

RED LAKE WATERSHED DISTRICT
Board of Manager's Minutes
Via Conference Call
May 28, 2020

Vice President Gene Tiedemann called the meeting to order via telephonic Conference Call at 9:00 a.m. at the Red Lake Watershed District Office, Thief River Falls, MN.

Present in person, Manager Gene Tiedemann. By roll call of the Vice President, others stated present via telephonic conference calling were Managers Terry Sorenson, Allan Page, Brian Dwight, LeRoy Ose, and Les Torgerson. Absent: Dale M. Nelson. Staff Present: Myron Jesme and Tammy Audette. Legal Counsel, Delray Sparby via telephone.

The Board reviewed the agenda. Motion by Ose, seconded by Torgerson, and passed by unanimous vote that the Board approve the agenda. Motion carried.

The Board reviewed the May 14, 2020 minutes. Motion by Page, seconded by Sorenson, to approve the May 14, 2020 Board meeting minutes. Upon roll call vote, motion carried unanimously.

The Board reviewed the Financial Report dated May 27, 2020. Motion by Torgerson, seconded by Dwight, to approve the Financial Report dated May 27, 2020. Upon roll call vote, motion carried unanimously.

The Board reviewed Pay Estimate No. 2 in the amount of \$199,068.23 to R.J. Zavoral and Sons, Inc. for construction of the Thief River Falls Westside Flood Damage Reduction Project, RLWD Project No. 178. Motion by Sorenson, seconded by Page, to approve Pay Estimate No. 2 in the amount of \$199,068.23 to R.J. Zavoral and Sons, Inc., for construction of the Thief River Falls Westside Flood Damage Reduction Project, RLWD Project No. 178. Upon roll call vote, motion carried unanimously.

The Board reviewed Change Order No. 3 for the construction of the Thief River Falls Westside Flood Damage Reduction Project, RLWD Project No. 178, with R.J. Zavoral and Sons, Inc., in the amount of \$12,204.00. Administrator Jesme stated that Change Order No. 3 is for an increase in length of the 30-inch steel casing for sanity sewer force main under Highway 32 by 18 feet which is part of the City of TRF portion of the contract. Jesme indicated that since it is part of the City of TRF project, he had HDR Engineering, Inc., add a signature line for TRF representatives to sign. Motion by Dwight, seconded by Ose, to approve Change Order No. 3 in the amount of \$12,204.00 with R.J. Zavoral and Sons, Inc., for construction of the Thief River Falls Westside Flood Damage Reduction Project, RLWD Project No. 178, subject to City of TRF approval. Upon roll call vote, motion carried unanimously.

Administrator Jesme indicated that the MPCA received a written complaint regarding compliance of the MPCA Storm Water Pollution Plan for the construction of the Thief River Falls Westside Flood Damage Reduction Project, RLWD Project No. 178. Once a complaint is

received, the MPCA must respond within 48 hours. Jesme indicated that MPCA staff are currently on site with staff from HDR Engineering, Inc., and RJ Zavoral & Son's. Jesme stated that he had no concerns with the written complaint.

The Board reviewed a request from renter Nick Knott on the Black River Impoundment Project, RLWD Project No. 176, requesting the base acres of property owned by the District in Sections 3 and 4, Polk Centre Township, Pennington County, prior to being converted into the wetland bank. Administrator Jesme stated that according to Mr. Knott, he indicated that the renter is the only one that can get the base acres. Manager Tiedemann questioned if that were true or not, but indicated he would check into it. Jesme indicated that he would like to research the matter further and bring this to the Board at a later date. Motion by Dwight, seconded by Ose, to table the matter until further research can be completed. Upon roll call vote, motion carried unanimously.

Construction has begun on Ditch 16, RLWD Project No. 177. Signage has been posted for the closure of Highway 220 on June 8, 2020, to replace the box culvert. It is anticipated that the closure will last one week. The Board reviewed a bill from Pribula Engineering for engineering services as of April 30, 2020, in the amount of \$9,120.00. Motion by Sorenson, seconded by Torgerson, to approve payment to Pribula Engineering in the amount of \$9,120.00. Upon roll call vote, motion carried unanimously.

The Board reviewed an invoice from Pribula Engineering for engineering services on the Improvement to Polk County Ditch 39, RLWD Project No. 179. Administrator Jesme stated that an increase in the bond amount will need to be obtained from the Petitioners prior to payment of this invoice. Jesme discussed a Data Practice Request received on this project.

Administrator Jesme stated that the Red Lake River 1W1P, RLWD Project No. 149, has earmarked \$180,000 for the repairs to the outlet of Ditch 10, RLWD Project No. 161. FEMA is moving through the process of reviewing this project. Right-of-way issues will need to be resolved with the landowners.

The Board reviewed an impoundment update prepared by Staff member Nick Olson. Both pools on the Moose River Impoundment are at summer elevations. Clean-up and maintenance on all impoundments will be completed this summer.

The Board reviewed the revised cost estimate for the Threatt Ring Dike, RLWD Project No. 129AS in the amount of \$96,950.00. The RRWMB has agreed to assist with cost overruns and expenditures which totaled approximately \$35,000. They also agreed to address the procedure to pay for the dikes that may not be completed when the State of Minnesota grant expires the end of June.

The Board reviewed a Memorandum of Agreement for the Clearwater River 1W1P, RLWD Project No. 149B. Administrator Jesme stated that the Clearwater SWCD has taken the lead on the project. Discussion was held on the appointment of Board members to the Policy Committee and Advisory Committee. Motion by Ose, seconded by Torgerson, to authorize President Nelson

the authority to sign the Memorandum of Agreement for the Clearwater River 1W1P, RLWD Project No. 149B and appoint Manager Torgerson as the Delegate, and Manager Dwight as the Alternate to the Policy Committee and Manager Sorenson to the Advisory Committee. Upon roll call vote, motion carried unanimously.

Administrator Jesme discussed a drainage dispute located in Star Township, Pennington County where landowner Bob Miller installed an illegal dike to block the flow of water from going across his field from the neighboring field. It was the consensus of the Board, to send a letter to landowner Bob Miller notifying him to remove the dike prior to the June 11, 2020 Board meeting or further action will be taken by the District.

Motion by Page, seconded by Dwight, to table RLWD Permit No. 20039, Knute Knutson, Gervais Township, Red Lake County, to allow for further review. Upon roll call vote, motion carried unanimously.

The Board reviewed the permits for approval. Motion by Sorenson, seconded by Ose, to approve the following permits with conditions stated on the permit: No.20007, Braf Farmland Holdings, GP., Excel Township, Marshall County; No. 20036, Scott Strand, Badger Township, Polk County; No. 20037, Brent Strand, Badger Township, Polk County; No. 20059, Russia Township, Polk County; No. 20060, Agder Township, Marshall County; No. 20063, Pennington County Highway Department, Hickory Township, Pennington County; No. 20068, Ordean Sundrud, Johnson Township, Polk County; No. 20069, Wayne Kolden, Knute Township, Polk County; No. 20070, Lorraine Mains, Lessor Township, Polk County; and, No. 20074, John Anton, Sanders Township, Pennington County. Motion carried unanimously following roll call vote.

Staff member Tammy Audette reviewed information regarding the adoption of a COVID 19 Preparedness Plan. Motion by Sorenson, seconded by Ose, to approve the adoption of a COVID 19 Preparedness Plan. Motion carried unanimously following roll call vote.

Administrator Jesme reviewed a Data Practice policy. Jesme indicated that as part of the Data Practice Policy the Board should set an hourly rate for staff time for searching and retrieving data. After considerable discussion, motion by Dwight, seconded by Sorenson, to approve the adoption of the Data Practice Policy, using the hourly rate of the Office Manager, and to appoint Staff Member Tammy Audette as the Data Practices Compliance Official and Administrator Jesme as the Responsible Authority. Motion carried unanimously following roll call vote.

Administrators update:

- Jesme and Manager Ose attended the RRWMB meeting via conference call on May 19, 2020.
- Jesme will attend the RRWMB Budget and Finance Committee meeting on June 2, 2020.
- Jesme attended a MnDOT pre-construction telephone conference for all MnDOT projects that were recently bid and awarded to RJ Zavoral & Sons. The meeting reviewed timelines as well as coordination with the District project.

- A new computer was ordered for Staff Member Dave Marshall. Additional computer programs will be needed for Marshall.
- Jesme will present a draft MOA at the next meeting for the West Polk Buffer Compliance. This MOA is a requirement from BWSR to local SWCD's as to how non-compliance of the buffer law will be handled.

Administrator Jesme stated that he had a request for assistance on wetland delineation. Jesme indicated that Staff member Dave Marshall is certified in wetland delineation. It was the consensus of the Board, that if time allows, Staff member Dave Marshall could assist in wetland delineation, using the District's billable rate for Mr. Marshall.

Administrator Jesme indicated that the NRCS RCPP funding application will be submitted today for the Black River Impoundment, RLWD Project No. 176.

Manager Torgerson asked about the drone video of the Judicial Ditch 5, RLWD Project No. 102 (Four-Legged Lake Area). Administrator Jesme stated that Manager Ose and Nate Dalager flew Four-Legged Lake a few weeks ago. Jesme also indicated that two beavers were trapped in the ditch system, and a local contractor will be hired to remove the beaver dam near the outlet of the system.

Manager Dwight questioned if the District should purchase a Drone. Motion by Dwight, seconded by Ose, to authorize the District staff to obtain quotes for the purchase of a drone. Motion carried unanimously following roll call vote.

Motion by Ose, seconded by Torgerson, and passed by unanimous roll call vote to adjourn the meeting.



LeRoy Ose, Secretary