

RED LAKE WATERSHED DISTRICT
Board of Manager's Minutes
July 14, 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, LeRoy Ose, and Tom Anderson. Staff Present: Myron Jesme, Tammy Audette, Ann Joppru, and Legal Counsel, Delray Sparby.

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

The Board reviewed the June 23, 2022, minutes. Motion by Anderson, seconded by Tiedemann, to approve the June 23, 2022, Board meeting minutes with correction. Motion carried.

The Board reviewed the Financial Report dated July 13, 2022. Motion by Ose, seconded by Dwight, to approve the Financial Report dated July 13, 2022, as presented. Motion carried. Staff member Ann Joppru indicated that American Federal Bank increased the interest rate on the District's account from .50% to .70%.

Staff member Ann Joppru reviewed the General Fund Budget as of April 30, 2022. Joppru stated that she is working with staff from Brady Martz to complete the final step of updates to the accounting software to bring the General Fund Budget numbers to date.

The Board reviewed the 2023 Budget and Salary timeline. The Budget and Salary Committee will meet prior to the July 28, 2022 Board meeting to prepare the budget.

Motion by Sorenson, seconded by Anderson, to approve the Letters of Credit to allow for the increase of securities for funds the District has with American Federal Bank. Motion carried.

Staff member Ann Joppru reviewed the League of MN Cities Insurance Trust 2022-2023 Notice of Premium Options for Standard Premiums of less than \$25,000 Workers Compensation. Following questions of the Regular Premium or Deductible Premium options, a motion was made by Tiedemann, seconded by Ose, to select the option of Regular Premium and approve Administrator Jesme to sign the renewal form. Motion carried.

Landowners Dan Bratvold and Dennis Goodyke, appeared before the Board for discussion on flooding in the area of Judicial Ditch 60, located in Polk County northeast of Crookston. Mr. Bratvold questioned why a 2" rain would flood their area and why Judicial Ditch 60 could not handle that amount of water. Administrator Jesme indicated that Judicial Ditch 60 was built in the early 1900's and was most likely designed to handle somewhere around a 3-year rainfall event and most likely a 2" rain would be close to that event. Discussion was held on improving the ditch system or construction of an additional impoundment. Additional discussion was held

on the operation of the Louisville/Parnell Impoundment, RLWD Project No. 121. At the time of the rain event in question, the Parnell Impoundment, RLWD Project No. 81, Lateral 2 weir was contributing very little flow to the system. It was also noted that Polk and Red Lake County has joint jurisdiction of Judicial Ditch 60.

Cassie Ahmed, NRCS Area Engineer, appeared before the Board for discussion on NRCS funded ring dikes. Ahmed stated that she attended the June RRWMB meeting, noting that the RRWMB has \$360,000 from the LCMRR EQIP funds for ring dike construction. The NRCS had two rounds of fundings, which expire July 15th. The NRCS had one landowner apply for ring dike assistance in our District. Ahmed stated that the District could use NRCS technical and engineering but planning and design funding is not an allowable cost share. The NRCS cost share will provide a flat rate based on the cubic yard of fill for construction yards based on the engineering plan. Ring dikes need to be designed to meet NRCS Specifications and that Engineer needs to be TSP certified. No costs can be incurred until September 9, 2022. Funding is only on construction costs, with preliminary numbers required by August 5th.

Cassie Ahmed, NRCS Area Engineer, discussed severe erosion on the banks of Burnham Creek/BR 6, RLWD Project No. 43A. Ms. Ahmed stated that Mark Pearson with the NRCS was assigned to review the project. The NRCS will determine a potential cost estimate by the end of August, with a possibility of funding through the NRCS. Manager Dwight asked if they wanted to eradicate the cattails. Ms. Ahmed stated that she would like to see them removed to repair the embankment and look at protection along the entire embankment. Motion by Tiedemann, seconded by Ose, to proceed with the repairs to the Burnham Creek/BR 6, RLWD Project No. 43A. Motion carried.

Administrator Jesme stated that the two land sales on the Thief River Westside Flood Damage Reduction Project, RLWD Project No. 178 have been completed.

The Board reviewed an Engineering Services Proposal in the amount of \$49,533 from HDR Engineering, Inc., for slope stabilization on Polk County Ditch 99, as part of the Red Lake River 1W1P, RLWD Project No. 149. Administrator Jesme indicated that the West Polk SWCD requested that the District take on the project due to the size of the project. Motion by Tiedemann, seconded by Page, to approve the Engineering Services Proposal in the amount of \$49,533 from HDR Engineering, Inc., for the Polk County Ditch 99, Red Lake River 1W1P, RLWD Project No. 149. The Board reviewed proposals for soil borings from Terracon and AET for the slope stabilization on Polk County Ditch 99. Motion by Tiedemann, seconded by Page, to retain AET in the amount of \$18,665, for completion of soil borings on Polk County Ditch 99, Red Lake River 1W1P, RLWD Project No. 149. Motion carried.

The Board reviewed a 10-year Warranty Agreement with Davidson Construction, Inc., for the concrete that was poured during construction of the new structure on Pine Lake, RLWD Project No. 26B. The warranty will cover any defective concrete that should fail due to normal weather and water conditions. Administrator Jesme stated that although the two tests that Davidsons completed on the concrete did not pass the specifications, the numbers did improve on the second test. Motion by Ose, seconded by Anderson, to approve the 10-Year Warranty

Agreement with Davidson Construction, Inc. for the replacement of the structure on Pine Lake, RLWD Project No. 26B. Motion carried.

The Board reviewed Pay Estimate No. 2, in the amount of \$91,534.40 to Davidson Construction, Inc. for the Pine Lake Outlet Structure Project, RLWD Project No. 26B. Motion by Sorenson, seconded by Anderson, to approve Pay Estimate No. 2 in the amount of \$91,534.40, to Davidson Construction, Inc., for the Pine Lake Outlet Structure Project, RLWD Project No. 26B. Motion carried.

Motion by Anderson, seconded by Sorenson, to set the Final Payment Hearing for Davidson Construction, Inc. for the Pine Lake Outlet Structure Project, RLWD Project No. 26B, for August 25, 2022 at 9:30 a.m. at the Red Lake Watershed District office, Thief River Falls, MN.

The Board reviewed two quotes to hire a facilitator for the Project Work Team on the Mud River Restoration Project, RLWD Project No. 180C. Administrator Jesme stated that Andrew Graham, MnDNR, had been assisting with the facilitation, but felt that an outside private facilitator should take over. Motion by Tiedemann, seconded by Sorenson, to hire Houston Engineering, Inc., as facilitator for the Mud River Restoration Project, RLWD Project No. 180C. Motion carried.

Administrator Jesme stated that the Clearwater SWCD has requested that the District be the Fiscal Agent for the Clearwater River 1W1P, RLWD Project No. 149B. Motion by Dwight, seconded by Tiedemann, to be the Fiscal Agent for the Clearwater River 1W1P, RLWD Project No. 149B

Discussion was held concerning the 2006 Elm Lake Outlet Target Elevations study completed by Houston Engineering, Inc. Jesme indicated that due to the recent flooding event and since the study was completed, a new outlet structure was constructed on Elm Lake as well as the replacement of the bridge referred to in the report as Trigger Point 2. Jesme requested the Board to retain Houston Engineering, Inc. to review the report, include information from the new Elm Lake Structure as well as the new box culvert referred to as Trigger Point 2 and make sure all datum on the report is converted to 1988 datum to better align with LIDAR. Motion by Ose, seconded by Tiedemann, to approve Houston Engineering, Inc. to review the 2006 Elm Lake Outlet Target Report for Elm Lake/Farmes Pool Project No. 52 and bring the finding back to the Board at a later date. Motion carried.

Jesme shared with the Board that no bids were received for haying on the Black River Impoundment, RLWD Project No. 175. It was the consensus of the Board to get an estimate to mow.

The Board viewed photos of recent repairs completed on the erosion to the outlet of Red Lake Watershed District Ditch 10, RLWD Project No. 161.

Administrator Jesme stated that the Beltrami SWCD is requesting a letter of support for an America the Beautiful Challenge Grant. Motion by Dwight, seconded by Anderson, to authorize

the submittal of a letter of support for an America the Beautiful Challenge Grant through the Beltrami SWCD. Motion carried.

Administrator Jesme updated the Board on the release of water from the Moose River Impoundment, RLWD Project No. 13.

Manager Anderson stated that he received a phone call from a landowner regarding the increase of water on the Clearwater River over the 4th of July weekend. It was determined that the Ke-Wi-Say, which is located on the Red Lake Indian Reservation, had a dike breach, which entered the Clearwater River thus causing significant increase of water elevation on the river.

Staff member Tony Olson discussed RLWD Permit No. 22052, Moylan Township, Marshall County that was previously approved. The original permit called for replacing 2-42” culverts that have failed. Moylan Township has not been able to get 42” culverts but was able to secure 2-48” culverts. Jim Graham, Agassiz National Wildlife Refuge contacted the District with concerns that the installation of 2-48” culvert could affect the trigger points at Agassiz NWR. Motion by Ose, seconded by Anderson, to table RLWD Permit No. 22052, Moylan Township, Marshall County, to allow for further review of the application. Motion carried.

Staff member Tony Olson presented RLWD Permit No. 22097, Kyle Mehrkens, Rocksbury Township, Pennington County. Olson recommended tabling the permit application, as part of the area to be tiled does not pay benefits into system where the tile would outlet. The applicant has submitted a Petition for Inclusion into the system where it will outlet. Motion by Sorenson, seconded by Page, to Table Permit No. 22097, Kyle Mehrkens, Rocksbury Township, Pennington County. Motion carried. The Board reviewed a Petition for Inclusion into the Thief River Falls Westside Flood Damage Reduction Project, RLWD Project No. 178. Landowners Kyle and Misty Mehrkens are requesting to include a 27-acre tract in the SE1/4 NE1/4, Section 17, Rocksbury Township, Pennington County into the benefitted area of the Thief River Falls Westside Flood Damage Reduction Project, RLWD Project No. 178. Motion by Tiedemann, seconded by Sorenson, to approve the Petition for Inclusion into the Thief River Falls Westside Flood Damage Reduction Project, RLWD Project No. 178, from Kyle and Misty Mehrkens, and schedule a hearing for 9:45 a.m., August 25, 2022 at the Red Lake Watershed District office, Thief River Falls, MN. Motion carried.

The Board reviewed the permits for approval. Motion by Ose, seconded by Tiedemann, to approve the following permits with conditions stated on the permit: No. 22055, Farmers Coop Grain and Seed Association, Cloverleaf Township, Pennington County; No. 22095, Ryan Brang, North Township, Pennington County; No. 22096, Marshall County Highway Department, Excel Township, Marshall County; No. 22111, 22112 and 22113, Silverton Township, Pennington County; No. 22115, Aaron Myhre, Poplar River Township, Red Lake County; No. 22116 and 22117, Reiner Township, Pennington County; No. 22118, Greg Hilgeman, Deer Park Township, Pennington County; No. 22119, Mitchell Wavra, Sullivan Township, Polk County; No. 22120, Earl Pederson, Grove Park Township, Polk County; No. 22121, Darin Glass, Lake Pleasant Township, Red Lake County; No. 22122, JS Farmland Holdings GP, Lambert Township, Red Lake County; No. 22123, Gervais Township, Red Lake County; No. 22124, Roger Walter,

Emardville Township, Red Lake County; No. 22126, Lucas Wolf, Silverton Township, Pennington County; No. 22127, Randy Homme, Silverton Township, Pennington County; No. 22128, David Zubrod, Badger Township, Polk County; No. 22135, Ronald Kiesow, Espelie Township, Marshall County; No. 22136, 22137, and 22138, River Falls Township, Pennington County; No. 22139 and 22140, Ryan Kriel, Star Township, Pennington County; and No. 22142 and 22143, Dale M. Nelson, Rocksbury Township, Pennington County. Motion carried.

The Board reviewed the 2022 MAWD Resolution process and timeline.

President Nelson stated that Erik Huseth had accepted the position as Ditch Inspector/Technician II for the District at a starting pay of \$23.50 per hour, plus benefits. Motion by Dwight, seconded by Page, to approve the hiring of Erik Huseth for the Ditch Inspector/Technician II position at starting pay of \$23.50 per hour, plus benefits. Motion carried. Mr. Huseth will begin employment on July 25, 2022. (Wasn't this retroactive to a certain date?)

Administrator Jesme stated that a 6-month performance review was completed on the District's Accounting Officer position and a 1-year performance review for the Engineering Senior/Hydro II position. Jesme requested an increase for both positions of \$.50 per hour as part of the 2023 step payment. Motion by Tiedemann, seconded by Page, to approve an increase of \$.50 per hour for Accounting Officer position and Engineering Senior/Hydro II position, as part of the 2023 step payment effective July 2, 2022. Motion carried.

Administrators Update:

- Manager Ose will attend the RRWMB meeting on July 19 in Ada, with Jesme attending via Microsoft Teams. The RRWMB will set their 2023 budget and levy.
- Included in the packet was information on the Red River Valley Ag Water Issues Forum.
- Included in the packet from BWSR was the Taxable Market Value information.
- A subcommittee meeting for Chief's Coulee was held on June 24th. Part of the meeting was to develop the alternative, while pursuing and writing a grant application narrative.
- Jesme will participate in a Drainage Workgroup meeting after today's meeting.
- Included in the packet was a letter from Kurt Deter, Rinke Noonan, announcing his retirement.
- Staff member Corey Hanson will be celebrating his 20th year of employment with the District on July 15th.

Discussion was held on urbanization of Pennington County Highway 62, that was part of Ditch 14, RLWD Project No. 171 and the Thief River Falls Flood Damage Reduction Project, RLWD Project No. 171A. Motion by Tiedemann, seconded by Dwight, to hire HDR Engineering, Inc., to prepare a cost estimate for the potential of an urbanized area along Pennington County Highway 62, with the possibility of adding onto our flood damage component of the Thief River Falls Flood Damage Reduction Project, RLWD Project No. 171A. Motion carried.

Legal Counsel Sparby indicated that a decision should be decided on the Appeal to the Improvement to Polk County Ditch 39, RLWD Project No. 179, by the next Board meeting date.

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Manager Ose reported that he will be meeting with Troy Daniels, NRCS, to review several projects within the District area.

Manager Dwight discussed the extensive amount of shoreline erosion on the Upper Red Lake due to high water levels. Dwight discussed producing an informational document that would give landowners information on shoreline repair.

Motion by Ose, seconded by Sorenson, 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 text.

LeRoy Ose, Secretary