

RED LAKE WATERSHED DISTRICT
Board of Manager's Minutes
November 8, 2007

President Dale M. Nelson called the meeting to order at 9:00 a.m. at the Red Lake Watershed District office, 1000 Pennington Avenue South, Thief River Falls, MN.

Present were: Managers Dale M. Nelson, Orville Knott, Gene Tiedemann, Arnold Stanley, Vernon Johnson and Jim Votava. Absent: Lee Coe. Staff present: Myron Jesme and Tammy Audette and Legal Counsel Delray Sparby.

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

Tammy Audette read the minutes of October 25, 2007. A motion was made by Knott, seconded by Stanley, and passed unanimously that the Board approve the minutes as read.

The Board reviewed the Financial Report as of November 7, 2007. A motion was made by Tiedemann, seconded by Johnson, and passed by unanimous vote that the Board approve the Financial Report dated November 7, 2007.

Administrator Jesme updated the board on the 2007 General Fund Budget as of September 30, 2007. Discussion was also held on expenses of the new building and related amounts for various items.

Administrator Jesme discussed the design and realignment for a ring dike located in Polk County. The landowner has requested Engineer Blake Carlson, JOR Engineering, Inc. to perform the engineering if required. It was the consensus of the Board to authorize Jesme to proceed with retaining Blake Carlson, JOR Engineering, Inc. to assist with engineering if needed.

Construction at Seeger Dam has been completed. Administrator Jesme stated the contractor had requested additional money for work performed on the structure and that he felt no additional money should be appropriated because the structure was a lump sum bid item and it was the responsibility of the contractor to investigate the structure. It was the consensus of the Board that no additional money should be paid and that they would like some pictures of the finished project at the next meeting.

Administrator Jesme stated that Houston Engineering, Inc. currently maintains our website. Staff member Jim Blix has been working on various changes to the site. Jesme indicated that a new project number is needed for staff to charge out time spent on website maintenance. A motion was made by Tiedemann, seconded by Stanley, to assign RLWD Project #001E, RLWD Website. Motion carried.

The Board discussed a letter Administrator Jesme drafted to Mr. Ron Harnack, RRWMB, in response to Representative Jim Oberstar's legislation in Washington DC, which would amend the Wetland Conservation Act to remove the language of "navigable waters". The Board discussed their concerns with the removal of the language which they felt could expand the authority for the U.S. Army Corps of Engineers permitting process. A motion was made by Tiedemann, seconded by Knott, and passed by unanimous vote to authorize Jesme to present the letter on behalf of the RLWD

to Mr. Ron Harnack, RRWMB, stating our objection to the legislation authored by Representative Jim Oberstar. Motion carried.

The MAWD Annual meeting proposed resolutions are included in today's packet.

The Board discussed a letter from the Paige Guetter, East Polk SWCD, to Badger Township regarding work completed by the township in reference to RLWD Permit #07082. The letter states that the township has not violated any WCA rules, but if they are going to place fill in a trench they would need to review the wetland rules.

Discussion was held on the potential of petition from Roger Kriel. The petition would be for a two mile lateral to the Pennington County Ditch #75 system. Administrator Jesme stated he had met with Mr. Kriel and several landowners. Jesme indicated that the ditch is currently a county road ditch with an approximate benefited area of 950 acres and that although a petition has been discussed, Mr. Kriel is currently applying for permits to replace culverts and clean the ditch system (Permit No. 07106).

The Board reviewed permits for approval. A motion was made by Tiedemann, seconded by Johnson, to approve the following permits with conditions stated on the permits: No. 07083, Roger Kriel, Star Township, Pennington County; No. 07106, Robert Cournia, Hammond Township, Polk County; 07109, Houston Engineering, Inc, Pennington County Highway Department, North Township, Pennington County; No. 07110, John and Rovella Weiland, Belguim Township, Polk County; No. 07111, Marvin Zak, Keystone Township, Polk County; and No. 07112, Sam Olson, Onstad Township, Polk County. Motion carried.

Administrator Updates:

- The RLWD received a \$5,000 Project Acceleration Grant from the FDRWG for Preliminary Engineering for the Grand Marais Outlet Restoration. This grant will be added to the \$10,000 grant we received from the MnDNR Division of Fish and Wildlife.
- A meeting will be held on November 16 at 10:00 a.m. at the Polk County Highway Department office with the petitioners for the Improvement and Lateral to Polk County Ditch #53.
- An E-Link Training Course will be held at the RLWD office on November 13, 2007 at 9:00 a.m.
- There are various beaver activities at Pine Lake, Parnell and Brandt Impoundments. To date 6 beaver have been trapped at Parnell. We are currently trying to find a trapper to complete trapping on both the Parnell and Brandt Impoundments. Staff members Loren Sanderson and Gary Lane have been to Pine Lake and removed beaver dams and contacted an individual to trap.
- The District has received the CRP information on the property the District has purchased from Dan Wallace for the construction of the Brandt Impoundment. Although the rental rate was determined at the time of purchase, we had to wait to draft the rental agreement with Mr. Wallace until we found out from the Farm Service Agency how many acres were enrolled. Jesme indicated that he would work with Legal Counsel Sparby to write a Rental Agreement for Mr. Wallace to sign.
- The DNR has started releasing water from the Lost River Pool on November 7th in attempt to draw it down for future burning of vegetation in accordance to their maintenance plan. Jesme also indicated that the DNR Dam Safety Engineers have not provided a plan for the repair of the Farnes Pool Structure.

Manager Knott questioned who is responsible for erosion on a judicial ditch system along a township road. Legal Counsel Sparby indicated that a landowner or township would need to petition the judicial system to repair the erosion. Sparby further stated a petition for repair of the legal drainage system could be requested by the township assuming they pay benefits to the legal drainage system.

The meeting recessed until 10:00 a.m.

President Nelson reconvened the meeting at 10:00 a.m. for the final payment hearing for Schmitz Builders, Inc. for construction of the new RLWD building. RLWD Legal Counsel Sparby stated that the hearing had been advertised. The hearing was opened up to the public for comment concerning making of the final payment. No person in attendance objected to the making of the final payment. Architect Tom Jones was present and stated he had submitted Change Order #6 and the Final Payment for approval. Mr. Jones stated that Change Order #6 is for a credit of a parking lot electrical post that was not installed. Administrator Jesme indicated that the District has received the "Certificate of Substantial Completion" from Architect Tom Jones. A motion was made by Knott, seconded by Johnson, with motion carried to approve Change Order #6 in the amount of \$-555.00. Motion carried. The Board discussed the final payment for construction of the new RLWD building. A motion was made by Stanley, seconded by Votava, with motion carried to approve the final payment to Schmitz Builders, Inc. in the amount of \$38,740.63 for construction of the new RLWD building. The hearing was videotaped and is on file at the RLWD office.

Architect Tom Jones discussed his billing for services for construction of the new RLWD building. Mr. Jones stated he has approximately \$290 left to bill the RLWD for a total of \$16,000 that was agreed upon for his services.

Administrator Jesme stated that he had spoken with Bruce Skalsky, Skalsky Electric, regarding the lighting recommendation he had received. Mr. Skalsky indicated that he would forward the estimate to Jesme which to date has not been received.

Architect Tom Jones discussed the acoustics of the building. Mr. Jones stated that carpeting does absorb some of the sound and in the future the Board may wish to install sound absorbing panels for the ceiling.

Manager Johnson stated he had spoken with Wade Robinson, Clearwater SWCD, regarding the Clearbrook Storm Water Retention Project. Mr. Robinson stated the paperwork is almost complete and wishes to meet with our board in the next few weeks.

Motion by Johnson, seconded by Votava, with motion carried to adjourn the meeting.


Vernon Johnson, Secretary