signed by the Executive Director and do not require prior approval. The Executive Director will inform the RRWMB Board of Managers of such activity.

   ii. Level 2 Contract – Contracts $5,000 to $25,000. The Executive Director may enter into contracts in consultation with and approval from the Executive Committee and will inform the RRWMB Managers of contract activity.
iii. Level 3 Contract – Contracts over $25,000. The Executive Director will bring these contracts to the full board for discussion and action. The Budget and Finance Committee will discuss these types of contracts and will make recommendations to the RRWMB Managers prior to any action being taken on contracts.

A Motion was made by Manager Money to adopt the policy, Seconded by Manager Ose, Carried.

d. Deferred Compensation Retirement Plan: Executive Director Sip presented information about the Deferred Compensation plan through the State of Minnesota. Sip stated that there are no reoccurring administrative costs to the RRWMB and that RRWMB employees are responsible for administrative costs. A Motion was made by Manager Money to utilize the Deferred Compensation as discussed with no cost to the RRWMB, Seconded by Manager Wilkens, Carried.

e. Executive Assistant: Executive Sip gave an overview of the applicants that were received stating that 21 applications were received for the executive assistant position. Sip mentioned that three applicants were ineligible due to not following the application instructions, with one application being submitted after the deadline. Sip stated that four applicants were to be interviewed but one individual withdrew their application. Sip indicated that three individuals would be interviewed on January 17, 2018 at the Wild Rice Watershed District in Ada.

f. Office location RFP: The Wild Rice Watershed district has developed a proposal for office locations/space. The deadline for the RFP is February 1, 2018 and Manager Wilkens stated time restraints to meet that deadline. Manager Holmvik asked Manager Wilkens how much additional time would be needed. Manager Wilkens will present a proposal before February 16, 2018. It was stated that Kevin Ruud has completed a proposal with four options:

   a. Cash up front.
   b. 10-year lease.
   c. 15-year lease.
   d. 20-year lease.

   The WRWD met the requirements on the draft RFP.

g. North Ottowa Impoundment Discussion: Manager Deal presented a board response regarding the DNR Commissioner’s concern regarding farming on the North Ottawa project. Manager Deal stated that the watershed district is specifically concerned about weed management and that is why farming of the cells must be done.
Manager Holmvik did not recollect the conversation taking place that the RRWMB authorized the disbursement of funds for the Bois de Sioux Watershed District (BDSWD) to purchase land for the purposing of renting to pay for maintenance. Manager Deal stated that the RRWMB was made aware of the purpose and intent for the purchase of the land. Manager Holmvik asked for the agreements that stated the RRWMB agreed to those terms. Manager Holmvik asked if there were other areas that the RRWMB pays for land for the district to rent. It was confirmed that the Two Rivers Watershed District and RLWD have some projects that use impoundments for rental use for income generation. In some situations, the operating plan has not been well defined in regards to farming certain areas of an impoundment.

Manager Deal stated that the BDSWD in the future would like to develop a research study that would highlight the impact of various crops draining into the area. Nathan Kestner of the DNR recollected that he met with the BDSWD President regarding their intent to increase revenue for maintenance. Following a meeting, a letter on behalf of the BDSWD was drafted to the DNR stating that they were moving forward with their plan of action, which prompted a more recent letter from the DNR stating the initial terms of the agreement and the repercussions for not following it.

9. **Agency and Partner Reports:** There were no agency reports given.
   a. A written report was presented and included in the meeting packet.

10. **Advisory Comments:** There were no advisory comments presented.

11. **Upcoming Meetings:** Executive Director Sip informed the Managers of his upcoming schedule and areas of focus. He also shared information about several upcoming events.

12. **Adjournment:** The next meeting will be on Tuesday, February 20, 2018 at 9:30 a.m. at the Wild Rice Watershed District, Ada, MN. There being no further business, the meeting was adjourned by acclamation at 12:20 AM.

Respectfully submitted,

Jerome Deal
Secretary

April Swenby
SHRWD, Meeting Minute Assistant