

RED LAKE WATERSHED DISTRICT

March 24, 2022

9:00 a.m.

Agenda

9:00 a.m.	Call to Order	Action
	Review and approve agenda	Action
	Requests to appear	Information
	March 10, 2022 Minutes	Action
	Financial Report dated March 23, 2022	Action
	Personnel Policy and Procedures - Revisions	Info./Action
	Snow Survey and NWS Outlook	Information
	Impoundment Update	Information
	Knutson Dam, RLWD Project No. 60F-Red Lake SWCD Contract	Info./Action
	Improvement to Polk County Ditch 39, RLWD Project No. 179 Stipulation of Facts	Information
	Permit No. 21121, Gary Roisland	Action
	Permits: No. 22013 and 22017	Action
	Job Posting	Information
	RLWD Advisory Committee Members Robin Dwight, Les Torgerson, Dan Stenseng	Info./Action
	Administrators Update	Information
	Legal Counsel Update	Information
	Managers' updates	Information
	Adjourn	Action

UPCOMING MEETINGS

March 24, 2022	Upper/Lower Red Lake 1W1P, 1:00 p.m. location TBD
April 1, 2022	County Ditch 1, Clearwater County, Proj. 103 Landowner Meeting, 10:00 a.m.
April 13, 2022	Red Lake River 1W1P-Policy Committee Meeting, 9:30 a.m.-RLWD office
April 14, 2022	RLWD Board Meeting, 9:00 a.m.
April 28, 2022	RLWD Board Meeting, 9:00 a.m.

DRAFT

RED LAKE WATERSHED DISTRICT
Board of Manager's Minutes
March 10, 2022

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

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

The Board reviewed the February 24, 2022, minutes. Motion by Anderson, seconded by Page, to approve the February 24, 2022, Board meeting minutes as presented. Motion carried.

The Board reviewed the Financial Report dated March 9, 2022. Motion by Sorenson, seconded by Dwight, to approve the Financial Report dated March 9, 2022, as presented. Motion carried.

Staff member, Ann Joppru, updated the Board on the District's accounting package and additional costs due to formatting of Quick Books Online Payroll and General Ledger reports. Joppru indicated that she feels we are progressing well with the new program but added we still need about 10-20 additional hours to complete the reporting forms. Joppru estimated the cost for additional reporting will be about \$3,500. Motion by Dwight, seconded by Anderson, to approve the additional costs for set-up and training for the District's accounting package. Motion carried.

Engineer Tony Nordby, Houston Engineering, Inc., presented the Plans and Specifications for the Knutson Dam Structure Replacement, RLWD Project No. 50F. The District was informed that the Red Lake County SWCD secured funding for approximately 75% of the construction costs through BWSR Clean Water Fund competitive grants from 2020 and 2021. It was also noted that since there are State dollars being used for the construction, Prevailing Wages will be required in construction of the project. Nordby recommended beginning advertising next week, with a bid opening scheduled for April 14, 2022 at 9:30 a.m. Nordby mentioned that we have worked closely with the MnDNR on the permit, which is presently in the comment period. One recommended change by MnDNR Dam Safety is to replace the existing 2:1 slope of the levee with a 3:1 slope for safety and maintenance purposes. Motion by Ose, seconded by Page, to approve the Plans and Specifications for the Knutson Dam Structure Replacement, RLWD Project No. 50F, and schedule the Bid Opening for 9:30 a.m., on April 14, 2022 at the District office. Motion carried.

Administrator Jesme stated that the buyer for the property the District is selling on the Thief River Falls Westside FDR Project, RLWD Project No. 178, Tango TNE LLC, has requested that the District complete a Certificate of Survey prior to the purchase of the property. Jesme contacted Pribula Engineering, who will be able to complete the survey within the next couple of

weeks. Motion by Sorenson, seconded by Page, to authorize Administrator Jesme to hire Pribula Engineering, to complete a Certificate of Survey for the property being sold on the Thief River Falls Westside FDR Project, RLWD Project No. 178. Motion carried.

Administrator Jesme stated that the organizational meeting for the Upper/Lower Red Lake 1W1P has been scheduled for March 24, 2022 at 1:00 p.m. with the location TBD. Jesme indicated that the Board should appoint a delegate and alternate to the Policy Committee and assign a project number. Motion by Dwight, seconded by Sorenson, to appoint Manager Dwight as the Delegate, and Manager Anderson, as the Alternate, to the Upper/Lower Red Lake 1W1P Policy Committee and assign Project No. 149C, to the Upper Lower Red Lake 1W1P. Motion carried.

Motion by Ose, seconded by Sorenson, to table RLWD Permit No. 22012, Jerome Simmons, Russia Township, Polk County, as the proposed work is in a portion of the Burnham Creek, which is not currently in the District's Burnham Creek Project area, RLWD Project No. 43B, and is also located within a MnDNR Public Waters. Motion carried.

The Board reviewed the permits for approval. Motion by Ose, seconded by Page, to approve the following permits with conditions stated on the permit: No. 22010 and 22011, Elizabeth Barge, Russia Township, Polk County; and No. 22014, Polk County Highway Department, Kertsonville Township, Polk County. Motion carried.

Staff member Nick Olson updated the Board on the current snow survey and National Weather Service (NWS) outlook. Olson stated that presently there is on average 3-4" of moisture content in the snow. The NWS will present a new outlook this afternoon. Olson discussed purchasing an additional snow sampling tube at a cost of \$506.52. Manager Dwight stated that he would like to test the moisture content in the Upper/Lower Red Lake watershed area, which would require an additional snow sampling tube. Motion by Dwight, seconded by Page, to purchase a snow sampling tube from Performance Results Plus at a cost of \$506.52. Motion carried.

Discussion was held on the potential of District impoundment sites being utilized for a spring flood event. District staff will monitor the Black River Impoundment closely, as runoff begins.

Manager Tiedemann discussed the installation of a berm on the outlet of the Euclid East Project, RLWD Project No. 60C. Staff member N. Olson stated that this item will be completed this year.

The Board reviewed correspondence from BWSR, thanking Administrator Jesme for presenting at a BWSR "local implementer discussions" series hosted by BWSR.

Motion by Sorenson, seconded by Ose, to approve paying \$100.00 for the 2022 Minnesota Viewers' Association membership fees. Motion carried.

Staff member N. Olson presented quotes on the purchase of a generator to assist in operating gates on District impoundments. Motion by Dwight, seconded by Page, to authorize the purchase of a Honda generator at an approximate cost of \$1,129. Motion carried.

Staff member Audette stated that the District is in need of replacing office chairs and floor mats. Motion by Sorenson, seconded by Anderson, to approve purchase of new office chairs and floor mats at an approximate cost of \$3,280 - \$4,264. Motion carried.

Discussion was held on posting for Staff member N. Olson's position as he will be resigning in April. Administrator Jesme stated that after speaking with District staff, Jesme would like to post for a Ditch Inspector/Technician II position. After reviewing applicants and completing interviews, the District could then make a determination as to what direction we should go in rotating existing staff positions as needed. Motion by Page, seconded by Ose, to approve posting for a Ditch Inspector/Technician II position. Motion carried.

The District's Advisory Committee meeting is scheduled for March 21, 2022 at 9:30 a.m. at the District office. It was the consensus of the Board, to adjourn today's meeting to that date to allow for a quorum of the Board members to participate.

Administrators Update:

- Manager Ose will participate in the March 15th RRWMB meeting in Ada. Jesme will not participate as he will be enroute to the MAWD Legislative Breakfast. Included in the packet was the FDRWG meeting highlights from February 16, 2022.
- The District audit is being completed by Brady Martz, March 10-11th in the District office.
- Jesme and Manager Ose will participate in the BWSR Watershed Managers Training in Barnesville on March 14th. This meeting had been previously postponed due to inclement weather.
- An Upper/Lower Red Lake Watershed 1W1P organizational meeting will take place on March 24th at 1:00 p.m. Location TBD.
- The Mud River Project Work Team will be meeting on March 18th at 9:00 a.m. at the District office. Staff member Hanson will represent the District.
- A Red Lake River 1W1P PWG meeting was held on March 9th to discuss the 2022 grant update, financial and project updates, cost share policy and project tracking/program log.
- A Thief River Watershed 1W1P Policy Committee meeting was held on March 7th at the District office.
- Jesme and Manager Dwight attended the "Keep it Clean" kickoff meeting on March 1st in Waskish.
- Included in the packet was the 2022 MN Per Diem Rates.
- Jesme will be attending the MAWD Legislative Breakfast/Update March 16-17th.
- Jesme will be on vacation March 18-28th.

Legal Counsel Sparby stated he spoke with Attorney Mark Grainger regarding the Stipulation items due prior to the March 18th deadline.

Administrator Jesme discussed the landowner meeting for County Ditch 1, RLWD Project No. 103, scheduled for April 1st at 10:00 a.m. at the Gonvick Community Center. Jesme discussed

Red Lake Watershed District

March 10, 2022

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legal clarification as to what conversations we can have with the landowners. It was the consensus of the Board, to have Legal Counsel Sparby review the information and report back to the Board.

Manager Dwight updated the Board on the “Keep It Clean” meeting he and Administrator Jesme participated in. Dwight discussed the Outdoor News Publication regarding the project.

Manager Anderson stated that he will be participating in the March 23, 2022, Clearwater River 1W1P meeting.

Motion by Ose, seconded by Sorenson, to adjourn the meeting to the District’s Advisory Committee meeting to be held at the District office at 9:30 a.m. on March 21, 2022. Motion carried.

LeRoy Ose, Secretary

RED LAKE WATERSHED DISTRICT
Board of Manager's Minutes
March 21, 2022
9:30 a.m.

Present were: Managers LeRoy Ose, Allan Page, Terry Sorenson, Gene Tiedemann and Brian Dwight. Absent: Dale M. Nelson and Tom Anderson. Staff present: Nick Olson, Tammy Audette, Christina Slowinski, Corey Hanson, and Tony Olson.

Vice President Gene Tiedemann called the Red Lake Watershed District Board Meeting to order at 9:30 a.m., to allow the Board to participate in the RLWD Advisory Committee meeting.

After the RLWD Advisory Committee meeting concluded, a motion was made by Sorenson, seconded by Page, to adjourn the meeting. Motion carried.

LeRoy Ose, Secretary

RED LAKE WATERSHED DISTRICT
Financial Report for March 24, 2022

Ck#	Check Issued to:	Description	Amount
online	EFTPS	Withholding FICA, Fed & Medicare (3-16-22 payroll)	4342.57
online	MN Department of Revenue	Withholding taxes (3-16-22 payroll)	781.71
online	Further	Employee HSA (3-16-22 payroll)	215.00
online	Public Employees Retirement Assn.	PERA (3-16-22 payroll)	2823.75
online	EFTPS	Withholding FICA, Fed & Medicare (3-9-22 payroll)	320.96
online	MN Department of Revenue	Withholding taxes (3-9-22 payroll)	67.88
40071	Evergreen Catering	Lunch for Advisory Meeting	442.89
40072	Brault Construction	Cut off end of culvert & install flap gate Proj #175	300.00
40073	Corporate Technologies	Managed IT services and MS office 365	1472.50
40074	Curt Beyer	Mileage - advisory board meeting	23.40
40075	Daniel J Schmitz	Mileage - advisory board meeting	24.57
40076	David Dalager	Mileage - advisory board meeting	60.84
40077	Elroy Aune	Mileage - advisory board meeting	53.82
40078	Gary Anderson	Mileage - proj #180C	46.80
40079	Greg Hilgeman	Mileage - advisory board meeting	29.25
40080	Gregory Dyrdal	Mileage - advisory board meeting	9.36
40081	HDR Inc.	** See below for details	7082.24
40082	Houston Engineering Inc.	*** See below for details	11353.00
40083	James Sparby	Mileage - proj #180C and advisory board meeting	93.60
40084	Jessica Vetteson	Office cleaning	240.00
40085	John Gunvalson	Mileage - advisory board meeting	64.35
40086	John Ungerecht	Mileage - advisory board meeting	134.38
40087	Lyle Nelson	Mileage - proj #180C	46.80
40088	Marco	M-files adjustments for Ann	67.50
40089	Mark Larson	Mileage - advisory board meeting	70.20
40090	Minnesota Viewers Association	2022 membership dues	100.00
40091	NCPERS Group Life Insurance	Life insurance	128.00
40092	Pitney Bowes	Postage meter rent	84.00
40093	Purchase Power	Postage for postage machine	91.02
40094	Ralph Rundell	Mileage - proj #180C	46.80
40095	Richard Martell	Mileage - advisory board meeting	36.27
40096	Rinke-Noonan	Legal Fees proj #179	790.00
40097	Roger Love	Mileage - advisory board meeting	51.48
40098	Steve Linder	Mileage - advisory board meeting	29.95
40099	Steven Holte	Mileage - proj #180C and advisory board meeting	81.90
40100	Sun Life Financial	Life insurance	147.84
40101	Thief River Falls Times	One year subscription	46.00
online	City of Thief River Falls	Office utilities	1107.72
online	Cardmember Services	* See below for details	1485.74
online	Christina Slowinski	Mileage expense	23.99
online	PureWater Technology	H2O for office	38.00
online	Further	Admin Fee for HSA/FSA	11.00
online	Quick Books	Monthly fee	321.00
online	Dale Nelson	Mileage expense	101.21
online	Tom Anderson	Mileage expense	301.86
	Staff & Board Payroll	3/16/2021 & 3/23/22	15,738.74
	Total Checks		\$ 50,929.89

*** Cardmember Services**

Walmart - Office supplies	87.01
2022 MAWD Event Fee - Jesme & Tiec	200.00
Forestry Supplies Proj #168A	855.22
MN Dept of NR - Water Permit #50F	300.00
Meal Expense Proj #92	<u>43.51</u>
Total	1,485.74

**** HDR Engineering, Inc.**

Proj. 178 Westside FDR	1,709.49
Proj. 26B Pine Lake FDR	3,594.26
Proj. 180C Mud River Restoration	<u>1,778.49</u>
Total	7,082.24

***** Houston Engineering, Inc.**

Proj. 50F Knutson Dam Structure	7,039.00
Proj. 176 Black River Impoundment	<u>4,314.00</u>
Total	11,353.00

Banking

Northern State Bank

Balance as of March 10, 2022	\$ 264,362.47
Total Checks Written	(50,929.89)
Receipt #22410	
Balance as of March 24, 2022	<u>\$ 213,432.58</u>
Current interest rate is .20%	

American Federal Bank-Fosston

Balance as of March 10, 2022	\$ 4,056,344.27
Receipt #224105 Red Lake County - Delinq Taxes	\$ 221.98
Receipt #224106 Red Lake County - Delinq Taxes	\$ 761.65
Receipt #224107 Tango TNE LLC - Earnest money for Westside land proj #178	\$ 2,000.00
Balance as of March 24, 2022	<u>\$ 4,059,327.90</u>
Current interest rate is .50%	

Total Cash \$ 4,272,760.48

3. Part-time Employee: A part-time employee is a person required to work an average of 60% of full-time for a period of at least nine (9) months during a one year period. A part-time employee who has worked six (6) months shall be entitled to fringe benefits of vacation, sick leave, and holidays based on the percentage of hours worked per pay period. Sick leave, vacations, and holidays for part-time personnel will be based on the full-time schedule and become effective on January 1, 1990.

D. PAYROLL SCHEDULE

~~1. Time is entered by employee into Quick Books Time Management via computer. Time entry and descriptions are due each Friday by end of day. Time is approved by Administrator. Accounting Officer will process and pay employees via Direct Deposit on a bi-weekly basis. Approved bi-weekly time sheets must be submitted to the accounting office on the Monday following the ending pay period for all full-time employees. Checks will be distributed at the end of the work day on Tuesday following the ending of the pay period.~~

~~2.1. Written authorization must be given by the employee if the paycheck is to be given or mailed to anyone other than him/herself.~~

3.2. Salary deductions will conform to federal, state and local requirements. Deductions beyond these may be made at the written direction of the employee.

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E. EMPLOYEE FRINGE BENEFITS

1. Holidays:

- a. The following holidays shall be paid holidays:

New Year's Day	January 1
Martin Luther King Day	3 rd Monday in January
President's Day	3 rd Monday in February
Memorial Day	last Monday in May
Juneteenth	June 19
Independence Day	July 4
Labor Day	1 st Monday in September
Columbus Day	2 nd Monday in October <u>or</u> Friday after Thanksgiving
Veteran's Day	November 11
Thanksgiving Day	4 th Thursday in November
Christmas Day	December 25

- b. When the legal holiday falls on Saturday or Sunday, the day preceding the Saturday holiday or the day following the Sunday holiday shall be considered the legal day off.
- c. Part-time staff who works an average of 60% of full-time for a period of at least nine (9) months during a one-year period shall be entitled to holiday pay based on the percentage of hours worked per pay period.

RED LAKE WATERSHED DISTRICT

SNOW SURVEY - AS OF March 14, 2022

AVG. DEPTH - 20.84"

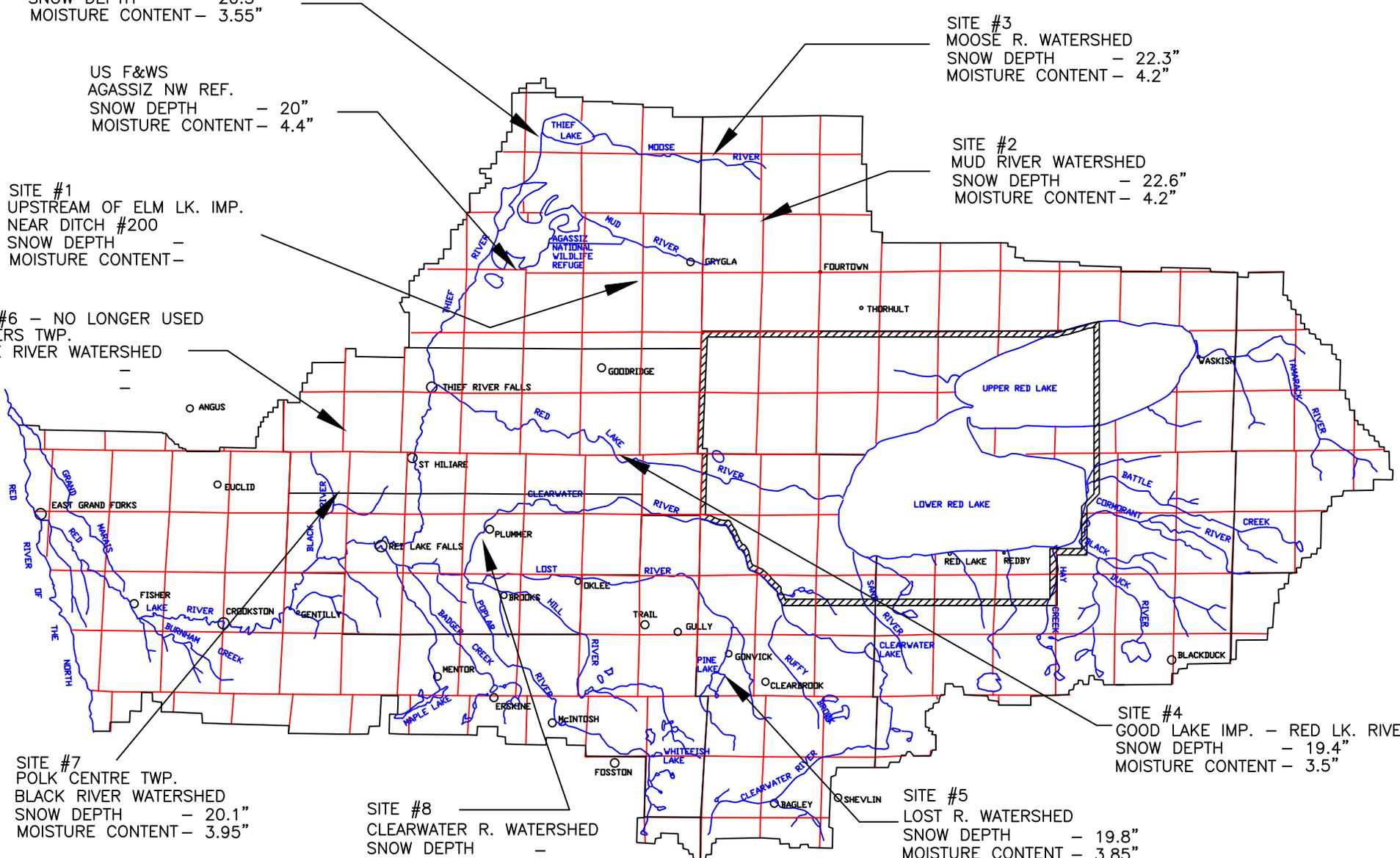
AVG. MOISTURE CONTENT - 3.94"

MnDNR
THIEF LAKE WMA
SNOW DEPTH - 20.5"
MOISTURE CONTENT - 3.55"

US F&WS
AGASSIZ NW REF.
SNOW DEPTH - 20"
MOISTURE CONTENT - 4.4"

SITE #1
UPSTREAM OF ELM LK. IMP.
NEAR DITCH #200
SNOW DEPTH -
MOISTURE CONTENT -

SITE #6 - NO LONGER USED
SANDERS TWP.
BLACK RIVER WATERSHED
-
-



SITE #3
MOOSE R. WATERSHED
SNOW DEPTH - 22.3"
MOISTURE CONTENT - 4.2"

SITE #2
MUD RIVER WATERSHED
SNOW DEPTH - 22.6"
MOISTURE CONTENT - 4.2"

SITE #4
GOOD LAKE IMP. - RED LK. RIVER
SNOW DEPTH - 19.4"
MOISTURE CONTENT - 3.5"

SITE #7
POLK CENTRE TWP.
BLACK RIVER WATERSHED
SNOW DEPTH - 20.1"
MOISTURE CONTENT - 3.95"

SITE #8
CLEARWATER R. WATERSHED
SNOW DEPTH -
MOISTURE CONTENT -

SITE #5
LOST R. WATERSHED
SNOW DEPTH - 19.8"
MOISTURE CONTENT - 3.85"

PERCENT BASED CONSERVATION PRACTICE ASSISTANCE CONTRACT

General Information

Organization Red Lake County SWCD	Contract Number 2020 & 2021 BWSR CWF # 2022 - 1	Other state or non-state funds? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Amendment <input type="checkbox"/> Board meeting date(s):	Canceled <input type="checkbox"/> Board meeting date:
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*If contract amended, attach amendment form(s) to this contract.

Applicant

Land Occupier Name Red Lake Watershed District	Address 1000 Pennington Avenue South	City/State Thief River Falls / MN	Zip code 56701
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* If a group contract, this must be filed and signed by the group spokesperson as designated in the group agreement and the group agreement attached to this form.

Conservation Practice Location

Township Name Red Lake Falls	Township 151N	Range 44W	Section 35	1/4,1/4
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Contract Information

I (we), the undersigned, do hereby request cost share assistance to help defray the cost of installing the following practice(s) listed on the second page of this contract. It is understood that:

1. The land occupier is responsible for full establishment, operation, and maintenance of practice(s) and upland treatment criteria applied under this program to ensure that the conservation objectives are met and the effective life, a **minimum of 10 years**, is achieved. The specific operation and maintenance requirements for the conservation practice(s) listed are described in the Operation and Maintenance Plan prepared for this contract by the technical assistance provider.
2. Should the land occupier fail to maintain the practice(s) during the effective life, the land occupier is liable to the organization for up to 150% of the amount of financial assistance received to install and establish the practice(s) unless the failure was caused by reasons beyond the land occupier's control, or if conservation practices are applied at the land occupier's expense that provide equivalent protection of the soil and water resources.
3. If title to this land is transferred to another party before expiration of the aforementioned effective life, it shall be the responsibility of the landowner who signed this contract to advise the new owner that this contract is in force and to notify other parties to the contract of the transfer.
4. Practice(s) must be planned and installed in accordance with technical standards and specifications of the: **NRCS Field Office Technical Guide (FOTG)**.
5. Increases in the practice(s) units or cost must be approved by the organization board through amendment of this contract as a condition to increase the cost-share payments.
6. This contract, when approved by the organization board, will remain in effect unless canceled or amended by mutual agreement. If the practice(s) covered by this contract have not been installed by **12/31/2022** (date), this contract will be automatically terminated on that date.
7. Items of cost for which reimbursement is claimed are to be supported by invoices/receipts for payments and will be verified by the organization board as practical and reasonable. The invoices/receipts must include: the name of the vendor; the materials, labor or equipment used; the component unit costs; and the date(s) the work was performed. The organization board has the authority to make adjustments to the costs submitted for reimbursement. Pre-Construction Cover is exempt from having the required invoices /receipts. Reimbursement requests must also be supported by a completed Percent Based Voucher Form.

Applicant Signatures

The land occupier's signature indicates agreement to:

1. Grant the organization's representative(s) access to the parcel(s) where the conservation practice(s) will be located.

2. Obtain any permits required in conjunction with the installation and establishment of the practice(s) prior to starting construction of the practice(s).
3. Be responsible for the operation and maintenance of the conservation practice(s) applied under this program in accordance with an Operation and Maintenance Plan prepared by the technical assistance provider.
4. Not accept cost-share funds, from state sources in excess of **75** percent, or state and non-state sources that when combined are in excess of **100** percent of the total cost to establish the conservation practice(s). Pre-construction Cover is exempt from the percent reimbursement rate limitations when utilizing the Flat Rate Payment option.
5. Provide copies of all forms and contracts pertinent to any other state or non-state programs that are contributing funds toward this project.

Date	Land Occupier
Date	Landowner, if different from applicant Address, if different from applicant information:

Conservation Practice

The primary practice for which cost-share is requested is Grade Stabilization Structure.

Practice standard(s) or eligible component(s) 410	Engineered Practice (<input checked="" type="checkbox"/> yes or <input type="checkbox"/> no) Ecological practice (<input checked="" type="checkbox"/> yes or <input type="checkbox"/> no)	Total Project Cost Estimate 175,000.00
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Technical Assessment and Cost Estimate

I have the appropriate technical expertise and have reviewed the site where the above-listed practice(s) will be installed and deem the practice(s) needed and that the estimated quantities and costs are practical and reasonable.

Date	Technical Assistance Provider
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Pre-Construction Cover

Allowed when temporary cover is necessary for future installation of structural conservation practices. A Flat Rate Payment of up to \$150 per acre, not to exceed 10 acres, is allowed as part of a State Cost-Share contract for the installation of structural practice(s).

Amount / Acre (NTE \$150/acre)	Number of Acres (NTE 10 Acres)	Total Amount

Amount Authorized for Financial Assistance

The organization board has authorized the following for financial assistance: total not to exceed **75** percent of the total cost to establish the conservation practice plus the pre-construction cover total amount if utilizing the Flat Rate Payment option.

Board Meeting Date	Authorized Signature	Total Amount Authorized \$ 131,250.00
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STATE OF MINNESOTA

IN DISTRICT COURT

COUNTY OF POLK

NINTH JUDICIAL DISTRICT
CIVIL DIVISION

Keystone Township;
Owen Peterson,
Lamont Peterson,
Curt Vanek,
Mark and Charlene Holy,
John Giese,
James Pulkrabek,
Peter Giese
J-P, Inc.,
David Straus,
Dan and Donna Driscoll,
Tim Kozel,
Peter Ciekliniski,
Tom Kozel,
Curtis Amundson,
Suzie Larson,
Tami Neilson,
Donna Driscoll,
Stanley Hotvedt,
Norma Lacano Hotvedt,
Charles Hotvedt,
Marvin Zak,
Dorothy and Robert Jerik, and
Brad Owens,

Appellants

v.

Red Lake Watershed District,
Appellee.

TRIAL COURT CASE NO.: 60-CV-20-1387

STIPULATED FACTS

The parties hereto, through their respective counsel of record, hereby agree and stipulate to the following facts.

1. Prior to the filing of the petition (and bond) to improve CD 39 with the Red Lake Watershed District Board of Managers, CD 39 was under the jurisdiction of Polk County and the Polk County Board of Commissioners was the Drainage Authority for CD 39.
2. Polk County Ditch (CD) 39 is located entirely within Polk County.
3. The petition for improvement of CD 39 in the current appeal was filed with the Red Lake Watershed District Board of Managers.
4. Polk County has never ordered the transfer of CD 39 to the Watershed District.
5. Polk County did not order the improvement of CD 39 that is currently under appeal.
6. The petition for improvement of CD 39 was never filed with the Polk County Auditor.
7. The proposed project passes over a portion of Polk County parcel number 66.00088.02. County records indicate that this parcel is owned by Ms. Alecia Helms at address 43255 120th ST SW, East Grand Forks, MN 56721. The owner of parcel number 66.00088.02 was not provided notice of the petition along with the other owners along CD 39.
8. Landowners in the benefited area of Polk County Ditch (CD) 66 were not given notice of the subject Petition at the time of filing.
9. Approximately 8.1% of the total benefits of the subject improvement will be assessed against CD 66. Accordingly, CD 66 will be assessed 8.1% of the cost of the subject improvement. If the costs of the subject improvement are as estimated, CD 66 would be assessed \$170,184.40.
10. Landowners of properties within the benefited area of CD 66 were provided a copy of a notice of the final hearing.
11. The notice of the final hearing was not dated, but it was postmarked on July 10, 2020. The stated hearing date was July 24, 2020.
12. The Watershed District accepted the viewers' report and the final engineer's report on January 23, 2020. The RLWD Board held the final hearing for the improvement on appeal herein on July 24, 2020.
13. An "Appraisers Report" in the proceedings was accepted by the Board of Managers on January 23, 2020. The Report was completed by the same individuals appointed by the Board of Managers. The individuals appointed by the Board are not licensed real estate appraisers in the State of Minnesota pursuant to statutes chapter 82B.

14. Watershed District Manager Gene Tiedeman owns property within the benefitted area of Polk County Ditch 66. During Board discussion following public comment at the Final Hearing, Mr. Tiedeman stated, “One other comment. If I voted against this, I would have to recuse myself because this is going to cost me money. And I am paying benefits on ditch 2, and now I am going to be paying on 66, so, there you go.” Mr. Tiedeman did not recuse himself in the proceedings.
15. The subject Petition was never certified by the Polk County Auditor to the extent the term “certified” refers to the processes of Chapter 103E.
16. The subject Petition was never certified by the Polk County Attorney to the extent the term “certified” refers to the processes of Chapter 103E.
17. As to the improvement proceedings herein, the Polk County Auditor did not present the subject petition to the Polk County Board as described in Chapter 103E.
18. No bond was ever filed with the Polk County Auditor.
19. The Property Owners report was dated March 24, 2020. The affidavit of mailing of the Property Owners reports indicates they were mailed to the owners on March 25, 2020.
20. A Property Owners report was never mailed to the owners of property that lies within the benefitted area of CD 66.

[The Remainder of the Page is Deliberately Blank]

Dated: 3/22/2022

/s/ Mark A. Grainger
Mark A. Grainger #0389575
NEIL LAW FIRM, P.C.
418 Third Street NW
P.O. Box 477
East Grand Forks, MN 56721
(218) 773-0808
mark@egflaw.com
Attorney for Appellants

Dated: 3/22/2022

/s/ John C. Kolb
John C. Kolb #0268938
RINKE NOONAN
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jkolb@rinkenoonan.com
Attorney for Petitioner-Respondents

Dated: 3/22/2022

/s/ Delray L. Sparby
Delray L. Sparby #0183398
IHLE SPARBY & HAASE PA
312 Main Avenue North
P.O. Box 574
Thief River Falls, MN 56701
(218) 681-7373
dsparby@mncable.net
Attorney for Appellee



Permit # 21-121

Status Report: **Approved**

Applicant Information

Name	Organization	Address	Email	Phone Number(s)
Gary Roiland		11314 260th Avenue NE Thief River Falls, MN 56701		tel:218-964-5424 mobile: fax:

General Information

- (1) The proposed project is a:
Surface Drainage (New Ditch or Improvement)
- (2) Legal Description
- (3) County: **Pennington** Township: **Kratka** Range: **41** Section: **27 1/4**:
- (4) Describe in detail the work to be performed. **Clean north road ditch (County Road 57), remove dry crossing and install culvert.**
- (5) Why is this work necessary? Explain water related issue/problem being solved. **Improved drainage.**

Status

Status	Notes	Date
Approved		March 18, 2022
Tabled		Sept. 21, 2021
Received	None	Aug. 2, 2021

Conditions

Red Lake Watershed District (RLWD) approval to remove the westerly & easterly dry-crossings and install an 18" diameter culvert in those two locations, as per approval of Pennington County Highway Department; permit is within CR#57 right of way. Applicant may also grade the ditch bottom. The center dry-crossing shall remain in place. Applicant shall ensure that all disturbed areas are seeded. Consideration should be had regarding installation of rock riprap with filter fabric at the outlet end of the culvert to prevent erosion. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166) N.J.O.

NOTE: This permit does not relieve the applicant of any requirements for other permits which may be necessary from Township, County, State, or Federal Government Agencies.



Permit # 22-013

Status Report: **Approved**

Applicant Information

Name	Organization	Address	Email	Phone Number(s)
	Pennington County Highway Department	250 125th Avenue NE Thief River Falls, MN 56701		tel:218-683-7017 mobile: fax:

General Information

(1) The proposed project is a:

Culvert Installation / Removal / Modification

(2) Legal Description

(3) County: **Pennington** Township: **Smiley** Range: **42** Section: **34 1/4: SW1/4**

(4) Describe in detail the work to be performed. **Plug existing centerline culvert.**

(5) Why is this work necessary? Explain water related issue/problem being solved. **Existing pipe extensions were rusting. Rather than opening road and closing traffic, plugging culvert seemed better way as road isn't having issues through lanes. There is a culvert to the west of intersection for drainage and this pipe has no real purpose at this point.**

Status

Status	Notes	Date
Approved		March 18, 2022
Received		Feb. 28, 2022

Conditions

Red Lake Watershed District (RLWD) approval to plug the existing centerline culvert, adequate drainage is provided downstream. N.J.O.

NOTE: This permit does not relieve the applicant of any requirements for other permits which may be necessary from Township, County, State, or Federal Government Agencies.



Applicant Information

Name	Organization	Address	Email	Phone Number(s)
	Garden Valley Technologies	206 Vance Avenue S, PO Box 259 Erskine, MN 56535		tel:218-687-5251 mobile: fax:

General Information

(1) The proposed project is a:

Utility Installations

(2) Legal Description

(3) County: **Polk** Township: **Euclid** Range: **47** Section: **29** 1/4:

(4) Describe in detail the work to be performed. **Plowing a buried fiber optic line west of State Hwy 75 of the Euclid area. All water ways will be directional bored so there is no diversion of water.**

(5) Why is this work necessary? Explain water related issue/problem being solved. **Providing fiber optics in the Euclid area for future customers.**

Status

Status	Notes	Date
Approved		March 18, 2022
Received		March 11, 2022

Conditions

Red Lake Watershed District (RLWD) approval as per approval of all affected road and ditch authorities and utilities; new lines shall be installed at a minimum of at least 3 feet below the flowline (channel bottom) of rivers, streams, ditches, legal and natural drains. Applicant shall meet the MN DNR requirements, if any, as the project lies within a public waterway. Prior to any work, we also recommend that you contact your local Soil and Water Conservation District (SWCD) office to inquire about possible wetland concerns. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166) N.J.O. _____

NOTE: This permit does not relieve the applicant of any requirements for other permits which may be necessary from Township, County, State, or Federal Government Agencies.

Ditch Inspector/Engineering Technician II

Red Lake Watershed District is seeking applicants for a full-time position as a Ditch Inspector/Engineering Technician II.

Duties: Survey crew to include yearly inspection of all public legal drainage systems and coordinate maintenance, construction inspection and staking, field surveys, extensive knowledge in maps and construction plans, stream gauging, operating watershed projects, data base management and analysis, assist in preparing engineer reports, assist with District permit applications.

Requirements: Graduation from high school. Two-year technical college preferred in Civil Engineering Technology or 2 years' experience in Trimble GPS survey equipment and software, surveying and construction experience. Knowledge of agricultural practices, construction materials and methods, and simple engineering practices. Skill in use of field, office, laboratory equipment. Ability to tolerate and work safely in construction areas and inspect moderately difficult construction projects. Applicant must have no physical limitations in relation to tasks performed, must be able to lift 50 pounds. Knowledge of Microsoft Office (Excel and Word) and Introductory to AutoCad (CAD)/Civil 3D. Valid Minnesota Driver's License and knowledge of using all-terrain vehicles (ATV).

A complete job description is available at redlakewatershed.org. Please submit a cover letter and resume to the Red Lake Watershed District, 1000 Pennington Avenue South, Thief River Falls, MN 56701, or email RLWD@redlakewatershed.org

Application deadline: April 19, 2022

Salary Range: \$39,429 – \$56,028

Red Lake Watershed District is an Equal Opportunity Employer