

RED LAKE WATERSHED DISTRICT
Board of Manager's Minutes
May 25, 2006

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 were: Managers Dale M. Nelson, Lee Coe, Arnold Stanley, Orville Knott, Vernon Johnson, Gene Tiedemann, and Allan Carlson. Staff present: Myron Jesme and Arlene Novak and Legal Counsel Delray Sparby.

The board reviewed the agenda. A motion was made by Stanley, seconded by Carlson, and passed by unanimous vote that the Board approve the agenda.

Arlene Novak read the minutes of May 11, 2006. A motion was made by Knott, seconded by Tiedemann, and passed unanimously that the Board approve the minutes as read.

The board reviewed the Financial Report and Investment Summary of May 24, 2006. A motion was made by Coe, seconded by Johnson, and passed by unanimous vote that the Board approve the Financial Report dated May 24, 2006.

Legal Counsel Sparby stated that Red Lake Builders broached the subject that they wish to bid for both Brandt and Euclid East Impoundment projects but wished to withdraw their second bid if they were to be the lowest bidder on the first bid project as they felt that they do not have the capabilities to construct both projects. Considerable discussion was held by the Board members of that concept and its legalities. Consensus of the Board was if bids came in for both projects, they would accept both of the bids as legal bids.

A letter from the Northwest Minnesota Multi-County Housing & Redevelopment Authority regarding the Red Lake County Acquisition and Clearance Program was included in the Manager's packets for information. Administrator Jesme stated that it is for the buyout of property threatened by slumping and landslides. Two of the properties are located in the 100 year floodplain.

The final copy of the 2005 Annual Report was distributed to the Managers. A motion was made by Johnson, seconded by Coe and passed unanimously to approve the annual report as printed. Administrator Jesme asked the Managers to notify him if they wish to have the report verbally presented at their respective county commissioner's meeting.

Motion was made by Tiedemann, seconded by Knott, and passed unanimously to approve Dan Geist to the Burnham Creek subwatershed Advisory committee.

Administrator Jesme requested the Board's approval to purchase a one year renewal of the software license for Arcview for the amount of \$405.20. President Nelson stated that Board's approval is not usually needed for items under \$500, but since it was on the agenda, asked for a motion to approve. Move to approve by Coe, seconded by Carlson, and passed unanimously to purchase a one year software license for Arcview.

The Board reviewed permits for approval. A motion was made by Johnson, seconded by Knott, to approve the following permits with conditions stated on the permits: No. 06018 from Polk County Highway Department, Nesbit Township, Polk County; No. 06038 from GMG Farms and Euclid Township, Euclid Township, Polk County; No. 06039 from Terry Funk, Gentilly Township, Polk County; No. 06040 from Tony Moe, Valley Township, Marshall County; and No. 06043 from Rudolph T. Rude, North Township, Pennington County. Motion carried.

Engineers Ron Adrian and Jeff Langan, Houston Engineering, Inc. appeared before the board to present their proposal for the City of Clearbrook Flood Damage Reduction Project, RLWD Proj. No. 160A. Mr. Langan and Mr. Adrian had attended a meeting on May 17, 2006 with various city and county members and Manager Johnson to address the problem and possible solutions. The culverts and the drainage area of these culverts will be analyzed and Administrator Jesme will be kept apprised of the outcome of this research.

Staff member Loren Sanderson presented information on the Ron Anderson permit no. 06034. Mr. Sanderson stated MnDOT had submitted approval to install a flap gate on the township culvert in their right-of-way along Highway 32, north of RLWD Ditch No. 10. Further discussion on this permit was delayed until after bid openings and Legal Counsel Sparby could be in attendance.

Bid Opening for Euclid East Impoundment was conducted at 10:05 a.m. Legal Counsel Sparby stated the time and that all bid proposals had been accepted by the 10:00 a.m. bid closing. Mr. Sparby also addressed the contractor wishing to submit or withdraw the second bid proposal contingent upon the outcome of the first bid proposal. The contractor complied with MnDOT 1211 specifications for bid proposals. It was recommended that the bids be opened as received. Bids were accepted from the following companies: Riley Brothers, \$2,756,818.60; KGM Contractors, Inc., \$1,767,822.56; R.J. Zavoral & Sons, Inc., \$1,574,672.13; Gladen Construction, Inc., \$2,787,664.43; Triple D Construction & Leasing, \$1,988,463.90; and Red Lake Builders, Inc., \$2,121,403.34. Motion was made by Knott, seconded by Johnson to accept the apparent low bid from R.J. Zavoral & Sons, Inc. in the amount of \$1,574,672.13, contingent upon review and approval by Legal Counsel Sparby and HDR Engineer, Inc. Nate Dalager. Motion carried.

Following the bid opening for the Euclid East Site, the bid opening was held for the Brandt Impoundment site. Red Lake Builders submitted their bid subject to MNDOT 1211 specifications. The following bids were received from Riley Brothers, \$2,684,256.79; KGM Contractors, Inc., \$2,093,601.10; R.J. Zavoral & Sons, Inc., \$1,980,388.01; Gladen Construction, Inc., \$3,167,168.84; and Red Lake Builders, Inc., \$2,831,176.28. Motion by Tiedemann, seconded by Carlson, and passed unanimously that contingent upon review and approval by Legal Counsel Sparby and HDR Engineering, Inc. Engineer Nate Dalager, the Board accept the apparent low bid from R.J. Zavoral & Sons, Inc. in the amount of \$1,980,388.01.

Legal Counsel Sparby addressed the RLWD Permit No. 06034 from Ronald Anderson. Mr. Sparby stated that a hearing is necessary as it changes the original design and operation of RLWD Ditch 10. Motion by Knott, seconded by Carlson, to set a hearing date on the issue of plugging or removing a culvert in the township road, install a field crossing that had been removed during the construction process, and set a hearing date as soon as possible in order to utilize the contractor already on site making repairs to the system. Motion carried.

Administrator Jesme read his written report:

- A letter of request to survey a portion of RLWD Ditch No. 3 was received from a landowner. The survey should be completed by mid to late June. A copy of the letter is in manager's packets.
- The signed agreement from John and Andrea Thibert for the easement purchased from them for the wetland mitigation site was received. Construction on the site is expected to start in June.
- The Public Waters Work Permit for the Euclid East Impoundment site from the Minnesota Department of Natural Resources was received on May 24, 2006. The MN Water/Wetland Project Permit from the Polk County SWCD should be forthcoming.
- Request for Proposals (RFPs) were received from Houston Engineering, Inc. and HDR Engineering, Inc. for the Brandt Outlet Channel design and construction, RLWD Project No. 60E. HDR Engineering was the low quote for the project in the amount of \$8,897 with Houston Engineering at \$22,228. Administrator Jesme also stated the concern of Houston Engineering's quote stating that Houston did not have the benefit of being involved in the Project Work Team's (PWT) discussion, etc. therefore additional work would need to be completed. Manager Stanley asked if the quotes were firm in which Administrator Jesme stated they were. On Thursday, May 11, 2006, the PWT visited the "Unnamed Channel" on the stretch 2 miles downstream of the Brandt Impoundment.
- The 30 day U.S. Army Corps of Engineers public notice ends on June 3, 2006 for the Brandt Impoundment permit application.
- Construction is nearing completion on the emergency repairs to Seeger Dam. The Board is scheduled to tour the site during this Board meeting.
- The MAWD summer tour is scheduled for June 22-24, 2006 hosted by the Sauk River Watershed District.

Managers Nelson, Coe, and Stanley attended the MN Board of Water and Soil Resources hosted May 22, 2006 hearing on the Red Lake Watershed District's Ten Year Comprehensive Plan.

Manager Stanley stated that Hans Kandel has not been contacted for his presentation and attendance at a future board meeting.

The Board discussed holding regular Board meetings along with tours of projects in other areas of the watershed district.

It was announced at the meeting it would be recessed and continued at the Seeger Dam site. Upon arrival, the Board toured the site and had a discussion on its condition and emergency repair.

Motion was made by Knott, seconded by Tiedemann, to adjourn the meeting. Motion carried.


Vernon Johnson, Secretary