

RED LAKE WATERSHED DISTRICT
Board of Manager's Minutes
August 12, 2004

President Orville Knott 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: Managers LeRoy Ose; Lowell Smeby; Gene Tiedemann; Dale M. Nelson, Allan Carlson, Vernon Johnson, and Orville Knott. Staff present were Myron Jesme, Arlene Novak, and Sandy Radniecki, and Legal Counsel Delray Sparby.

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

Delray Larson requested to appear before the Board to discuss the two permits from Agassiz National Wildlife Refuge. He was informed that a representative from Agassiz would be present later in the meeting to explain these permits.

Arlene Novak read the minutes of July 22, 2004. A motion was made by Nelson, seconded by Carlson, that the Board approve the minutes. Motion carried unanimously.

The board reviewed the Financial Report. A motion was made by Smeby, seconded by Ose, and passed by unanimous vote that the Board approve the Financial Report dated August 11, 2004.

Permits for approval were reviewed by the Board. A motion was made by Nelson, seconded by Johnson, and passed by unanimous vote to approve the following permits: No. 04082* from Donald Kobesky, Tabor Township, Polk County; No. 04083 from the Detroit Lakes Wetland Development District, Godfrey and Woodside Townships, Polk County; No. 04084* from Roger Clifton, Grove Park-Tilden Township, Polk County; No. 04088* from Grand Plain Township, Marshall County; No. 04089* from Agder Township, Marshall County; No. 04090* from Polk County Highway Department, Euclid Township; No. 04091 and 04092* from Beltrami County Highway Department, Benville Township, with 04092 to be amended to include a flap gate; and No. 04093* from Beltrami County Highway Department, Minnie Township; No. 04094* from Scott Baatz, Fairfax Township, Polk County; No. 04095* from Larry Reitmeier, Hammond Township, Polk County; No. 04096* from Garden Valley Telephone Company, Gully Township, Polk County; and No. 04097 from Scott Parsley, Poplar River Township, Red Lake County. *With conditions stated on permit.

Administrator Jesme discussed Browns Creek, Section 33, in Red Lake County, which concerns the letter the RLWD had received from Kevin Reich some time ago.

John Braastad, Agassiz National Wildlife Refuge, was present to discuss two permits for projects within the Refuge. Following considerable discussion, a motion was made by Smeby, seconded by Tiedemann, that the RLWD table permit Nos. 04086 and 04087 from Agassiz National Wildlife Refuge, until a meeting could be held between Marshall/Beltrami Joint Judicial Ditch 11 Board and Agassiz Refuge. Motion carried with Manager Nelson opposed.

Administrator Jesme informed the Board that Lunke Construction, Inc. had agreed to hire a subcontractor to complete BWSR Flood Storage Easement - Site 1, Project #133C and North Parnell Storage – Site 2, Project #154. Lunke Construction, Inc.'s subcontractor will complete the work

under terms of the original contract and all costs associated with the completion of the project be taken from retainers withheld from each project. Motion was made by Nelson, seconded by Smeby, and passed by unanimous vote, upon completion of said projects, to schedule the final payment hearings for Lunke Construction, Inc., on August 26, 2004 as follows: BWSR Flood Storage Easement - Site 1, Project #133C at 9:15 a.m.; and North Parnell Storage - Site 2, Project #154 at 9:30 a.m.

Nate Dalager, HDR Engineering, was present to discuss the cost of upgrading the berm on the Louisville/Parnell Impoundment. Consensus of the Board was to have Mr. Dalager do some soil borings to determine the location of the clay within the area of the south berm.

Administrator Jesme discussed RLWD Ditch #10 Project with the Board. He stated that after the completion of the property owners' reports being mailed to individual landowners, a discrepancy was found in the number of acres owned by a few of the landowners. This would result in the cost of the project exceeding the benefits, therefore could not be constructed as such. Administrator Jesme asked the Board to review the amended Viewer's Report, Exhibits 1 and 2, and stated Engineer Jim Hest indicated that he will present another option for the project based on a lower frequency and present it at the August 26, 2004 meeting. A motion was made by Nelson, seconded by Ose, and passed by unanimous vote that the Board approve the amended Viewer's Report, Exhibits 1 and 2, for RLWD Ditch #10.

Administrator Jesme presented a list of pros and cons regarding the potential State Ditch 83 Repair based on letters received during the 30 day review period as well as information presented at the public hearing. The meeting was recessed to allow Board Managers to review additional letters received.

Upon re-opening the meeting, a motion was made by Nelson, based on the grounds that the cost of repair of part of the State Ditch #83 system did not justify the amount of relief to be obtained; that without the contribution of State Con-Con lands, the assessment percentage to private property owners is substantially increased; that removal of trees along the bank may increase bank slope instability and may cause more erosion and sedimentation into the channel and reservoir; and maintenance can still be accomplished through spot repairs, and seconded by Johnson, to deny the Petition from Marshall County-Beltrami County Joint Ditch No. 11 for Repair of State Ditch 83 based upon the fact that the repairs recommended were not necessary for the best interest of the affected property owners. Motion carried with Manager Smeby opposed. The Board instructed Legal Counsel Delray Sparby to prepare the Findings of Fact and Order for board review and filing.

Inspecting of permanent grass strips along RLWD ditches was discussed. Consensus of the Board was to have Ditch Inspector Gary Lane determine where violations of the Grass Strip Policy were occurring along RLWD ditches.

Corey Hanson, Water Quality Coordinator, presented his 2004 Water Quality Report to the Board. Several points of interest were discussed and the Board requested copies for review.

Administrator Jesme presented his update to the Board.

A motion was made by Ose, seconded by Johnson, that the meeting adjourn. Motion carried.

Signed _____
LeRoy Ose, Secretary