

RED LAKE WATERSHED DISTRICT
Board of Manager's Minutes
May 27, 2021

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

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

The Board reviewed the May 13, 2021 minutes. Motion by Sorenson, seconded by Tiedemann, to approve the May 13, 2021 Board meeting minutes as presented. Motion carried.

The Board reviewed the Financial Report dated May 26, 2021. Motion by Tiedemann, seconded by Anderson, to approve the Financial Report dated May 26, 2021. Motion carried.

Staff member Arlene Novak presented information regarding the renewal of the District's League of Minnesota Cities Property and Casualty Liability Insurance and Excess Liability Coverage. Motion by Tiedemann, seconded by Sorenson, to renew the Property and Casualty Liability Coverage with the League of Minnesota Cities, and waive the monetary limits on municipal tort liability to the extent of applicable liability insurance coverage and purchase excess liability coverage in the amount of \$2 million. Motioned carried.

Discussion was held on the punch list of items that R.J. Zavoral & Sons, Inc., needs to complete for construction of the Thief River Falls Westside Flood Damage Reduction Project, RLWD Project No. 178. Engineer Dillion Nelson, HDR Engineering, Inc., discussed concerns of the City of Thief River Falls and Pennington County, regarding cut marks on Greenwood Street and County Road 7 from construction equipment. Nelson will work with the contractor, City of Thief River Falls and Pennington County to come to a consensus for repairs to damages on the roads. Engineer Nate Dalager, HDR Engineering, Inc., indicated that reseeding may need to take place in several locations. Dalager further stated that Change Order No. 8 had not been resolved with the contractor. Administrator Jesme indicated that the contractor was given until July 1, 2021, to complete the necessary punch list work items. It was a consensus of the Board, to authorize Jesme and Dalager, to submit a letter to the contractor regarding punch list items that need completion.

Sealed bids for the construction of the Thief River Falls Oxbow Restoration and Stormwater Treatment Pond, RLWD Project No. 46Q, will be publicly opened at 10:00 a.m. on June 16, 2021, in the City of Thief River Falls Council Chambers.

Engineer Tony Nordby, Houston Engineering, updated that Board on the Demarais/Hanson Bank Stabilization Project, RLWD Project No. 149. Nordby stated that since this is a Red Lake River

1W1P Project, BWSR had requested that the Engineer determine the approximate cost of extending the project downstream from the “tree row to the oxbow”, approximately an additional 150 feet. Nordby stated that the preliminary design shows that the area flattens out about 150 feet downstream, which would then enter a plunge pool. The original estimated cost of the project was \$210,000 and the additional work was estimated to cost an additional \$30,000 for a total approximate cost of \$240,000. Motion by Tiedemann, seconded by Dwight, to move forward with the Demarais/Hanson Bank Stabilization Project, RLWD Project No. 149, with the additional 150 feet to the oxbow. Motion carried.

Engineer Tony Nordby and Travis Nelson, Houston Engineering, Inc., discussed progress on the construction to the Ditch 10 Outlet Repairs, RLWD Project No. 161. The Board reviewed Change Order No. 2 in the amount of \$5,735.04 for the installation of two 15” CS Pipe culverts and a concrete pipe cradle. Motion by Dwight, seconded by Tiedemann, to approve Change Order No. 2 in the amount of \$5,735.04, with R.J. Zavoral & Sons, Inc. for the Ditch 10 Outlet Repair, RLWD Project No. 161. Motion carried. Motion by Sorenson, seconded by Anderson, to approve Pay Estimate No. 1 to R.J. Zavoral & Sons, Inc., in the amount of \$155,644.20 for the Ditch 10 Outlet Repairs, RLWD Project No. 161. Motion carried.

The Board reviewed Pay Estimate No. 7 in the amount of \$66,896.53 for construction of the Black River Impoundment, RLWD Project No. 176. Motion by Sorenson, seconded by Tiedemann, to approve Pay Estimate No. 7 to R.J. Zavoral & Sons, Inc. for construction of the Black River Impoundment, RLWD Project No. 176. Motion carried. Engineer Tony Nordby, and Travis Nelson, Houston Engineering, Inc., stated that the contractor is looking at the week of June 7th to setup the detour on CSAH 3 for installation of the box culverts, pending weather conditions, and the week of June 14th to begin construction of the diversion ditches. Discussion was held on the timing of the installation of centerline culverts versus construction of the diversion ditches. There is some concern from staff that installing culverts without completing construction of the ditch could cause issues should there be a large rainfall event. Staff member, Arlene Novak, presented the summary of expenses as December 31, 2020. Nordby stated that the contractor has until 2022 to complete the project but has a goal to finish this year. Administrator Jesme stated that the Red River Retention Authority plans to spotlight the Black River Impoundment Project in a radio segment in their approach to “Retention, a part of the Basin-side Solution” segments. It was the consensus of the Board to have Administrator Jesme work the Keith Weston, RRRRA, to proceed with the radio advertisement.

Engineer Nate Dalager, HDR Engineering, Inc., shared with the Board the Environmental Assessment Worksheet (EAW)-Determination of Need submitted to the MnDNR for the Pine Lake Flood Damage Reduction and Habitat Project. RLWD Project No. 26B. Dalager indicated that the project does not meet the threshold of a mandatory EAW category, including as part of a connected or phased action, as part of the Incremental Alternative Plan. Dalager stated that he hopes to have construction completed this fall.

Discussion was held on the motion made at the May 13, 2021 Board meeting, to schedule a hearing for the replacement of a culvert in Branch No. 108 of Ditch 12, RLWD Project No. 169. Legal Counsel Sparby determined that after review of the statutes, the Board was unable to make a motion to replace the existing culvert and that the Board can replace the culvert as part of a

repair where an existing bridge was replaced with a proper hydraulic sized culvert. Motion by Tiedemann, seconded by Anderson, to rescind the motion made at the May 13, 2021 Board meeting to hold a hearing for replacement of a culvert in Branch No. 108, Ditch 12, RLWD Project No. 169. Motion carried. Sparby indicated that the District could do a repair for a hydrologically sound culvert replacement. Staff members Nick Olson and Tony Olson will bring back a recommendation to the Board.

Administrator Jesme stated that a meeting will be held on June 7, 2021, to review the study completed by Houston Engineering, Inc., regarding boundary issues in Polk County with the Sandhill River Watershed District. Jesme will report back to the Board at a later meeting.

Staff member Christina Slowinski reviewed the Pennington Cooperative Weed Management Area Memorandum of Agreement for the management and control of invasive plants and noxious weeds on public and private lands in Pennington County. Motion by Dwight, seconded by Anderson, to authorize Administrator Jesme and grant the authority to sign the Pennington Cooperative Weed Management Area Memorandum of Agreement and to have Slowinski continue to attend these meeting on behalf of the District. Motion carried.

Administrator Jesme stated that MAWD has scheduled a Region 1 meeting on June 22, 2021, to engage with other watersheds on legislative updates and various watershed activities.

Manager Dwight discussed a conversation he had with a staff member from BWSR regarding recognizing work completed by Watershed Districts versus SWCD offices.

Staff member Nick Olson presented quotes for a new ATV for the District office. Discussion was held on the availability of dealers being able to obtain ATVs at this time. Motion by Tiedemann, seconded by Anderson, to authorize the staff, based on current availability, to purchase a new ATV for the District office pursuant to obtained quotes. Motion carried.

Motion by Tiedemann, seconded by Sorenson, to approve RLWD Permit No. 19198, Parjim Farmland, GP, Mayfield Township, Pennington County, with conditions stated on the permit.

Motion by Anderson, seconded by Tiedemann, to approve RLWD Permit No. 20307, Gerald Matson, Bransvold Township, Polk County, with conditions stated on the permit. Motion carried.

The Board reviewed the permits for approval. Motion by Tiedemann, seconded by Anderson, to approve the following permits with conditions stated on the permit: No. 21056, Braf Farmland Holdings, GP, Holt Township, Marshall County; No. 21057 and 21058, Bryan Boll, Gentilly Township, Polk County; No. 21059, Ron Lanctot, Kertsonville Township, Polk County; No. 21060, Brady Lee, Badger Township, Polk County; No. 21061, Badger Township, Polk County; No. 21062, Thomas P. Lewis, Hickory Township, Pennington County; No. 21063, Daniel Caillier, Gentilly Township, Polk County; No. 21064, Chad Lundeen, Garnes Township, Red Lake County; No. 21065, Dean Joppru, North Township, Pennington County; No. 21066, City of Holt, Holt Township, Marshall County; and No. 21067, Mike Drangstveit, Moylan Township, Marshall County; Motion carried.

Discussion was held on whether there is still a need to have an alternative meeting format for District meetings due to the COVID-19 pandemic. Motion by Tiedemann, seconded by Sorenson, that it is no longer necessary to conduct business with an alternative meeting format, unless a request is made to the District and granted at the Board's discretion. Motion carried.

Discussion was held on rescheduling the postponed 2021 Advisory Committee meeting. Staff member Tammy Audette will work with members of the District's Advisory Committee to schedule a tour of District projects.

The Board reviewed the draft 2020 Annual Report.

A retirement party for Mark Borseth, City of Thief River Falls, will be held at the City Hall Council Chambers this afternoon from 2:00 – 4:00.

Administrators update:

- Jesme and Manager Ose participated in the May 18, 2021 RRWMB meeting. Staff member Nick Olson presented the Peter Nelson ring dike funding request. Jesme will participate in the Budget and Finance Committee meeting on June 3rd at the District office.
- A Clearwater River 1W1P Planning Work Group met on May 19, 2021, to review information for the Advisory Committee meeting held on May 26th. The first kickoff meeting will be held on June 10th.
- Staff member Christina Slowinski has been meeting with several River Watch Schools.
- The MAWD Region 1 Administrators met on May 19, 2021 to discuss BWSR activity and other legislative items as we near the end of the legislative session. Discussion was also held on setting up criteria where each region in the state holds a quarterly regional meeting to stay abreast on projects, concerns, and other items of interest to watersheds. A MAWS meeting will be held on June 11th.
- The District office will be closed on May 31st in observance of Memorial Day.

Legal Counsel Sparby stated that the courts have not decided on the Appeal for the Improvement to Polk County Ditch 39, RLWD Project No. 179. Sparby referenced the question by Nicole Bernd, West Polk SWCD, regarding funding for side water inlet culverts that would need to be returned if not spent by the end of this year. Sparby stated that in light of the COVID-19 pandemic, a request should be made to the State for an extension of the funding. Administrator Jesme will send an email to Bernd and Matt Fisher, BWSR, to request an extension.

Motion by Anderson, seconded by Dwight, to adjourn the meeting.



LeRoy Ose, Secretary