

RED LAKE WATERSHED DISTRICT
Board of Manager's Minutes
December 8, 2022

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

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

The Board reviewed the November 22, 2022, minutes. Motion by Anderson, seconded by Ose, to approve the November 22, 2022, Board meeting minutes as presented. Motion carried.

The Board reviewed the Financial Report dated December 7, 2022. Motion by Sorenson, seconded by Dwight, to approve the Financial Report dated December 7, 2022, as presented. Motion carried.

Staff member Ann Joppru reviewed the General Fund Budget as of October 31, 2022. Administrator Jesme discussed repairs made to the heating system earlier in the week, which are not reflected in today's General Fund Budget balances. Jesme also noted that the sale of the 2011 Ford F150 is not reflected in Engineering Equipment, rather in the Miscellaneous Revenue.

The Board reviewed two Letters of Credit from American Federal Bank, due to the increased balance in the District's account guaranteeing coverage under FDIC requirements.

Staff member Ann Joppru indicated that Edward Jones contacted her stating that interest rates for Certificate of Deposits was now at 4.75%. Discussion and review of the Capital Fund account balances was had and the need to possibly invest some of these dollars at a higher rate than our present Investment Savings account. Administrator Jesme mentioned that the balances in the account also include 1W1P funds received to date and that the District is the Fiscal Agent for three 1W1P Grants. After considerable discussion was had concerning investments, motion by Sorenson, seconded by Ose, to approve the purchase of a \$500,000 Certificate of Deposit from Edwards Jones. Motion carried.

The Board reviewed Task Order No. 2 from HDR Engineering, Inc. in the amount of \$57,060 for Engineering services for the Mud River Project, RLWD Project No. 180C. Motion by Dwight, seconded by Tiedemann to approve Task Order No. 2 from HDR Engineering, Inc. for the Mud River Project, RLWD Project No. 180C. Motion carried. Manager Ose stated that at the December 7, 2022, Flood Damage Reduction Work Group (FDRWG) meeting, the District was awarded an additional grant in the amount of \$7,500 for development of the Mud River Project, bringing the total amount from the FDRWG to \$37,500.00.

The Board reviewed Pay Estimate No. 3-Final to Gladen Construction for the Demarais Hanson Project, RLWD Project No. 149. Engineer Tony Nordby, Houston Engineering, Inc., stated that the Final Payment hearing was held on November 10, 2022, with payment contingent on receipt of the IC-134 Form and removal of the silt fence. Nordby stated that in lieu of the Contractor having to mobilize on-site, Quality Spray Foam/Anderson Excavating removed the silt fence, therefore the Final Payment to Gladen Construction will be lessened in the amount of \$420.00. Motion by Ose, seconded by Page, to approve the adjustment to Pay Estimate No. 3-Final to Gladen Construction for the Demarais Hanson Project, RLWD Project No. 149. Motion carried.

The Board reviewed the permits for approval. Motion by Sorenson, seconded by Anderson, to approve the following permits with conditions stated on the permit: No. 22270, 22771 and 22772, Badger Township, Polk County. Motion carried.

At 9:30 a.m., President Nelson called the final payment hearing to order for R.J. Zavoral & Sons, Inc., for the construction of the Black River Impoundment, RLWD Project No. 176. It was shared that proper notice of the hearing had been given. President Nelson asked the Board members or audience if there were any comments or objections to the final payment to R.J. Zavoral & Sons, Inc. in the amount of \$156,411.23. Jesme indicated that the District received the IC-134 from R.J. Zavoral & Sons, Inc. With no other comments or objections from the Board or audience, President Nelson closed the hearing. Motion by Tiedemann, seconded by Ose, and carried unanimously, to approve the final payment to R.J. Zavoral and Sons, Inc. in the amount of \$156,411.23.

Administrators Update:

- Jesme and Manager Ose will attend the December 13, 2022, RRWMB meeting in Ada. Local legislators will also be in attendance.
- Included in the packet was a letter from the RRWMB to Governor Walz requesting his support for Flood Hazard Mitigation funding as well as stable funding for FDR in the future.
- There will be a Thief River 1W1P Steering Committee meeting on December 16th in preparation for the December 19th Advisory and Policy Committee meeting.
- District staff has completed a preliminary survey of the Clearwater River near the District's Greenwood 27 Project in Clearwater County in preparation for Houston Engineering to proceed with engineering and design on several bank erosion areas identified in a drone flight this fall. Costs will be covered under a remaining balance in the Watershed Planning grant toward our Technical and Engineering costs of the Clearwater River 1W1P.
- A meeting was held with local partners of the Red Lake River 1W1P to review five options for the repair of the slough at the outlet of Polk County Ditch 99. Options were narrowed down to allow for cost reduction options. The next meeting will be held December 12th with landowners on the Crescent Avenue Project in Crookston to discuss options on bank stabilization near various homes on Crescent Avenue.

- District staff is continuing to work with FEMA on data input for completed projects. FEMA has also provided on-site staff to work with District staff to review and gather information on projects that have yet to be constructed or repaired.
- Jesme attended the Minnesota Association of Watershed Administrators meeting in Alexandria prior to the MAWD Convention. All staff and four Board members attended the MAWD pre-conference sessions followed by open sessions and the banquet.

Managers Ose, Tiedemann, Anderson, Page, and Sorenson indicated that they plan to attend the RRWMB meeting held December 13, 2022, in Ada.

Legal Counsel Sparby stated that the Court of Appeals hearing for the Appeal to Polk County Ditch 39 Improvement, RLWD Project No. 179 will be held on January 20, 2023, via Zoom. The Court of Appeals is a three-judge panel. Sparby discussed the information that was submitted to the Appeals Court for review, to assist the judges in further understanding drainage law as it pertains to the Appeal on the Improvement to Polk County Ditch 53.

Administrator Jesme shared with the Board a Draft Drainage Legislation under MN Statutes 103E.015 proposed by MnDNR and some environmental groups. Discussion was had on who would pay for the additional engineering cost for the environmental review of the Outlet Adequacy proposed under proposed statutory changes. Jesme discussed information he received from Ray Bohn, that will be discussed at today's Drainage Work Group meeting. The proposed legislation would also pertain to any ditch repairs. Jesme further discussed the proposed Drainage Portal and process that was proposed in legislation last Spring and will keep the Board updated as additional information is available.

Manager Dwight stated that Zach Gutknecht, Beltrami County, and Robyn Dwight, Upper Red Lake Area Association were invited to visit with MnDNR staff this afternoon at the invitation of the MnDNR Commissioner regarding the "Keep It Clean" campaign, followed by a presentation next week at the MASWCD Conference and panel and the Red River Basin Commission conference in Winnipeg in January. Dwight discussed the presentation by Paul Gardner, Administrator of the Clean Water Council at the MAWD Convention and his response regarding potential funding and submittal of applications.

Manager Ose stated that Marshall County reappointed him to the Board for an additional 3-year term. Manager Dwight stated that submitted his letter of interest for reappointment to the Beltrami County Board.

Motion by Anderson, seconded by Ose, to adjourn the meeting. Motion carried.



LeRoy Ose, Secretary