

RED LAKE WATERSHED DISTRICT
Board of Manager's Minutes
November 9, 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 Tammy Audette.

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

Tammy Audette read the minutes of October 26, 2006. A motion was made by Coe, seconded by Johnson, and passed unanimously that the Board approve the minutes as amended.

The board reviewed the Financial Report as of November 7, 2006. A motion was made by Johnson, seconded by Tiedemann, and passed by unanimous vote that the Board approve the Financial Report dated November 7, 2006.

Administrator Jesme discussed the 5% retainer withheld from payments to R.J. Zavoral & Sons for construction of the Euclid East Impoundment. R.J. Zavoral & Sons is requesting a reduction in the retainer. The retainer is withheld for additional work or seeding that may be needed next spring. A motion was made by Knott, seconded by Tiedemann to adjust the retainer to reflect 2.5% be withheld. Motion carried.

Legal Counsel Sparby discussed the amended lease agreement with Paul Hoff for CRP payments on the Louisville/Parnell Impoundment. Legal Counsel Sparby discussed the CRP rates and appraisal of the lands based on rental of the property. It was the consensus of the board to leave rental rate as previously approved.

President Nelson stated that he, Manager Carlson and Administrator Jesme met with the contractor and the electrician for construction of the RLWD Building. Administrator Jesme discussed the electrical changes that the board had previously discussed. Motion was made by Tiedemann, seconded by Coe, to approve the electrical changes in the amount of \$14,372. Motion carried.

Administrator Jesme discussed the letter from MN Energy for natural gas to the new building. Additional costs could be incurred if there is more than 6" frost or heavy snow amounts. It was the consensus of the board to try and get this completed before frost or heavy snow.

RLWD Permit No. 06124 applied for by Solheim Farms, Fairfax Township, Polk County was discussed. This application is for the same work as RLWD Permit No. 06111, which was denied by the RLWD Board on October 12, 2006. The applicant had completed the work prior to the denial. Motion by Tiedemann, seconded by Stanley to table this permit until more information can be obtained. Motion carried.

Administrator Jesme discussed a previously applied for permit from Dale Newton RLWD Permit No. 06062. The Board had originally denied a portion of the proposed permit. Dale Newton and/or Gary Anderson worked with the adjacent landowners to obtain approval to perform the work previously denied. Work has been completed and no amended permit was submitted.

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. 06115 from Dennis Schulz, Belguim Township, Polk County; No. 06117 from Polk County Ditch #143, Andover Township, Polk County; No. 06121 from Keith Driscoll Farms, Huntsville Township, Polk County; No. 06122 from Michael B. Oie, Lessor Township, Polk County; No. 06123 from Roger Hinrichs, Browns Creek Township, Polk County; and No. 06125 from Richard Luckow, Fanny Township, Polk County. Motion carried.

Administrator Jesme read his written report:

- Drafting of the rental agreements for renters of lands in Section 19, Belguim Township of the Euclid East Impoundment site have been completed. Once all signatures have been obtained, these documents will be recorded with the Polk County Recorders office. All dormant seeding has been completed and construction has been stopped until spring cleanup at which time the final inspection and payment will occur.
- The contractor has completed the placement of fill and topsoil on the Brandt Impoundment. The catwalk has been installed with the exception of the hand rails and gate. Dormant seeding has been completed on virtually the entire levee. The remaining portions of seeding will take place during the 2007 construction seasons. Demolition of the building site has been completed. We are in the process of contacting a well sealer to determine if this can be completed this year or wait until next year. Construction has been concluded until next spring.
- The City of Crookston is in the process of completing a wellhead protection plan for its drinking water.
- Minnesota Association of Watershed Districts (MAWD) resolutions from the Wild Rice WD and the Buffalo Red WD are included in the board packets.
- Sediment is being cleaned out of the bottom of the JD 2, RLWD Project #49 channel.

Administrator Jesme stated that the MPCA Storm Water Plan for the construction of RLWD Ditch #11, RLWD Project #166 has been sent in. There is a 30 day review period which started October 18, 2006.

The Board discussed the cleaning of sediment on two miles of JD 2, RLWD Project #49 and the need for 9 side inlet pipes to be installed for erosion control in specific problems areas. RLWD staff Gary Lane stated that he had contacted the Clearwater SWCD this spring and they had no available money or staff time this year to complete this project. The SWCD cannot do a cost share if the work is already completed. Mr. Lane stated that the ditch was last cleaned in 1993. Legal Counsel Sparby stated if we install side inlet pipes on the entire project it could be deemed an improvement, but further stated that general repair for specific maintenance reasons such as erosion control could be completed with the cost to be paid by the ditch system. The Board discussed that this would be considered preventable maintenance on the system. Motion was made by Johnson, seconded by Tiedemann, to approve the installation of 9 side inlet pipes at an approximate cost of \$3,000 to be paid by the JD 2, RLWD Project #49 ditch system. Motion carried.

Legal Counsel Sparby stated that he heard from Debbie Hawkinson, the sister of John Weiland, Orofino, Idaho concerning land we purchased for the construction of the Brandt Impoundment. She stated that she has an interest in parts of the property in which we purchased perpetual

easement from Ronald Salentine who in turn had purchased from John A. Weiland and that she had hired an attorney.

Manager Knott inquired if there had been any concerns regarding the Roger Hinrichs permit.

Discussion was held on the plaque for the Parnell, Brandt and Euclid East Impoundments. It was the consensus of the board to form a committee to design the plaque. Managers Nelson, Johnson, and Administrator Jesme will meet to discuss the plaque design.

The Board discussed the proposed MAWD resolutions from the Wild Rice WD and Buffalo Red WD that will be presented at MAWD Annual Meeting in December. Legal Counsel Sparby suggested changing the wordage on the resolution from the Buffalo-Red WD for Compensation for Past Managers involved with Litigation to state that they will be compensated only if they are required to participate in the litigation. Further discussion was held on the resolution submitted from the Wild Rice WD regarding Permitting Rule Violations Penalty. It was the consensus of the Board to have Legal Counsel Sparby draft a letter of recommendation to the MAWD Board stating that it should be up to the discretion of the each watershed to charge a \$1,000 fine per permit violation.

Administrator Jesme and Manager Knott reported that Ron Harnack had been hired to fill the vacant position of Financial Coordinator for the RRWMB.

The Board adjourned to the RLWD building site for the ground breaking.

Motion by Knott, seconded by Carlson, motion carried to adjourn the meeting.


Vernon Johnson, Secretary