

RED LAKE WATERSHED DISTRICT
Board of Manager's Minutes
July 12, 2012

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

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

Motion by Coe, seconded by Tiedemann, to dispense reading of the June 28, 2012 Board meeting minutes and approve them as printed. Motion carried.

The Board reviewed the Financial Report and Investment Summary dated July 11, 2012. Motion by Knott, seconded by Mandt, and passed by unanimous vote that the Board approve the Financial Report and Investment Summary dated July 11, 2012. Motion carried.

Administrator Jesme stated that two-Certificate of Deposits will expire prior to the next Board meeting. Motion by Coe, seconded by Knott, upon adequate securities being had by each bank deposit one Certificate of Deposit into Ultima Bank Minnesota, Fosston/Winger and reinvest the other with Unity Bank North-Red Lake Falls. Motion carried.

Landowners Joan Ferring and Carol Johnson, Esther Township, Polk County appeared before the Board to discuss Permit No. 2009-074 that was granted to Kameron Harstad for the installation of a culvert in Harstad's driveway. Ferring stated, that according to the permit application, Harstad was to receive permission for the proposed work for lands not owned by the applicant, and according to a recent legal land survey, Harstad's driveway is on Ferring's property. Ferring and Johnson both stated that over the years Harstad has raised the elevation of his driveway, therefore creating a dike which diverts water over the county road, washing out the county road. Staff member Loren Sanderson presented information regarding flooding in the area and permits granted to Harstad.

Administrator Jesme stated that Chuck Fritz and Charlie Anderson would like a two hour time slot on the August 9, 2012 Board meeting to discuss the 20% Flood Reduction within the Red River Valley.

Engineer Nate Dalager, Houston Engineering, Inc. updated the Board on recent construction activity for RLWD Ditch 14/Thief River Falls Flood Damage Reduction Project, RLWD Project No. 171/171A. Administrator Jesme discussed the sequencing of construction, and stated that the District received the U.S. Army Corps of Engineers permit.

The Board reviewed Pay Estimate No. 3 for Spruce Valley Corporation for construction of RLWD Ditch 14, Project No. 171. Jesme indicated that as part of the specifications, a 10% retainer will be held until final approval of the project. Based on the reduction of 10%, total payment owed for Pay Estimate #3 is \$57,677.40 Motion by Tiedemann, seconded by Ose, to approve payment in the amount of \$57,677.40 to Spruce Valley Corporation for construction of RLWD Ditch 14, Project No. 171. Motion carried.

The Board reviewed Pay Estimate No. 3 for Spruce Valley Corporation for construction of the Thief River Falls Flood Damage Reduction Project, Project No. 171A. Jesme indicated that as part of the specifications, a 10% retainer will be held until final approval of the project. Based on the reduction of 10%, total payment owed for Pay Estimate #3 is \$361,975.99. Motion by Coe, seconded by Knott, to approve payment in the amount of \$361,975.99, to Spruce Valley Corporation for construction of Thief River Falls Flood Damage Reduction Project, Project No. 171A. Motion carried.

Administrator Jesme stated that the District received the grant agreement from the State of Minnesota/Lessard Sam Outdoor Heritage Council. Motion by Knott, seconded by Tiedemann, to grant Administrator Jesme authority to sign the grant application with the State of Minnesota for the Grand Marais Creek Outlet Restoration, RLWD Project No. 60F. Motion carried.

Engineer Jeff Langan, Houston Engineering, Inc. discussed construction activities on the Grand Marais Creek Cut Channel Stabilization Project, RLWD Project No. 60FF. Langan stated that sloughing had occurred on an area excavated. Seepage came thru the fine silt layer therefore sloughing occurred. Langan recommended the installation of approximately 500 – 600 feet of 6” PVC poly pipe drain tile with pea rock at an estimated cost of \$30,000 to help stabilize the bank. Langan also discussed extending the south streambank slope excavation on Ron Pape’s property east of County Road No. 64. It was the consensus of the Board to proceed with the installation of drain tile and extending the slope excavation. Langan reviewed a letter from the Archaeologist that is completing the Phase 1 Archaeological Survey Deep Testing on the west end of the project. Langan stated that the north side has clearance to proceed with construction. Bison bone and tools were found on the south side of the area. Discussion was held on continuing to either a Phase 3 mitigation or avoidance. Langan stated that he should know by the next Board meeting what direction we will need to take to go forward with construction but at this point, avoidance seems to be the best option.

The Board reviewed Pay Estimate No. 2 for R.J. Zavoral & Sons, Inc. for construction of the Grand Marais Creek Cut Channel Stabilization Project, RLWD Project No. 60FF. Jesme indicated that as part of the specifications, a 10% retainer will be held until final approval of the project. Based on the reduction of 10%, total payment owed for Pay Estimate #2 is \$60,800.27. Motion by Tiedemann, seconded by Ose, to approve payment in the amount of \$60,800.27 to R.J. Zavoral & Sons, Inc. for construction of the Grand Marais Creek Cut Channel Stabilization Project, RLWD Project No. 60FF. Motion carried.

Langan stated that the Joint Notification Form has been submitted to the permitting agencies for the Grand Marais Creek Restoration Project, RLWD Project No. 60F. The Engineers Report will be completed in the near future.

The Board reviewed Pay Estimate No. 1 for Taggart Excavating and Septic Service for construction of the State Ditch 83/Marshall County Ditch 20 Stabilization Project, RLWD Project No. 14D. Jesme indicated that as part of the specifications, a 5% retainer will be held until final approval of the project. Based on the reduction of 5%, total payment owed for Pay Estimate #1 is \$111,755.15. Motion by Knott, seconded by Ose, to approve payment in the amount of \$111,755.15, to Taggard Excavating and Septic Service for construction of the State Ditch 83/Marshall County Ditch 20 Stabilization Project, Project No.14D. Motion carried.

Motion by Ose, seconded by Knott, to set the Final Payment Hearing for construction of State Ditch 83/Marshall County Ditch 20 Stabilization Project, RLWD Project No. 14D at the regularly scheduled Board Meeting on August 23, 2012 at 9:30 a.m. Motion carried.

The Board discussed the yearly maintenance on State Ditch 83, RLWD Project No. 14. The District budget's \$50,000 per year for maintenance, with the State of Minnesota contributing \$16,000. Administrator Jesme stated that due to ideal working conditions, this year's allotment has been exhausted and inquired if the Board would like staff to proceed with construction. Motion by Ose, seconded by Tiedemann, to spend an additional \$40,000 for maintenance in 2012 on State Ditch 83, RLWD Project No. 14. Motion carried.

Manager Coe reviewed correspondence from Jane Mueller, GIS Director from Beltrami County, requesting a partnership to fund a 1-foot high resolution aerial photography in Beltrami County. Work will not be completed until 2014, with various partners already committing to help fund the photography which is estimated to cost \$157,185. Motion by Knott, seconded by Tiedemann, to contribute \$20,000 towards the Aerial Photography in Beltrami County. Motion carried.

The Nature Conservancy will host a Glacial Ridge National Wildlife Refuge Celebration on September 15, 2012 at 6:00 p.m. at the University of Minnesota-Crookston.

The Board reviewed permit No. 12071, Randy Owens, Brandt and Belguim Townships, Polk County. District staff determined that based on the survey, the existing ditch has adequate ditch grade and does not need to be cleaned. Motion by Tiedemann, seconded by Knott, to deny Permit No. 12071, Randy Owens, Brandt and Belguim Townships, Polk County. Motion carried.

The Board reviewed the permits for approval. Motion by Knott, seconded by Mandt, to approve the following permits with conditions stated on the permit. No. 12072, Excel Township, Marshall County; No. 12074, Marshall County Highway Department, Espelie Township; No. 12075, Gene Tiedemann, Euclid Township, Polk County; No. 12076, JTO, Inc., Excel Township, Marshall County; No. 12077, Ina Burman, Equality Township, Red Lake County; and No. 12078, Pennington County Highway Department, Kratka Township. Motion carried with Managers Tiedemann and Ose abstaining.

Administrator Jesme stated that at the June 28, 2012 Board meeting, Permit No. 12065, Dean Phillip, Agder Township, Marshall County had been denied based on information provided by Marshall County Ditch authority. Jesme stated that Marshall and Pennington County Engineers are reviewing the permit application to determine if all information provided to the district was accurate.

Administrators Update:

- Manager Knott and Jesme will attend the RRWMB meeting on July 17, 2012 in Fertile.
- On July 11, 2012, Tim Renneke, U.S. Army Corps of Engineers, informed the staff that the Upper and Lower Red Lakes reached the summer elevation. Renneke stated that the current outflow is 450 cfs. Outflow will slowly be reduced.
- Manager Torgerson and Jesme presented the 2011 Annual Report to the Clearwater County Commissioners on July 10, 2012.
- Jesme met with landowner Larry Martinson to discuss options to assist him in his drainage issues in Bray Township, Pennington County.
- Koochiching County is in the process of updated their county work plan and is requesting input.

Legal Counsel Sparby stated that the Budget and Salary Committee and staff have reviewed the job descriptions. Sparby stated that Fox Lawson will also look into job descriptions by the City of Thief River Falls and Pay Equity information.

The 2013 Budget was discussed. Administrator Jesme stated the 2013 Budget will need to be finalized by August 23, 2012.

Administrator Jesme distributed a handout from the U.S. Army Corp of Engineers in regard to their jurisdiction.

Manager Torgerson discussed the meeting with the Clearwater County Commissioners, the Four Legged Lake, RLWD Project No. 102, and the Clearbrook Storm Water Pond Project, RLWD Project No. 160.

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



Orville Knott, Secretary