

RED LAKE WATERSHED DISTRICT
Board of Manager's Minutes
July 22, 2021

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

The Board reviewed the agenda. Manager Ose requested the addition of State Ditch 83, RLWD Project No. 14 to the agenda. A motion was made by Ose, seconded by Anderson, and passed by unanimous vote that the Board approve the agenda with the addition of State Ditch 83, RLWD Project No. 14. Motion carried.

The Board reviewed the July 8, 2021 minutes. Motion by Page, seconded by Anderson, to approve the July 8, 2021 Board meeting minutes as presented. Motion carried.

The Board reviewed the Financial Report dated July 21, 2021. Motion by Page, seconded by Ose, to approve the Financial Report dated July 21, 2021. Motion carried.

Staff member Arlene Novak stated that a Certificate of Deposit (CD) at Unity Bank will mature on July 31, 2021. If the District chose to reinvest the maturing CD, the interest rate would be .50%, which is the same rate the District is currently receiving in our checking account at American Federal Bank. Novak recommended transferring the funds into the American Federal Bank account. Motion by Page, seconded by Dwight, to approve the transfer of funds from the Certificate of Deposit from Unity Bank to American Federal Bank. Motion carried.

The Board reviewed Pay Estimate No. 1 for construction of the Threatt Ring Dike, RLWD Project No. 129AS in the amount of \$43,347.86. Motion by Dwight, seconded by Ose, to approve Pay Estimate No. 1 in the amount of 43,347.86 to Taggart Contracting, Inc., for construction of the Threatt Ring Dike, RLWD Project No. 129AS. Motion carried.

Staff member Arlene Novak reviewed the General Fund Budget as of June 30, 2021.

Manager Ose discussed recent photos he took of State Ditch 83, RLWD Project No. 14. Ose indicated that with the low water levels, he would like to see the District complete as much cleaning as possible during this construction season. Jesme indicated that staff has been out and inspected various areas along the system in need of repair. Currently the contractor is installing rip rap at outlet of old side water inlet pipes as well as repairing minor bank sloughs. Motion by Ose, seconded by Anderson, to authorize District staff to work with Lunke Construction to continue spot clean areas of State Ditch 83, RLWD Project No. 14 and continue to work into the fall as conditions warrant. Motion carried.

Engineer Tony Nordby, Houston Engineering, Inc., stated that the contractor on the Black River Impoundment, RLWD Project No. 176, is working on the diversion ditch along CSAH 3 and stripping along the north diversion ditch along County Road 68. Nordby noted that the pipe installation crew will be arriving on site on July 21, 2021. Discussion was held on the installation of rock structures in areas of sandy silty soil along the south diversion ditch parallel to CR 55. Nordby indicated punch list items have been completed on the outlet structure. Nordby has not heard back from the U.S. Army Corps of Engineers in regards to the wetland banking plan. The Board reviewed Pay Estimate No. 10 for the Black River Impoundment, RLWD Project No. 176 in the amount of \$83,002.25. Motion by Page, seconded by Dwight, to approve Pay Estimate No. 10 in the amount of \$83,002.25 to R.J. Zavoral & Sons, Inc., for construction of the Black River Impoundment, RLWD Project No. 176. Motion carried.

At 9:30 a.m. Vice President Gene Tiedemann stated that the bid opening for the construction of the Pine Lake Flood Damage Reduction and Fish Habitat Project, RLWD Project 26B, would be conducted. Legal Counsel Sparby noted the time and that no further bid proposals would be accepted after the 9:30 a.m. bid submittal deadline. Bids were opened and bid amounts were publicly announced and are on file at the District office. The following bids were received: Meyer Contracting, \$573,445.75; Taggart Contracting, \$442,500.00; Gladen Construction, \$432,693.30; Spruce Valley, \$443,287.00; Park Construction, \$772,163.40; Davidson Construction, \$342,162.00; and Wright Construction, \$241,344.95. Motion by Anderson, seconded by Ose, and passed by unanimous vote to accept the apparent low bid from Wright Construction, in the amount of \$241,344.95 for construction of Pine Lake Flood Damage Reduction and Fish Habitat Project, RLWD Project No. 26B, contingent upon the approval by Legal Counsel Sparby, District Staff, and Project Engineer Nate Dalager, HDR Engineering, Inc. in their review of the bid documents and materials.

Engineer Nate Dalager, HDR Engineering, Inc., stated that the punch list of items for construction of the Thief River Falls Westside Flood Damage Reduction Project, RLWD Project No. 178 has been completed. Dalager stated that the only item holding up the Final Payment Hearing is Change Order No. 8. Dalager requested that Administrator Jesme reach out to the foreman from R.J. Zavoral, Inc., to inquire on the status of Change Order No. 8. Administrator Jesme stated that he was informed there is additional MnDNR Flood Hazard Mitigation funding available, in the amount of \$250,000. The District will need to secure a match for the additional amount. Motion Ose, seconded by Dwight, to approve a resolution for the additional MnDNR Flood Hazard Mitigation funding in the amount of \$250,000 for the Thief River Falls Westside Flood Damage Reduction Project, RLWD Project No. 178. Motion carried. Jesme indicated that the original grant can be amended to include the additional funds.

The Board reviewed Pay Estimate No. 3 to R.J. Zavoral & Sons, Inc. in the amount of \$8,835.66 for the Ditch 10 Outlet Repairs, RLWD Project No. 161. Motion by Ose, seconded by Page, to approve Pay Estimate No. 3 to R.J. Zavoral & Sons, Inc., in the amount of \$8,835.66 for the Ditch 10 Outlet Repairs, RLWD Project No. 161. Motion carried. Additional discussion was held on the landowners concerns with the elevation of the spoil.

Administrator Jesme stated that the RRWMB approved the additional \$84,000 funding increase for the City of Thief River Falls Oxbow Restoration and Stormwater Treatment Project, RLWD Project No. 46Q. The total RRWMB commitment is now \$250,000. The City of Thief River Falls committed to \$50,000 towards construction of the project. Dalager is waiting on the MnDNR permit application and review of the construction contracts from the city attorney.

Staff member Nick Olson, reported on the meeting with landowners downstream of the Euclid East Impoundment, RLWD Project No. 60C. Olson stated that upon meeting and approval with Polk County Drainage Authority, the District will start with recommended construction which may include minor ditch grading, side slope repair along with several culverts and traps will be added in various locations. A berm will be installed from the impoundment outlet, west to Highway 75. Olson stated that he had discussion with landowner Brian Schultz regarding a flowage easement or fee title purchase.

The Board reviewed information prepared by Staff member Tony Olson, regarding a rusted-out/failing culvert in Ditch 7, RLWD Project No. 20. Olson received a quote in the amount of \$5,252.40 for replacement of the culvert, plus installation. Motion by Page, seconded by Anderson, to approve replacing the culvert in Ditch 7, RLWD Project No 20, at a cost of \$5,252.40, plus installation. Motion carried.

Administrator Jesme stated that the Joint Board for Judicial Ditch 72, RLWD Project No. 41, approved the redetermination of benefits. Upon the completion of the 30-day appeal period ends, the Joint Board will meet to schedule a consolidation hearing. Discussion was held on the petition from landowner Gary Mathis to withdraw his property from the Judicial Ditch 72 benefitted area. Jesme stated that Attorney Kurt Deter, requested that Jesme contact Mathis regarding rescinding of his petition as it is not realistic. The Board reviewed information from the Clearwater County Board meeting published in the Leader Record.

The Board reviewed the permits for approval. Motion by Anderson, seconded by Dwight, to approve the following permits with conditions stated on the permit: No. 21092, Louisville Township, Red Lake County; No. 21094, Kraig Kainz, Grand Plain Township, Marshall County; No. 21095, Equality Township, Red Lake County; No. 21096, Dennis Garry, Brandt Township, Polk County; No. 21097, Polk County Highway Department, Euclid Township, Polk County; No. 21098, Polk County Highway Department, Hammond Township; No. 21099, Polk County Highway Department, Euclid Township, Polk County; No. 21101, Polk County Highway Department, Grove Park Township, Polk County; No. 21102, Pennington County Highway Department, Bray Township, Pennington County; and, No. 21103, Pennington County Highway Department, Rocksbury Township, Pennington County. Motion carried.

Administrators Update:

- Jesme and Manager Ose attended the RRWMB meeting in Ada on July 20, 2021.
- Jesme participated in the Red River Basin Tour on July, 21, 2021.
- The following County Board meetings have been scheduled to present the 2020 Annual Report: Polk County, July 27th; Red Lake County, July 27th, Marshall County, August

3rd; Clearwater County, August 10th; Pennington County, August 10th; and Beltrami County, August 17th.

- Included in the packet was the 2021 Legislative Session Summary dated July 8, 2021.

Legal Counsel Sparby stated that due to the back log in the courts system, the appeal for the Improvement to Polk County Ditch 39, RLWD Project No. 179, is moved back to October. Sparby will meet with Attorney's Mark Granger and Kurt Deter to see if they can complete a Summary Judgement Statement that would allot if to proceed without a trial.

Manager Dwight stated that the Personnel/Budget Committee will meet on August 5th. Dwight mentioned that it may be a good idea to name a chair for each of the committees to assure meeting move forward in an orderly fashion.

Manager Anderson discussed the potential of another COVID flare up in the region.

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



LeRoy Ose, Secretary