

RED LAKE WATERSHED DISTRICT
Board of Manager's Minutes
July 26, 2001

President Dale M. Nelson called the meeting to order at 9:00 a.m. at the Red Lake Watershed District office at 102 North Main Avenue, Thief River Falls, MN.

Present were: Dale M. Nelson; Vernon Johnson; Leonard Moe; Roger Love; Dennis Nikolayson; Lowell Smeby; Orville Knott, Arlene Novak, Accounting/Secretary Technician II; Sandy Radniecki, Secretary/ Receptionist; and Legal Counsel Delray Sparby.

The board reviewed the agenda. A motion was made by Johnson, seconded by Smeby, and passed by unanimous vote that the board approve the agenda.

Arlene Novak read the minutes of July 12, 2001. A motion was made by Knott, seconded by Moe, that the board approve the minutes. Motion carried unanimously.

The board reviewed the Financial Report. A motion was made by Love, seconded by Smeby, and passed by unanimous vote that the board approve the Financial Report dated July 25, 2001.

Manager Nikolayson reported on the Badger Creek/Poplar River Project. He stated the committee is waiting for the permits to go across state land and if any further meetings are held they will be held at the RLWD office.

A ring dike request from John Pavlish, East Grand Forks, was reviewed by the board. Motion was made by Johnson, seconded by Love, and passed unanimously, that the board add John Pablich to the ring dike list and approve the request, providing it meets the requirements set by the RLWD.

The board reviewed a permit extension request. Motion was made by Knott, seconded by Moe, and passed by unanimous vote that the board approve a one-year extension on permit No. 00044 from the Red Lake County Highway Department.

Manager Johnson reported on his meeting with the Sinclair Township board and recommended approval of their permit application. Motion was made by Johnson, seconded by Love, and passed unanimously that the board approve permit No. 01067 from Sinclair Township, Clearwater County.

Permit No. 01081 from Robert Love, Nesbit Township, Polk County, was discussed by the board. Motion was made by Love, seconded by Moe, and passed by unanimous vote that this permit be tabled until the August 9, 2001 meeting.

Permits to be approved were reviewed by the board. A motion was made by Johnson, seconded by Knott, and passed by unanimous vote that the board approve the following permits: No. 01077* from Michael Klawitter, Belgium Township, Polk County; No. 01078 from the Polk County Highway Department; No. 01080* from the City of Crookston, Polk County; No. 01082* from Garden Valley Telephone Company, Highlanding Township, Pennington County; No. 01082 from MnDOT, Rocksbury Township, Pennington County; No. 01084 from Ronald Weiss, Terrebonne Township, Red Lake County; No. 01085* from Elroy Aune, Moose River Township, Marshall County; and No. 01086 from Gary Mathis, Hangaard Township, Clearwater County.
*With conditions stated on permit.

Legal Counsel Delray Sparby stated he had attended an Issues and Settlement conference on the Notice of Appeal action for State Ditch 83. It is his understanding that the trial has been delayed for 60 days.

Pennington County Commissioner Don Jensen was present to discuss the Star/Highlanding/Hickory Township surveying that the RLWD has been doing for the hydrological study of the three ditch systems of 38, 57, and 75. By previous agreement, the RLWD had agreed to do the preliminary surveying toward completing a hydrological study. At this time, the RLWD has reached the \$7,000 that was committed for this surveying, and the question was whether or not to commit more funds to complete the project. Loren Sanderson explained that the parts of the project that had been completed. The RLWD received quotes of \$5800 from HDR Engineering and up to \$6300 from Houston Engineering to complete this study for Pennington County. Don Jensen stated the three ditch systems would contribute \$200 each toward the study. A motion was made by Smeby, seconded by Moe, and passed by unanimous vote that the RLWD hire the services of HDR Engineering, not to exceed \$5,800, to complete the hydrological study for Star, Highlanding, and Hickory Townships in Pennington County.

The board discussed the JD 72, RLWD Proj. No. 41, and RLWD Proj. No. 113 ditch systems in Clearwater County. There is concern that if a repair is made, some landowners would be paying into two separate systems. Legal Counsel Sparby stated he had talked to Kurt Deter, who recommended a public hearing be held for the purpose of the JD 72 drainage authority to turn over the RLWD Proj. No. 113 part of the JD 72 system to the RLWD. A motion was made by Johnson, seconded by Moe, and passed by unanimous vote that the RLWD schedule a public hearing for the purpose previously stated with approval of the JD 72 Committee. The entire JD 72 system will be notified of this hearing.

The final pay estimate for the Thief River Reservoir Project No. 63 to J.F. Brennan Company, Inc. was reviewed by the board. Discussion was held regarding a concern of Dan Trontvet where the sediment from the river had been placed. Brent Johnson,

Houston Engineering, stated he felt the requirements of the contracts with Dan Trontvet and J.F. Brennan Co. Inc. had been fulfilled. Based on this discussion, a motion was made by Moe, seconded by Smeby, and passed by unanimous vote that the board approve the final pay estimate to J.F. Brennan Company, Inc., for RLWD Project No. 63, Thief River Reservoir Dredging, in the amount of \$20,722.75.

The board discussed the letter of concern from Dan Trontvet. A motion was made by Johnson, seconded by Knott, and passed by unanimous vote that the RLWD offer Dan Trontvet payment of \$2,000, contingent upon Mr. Trontvet signing a full general release of liability that is to be drafted by Legal Counsel Sparby. This payment would be to cover Mr. Trontvet's cost of spreading the sediment that was cause for his concern.

A request from Ray Christian for culvert sizing was discussed by the board. Loren Sanderson explained that Mr. Christian had purchased railroad right-of-way and requested assistance from the RLWD for pipe sizing. Loren stated he did not know of a culvert sizing policy to be used in this request. Legal Counsel Sparby stated the RLWD did have a policy and that he would review it and report back at the August 9, 2001 meeting.

Manager Smeby reported that the Beltrami SWCD had received approval of a grant that would provide 75 percent of the cost, up to \$10,000, for the repair of the erosion on the outlet of Moose River Impoundment. Discussion was held on the possibility of the SWCD using their funds to do repair farther down and the RLWD would use general maintenance funds to do the repair on the outlet. It was the consensus of the board that another meeting should be held with Manager Smeby, the SWCD, and RLWD staff to discuss this possibility. A motion was made by Moe, seconded by Smeby, that the RLWD spend up to \$10,000 on erosion problems and general maintenance. Motion carried unanimously.

The board discussed general erosion requests from landowners throughout the district. It was the consensus of the board that erosion requests would have to be addressed individually on their merits, as submitted.

A motion was made by Moe, seconded by Smeby, that the meeting adjourn. Motion carried.

Signed
Dennis Nikolayson, Secretary