

RED LAKE WATERSHED DISTRICT
Board of Manager's Minutes
December 13, 2012

Present were: Managers Orville Knott, Gene Tiedemann, LeRoy Ose, Albert Mandt, and Lee Coe. Absent: Dale M. Nelson and Les Torgerson. Staff Present: Myron Jesme and Tammy Audette and Legal Counsel Sparby.

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

Motion by Ose, seconded by Knott, to dispense reading of the November 28, 2012 Board meeting minutes and approve them as printed. Motion carried.

The Board reviewed the Financial Report and Investment Summary dated December 12, 2012. Motion by Coe, seconded by Mandt, and passed by unanimous vote that the Board approve the Financial Report dated December 12, 2012. Motion carried. It was the consensus of the Board to renew the Certificate of Deposit that will mature on December 28, 2012 with Unity Bank North.

The Board reviewed the Improving the Science Foundation for Bird Conservation Report prepared by the Audubon Minnesota for the following District Projects: Euclid East Impoundment, RLWD Project 60C; Brandt Impoundment, RLWD Project 60D; and, Parnell Impoundment, RLWD Project No. 81.

Engineer Nate Dalager, HDR Engineering, Inc. presented an Engineer's Certificate of Substantial Completion for the Improvement to Pennington County Ditch 1/RLWD Ditch 14, Project No. 171. Motion by Knott, seconded by Ose, to approve the Engineer's Certificate of Substantial Completion for the Improvement to Pennington County Ditch 1/RLWD Ditch 14, Project No. 171. Motion carried.

Motion by Coe, seconded by Mandt, to set the Final Payment Hearing for Spruce Valley Corporation for construction of the Improvement to Pennington County Ditch 1/RLWD Ditch 14, Project No. 171 at the regularly scheduled Board meeting on January 10, 2012 at 9:30 a.m. at the District office. Motion carried.

Dalager stated that Spruce Valley Corporation has some minor details to complete for the construction of the Thief River Falls Flood Damage Reduction Project, RLWD Project No. 171. Dalager suggested that the District extend the contract date to June 15, 2013 and to reduce the retainer withheld to \$10,000 to ensure that the contractor will complete the work prior to the deadline date.

The Board reviewed Change Order No. 5 for Spruce Valley Corporation for the Thief River Falls Flood Damage Reduction Project, RLWD Project No. 171A in the amount of \$4,137.16 for miscellaneous items. Motion by Knott, seconded by Ose, to approve Change Order No. 5, for Spruce Valley Corporation for the Thief River Falls Flood Damage Reduction Project, RLWD Project No. 171A in the amount of \$4,137.16. Motion carried.

Motion by Mandt, seconded by Knott, to reduce the retainer to \$10,000 and extend the contract date until June 15, 2013 for Spruce Valley Corporation for construction of the Thief River Falls Flood Damage Reduction Project, RLWD Project No. 171A. Motion carried.

The Board reviewed Pay Estimate No. 8 for Spruce Valley Corporation for construction of the Thief River Falls Flood Damage Reduction Project, RLWD Project No. 171A. Jesme indicated that the retainer withheld was changed to \$10,000 and will be held until final approval of the project. Total payment owed for Pay Estimate No. 8 is \$241,846.29. Motion by Coe, seconded by Knott, to approve payment in the amount of \$241,846.29 to Spruce Valley Corporation for construction of the Thief River Falls Flood Damage Reduction Project, RLWD Project No. 171A. Motion carried.

Motion by Knott, seconded by Mandt, to allow Spruce Valley Corporation to reduce their bond to \$10,000 for construction of the Thief River Falls Flood Damage Reduction Project, RLWD Project No. 171A. Motion carried.

Phase I construction of the Flage Erosion Control Project, RLWD Project No. 174 is substantially complete. There will be some minor construction that will be completed in 2013 along with Phase II construction. Discussion was held in reducing in the amount of retainer currently held. Motion by Ose, seconded Mandt, to reduce the retainer from 10%, down to 5% for construction of the Flage Erosion Control Project, RLWD Project No. 174. Motion carried.

The Board reviewed Pay Estimate No. 3 for Wright Construction, Inc. for construction of the Flage Erosion Control Project, RLWD Project No. 174. Jesme indicated that the retainer withheld was changed from 10% down to 5% and will be held until final approval of the project. Total payment owed for Pay Estimate No. 3 is \$5,422.41. Motion by Coe, seconded by Mandt, to approve payment in the amount of \$5,422.41 to Wright Construction, Inc. for construction of the Flage Erosion Control Project, RLWD Project No. 174. Motion carried.

The Board reviewed correspondence from the U.S. Army Corps of Engineers in regards to a pre-application coordination for the Brandt Channel, RLWD Project No. 175.

Manager Ose discussed right of way areas along State Ditch 83, RLWD Project No. 14 and that in the future we may want to investigate purchasing more right of way which will help in the maintenance of the system.

The Board reviewed the Two Rivers Watershed District newsletter in regard to tile drainage water management and grants that are available to aid landowners in conservations practices and strategies. Discussion was held amongst the Board on the future possibility of permitting tile drainage.

The Board reviewed the permits for approval. Motion by Knott, seconded by Ose, to approve the following permits with conditions stated on the permit: No. 12172, Vernon Johnson, Pine Lake Township, Clearwater County; No. 12176, Mike Tiedemann, Wylie Township, Red Lake County; No. 12177, Mike Tiedemann, Fanny Township, Polk County; and No. 12178, Polk County Highway Department, Grove Park Township, Polk County. Motion carried.

Administrators Update:

- Jesme and Manager Knott will attend the RRWMB meeting in Fertile on December 18th.
- Staff members Jesme, Hanson and Blix along with Managers Tiedemann, Coe, Mandt and Ose attended the MAWD 2012 Annual Meeting and Trade Show in Alexandria.
- Included in the packet was a Thank You from the Clearwater SWCD for projects that have been completed in partnership with them.
- Beginning January 1, 2013, the standard mileage rates for use of a car, van, pickups or panel trucks will be 56.5 cents per mile for business miles.
- Included in the packet was a letter from the BWSR acknowledging staff member Loren Sanderson as a finalist for the "Outstanding District Employee of the Year" award.
- Included in the packet was the October 2012 Water Quality Report.

Manager Coe was re-elected to the Minnesota Association of Watershed Districts Board at the December 2012 Annual Meeting.

Manager Ose stated that Les Bench is up for reappointment on the Lessard Sam Heritage Board. It was the consensus of the Board to have Administrator Jesme to send letters of support to the local legislators for Les Bench.

Administrator Jesme and Legal Counsel Sparby stated that the increased bond was received for the Brandt Channel, RLWD Project No. 175.

Administrator Jesme and Legal Counsel Sparby stated that the tax free bonding is proceeding for Ditch 14/Thief River Falls Flood Damage Reduction, RLWD Project No. 171/171A.

Administrator Jesme stated that the Pennington County Auditor sent letters to landowners within the Ditch 14/Thief River Falls Flood Damage Reduction, RLWD Project No. 171/171A benefitted area, notifying them of the deadline in which they can pay their assessment prior to it being placed on the landowners yearly taxes. Jesme stated that the District office has received many calls from landowners in regard to their assessment amount.

Legal Counsel Sparby stated that he had not heard a reply from Attorney Mark Grainger, Neil Law Firm, P.C. representing Darral Altepeter.

Manager Coe stated that Beltrami County Auditor Kay Mack was appointed as the new Administrator for Beltrami County and that Quentin Fairbanks lost his reappointment to the Beltrami County Board of Commissioners.

Motion by Mandt, seconded by Ose, to adjourn the meeting.



Orville Knott, Secretary