

RED LAKE WATERSHED DISTRICT
Board of Manager's Minutes
November 24, 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 Nelson, Terry Sorenson, LeRoy Ose, Brian Dwight, Tom Anderson, Gene Tiedemann and Allan Page. Staff Present: Myron Jesme, Tammy Audette and Legal Counsel, Delray Sparby.

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

The Board reviewed the November 10, 2021, minutes. Motion by Anderson, seconded by Ose, to approve the November 10, 2021, Board meeting minutes as presented. Motion carried.

The Board reviewed the Financial Report dated November 23, 2021. Motion by Sorenson, seconded by Dwight, to unanimously approve the Financial Report dated November 23, 2021. Motion carried.

Engineer Tony Nordby, Houston Engineering, Inc., stated that no additional work had been completed on the Black River Impoundment Project, RLWD Project No. 176, since the last Board meeting. Nordby stated that he met with R.J. Zavoral & Sons, Inc., to review a punch list of items to be completed, noting that R.J. Zavoral & Sons, Inc. requested that the Board reduce the retainer that is currently being withheld from 5% to 3%. The Board reviewed Pay Estimate No. 16 in the amount of \$148,791.39, which includes the reduction in retainer to 3%. Motion by Tiedemann, seconded by Page, to approve Pay Estimate No. 16, in the amount of \$148,791.39, to R.J. Zavoral & Sons, Inc. for construction of the Black River Impoundment, RLWD Project No. 176, which includes a reduction of retainage withheld from 5% to 3%. Motion carried.

Gladden Construction, Inc., completed some clearing and grubbing of trees on the Demarais/Hanson Outlet Project, Red Lake River 1W1P, RLWD Project No. 149. Engineer Tony Nordby, Houston Engineering, Inc, stated that after receiving rain and snow at the project site, the contractor decided to suspend work until the Spring.

Discussion was held on the low quote received from Wright Construction of TRF, Inc. for the Schirrick Dam Outlet Repair, RLWD Project No. 25. Administrator Jesme stated that Wright Construction of TRF, Inc. was not aware that fractured rock was required. Wright Construction of TRF, Inc. has rock available, but it will need to be fractured, therefore they are requesting an additional \$13,500 to fracture the rock. Discussion was held on Wright Construction of TRF, Inc.'s request and what steps are available to the Board considering the existing quote is not sufficient nor does it meet the rock specifications. Motion by Dwight, seconded by Page, to allow Wright Construction of TRF, Inc., to withdraw their quote due to the quote being insufficient due to rock specification not being met. Motion carried. Motion by Sorenson, seconded by Dwight to accept the next lowest quote from Quality Spray Foam/Anderson

Excavating in the amount of \$76,800.25, for the Schirrick Dam Outlet Repair, RLWD Project No. 25, contingent upon the review and approval by Legal Counsel Sparby, District Staff, and Project Engineer Tony Nordby, Houston Engineering, Inc., of the quote documents and materials. Motion carried.

Administrator Jesme stated that the District is holding a Cashier's Check from Quality Spray Foam/Anderson Excavating for the Thief River Streambank Stabilization Project, Thief River 1W1P, RLWD Project No. 149A. Jesme stated that the project is substantially completed, with the only work left being some minor seeding. The District is currently withholding a retainer on the pay estimate which will more than cover the cost of re-seeding. Motion by Ose, seconded by Anderson, to release the Cashier's Check from Quality Spray Foam/Anderson Excavating for the Thief River Streambank Stabilization Project, Thief River 1W1P, RLWD Project No. 149A. Motion carried.

The Board reviewed Pay Estimate No. 1 in the amount of \$238,269.50 to Davidson Construction, Inc. for the Pine Lake Outlet Structure Project, RLWD Project No. 26B. Engineer Nate Dalager, HDR Engineering, Inc., stated that the gates and steel for the walkway are on backorder. Dalager gave a presentation on the construction progress. Administrator Jesme questioned the size of the first culvert downstream of the outlet structure, stating that the Clearwater County Engineer feels the existing culvert may restrict flows downstream of the township road. Dalager indicated that this culvert along with various other culverts downstream will be reviewed and sized as part of Phase 2. Motion by Ose, seconded by Tiedemann, to approve Pay Estimate No. 1 in the amount of \$238,269.50, to Davidson Construction, Inc. for the Pine Lake Outlet Structure Project, RLWD Project No. 26B. Motion carried.

At 9:30 a.m., President Nelson called the final payment hearing for R.J. Zavoral & Sons, Inc., for the construction of the Thief River Falls Westside Flood Damage Reduction Project, RLWD Project No. 178 to order. 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 \$310,740.52. 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, a motion was made by Ose, seconded by Tiedemann, to close the final hearing. Motion carried. Motion by Page, seconded by Tiedemann, and carried unanimously, to approve the final payment to R.J. Zavoral and Sons, Inc. in the amount of \$310,740.52.

Administrator Jesme stated that at the October 14, 2021 Board of Managers' meeting the Board approved advertising the sale of 5.88 acres of property the District purchased for the Thief River Falls Westside FDR Project, RLWD Project No. 178. It was the consensus of the Board to notify adjacent landowners regarding the sale, advertise in the local paper and notify local realtors. Access to the property will need to be provided by the buyer. Motion by Sorenson, seconded by Tiedemann, to accept sealed bids until 8:30 a.m., December 23, 2021 at the Red Lake Watershed District office for the sale of 5.88 acres located in the NW1/4, Section 32, North Township, Pennington County, with the two highest bidders receiving a chance to raise their bids in \$1,000 increments. Motion carried.

Engineer Dillion Nelson, HDR Engineering, Inc. reviewed project construction on the Thief River Falls Oxbow Project, RLWD Project No. 46Q. Nelson informed the Board that work is substantially completed with minor site grading, seeding and the addition of a screw gate on the east structure to be completed. Two flap gates at the outlet, near the river were replaced. Water will be approximately 3-4 feet deep in the pond. Nelson presented a video on the operation of how the hydrodynamic separators work to remove debris and infiltration from the drain tile to help with water quality. The City of Thief River Falls will be responsible for debris removal from the hydrodynamic separator.

Staff member Nick Olson stated that the Little Pine Lake WMA Structure, RLWD Project No. 26A, is approximately 1.2 feet lower than it should be at for winter elevation and that the stop logs are not installed per operation agreement. Olson has tried to reach out to MnDNR staff responsible for operation of the structure, but they have not returned any calls at this point. Levels at Pine Lake, RLWD Project No. 35 are reaching winter elevations, with the boards being installed to 1282.5 by December 1st per the operating plan.

The Board reviewed a request from the Red Lake SWCD for the Weiss/Knott Grade Stabilization Project located in Sections 8 and 9, Lake Pleasant Township, Red Lake County. The total project construction cost is \$32,340.21, with the Red Lake SWCD requesting a cost share of \$4,885 from the District's 2021 Erosion Control Funds, RLWD Project No. 164. Motion by Page, seconded by Dwight, to approve a cost share request in the amount of \$4,885 for the Weiss/Knott Grade Stabilization Project from the District's 2021 Erosion Control Funds, RLWD Project No. 164. Motion carried.

The Board reviewed Pay Estimate No. 2 in the amount \$7,789.99 to Bertils Gravel for construction of the Larson Ring Dike, RLWD Project No. 129AV. Motion by Tiedemann, seconded by Ose, to approve Pay Estimate No. 2 in the amount \$7,789.99 to Bertils Gravel for construction of the Larson Ring Dike, RLWD Project No. 129AV. Motion carried.

The Board reviewed Pay Estimate No. 1 in the amount of \$21,292.16 to Trent Stanley for construction of the Nelson Ring Dike, RLWD Project No. 129AU. Staff member Nick Olson stated that ring dike is substantially completed, with placement of topsoil and seeding to be completed in 2022. Motion by Ose, seconded by Sorenson, to approve Pay Estimate No. 1 in the amount of \$21,292.16 to Trent Stanley for construction of the Nelson Ring Dike, RLWD Project No. 129AU. Motion carried.

Staff member Nick Olson requested the Board to increase the amount paid to individuals for the trapping of gophers. Currently the District is paying \$4.00 per gopher. Olson requested that the District pay \$5.00 per gopher. Trapping is completed within the right of way of legal drainage systems and impoundments under the jurisdiction of the District. Individuals interested in trapping, must have prior approval from District staff, and documentation from the township clerk as to the number of gophers collected. Motion by Page, seconded by Ose, to approve paying \$5.00 per gopher and that approval must be given by the District staff prior to trapping gophers on legal drainage systems or impoundments under the authority of the District. Motion carried.

The Board reviewed the permit for approval. Motion by Ose, seconded Page, to approve RLWD Permit No. 21179, Darwin Boutain, Reiner Township, Pennington, with conditions stated on then permit. Motion carried.

The Board reviewed a quote from DKT for the renewal of three seats of Civil 3D-Autocad in the amount of \$3,363.37. Motion by Sorenson, seconded by Anderson, to approve the renewal of three seats of Civil 3D-Autocad in the amount of \$3,363.37 from DKT. Motion carried.

The MAWD Annual Conference and Business meeting will be held virtually from December 1-3, 2021.

Manager Ose requested that the District change the January 13, 2022 Board meeting date, due to a scheduling conflict with the Red River Basin Commission meeting held January 11-13, 2022. Motion by Ose, seconded by Tiedemann, to change the January 13, 2022 Board meeting to January 10, 2022. Motion carried.

Staff member Nick Olson updated the Board on District impoundment elevations.

Administrators Update:

- Jesme attended the RRWMB virtually on November 16th, and Manager Ose attended in person. There will be a RRWMB Legislative meeting held at 10:00 a.m. on December 14th in Ada.
- Jesme participated in a 1W1P focus group webinar meeting hosted by the MN Department of Management and Budget.
- Jesme and Staff members Joppru and Audette met with staff from Brady Martz on November 18th on various steps in moving forward with QuickBooks Online.
- The MAWD Annual Conference will be held virtually on December 1-3, 2021.
- The MAWA Legislative Committee will be via zoom on December 10th at 11:00 a.m.
- The Clearwater River Planning Work Group will meet on December 15th at 1:00 p.m.
- The Red Lake River 1W1P Advisory Committee meeting will meet at 9:30 a.m. on December 15th, followed by a Policy Committee meeting at 11:00 a.m.
- Jesme will participate in giving a presentation on the Black River Project and the Pine Lake Project at the Red River Flood Damage Reduction Work Group meeting on December 8th in Grand Forks, ND.

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



LeRoy Ose, Secretary