

RED LAKE WATERSHED DISTRICT
Board of Manager's Minutes
June 24, 2019

President Dale M. Nelson called the meeting to order at 9:00 a.m. at the Red Lake Watershed District Office, Thief River Falls, MN.

Present were: Managers Dale M. Nelson, Gene Tiedemann, Terry Sorenson, Les Torgerson and Allan Page. Absent: LeRoy Ose and Brian Dwight. Staff Present: Myron Jesme and Tammy Audette and Legal Counsel Delray Sparby.

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

The Board reviewed the June 13, 2019 minutes. Motion by Sorenson, seconded by Page, to approve the June 13, 2019 Board meeting minutes as presented. Motion carried.

The Board reviewed the Financial Report dated June 21, 2019. Motion by Tiedemann, seconded by Torgerson, to approve the Financial Report dated June 21, 2019 as presented. Motion carried.

Staff member Arlene Novak stated that HDR Engineering, Inc., is working on separating their invoices for the District's portion and City of Thief River Falls for the Thief River Falls Westside FDR Project, RLWD Project No. 178. Motion by Tiedemann, seconded by Page, to authorize the payment of said invoices, once they are separated for the Thief River Falls Westside FDR Project, RLWD Project No. 178. Motion carried.

District Manager, Rachel Klein, East Polk Soil and Water Conservation District, presented a proposal for cost share for five water and sediment basins sites in Brandvold Township. Klein stated that this area tends to wash out a road. Estimate project cost is \$73,176.00 with a request for 25% cost share funding from the RLWD's Erosion Control Funds. Klein stated that the SWCD will contribute 50% with the landowner paying 25% of the project costs. Following discussion, a motion was made by Sorenson, seconded by Tiedemann, and passed unanimously, to approve a cost share of 25% from the RLWD Erosion Control Funds for the installation of five water and sediment basins for the East Polk SWCD.

Staff member Arlene Novak reviewed the Capital Projects Budget revenue and expenditures. Administrator Jesme stated that the RRWMB will allow District's to reduce their Capital Projects levy, if the District can verify that they have 2.5 times the amount of their levy in their funding balance. Novak recommended that the District maintain two years of fund balance for expenses. Dalager discussed the RRWMB Strategic Planning session. Novak stated that the District was required to provide verification to the State of Minnesota for the Thief River Falls Westside Project, verifying that the District has sufficient funding for construction of the project. Torgerson asked about the potential of spending funds on the outlet of Pine Lake.

At 9:30 a.m., President Nelson recessed the regular Board meeting and reconvened the Continuation Hearing for the Thief River Falls Westside Flood Damage Reduction Project,

RLWD Project No. 178 hearing from June 13, 2019. Nelson stated that the hearing was continued to allow the District to meet with landowners regarding the land appraisal. Nelson stated due to the failure of the Appraiser to file the Appraisal Report; the Continuation Hearing will need to be continued again to July 11, 2019 at 9:30 a.m. Motion by Torgerson, seconded by Tiedemann, that the hearing be recessed and continued to the Board's regular meeting on July 11, 2019 at 9:30 a.m. at the Red Lake Watershed District office, 1000 Pennington Avenue South, Thief River Falls, MN 56701.

President Nelson reconvened the regularly scheduled Board meeting.

Engineer Tony Nordby, Houston Engineering, Inc., stated that the MnDNR Public Waters and Dam Safety permit was received for the Black River Impoundment, RLWD Project No. 176. Nordby stated that once the U.S. Army Corps of Engineers' Permit is received the District can submit a Step 3 submittal to the RRWMB.

Administrator Jesme discussed concerns with the Minnesota Department of Transportation (MnDOT) with the installation of culverts for the Ditch 16, RLWD Project No. 177, and the Thief River Falls Westside FDR Project, RLWD Project No. 178. Jesme stated that MnDOT requires a certified MnDOT Engineer to be present and inspect when the culvert is formed and installed, which could delay both projects.

Notice to Proceed with the construction of Ditch 16, RLWD Project No. 177, was submitted to the contractor, Burski Excavating, Inc. Discussion was held on issues with CenturyLink and the fiber option along Highway 220. A preconstruction meeting will be held June 25th with the contract and various utility companies. The Engineer is working with the contractor on development of the Storm Water Protection Plan (SWPP).

Motion by Tiedemann, seconded by Sorenson, and passed unanimously, to approve the Viewers Contract for the Improvement to Polk County Ditch 39, RLWD Project No. 179. Motion carried.

Discussion was held on the Reimbursement Schedule for the Board of Managers. President Nelson stated that the Minnesota Legislature increased Board of Manager's per diem from \$75 to \$125 per day, effective July 1, 2019. Nelson stated that the District currently uses an hourly rate of \$25 per hour, with a maximum of \$75 per day. Motion by Sorenson, seconded by Page, to increase the Board of Managers' per diem to a maximum of \$125 per day, effective July 1, 2019, with an hourly rate of \$40. Motion carried.

Staff member Loren Sanderson discussed non-permitted work in Red Lake County, where a landowner had previously installed a 36" culvert, when it should have been a 48" culvert. Sanderson indicated that he shot high water marks this spring, verifying that the water did back up due to the size of the culvert. The Board reviewed a letter drafted by Sanderson, to be presented to the landowner. Motion by Page, seconded by Torgerson, to authorize District staff to submit the letter to the landowner, stating that the landowner has until July 24, 2019, to rectify the situation or the District will replace the culvert and submit invoices to the landowner. Motion carried.

The Board reviewed the permits for approval. Motion by Sorenson, seconded by Torgerson, to approve the following permits within conditions stated on the permit: No. 19057, Minnesota Department of Transportation, Smiley Township, Pennington County; No. 19058, Polk County Highway Department, Johnson Township; No. 19060, Scott Balstad, Bray Township, Pennington County; No. 19061 and 19062, Dean Peterson, Keystone Township, Polk County; and, No. 19063, Dale M. Nelson, Rocksbury Township, Pennington County. Motion carried.

Staff member Loren Sanderson presented his letter of intention to retire in October 2019, exact date to be determined. Sanderson stated that he feels very fortunate to have been associated with the various projects he has worked on over the years, and the diversity of work duties. The Board thanked Sanderson for his 38 years of dedicated service to the District. Motion by Tiedemann, seconded by Page, to accept the retirement of staff member Loren Sanderson for October 2019, with regrets. Motion carried.

Administrator's Update:

- Jesme and Manager Ose attended the RRWMB on June 18, 2019, where the District presented a perspective on funding projects, should future State funding be hard to predict. There was also a Strategic Planning meeting after the regular meeting.
- Jesme attended the Red Lake River 1W1P Policy Committee meeting on June 19, 2019. Due to a lack of a quorum, the meeting could not be held. The meeting was rescheduled for July 10, 2019 at 9:30 a.m.
- The Thief River 1W1P Planning Committee is currently reviewing the draft plan, with comments due by June 28, 2019. The plan will be sent to the Policy Committee and Advisory Committee once all questions have been answered.
- Jesme intends to make most of the July 4th week off, with actual days yet to be determined.
- Included in the packet was the February 2019 Water Quality Report.
- Staff members Nick Olson and Christina Slowinski will attend Drone Training in St. Cloud on June 25, 2019.

Legal Counsel Sparby discussed the process of calling 811 for utility line notification.

The Board reviewed the land appraisals for the Thief River Falls Westside FDR Project, RLWD Project No. 178. President Nelson stated that the appraisals were received the prior afternoon, which did not allow for review by the District, or discussion with the landowners. Engineer Nate Dalager, HDR Engineering, Inc., reviewed the two alignment alternatives. The Board discussed negotiations with the landowners, dependent on the alignment that is chosen. It was the consensus of the Board to authorize the committee to work towards an agreement with each landowner, and report back to the Board.

Manager Tiedemann discussed a Governmental Round Table meeting he recently participated in. Tiedemann stated, that at the meeting he brought up the Prevailing Wage issue, when it relates to using State money. Prevailing wages are required for a public utility project with costs over

\$2,500 or where all or part of the project is paid for by State funds. The Board directed Legal Counsel Sparby to check into the matter and report back to the Board.

Manager Torgerson stated that he drove by the outlet of Judicial Ditch 5, RLWD Project No. 102, noting that there is barely any flow through the culvert. Administrator Jesme stated that District staff is working on having a beaver dam removed upstream of the outlet channel. Jesme also indicated that there are obstructions in the channel downstream of CSAH #23 which will have to be addressed to assure flows from east Four Legged Lake can drain properly.

Motion by Sorenson, seconded by Torgerson, with motion carried to recess to a scheduled meeting date and time on July 11, 2019 at 9:00 a.m. at the Red Lake Watershed District office with the continued public hearing starting at 9:30 am. Motion carried.



Terry Sorenson, Secretary