

RED LAKE WATERSHED DISTRICT  
Board of Manager's Minutes  
November 10, 2011

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

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

Motion by Mandt, seconded by Knott, to dispense reading of the October 27, 2011 Board meeting minutes and approve them as printed. Motion carried.

The Board reviewed the Financial Report and Investment Summary dated November 9, 2011 and Budget Summary as of October 31, 2011. Motion by Tiedemann, seconded by Mandt, and passed by unanimous vote that the Board approve the Financial Report and Investment Summary dated November 9, 2011 and the Budget Summary as of October 31, 2011.

Administrator Jesme presented information on behalf of the Red Lake County SWCD for installation of up to eight rock riprap stream barbs on the Clearwater River for the Nyman/Koskela Project located in Section 2, Emardville Township. Jesme stated that the NRCS surveyed and designed the project. The total project cost is \$34,068, with the Red Lake County SWCD requesting \$5,000 from the 2011 Erosion Control Funds, RLWD Project No. 164. Motion by Knott, seconded by Tiedemann, to approve the request of the Red Lake SWCD for cost share in the amount of \$5,000 for the Nyman/Koskela Project from the 2011 Erosion Control Funds, RLWD Project No. 164. Motion carried.

Manager Knott discussed the Chuck Flage Erosion Control Project, RLWD Project 174 and if that area could be a possible area of water retention.

The Board reviewed a request from the Clearwater SWCD for a matching grant in the amount of \$1,100 from the MN Board of Water and Soil Resources Lake Protection Challenge Grant. Jesme indicated this matching grant could come from Project 46 budget as this is something our Water Quality funding would be used for anyway. Motion by Nordlund, seconded by Coe, to approve a \$1,100 matching grant for the Clearwater SWCD for the Lake Protection Challenge Grant, RWLD Project 46. Motion carried.

Engineer Jeff Langan, Houston Engineering, Inc. stated that the survey of the Grand Marais Creek Cut Channel, RLWD Project No. 60FF has been completed, with several days of surveying to be completed on the Grand Marais Creek Restoration Project, RLWD Project No. 60F. Langan stated that staff from the MnDNR will complete a field visit to view the channel restoration and the design of the channel. Hearings for both projects will be held this winter, with construction of the cut channel in 2012. Administrator Jesme stated that the District received a \$10,000 Accelerated Grant for engineering from the Flood Damage Reduction Work

Group. The Grand Marais Flood Damage Reduction Grant Application was submitted on October 24, 2011 to Pat Lynch, MnDNR, in the amount of \$1.3 million.

The Board reviewed Pay Estimate No. 2 for Paul Zavoral, Inc. for construction of the Radi ring dike. Motion by Tiedemann, seconded by Knott, to approve payment in the amount of \$12,861.46, to Paul Zavoral, Inc. for construction of the Radi ring dike. Motion carried

The Board reviewed a pay estimate in the amount of \$5,691.35 for Brummund Excavating for partial construction of the Radi ring dike. Motion by Mandt, seconded by Tiedemann, to approve the payment in the amount of \$5,691.35 to Brummund Excavating for partial construction of the Radi ring dike. Motion carried

Administrator Jesme stated that the land rental agreement with Craig Stroot on the Parnell Impoundment expires December 31, 2011. The current land rental agreement is for 96 acres at \$25.00 per acre. The renter is requesting a three year contract extension. Manager Ose asked if this area could flood in the event of a large rainfall. Jesme indicated that this property is located at the east side of Parnell and could flood in a 100 year rainfall event. Motion by Tiedemann, seconded by Ose, to approve a three year contract extension with Craig Stroot for 96 acres at \$25.00 per acre. Motion carried.

The Board reviewed the 2011 MAWD Annual Meeting Resolutions.

Administrator Jesme discussed the need for a small aluminum trailer with side rails. Quotes were received from Huberts and RV Sports. Motion by Coe, seconded by Knott, to approve the purchase of a small aluminum trailer with sides in the amount of \$1,800.00 from Huberts. Motion carried.

The Board reviewed a request from Richard Schmitz to withdraw Permit No. 11195. Motion by Knott, seconded by Ose, to withdraw Permit No. 11195, Richard Schmitz, Louisville Township, Red Lake County. Motion carried.

The Board discussed Permit No. 11191, Ken Cwikla. Administrator Jesme stated that he had spoken to a landowner that had concerns with Mr. Cwikla's permit application. After speaking to staff and reviewing the District's rules and regulations, Jesme stated that there is no reason to deny the request of Mr. Cwikla. Motion by Coe, seconded by Ose, to approve Permit No. 11191, Ken Cwikla, Whiteford Township, Marshall County, with conditions stated on the permit application. Motion carried.

At 9:30 a.m., the final payment hearing for All Seasons Contracting, Inc. concerning the construction of a New Lateral to Pennington County Ditch 75, RLWD Ditch No. 13, Project No. 170A was called to order. President Nelson stated that the hearing had been properly advertised. Discussion regarding the final payment request was had and the opportunity for public comment was given. There was no one in attendance objecting to the final payment. Motion by Coe, seconded by Mandt, to approve the final payment in the amount of \$7,827.94 to All Seasons Contracting, Inc. for the construction of the a New Lateral to Pennington County Ditch 75, RLWD Ditch No. 13, Project No. 170A. Motion carried. The hearing was videotaped and is on file at the RLWD office. Pennington County Commissioner Don Jensen asked on behalf of the Pennington County Auditor when the District will submit the ditch levy to the auditor. Administrator Jesme stated that the District will compile all the necessary cost information and submit it to the auditor in the near future.

The Board discussed the recent repair construction activity that had taken place on Pennington County Ditch 75 with Pennington County Commissioner Don Jensen. The District indicated that, comparing ditch profiles taken in 2009 from that taken in 2011, the original ditch elevations may have changed. There was also discussion about the wishes of some landowners to remove a culvert which is part of the original legal drainage system. Legal Counsel Sparby indicated that if the culvert was part of the original legal drainage system, it could only be removed through an improvement proceeding.

The Board reviewed the permits for approval. Motion by Knott, seconded by Tiedemann, to approve the following permits with conditions stated on the permit: No. 11182, Bryan Boll, Gentilly Township, Polk County; No. 11183, Jay Aune, Rollis Township, Marshall County; No. 11188, King Township, Polk County; No. 11190, Bob Proulx, River Falls Township, Pennington County; No. 11192, Steve Goodwin, Keystone Township, Polk County; No. 11193, Burlington Northern Santa Fe, Popple Township, Clearwater County; No. 11197, Kirk Luckow, Keystone Township, Polk County; No. 11199, Al Gustafson, North Township, Pennington County; No. 11200, Jeremy Jennen, Euclid Township, Polk County; No. 11201, R.J. Zavoral & Son's, Keystone Township, Polk County; No. 11203, Vince Miramontes II, North Township, Pennington County; No. 11204, Enbridge Pipeline, Leon Township, Clearwater County; No. 11205, Brian Solberg, Reiner Township, Pennington County; No. 11206, David Brule, Gentilly Township, Polk County; No. 11207, MnDNR-Wildlife, Badger Township, Polk County; No. 11208, Greg Hallstrom, Black River Township, Pennington County; No. 11209, Randy Weiss, Lake Pleasant Township, Red Lake County; No. 11210, Kirk Luckow and Mark Johnson, Keystone Township, Polk County; No. 11211, Paquin Farms, Inc., Terrebonne Township, Red Lake County; No. 11213, Neil Beyer, Louisville Township, Red Lake County; No. 11214, Ron McKercher, Black River Township, Pennington County; and No. 11215, Roger Love, Fanny Township, Polk County. Motion carried.

#### Administrators Update:

- Construction is substantially completed on the Crookston Bible Baptist Church ring dike. Staff is presently compiling final costs which will be submitted to the RRWMB to close out the grant agreement with the State of Minnesota.
- Manager Knott and Jesme will attend the RRWMB meeting on Tuesday, November 15th at the District office.
- Included in the packet is the Executive Summary "Finding Long Term Solutions Together" which explains the conclusions and recommendations for action. This summary will be sent to the legislators in North Dakota and Minnesota which will express what funding is needed to address flooding in the Red River Basin.
- Jesme and staff member Jim Blix attended a River Watch Forum "Fall Team Kick-off held at the Best Western in Thief River Falls. Jesme gave a presentation outlining projects that were completed as part of the water monitoring program. This presentation was intended to give students a chance to see why they are out in the field and what comes from the results of their work.
- Final drawdown is almost complete on the Good Lake and Pine Lake Impoundments. We hope to complete the work on the Good Lake Impoundment structure yet this fall.
- Permits have shattered the record of 201 permits applied for in 1997. We are presently sitting at 215 permits with 1 1/2 months remaining.
- Included in the packet is a news article concerning MN Legacy Funding. This article will help clarify what, where and how the money is appropriated.

Manager Nelson asked if the MnDNR has completed the hydrologic study of the Goose Lake area. Administrator Jesme stated that the study is not complete yet, but that the MnDNR has retained a Hydrologist to study ground and surface water along the beach ridge.

Administrator Jesme stated that we are still hoping that USFWS employees will complete a controlled burn on the Parnell Impoundment.

Manager Knott asked about the release of water on the Red Lake Dam. Administrator Jesme stated that the gates were opened approximately three weeks ago. The U.S. Army Corp of Engineers is working with local landowners, as low lying lands are being flooded.

Manager Tiedemann discussed the removal of a beaver dam in the Brandt Impoundment channel and one near the outlet structure in the Brandt Impoundment.

Discussion was held on the possible petition for the Brandt Channel, downstream of the Brandt Impoundment.

Further discussion was held on the 2011 MAWD Resolutions. Legal Counsel Sparby discussed the Watershed District Manager Appointment process and interpretation of the statutory language for establishment of a project by initiation of the managers.

Manager Ose commended Lunke Construction for the work done on State Ditch 83 .

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

A handwritten signature in cursive script, reading "Orville Knott". The signature is written in black ink on a white background.

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Orville Knott, Secretary