

RED LAKE WATERSHED DISTRICT
Board of Manager's Minutes
August 25, 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, Brian Dwight, and Tom Anderson. Absent: Leroy Ose. Staff Present: Myron Jesme, Tammy Audette, and Legal Counsel, Delray Sparby.

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

The Board reviewed the August 11, 2022, minutes. Motion by Sorenson, seconded by Anderson, to approve the August 11, 2022, Board meeting minutes. Motion carried.

The Board reviewed the Financial Report dated August 24, 2022. Motion by Dwight, seconded by Sorenson, to approve the Financial Report dated August 24, 2022, as presented. Motion carried.

The Board reviewed a proposal from Brady Martz for professional audit services in the amount of \$10,400 for the year 2022; \$10,800 for 2023; and \$11,100 for 2024. Motion by Sorenson, seconded by Page, to approve the continuation of the yearly audit from Brady Martz for professional audit services in the amount of \$10,400 for the year 2022; \$10,800 for 2023; and \$11,100 for 2024. Motion carried.

Administrator Jesme reviewed the summary of costs for the Thief River Falls Westside Flood Damage Reduction Project, RLWD Project No. 178, stating that the District will need to certify the levy with Pennington County by September 15, 2022. Jesme indicated that the project has a remaining unallocated balance of \$137,843.71. As per the December 23, 2021 Board meeting, the Board made motion to pay up to \$1,850,000 toward the project cost and levy a future maintenance of \$100,000. Jesme felt for maintenance purposes, the District would not have to levy \$100,000 this year and that he felt a much smaller portion on a yearly basis would be more economical for the landowners. Jesme indicated that he would bring back a recommendation for a yearly levy to the Board at our next meeting held September 8th. This would give adequate timeline for Staff member Ann Joppru to complete the certification of Special Revenue by the September 15, 2022 deadline. After discussion by the Board, motion by Sorenson, seconded by Tiedemann, that the District would pay the remaining balance of \$137,843.71, from the District's Capital Project Fund for construction of the Thief River Falls Westside Flood Damage Reduction Project, RLWD Project No. 178. Motion carried.

At 9:15 a.m., President Nelson recessed the general meeting and called the 2023 General Fund Budget Hearing to order. President Nelson noted that the hearing was properly advertised and is on videotape and available for viewing at the RLWD office. The Board reviewed the proposed

General Fund Budget and opened the hearing for public comment. No public comment was received. Hearing no public comment, the hearing closed at 9:35 a.m. Motion by Dwight, seconded by Anderson, and passed by unanimous vote that the Board approve the following 2023 General Fund Budget in the amount of \$231,633.33,

	2023 BUDGET
Manager's fees and salaries	\$ 40,000.00
Board of managers' expense	24,200.00
Staff salaries	601,305.00
Payroll taxes	45,999.83
Employee benefits	160,166.00
Travel and meetings	7,500.00
Audit	9,450.00
Legal	16,000.00
Office supplies	20,000.00
Office equipment	30,000.00
Appraisers and Viewers	2,000.00
Professional services	25,000.00
Dues and subscriptions	10,000.00
Insurance and bonds	45,000.00
Repairs and maintenance-building	15,000.00
Utilities	12,000.00
Advertising and publications	4,000.00
Telephone	11,000.00
Vehicle expense & maintenance	15,000.00
Engineering supplies	3,000.00
Engineering equipment	<u>40,000.00</u>
TOTAL	\$1,136,620.83
LESS: ESTIMATED OVERHEAD	(901,957.50)
LESS: MISCELLANEOUS REVENUE	<u>(3,000.00)</u>
2023 GENERAL FUND BUDGET	\$ 231,663.33

Motion by Dwight and second by Anderson and passed by unanimous vote to set the general levy at \$200,000 and to use the General Fund Budget reserve to offset the remaining budget balance of \$31,663.33.

Administrator Jesme informed the Board, that while advertising the sale of the 2011 F150 pickup, someone attempted to steal the catalytic converter from the vehicle but were unsuccessful. Cost to repair the damage was \$80. The local police department was informed of the incident.

Engineer Tony Nordby, Houston Engineering, Inc., stated that the seeding contractor on the Black River Impoundment, RLWD Project No. 176, is wrapping up the finishing work. Graveling of all township and county roads was completed on Tuesday of this week. The access road to the outlet structure is complete. R.J. Zavoral & Sons, Inc., will need to come back and wrap up a few minor items.

Administrator Jesme indicated that water levels on the Thief River are coming down, therefore District staff have been able to look at some potential project areas for the Thief River 1W1P, RLWD Project No. 149A. The 2020 Thief River 1W1P Grant is set to expire the end of this year. The Policy Committee will ask for an extension of the grant due to high water levels in the area.

Manager Dwight indicated that the Upper/Lower Red Lake 1W1P is on today's BWSR meeting agenda for approval.

The final payment hearing for Davidson Construction, Inc. for the Pine Lake Outlet Structure Project, RLWD Project No. 26B, was called to order at 9:30 a.m. Engineer, Dillion Nelson, HDR Engineering, Inc., stated that Davidson Construction, Inc., has completed all construction in the final amount of \$17,358.10. Nelson indicated that Davidson Construction, Inc., has provided a 10-year warranty on the concrete for the outlet structure. No public comment was received. Motion by Anderson, seconded by Tiedemann to close the hearing. Motion carried. Motion by Sorenson, seconded Anderson, to approve the final payment to Davidson Construction, Inc. in the amount of \$17,358.10 for the Pine Lake Outlet Structure Project, RLWD Project No. 26B. Motion carried. Jesme indicated that the RRWMB approved the Step 3 Submittal for Pine Lake Outlet Structure in the amount of \$837,500.00.

The Board reviewed the following funding requests from the Red Lake SWCD from the District's Erosion Control Funds, RLWD Project No. 164.

The Board reviewed a funding request from the Red Lake SWCD for six Grade Stabilization Projects. The request includes a total cost share of \$23,600 from the District's 2022 Erosion Control Funds, RLWD Project No. 164. President Nelson discussed concerns that landowner David Ulrich had with the design of the outlet structure. The Board instructed Engineer Tony Nordby, Houston Engineering, Inc., to have a discussion with Mr. Ulrich regarding his concerns. Motion by Tiedemann, seconded by Dwight, to approve cost share requests in the amount of \$1,000 for the Dave SteMarie Project, located in Section 35, Gervais Township; \$1,800 for the Dave SteMarie Project, located in Section 2, Terrebonne Township; \$1,800 for the Thronson/Versadahl Project, located in Section 8, Gervais Township; \$7,000 for the Gary Purath Project, located in Section 15, Lake Pleasant Township; \$10,000 for the Ulrich/Red Lake County Ditch 62 Project, located in River/Gervais Township; and \$2,000 for the Michael Seeger Project, located in Section 21, Red Lake Falls Township, from the District's 2022 Erosion Control Funds, RLWD Project No. 164. Motion carried.

At 9:45 a.m., President Dale M. Nelson recessed the general meeting and called the hearing to order for the Petition for Inclusion into the Thief River Westside Flood Damage Reduction

Project-Water Management District, RLWD Project No. 176 submitted by Kyle and Misty Mehrkens. Staff member Tony Olson presented information in regard to the proposed property to be included into the benefitted area of Water Management District of the Thief River Falls Westside Flood Damage Reduction Project, discussing the statutory factors to be considered by the Board. Engineer Nate Dalager, HDR Engineering, Inc., stated that in his findings, inclusion of the property will cause no adverse effects to the hydraulic capacity of the project as the area to be added is in the early stages of the project thus will be in the Red Lake River before the larger drainage area arrives. After entertaining questions from the Board, and receiving comments from the public, the hearing was closed. Motion by Dwight, seconded by Tiedemann, that based on the Engineers' Recommendations of no adverse downstream effects, sufficient capacity and adequate outlet with the addition of the petitioned for real property and pending the determination and payment of contingent costs billed to the landowner for petition proceedings, outlet fee and determination of benefits for future maintenance, for the Thief River Westside Flood Damage Reduction Project-Water Management District, RLWD Project No. 176, that the petitioned properties to be included into the Thief River Westside Flood Damage Reduction Project-Water Management District, RLWD Project No. 176 be allowed. Motion carried. Motion by Sorenson, seconded by Anderson, to approve RLWD Permit No. 22097, Kyle Mehrkens, Rocksbury Township, Pennington County. Motion carried.

Engineer, Nate Dalager, HDR Engineering, Inc., and Wayne Johnson, City of Thief River Falls, appeared before the Board for discussion on the Chief's Coulee Project, which enters into the City of Thief River Falls north along State Highway 32, and travels south through the city out letting into the Red Lake River near Red Robe Park, and across from the local swimming beach. The Board of Managers at their January 10, 2022 Board meeting, approved supporting the City of Thief River Falls with water quality assistance for the proposed project. Dalager stated that Peter Nelson, Pennington SWCD and Staff member Corey Hanson submitted a grant application to BWSR for potential funding. In 2018, Nelson created a water quality assessment for areas of concern, noting various sites. The Thief River Oxbow, several streambank stabilizations projects and Chief's Coulee Project were all on the list. Johnson stated now that the Thief River Oxbow Project is completed, and the streambank stabilization projects have begun, Chief's Coulee is next on the list for review. Johnson stated that there is a lot of contamination within this area due to the various land uses, further noting that he has been working with several of the landowners within the project area. Various alternatives have been looked, with the estimated cost around \$1.8 million. Dalager stated that the project was submitted to the City of Thief River Falls Council and they are now seeking support for the administrative portion of the project from the District. Motion by Page, seconded by Tiedemann, to approve the District as the Fiscal Agent of the project as funding becomes available and to assist in the administration of the project as it proceeds through the development stages. Motion carried.

The hearing for the Clearwater River 1W1P will be held at 9:00 a.m. on August 31, 2022 at the Clearwater County Courthouse in Bagley, MN.

The Board reviewed Grand Marais Creek Channel Restoration, RLWD Project No. 60F, RIM Inspection Report prepared by Staff member Christina Slowinski. Manager Dwight commented on his knowledge of the RIM acres on the project and his satisfaction with the report. Motion by

Dwight, seconded by Page, to approve the Grand Marais Creek Channel Restoration, RLWD Project No. 60F, RIM Inspection Report. Motion carried.

Administrator Jesme reported that the contractor for the bank stabilization project near Greenwood Street Bridge requested reduced flows for the Red Lake River for approximately one week, due to a bank stabilization project within the city limits. District staff coordinated lowering outflows at Moose River to allow Agassiz NWR to temporarily lower their outflows.

The Board reviewed a ring dike request from Robert Fladeland located west of the City of St. Hilaire. Motion by Page, seconded by Tiedemann, to proceed with the Robert Fladeland Ring Dike, RLWD Project No. 129AX. Motion carried.

The Board reviewed Permit No. 22203, Darwin Boutain, Hickory Township, Pennington County. Staff member Tony Olson and Administrator Jesme discussed concerns from the Pennington SWCD regarding the proposed work and that there is not a valid permit for the work that already had started. Motion by Dwight, seconded by Sorenson, to approve RLWD Permit No. 22203, Darwin Boutain, Hickory Township, Pennington County, with the condition that all local, state, and federal permitting requirements be met and that a violation letter for an after the fact permit in accordance with the District rules be issued to the landowner. Motion carried.

Motion by Anderson, seconded by Sorenson, to table RLWD Permit No. 22030, Steve Svendsen, Equality Township, Red Lake County. Motion carried.

The Board reviewed the permits for approval. Motion by Dwight, seconded by Anderson to approve the following permits with conditions stated on the permit: No. 22174 and 22175, Pennington County Highway Department, Wyandotte Township, Pennington County; No. 22176, Pennington County Highway Department, Smiley Township, Pennington County; No. 22177 and 22178, Pennington County Highway Department, Kratka Township, Pennington County; No. 22179, 22180 and 22181, Pennington County Highway Department, Highlanding Township, Pennington County; No. 22182, Pennington County Highway Department, Bray Township, Pennington County; No. 22184, Red Lake County Highway Department, Red Lake Falls Township, Red Lake County; No. 22185, KAM Farmland Holdings GP, Badger Township, Polk County; No. 22187, Randy Weiss, Lake Pleasant Township, Red Lake County; No. 22188, Pennington County Highway Department, Deer Park Township, Pennington County; No. 22189, Pennington County Highway Department, Smiley Township, Pennington County; and No. 22192, John Giese, Keystone Township, Polk County. Motion carried. Manager Dwight encouraged adding the condition that all local, state, and federal permitting requirements be met to the permitting conditions.

Administrator Jesme stated that MAWD requested all watershed districts to review the MAWD Strategic Plan and either send responses on behalf of the Board, or approval of the document by the Board. Motion by Sorenson, seconded by Tiedemann, to approve the MAWD Strategic Plan as submitted. Motion carried.

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Administrator Jesme stated that he participated in a portion of the 2022 Red River Basin Partners Summer Tour in Grand Forks.

Legal Counsel Sparby stated that the Notice of Appeal was filed in the Improvement to Polk County Ditch 39, RLWD Project No. 179. The RRWMB and MAWD both approved having Attorney Lois Smith request to be allowed to file an Amicus Brief in support of the District's position.

Manager Dwight stated that Manager Ose spoke to Jan Voight, MAWD, noting that Dwight and Robyn Dwight, President of the Upper Red Lake Area Association, will present the "Keep It Clean Campaign at the MAWD Annual Meeting later this year.

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

A handwritten signature in blue ink that reads "LeRoy Ose". The signature is written in a cursive style with a horizontal line underneath the name.

LeRoy Ose, Secretary