

RED LAKE WATERSHED DISTRICT
Board of Manager's Minutes
November 28, 2012

Present were: Managers Orville Knott, Dale M. Nelson, LeRoy Ose, Albert Mandt, and Lee Coe. Absent: Gene Tiedemann and Les Torgerson. Staff Present: Myron Jesme and Tammy Audette and Legal Counsel Sparby.

The Board reviewed the agenda. A motion was made by Mandt, seconded by Ose, and passed by unanimous vote that the Board approve the agenda. Motion carried.

Motion by Ose, seconded by Knott, to dispense reading of the November 8, 2012 Board meeting minutes and approve them as printed. Motion carried.

The Board reviewed the Financial Report dated November 27, 2012. Motion by Knott, seconded by Mandt, and passed by unanimous vote that the Board approve the Financial Report dated November 28, 2012. Motion carried.

The Board reviewed the 2012 General Fund Budget as of October 31, 2012.

The Board reviewed a letter of response from Houston Engineering, Inc. to the U.S. Army Corps of Engineers who requested additional information regarding the permit application for Grand Marais Creek Channel Restoration Project, RLWD Project No. 60F.

Administrator Jesme stated that a meeting was held with Spruce Valley Corporation and staff from HDR Engineering, Inc. to gather final construction costs in order to schedule the final payment to Spruce Valley Corporation for construction of Ditch 14/Thief River Falls Flood Damage Reduction Project, RLWD Project No. 171/171A. Jesme stated that a request has been submitted for an extension to the Flood Hazard Mitigation Grant from the State of Minnesota that is set to expire on December 31, 2012.

The Board reviewed Change Order No. 1 for Wright Construction, Inc. for the Flage Erosion Control Project, RLWD Project No. 174 in the amount of \$4,095.00 for Class 3 Riprap between the control structure and the culvert. Motion by Knott, seconded by Ose, to approve Change Order No. 1, for Wright Construction, Inc. for the Flage Erosion Control Project, RLWD Project No. 174 in the amount of \$4,095.00. Motion carried.

The Board reviewed Pay Estimate No. 2 for Wright Construction, Inc. for construction of the Flage Erosion Control Project, RLWD Project No. 174. Jesme indicated that as part of the specifications, a 10% retainer will be held until final approval of the project. Based on the retainage of 10%, total payment owed for Pay Estimate No. 2 is \$43,444.58. Motion by Mandt, seconded by Knott, to approve payment in the amount of \$43,444.58 to Wright Construction, Inc. for construction of the Flage Erosion Control Project, RLWD Project No. 174. Motion carried.

The Board reviewed Change Order No. 1 for Taggart Excavating and Septic Service for the Clearbrook Stormwater Retention Pond Project, RLWD Project No. 160 in the amount of \$5,040.00 for rock foundation for the sanity sewer pipe. Motion by Mandt, seconded by Ose, to approve Change Order No. 1, for Taggart Excavating and Septic Service for the Clearbrook Stormwater Retention Pond Project, RLWD Project No. 160 in the amount of \$5,040.00. Motion carried.

The Board reviewed Pay Estimate No. 1 for Taggart Excavating and Septic Service for construction of the Clearbrook Stormwater Retention Pond Project, RLWD Project No. 160. Jesme indicated that as part of the specifications, a 10% retainer will be held until final approval of the project. Based on the retainage of 10%, total payment owed for Pay Estimate No. 1 is \$46,278.30. Motion by Knott, seconded by Ose, to approve payment in the amount of \$46,278.30 to Taggart Excavating and Septic Service for construction of the Clearbrook Stormwater Retention Pond Project, RLWD Project No. 160. Motion carried.

Motion by Mandt, seconded by Knott, to set the Final Payment Hearing for construction of the Clearbrook Stormwater Retention Pond Project, RLWD Project No. 160 to Taggart Excavating and Septic Service at the regularly scheduled Board Meeting on December 27, 2012 at 9:30 a.m. Motion carried.

Administrator Jesme stated that action is required by the Board to accept the offer to extend the expiration date from the Board of Water and Soil Resources for the District's 10 Year Overall Plan to allow for other opportunities to fall in place for other strategies with the Board of Water and Soil Resources. Motion by Mandt, seconded by Knott, to accept the Board of Water and Soil Resources extension to update the District's 10 Year Overall Plan until October 2018. Motion carried.

The Board reviewed correspondence from the Polk County Taxpayer Service Center requesting the District to notify landowners of the change in watershed district boundary lines between the District and the Sand Hill River Watershed District. After discussion by the Board, it was the consensus of the Board that the Board of Water and Soil Resources handled the legal publication and hearings required for a boundary change, therefore it is not necessary for individual notices to be sent.

The Board reviewed a Technical Paper prepared by Philip Gerla for the Glacial Ridge/Nature Conservancy Water Quality Project, RLWD Project No. 152.

The Board reviewed a letter from Attorney Mark Grainger, Neil Law Firm, P.C. representing Mr. Darral Altepeter in regard to his objection to the installation of a culvert that the District permitted in 1987 and recent ditch cleaning. Legal Counsel Delray Sparby stated that the District permitted and sized the culvert according to the road authority's request and that the correspondence should be directed to Polk County, the legal drainage system authority and to Fanny Township the road authority in question. It was the consensus of the Board to have Sparby send a letter of response to Mr. Grainger.

The Board reviewed recent maintenance performed on the following dams/ditches: Latundresse, Miller, Thibert, Schirrick, Pine Lake and the diversion structure and outlet for Ditch 14/Thief River Falls Flood Damage Reduction Project, as submitted by staff member Loren Sanderson.

The Board reviewed a request from the Red Lake County SWCD for the Dave Schirrick Grassed Waterway with Drop Structure Project located in Section 35, Wylie Township. The total project cost is \$35,737.00, with the Red Lake County SWCD requesting \$6,934.25 from the Red Lake County SWCD 2012 Erosion Control Funds, RLWD Project No. 164. Motion by Mandt, seconded by Ose, to approve the request of the Red Lake County SWCD for cost share in the amount of \$6,934.25 for the Dave Schirrick Grassed Waterway with Drop Structure Project, with the cost share payment to be attributed to Red Lake County SWCD 2012 Erosion Control Funds, RLWD Project No. 164. Motion carried.

Administrator Jesme stated that construction has been completed on the Bruce Weidenborner Ag Waste Slurry Project located in the south branch of the Cormant River, Shooks Township, Beltrami County. The Board approved a cost share request from the Beltrami SWCD in the amount of \$12,500 at the April 26, 2012 Board meeting with project funds coming from the District's Water Quality funds, Project No. 46.

Motion by Knott, seconded by Mandt, to grant a one year extension on Permit No. 11226, Minnesota Department of Transportation, Quiring Township, Beltrami County. Motion carried.

The Board reviewed the permits for approval. Motion by Coe, seconded by Mandt, to approve the following permits with conditions stated on the permit: No. 12170, Jeff Olson, Sanders Township, Pennington County; No. 12171, Michael Arveson, Hickory Township, Pennington County; No. 12173, BNSF Railway Company, Crookston Township, Polk County; No. 12174, Jason Kangas, Hamre Township, Beltrami County; and No. 12175, MnDOT, Copley and Nora Township, Clearwater County. Motion carried.

Administrators update:

- Manager Knott and Jesme attended the RRWMB meeting in Ada on November 20th. The RRWMB hired Mark Meister as their "new" Public Information Office to replace Jeff Nyquist. Included in packet were minutes from the RRWMB meetings from September 18th and October 16th.
- Henry VanOffelen has accepted the Flood Damage Reduction Workgroup Coordinator position previously held by Paul Wannarka. Mr. VanOffelen will begin his duties on December 3rd.
- To date the District has not received the \$40,000 bond extension for the Brandt Channel Ditch, Project No. 175. Jesme received an unsigned version that is now in the hands of the petitioners. The Viewers have field checked the project and are moving forward with accumulating land sales.

- Jesme will be attending the MAWD 2012 Annual Meeting and Trade show, leaving this afternoon and returning December 1st.

Legal Counsel Sparby stated that he is waiting to hear from the bonding counsel in regard to the amended minutes to complete the bonding requirements for the Ditch 14/Thief River Falls Flood Damage Reduction, Project No. 171/171A. Administrator Jesme stated that he recently spoke to a bonding agent and it appears the bond sale is moving forward.

Manager Mandt stated that he met with the Polk County Commissioners and was reappointed for an additional three year term that will expire January 10, 2016. Mandt stated that the Commissioners would like the District to discuss tiling and the outletting of their pumps into ditch systems and to ensure proper flagging of pumps and outlets for safety purposes.

Administrator Jesme stated that the District's Ditch Inspector Gary Lane is seeing a lot of erosion at tile pump outlets into the District's ditch systems.

Engineer Nate Dalager, HDR Engineering, Inc. stated that he would like to hold a meeting with the committee in the near future to discuss the 20% Flood Reduction within the Red River Valley. After discussion by the committee, a meeting will be held on December 6, 2012 at 11:45 a.m. at the District office.

Motion by Coe, seconded by Mandt, to adjourn the meeting. Motion carried.



Orville Knott, Secretary