

**Mississippi Headwaters Board (MHB)**  
**September 27th, 2010**  
**Cass County Courthouse, Walker, MN**  
**Meeting Minutes**

**Members Present:** Jack Frost (Beltrami County), Lori Dowling (Itasca County); Lyle Robinson (Hubbard County), Dean Newland (Clearwater County), Tom Wenzel (Morrison County), Paul Thiede (Crow Wing County), Dick Downham (Cass County), and Pam Kichler (Admin. Asst.)

**Members Excused:** Brian Napstad (Aitkin County)

**Others Present:**

\*Jackie Wagner  
\*Larry Wagner

Todd Holman – The Nature Conservancy  
\*Margaret Sherman – former MHAC and MHB member

**9:06 am** – Chair Jack Frost (Beltrami) called to order the monthly meeting of the Mississippi Headwaters Board at 9:06 am on September 27th, 2010, in Walker, MN. The meeting began with the pledge of allegiance.

**9:07 am - Agenda** (September 27<sup>th</sup> '10). Chair Jack Frost (Beltrami) asked for a quick introduction from 3 new faces in the audience (noted above\*). Margaret Sherman expressed her desire to have the floor during 'Open Discussion'. Paul Thiede (Crow Wing) moved to approve the Agenda but allow for the 'Open Discussion' section to float pending the arrival of Brian Napstad (Aitkin). **Motion** was made and seconded by Commissioners Paul Thiede (Crow Wing) / Lori Dowling (Itasca) to approve the Agenda as amended - 6 ayes, 0 nays. Motion carried.

**9:08 am – Consent Agenda** (August '10 – Minutes/Sept '10 Expense and Staff Report). Paul Thiede (Crow Wing) suggested an amendment to the Minutes from the August 20<sup>th</sup> meeting on the 2<sup>nd</sup> page, under 'Grant Opportunities'. **Motion** was made and seconded by Commissioners Tom Wenzel (Morrison) / Lyle Robinson (Hubbard) to approve the September '10 Consent Agenda including the amendments as suggested - 6 ayes, 0 nays. Motion carried.

Paul Thiede (Crow Wing) went on to question if it would be best to have the Staff Report pulled out of the Consent Agenda for discussion purposes. The other board members concur and asked staff to place it on future Agendas as a separate line item. Pam Kichler (Admin. Assts.) pointed out that the 3<sup>rd</sup> item on the Staff Report under 'Personnel and Budget' notes the final (4<sup>th</sup> Quarter) DNR reimbursement amount to close out the '10 calendar year. The DNR request was sent for \$16,815 73 (total expenses for the quarter) but the amount returned equaled \$6,100.46. That amount represents all that remains available of the \$60,000 for the full year.

**9:13 am – Zoning Actions –**

**A. Crow Wing County –**

1. Cr-9a-10 RE: Review/comment on a variance application to build a raised deck w/in 25' of the river - Mississippi River – applicant – Jeanne Kane/Mark Westad

► Discussion: Paul Thiede (Crow Wing) provided an explanation of the information that was provided. This was sent to the MHB Commission only as an FYI, no application has been presented. The Development Review Team (DRT) would welcome any comments, if any. The Commissioners in attendance today did not see any need for comment on this action.

## MHB Meeting Minutes

**9:25 am - OPEN DISCUSSION:** Margaret Sherman took the floor. She provided supporting documents and started by asking the board some various questions:

- a) Q - Is the 2002 version of the Management Plan that is on-line, the most current; A - Yes
- b) Q - Has the City of Palisade adopted the MHB Ordinance; A - After further investigation - Yes in '06
- c) Q - If the MHB amend the '02 Ordinance would the Cities that adopted it follow suit w/theirs; A - Yes
- d) Q - Would the MHB over-see/have authority in area watershed districts as well; A - the board was not able to answer that question without further investigation but asked Margaret what specifically she wanted to share w/the board today

Through further discussion, it was determined that Margaret's concern was with a recent proposed Waste Management/Bio-Fuels project. This project would involve the installation of an incinerator near the wetlands/oxbow of the river in Palisade. Margaret (and a group of others) is petitioning against the land acquisition and proposed incinerator. They have concerns (backed by studies) that the incinerator could expel toxins (stack emissions etc). Margaret stated that she will likely attend the Oct. 15<sup>th</sup> MHB to further discuss this once the board has had more time to familiarize themselves with the proposal. She is hoping (w/the Boards help) to determine whether this action would be in direct violation of the MH Ordinance that Palisade adopted.

### 9:50 am - Action Items -

► **Project Review Committee (PRC) meeting** - The board asked that Todd Holman (The Nature Conservancy) take the floor to explain details of the August 30<sup>th</sup> meeting in Bemidji. A copy of the Aug. 30<sup>th</sup> meeting Minutes was provided for the boards review. Below are 3 meeting items identified for discussion:

- 1) Structural issue w/the MHB statutory language - re-define the language of the statute re: MHB's role
- 2) Structural issues between counties - looking for common ground/consistency in all 8 county water plans
- 3) Potential Projects - full MHB corridor inventory; identify stresses and threats; assess potential funding sources to support projects; and possibly use that information in a presentation to the State

After discussion, **Motion** was made and seconded by Commissioners Paul Thiede (Crow Wing) / Dick Downham (Cass) to have the PRC meet and draft a proposal for further review/approval at the Oct. or Nov. MHB meeting

### ► Strategic Planning Sub-Committee meeting -

**Identity Redevelopment** - Both Lor. Dowling (Itasca) and Paul Thiede (Crow Wing) began by updating the board with the topics covered at the Sept. 22<sup>nd</sup> meeting. Paul volunteered to be Strategic Planning sub-committee chair and thereby offered the full board a sub-committee report. The following details from that meeting and those covered today in discussion were:

- 1) While Logo refreshment was identified as the first phase, work has also commenced on other phases as well
- 2) Chip Borkenhagen offered several logo options at the Sept. 22<sup>nd</sup> subcommittee meeting. They were narrowed down to 3 that were distributed today for full board input
- 3) A handout describing Guide Book layout and a future River Fest celebration was also provided
- 4) There was discussion on 'editorship' and 'copy-right' issues. What role and/or legal copy-right is there w/contracting vendors, Range Marketing? What about obligations to the Initiative Foundation or DNR, if any?
- 5) The MHB has yet to have a signed contract w/Range Marketing (Chip). Staff offered the board a draft copy of what the contract may look like

MHB Meeting Minutes

Through detailed discussion, it was determined that there was some uncertainty over who the 'editor' of the Guide Book will be, or whether or not there is a need for an 'editor'. Paul will discuss this further w/Chip (and the draft contract) to provide the board an update in Oct.

► **Fund Transfer** – Staff asked that the board approve a transfer of \$10,000 from the General account to the ID Development account to cover on-going invoices for activities that Range Marketing (Chip Borkenhagen) are continually working on.

After further discussion, a **motion** was made and seconded by Commissioners Lori Dowling (Itasca) / Tom Wenzel (Morrison) to transfer \$10,000 from the General Account to the ID Development Account (current balance \$740) to cover a \$4,000 invoice for photography while leaving a \$6,740 balance for subsequent billings for on-going project development expenses - 7 ayes, 0 nays. Motion carried.

► **Legal advice** – Bill Patnaude was not in attendance to provide details on his recent discussion w/Tim Favor (Beltrami Legal Advisor). Pam Kichler (Admin. Asst.) shared with the board her conversation w/Bill on the topics. Below are some of the details covered during today's exchange:

- 1) Copy-right / Sales issue with the DNR – Per Tim Favor, the wording in the annual DNR agreement does imply that there may be some copy-right issues that need to be clarified (re: Guide Book sales etc). Tim suggests further dialog w/the DNR to determine that obligation. **UPDATE:** Per the DNR, the State *does not* have copy-right or percentage of sales due them, with regard to the Guide Book, per the agreement language
- 2) Notice / Press Release - Full calendar meeting dates in the 8 county legal newspapers can continue to be posted just prior to the New Year as a Public Service Announcement at no charge but gives the papers the option to print. Any date/location changes throughout the year will need to go to all 8 legal newspapers as a Public Hearing Notice but at a cost. Pam contacted Cass County to see if they run monthly notices of their meetings that the MHB might be able to add to as any MHB meeting changes arise. They do not post monthly. After discussion, the board determined that staff has been handling notices correctly and should continue in that fashion.

There was no further business of the MHB to discuss, **motion** was made and seconded by Commissioners Lori Dowling (Itasca) / Tom Wenzel (Morrison) to adjourn the meeting at Noon - 7 ayes, 0 nays, Motion carried.


12:00 pm – Misc –

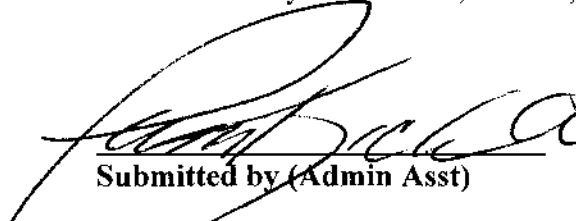
☀ **Legislature Update** –

☀ **County Updates** –

Next MHB meeting: Friday, October 15<sup>th</sup> '11 at 9 am – Cass County Courthouse, Walker, MN

Meeting Adjourned:

  
\_\_\_\_\_  
Chair Approval

  
\_\_\_\_\_  
Submitted by (Admin Asst)