

RED LAKE WATERSHED DISTRICT  
Board of Manager's Minutes  
August 11, 2022

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, Gene Tiedemann, Terry Sorenson, Allan Page, LeRoy Ose, and Tom Anderson. Absent: Brian Dwight 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.

David Myhrer requested to appear before the Board.

The Board reviewed the July 28, 2022, minutes. Motion by Tiedemann, seconded by Sorenson, to approve the July 28, 2022, Board meeting minutes. Motion carried.

The Board reviewed the Financial Report dated July 27, 2022. Motion by Sorenson, seconded by Ose, to approve the Financial Report dated July 27, 2022, as presented. Motion carried.

Motion by Anderson, seconded by Page, to approve the Letter of Credit from American Federal for increased securities. Motion carried.

David Myhrer, landowner, and Supervisor of East Valley Township appeared before the Board, in his individual capacity, to share his frustration concerning the spring flooding which occurred in the spring/summer of 2022 and the length of flooding in East Valley Township during the time. Mr. Myhrer stated that he felt the flooding was in part due to the lack of proper operation by the RLWD on the Elm Lake Project and that not enough stop logs were installed during the flood. Mr. Myhrer also indicated that State Ditch 83 should be cleaned out and that stop logs from a structure within Agassiz National Wildlife Refuge were dislodged and flowed downstream. Administrator Jesme stated that the stop logs on Elm Lake Structure are installed by Agassiz National Wildlife staff and during extreme flood events, at the direction of the District, are to be installed to the elevation of 941.0. Jesme indicated that the stop logs were installed to an elevation of 940.6, and after meeting with a local landowner, along with the review of the operating plan, additional logs were installed by Agassiz staff to the elevation of 941.0. It was also noted that the flood water at the time of the inspection was at or slightly above elevation of 943.0 which is 2 feet above the stop logs. LeRoy Ose, Manager representing Marshall County, indicated that this flood is the highest he had ever seen in his lifetime and felt that it was clearly not the District's fault. He also mentioned that he flew his airplane over Agassiz various times only to see water within the refuge overtopping all the roads and pools within the refuge. Mr. Ose said there was no operating plan of any dam within the refuge or Elm Lake that could have prevented this flood from happening. After considerable discussion concerning the flood of 2022, the Board thanked Mr. Myhrer for sharing his concerns.

Engineer Tony Nordby, Houston Engineering, Inc., stated that all the culverts washed out this spring on the diversion ditches of the Black River Impoundment, RLWD Project No. 176 are in place. The seeding subcontractor is trying to catch up behind R.J. Zavoral & Sons, Inc. who are presently removing sediment along the diversion channel parallel up to Highway 12. Nordby and Administrator Jesme met with R.J. Zavoral & Sons, Inc., regarding various punch list items as well as the need to repair the slopes on both sides of the diversion ditch along Highway 12. Jesme indicated that additional seeding would be required in these areas and will be added to the bid quantities. The Board reviewed Pay Estimate No. 17, in the amount of \$163,188.92. Motion by Ose, seconded by Page, to approved Pay Estimate No. 17, in the amount of \$163,188.92, to R.J. Zavoral & Sons, Inc., for construction of the Black River Impoundment, RLWD Project No. 176. Motion carried. Administrator Jesme noted that he has been working with staff from the Flood Damage Reduction Work Group and Minnesota Department of Natural Resources to create a video on the construction of impoundments.

The Board reviewed the Final Payment for the Thief River Streambank Stabilization Projects, RLWD Project No. 149A. Motion by Tiedemann, seconded by Sorenson, to approve the Final Payment in the amount of \$5,052.91, to Quality Spray Foam/Anderson Excavating for the Thief River Streambank Stabilization Projects, RLWD Project No. 149A. Motion carried.

The Board reviewed Pay Estimate No. 1, to Quality Spray Foam/Anderson Excavating for the Schirrick Dam Outlet Repair, RLWD Project No. 25 in the amount of \$88,406.04. Motion by Page, seconded by Tiedemann, to approve Pay Estimate No. 1 in the amount of \$88,406.04 to Quality Spray Foam/Anderson Excavating for the Schirrick Dam Outlet Repair, RLWD Project No. 25. Motion carried. Administrator Jesme noted that the Contractor was hired to complete additional hourly work removing debris and a sediment bar downstream of the project area and those bills were presented in the approved financial report.

Engineer Tony Nordby, Houston Engineering, Inc., stated that the substantial completion date for replacement of the Knutson Dam outlet structured was scheduled for August 12, 2022 with the final work to be completed by August 26<sup>th</sup>. Nordby stated that there have been issues with ordering the outlet structure as there was a communication breakdown between the contractor and True North Steel. The District did receive a letter from True North Steel indicating that Taggart Contracting, Inc., ordered the structure, but due to their staff turnover, the structure was not ordered. Nordby noted that True North Steel plans to manufacture the structure in mid-September and for it to be delivered the last week of September. Nordby stated that the District could push for liquidated damages but at a minimum should set a new final completion date. Motion by Ose, seconded by Page, to set the final completion date for replacement of the Knutson Dam Outlet Structure, RLWD Project No. 50F for Taggart Contracting, Inc., for 30 days from delivery of the outlet structure. Motion carried.

Administrator Jesme stated that the Moose River North Pool is at summer elevation, with the south pool 2.5 feet higher than summer elevation. Jesme noted that we were informed by Agassiz staff that someone cut the locks on Farnes Pool Structure and released water from the pool which is now 1 foot below the summer elevation.

The Board reviewed information from Red Lake County and Marshall County regarding updating their Multi-Hazard Mitigation Plans.

Staff member Tammy Audette stated that she will be attending a Federal Disaster Applicant Briefing meeting due to flooding earlier this spring.

Administrator Jesme updated that Board on a meeting he held with members from Bygland Township, Polk County, in the area of Ditch 12, RWLD Project No. 169. Discussion was held on recent flooding and the possibility of repair of township roads.

Administrative Jesme indicated that the new 2022 Ford F150 pickup that was ordered from Christian Brothers Ford, Inc., is in and available for pick-up this afternoon. Discussion was held on the sale of the 2011 Ford F150 XLT. Motion by Anderson, seconded by Page, to declare the vehicle as surplus property no longer needed by the Watershed District and to accept sealed bids until 9:30 a.m. on September 8, 2022 at the Red Lake Watershed District office, for the sale of the 2011 Ford F150 XLT. Motion carried.

Motion by Page, seconded by Anderson, to deny Permit No. 22035, Polar River Township, Red Lake County. Motion carried.

Motion by Page, seconded by Sorenson, to deny Permit No. 22125, Darrel Payment, Gervais Township, Red Lake County. Motion carried.

The Board reviewed the permits for approval. Motion by Ose, seconded by Sorenson, to approve the following permits with conditions stated on the permit: No. 22041, Curt Beyer, Louisville Township, Red Lake County; No. 22090, Pennington County Highway Department, Rocksbury Township, Pennington County; No. 22109, Rocksbury Township, Pennington County; No. 22114, Austin Knoll, Excel Township, Marshall County; No. 22129, Kurt Halvorson, Equality Township, Red Lake County; No. 22133 and 22134, Richard Salentiny, Mayfield Township, Pennington County; No. 22137 and 22138, River Falls Township, Pennington County; No. 22141, Duane Knott, Lake Pleasant Township, Red Lake County; No. 22147, Richard Yaggie, Gervais Township, Red Lake County; No. 22161, Randy Derosier, Terrebonne Township, Red Lake County; No. 22162, Red Lake Falls Township, Red Lake County; No. 22163, Minnesota Department of Transportation, Cormorant Township, Beltrami County; No. 22164, Minnesota Department of Transportation, Steenerson Township, Beltrami County; No. 22165, Lance Reitmeier, Fanny Township, Polk County; No. 22166, Earl Pederson, Emardville Township, Red Lake County; No. 22167, Lawrence Vettleson, Johnson Township, Polk County; No. 22168, Dan Stroot, Belguim Township, Polk County; No. 22169 and 22170, Mike Gasper, Nesbit Township, Polk County; No. 22171, Mike Gasper, Fanny Township, Polk County; No. 22172, Jay Giroto, Lambert Township, Red Lake County; No. 22173, Keystone Township, Polk County; No. 22186, Dave Ste. Marie, Terrebonne Township, Red Lake County; and No. 22190, Earl Pederson, Terrebonne Township, Red Lake County. Motion carried.

The Board reviewed the MAWD Strategic Plan.

Staff member Tammy Audette presented the draft 2021 Annual Report, for review by the Board.

Administrators Update:

- Jesme will attend the RRWMB meeting on August 16, 2022 via Teams, with Manager Ose participating in person.
- The Red Lake River 1W1P Planning Work Group met on August 8<sup>th</sup> to review the budget and project updates prior to the Policy Committee meeting on August 10<sup>th</sup>.
- Staff members Koland and Huseth attended a Joint Ditch 21 meeting at the Grygla Community Center on August 9<sup>th</sup>.

Administrator Jesme noted that the Policy Committee for the Red Lake River 1W1P, RLWD Project No. 149, approved submitting a request to BWSR to extend the 2020 Grant, which is set to expire December 2022.

Legal Counsel Sparby stated that he is working on gathering information for the preparation of the Notice of Appeal, for the Improvement to Polk County Ditch 39, RLWD Project No. 179. Sparby, Administrator Jesme, and Legal Counsel John Kolb will participate in a conference call this afternoon.

Motion by Sorenson, seconded by Page, to adjourn the meeting. Motion carried.



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LeRoy Ose, Secretary