

RED LAKE WATERSHED DISTRICT
Board of Manager's Minutes
August 13, 2009

Present were: Managers Gene Tiedemann, Orville Knott, LeRoy Ose, Dale M. Nelson, Kelly Nordlund, Jim Votava and Lee Coe. Staff Present: Myron Jesme and Tammy Audette and Legal Counsel Delray Sparby.

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

Tammy Audette read the minutes of July 23, 2009. A motion was made by Tiedemann, seconded by Votava, and passed by unanimous vote that the Board approved the minutes with corrections.

The Board reviewed the Financial Report dated August 12, 2009. A motion was made by Knott, seconded by Tiedemann, and passed by unanimous vote that the Board approve the Financial Report dated August 12, 2009.

Administrator Jesme stated that the RLWD will receive approximately \$60,000 for ring dike funding through the State of Minnesota and BWSR, which would allow 3 ring dikes to be constructed. Natural Resource Conservation Service (NRCS) will fund up to \$2.5 million toward ring dike construction throughout the state of Minnesota. The NRCS, for each county, will prepare general costs estimates for the ring dikes for their own record keeping but will not be used for bidding. The District will hire an engineer for each ring dike and develop plans and specifications along with a bid tabulation sheet for contractors to use for the quotes. Discussion was held if the District would participate in the NRCS program and how the cost share funding would work. Jesme indicated that he felt the agreements between the District and the landowner should read that the RLWD/RRWMB will cost share with the landowner up to 12.5% of the total cost of the ring dike construction and engineering not covered by NRCS funding. Motion by Coe, seconded by Knott, with motion carried to participate in the funding of NRCS sponsored ring dikes, and that the District/RRWMB will cost share up to 12.5% of the total cost of the ring dike construction and engineering not covered by NRCS funding. Motion carried.

Construction repair on the Farms Pool Structure/Elm Lake will proceed within the next week. Discussion was held regarding Agder Townships road concerns during construction. It was the consensus of the Board to work with Agder Township to get the permits required that would satisfy their concerns.

Staff member Jim Blix discussed the purchase of GIS software to access LIDAR data. The purchase of the software is \$2,500 with a yearly maintenance of \$1,000. Motion by Tiedemann, seconded by Ose, to approve the purchase of GIS software in the amount of \$2,500, with an additional yearly maintenance cost of \$1,000. Motion carried.

At 9:30 a.m., the final payment hearing for TS Holte Construction concerning the Brandt Channel Restoration, RLWD Project 60E was called to order. President Nelson stated that the hearing had been properly advertised. Discussion regarding the final payment request was had and the opportunity for public comment was given. There was no one in attendance objecting to the final payment. Motion by Tiedemann, seconded by Coe, to approve the final payment in the amount of \$13,861.56 to TS Holte Construction for construction of the Brandt Channel Restoration, RLWD Project 60E. Motion carried. The hearing was videotaped and is on file at the RLWD office.

President Nelson turned the meeting over to Vice President Gene Tiedemann.

The Board reviewed permits for approval. A motion was made by Knott, Seconded by Votava, to approve the following permits with conditions stated on the permits: No. 09071, Gene Peterson, Veldt Township, Marshall County; No. 09072, Steven Miller, Rocksbury Township, Pennington County; No. 09073, Richard Hanson, Fairfax Township, Polk County; No. 09074, Kameron Harstad, Esther Township, Polk County; No. 09075, Roger Hagen, Keystone Township, Polk County; No. 09076, Conrad Giese, Tabor Township, Polk County; No. 09077, Monte Casavan, Black River Township, Pennington County; No. 09078, Erik Nyman, Red Lake Falls Township, Red Lake County; No. 09079, Betty Anderson, Bygland Township, Polk County; No. 09080, Todd Stanley, Benville Township, Beltrami County; No. 09081, Garrett Novak, River Falls Township, Pennington County; Nos. 09082, 09083, and 09084, Douglas Peterson, Sullivan Township, Polk County; No. 09085, Mike Tiedemann, Wylie Township, Red Lake County; No. and 09086, Mike Tiedemann, Euclid Township, Polk County. Motion carried.

Vice President Tiedemann turned the meeting over to President Nelson

Administrator Jesme stated he had spoken to Joint Powers Engineer Jon Hodgson regarding one of the sites on the Clearbrook Storm Water Retention Pond Project, specifically Site #2 (Gourmet House), RLWD Project 160. Hodgson indicated that the property that the public utility presently owns and is willing to sell, will not allow us to construct a sedimentation pond large enough to handle the drainage area. Therefore it is his opinion that we will have to pull that site from the plans and proceed with construction of the smaller site on land owned by the city. Houston Engineering, Inc. will determine what needs to be done for the sewer lines within the vicinity of the project and update the bid sheet and specifications. The plan will be updated by Joint Powers Engineer Jon Hodgson.

Staff member Corey Hanson discussed the Request for Proposals (RFP) received for the SWAT Modeling for the Thief River Sediment Project, RLWD Project No. 168. Hanson stated RFP's were received from Houston Engineering, Inc. in the amount of \$44,440 and the \$59,520 from the EERC. Motion by Knott, seconded by Ose, to accept the Request for Proposal from Houston Engineering, Inc. in the amount of \$44,440 to complete the SWAT Modeling for the Thief River Sediment Project, RLWD Project No. 168. Motion carried.

The 2009 MAWD Leadership Workshop will be held September 11-12, 2009 at the Holiday Inn, Alexandria, MN. Manager Coe stated that the Leadership Workshop is the outcome of the MAWD Education meeting.

The 2009 MAWD Resolution Process and Time line were discussed by the Board.

Legal Counsel Sparby discussed correspondence received from a landowner along RLWD Ditch 12, Project No. 169.

At 10:00 a.m. the Parnell Impoundment Operating Levels Hearing was called to order. Engineer Nate Dalager, HDR Engineering, Inc. presented information regarding the ability to move water through a connection channel within the Parnell Impoundment from the west pool into the east pool by cutting a 3' deep inlet ditch within the impoundment along with the installation of two 48" CSP with screw gates which will connect the two pools. Dalager stated by installing two 48" pipes with screw gates approximately 3' of water from the west pool could be diverted into the east pool and to be sent down Judicial Ditch 60. Dalager stated that this would help alleviate flooding problems along County Ditch 126 if the capacity in Judicial Ditch 60 allows water to be redirected into the system. After answering questions by the Board members, the President allowed questions and comment from the public. After considerable discussion from the public, President Nelson adjourned the hearing. The hearing was videotaped and is on file at the RLWD office. After discussion by the Board, a motion was made by Knott, seconded by Tiedemann, to approve the recommended modifications within the Parnell Impoundment as set forth in the Engineers Report and to authorize staff members to accept quotes for the project as defined in the plan. Motion carried.

The Board reviewed correspondence from Polk County Auditor/Treasurer Gerald Amiot regarding letters sent to landowners within the benefited area of RLWD Ditch 12, Project No. 169.

Administrator Jesme stated that the contract with R.J. Zavoral and Sons for construction of RLWD Ditch 12, Project No. 169 states that construction shall be completed by July 31, 2009. Due to abnormal spring flooding and rain delays, R.J. Zavoral and Sons is requesting an extension of the contract until September 1, 2009. Motion by Tiedemann, seconded by Ose, to approve the contract extension for R.J. Zavoral and Sons for construction of RLWD Ditch 12, Project No. 169 until September 1, 2009. Motion carried.

Administrator Jesme stated the Joel Ness is requesting the RLWD to clean out Branch 1 of County Ditch 53, also known as RLWD Ditch 12, Project No. 169. Motion by Tiedemann, seconded by Knott, to approve upon receipt of the petition, the request of Joel Ness to clean Branch 1 of County Ditch 53, RLWD Ditch 12, Project No. 169. Motion carried.

A request was received from landowner Jeffrey Dahlen to extend the proposed improvement of Pennington County Ditch #75, Project #170 as described in Section 10 Star Township, to his property line. Administrator Jesme stated that Dahlen is requesting that the ditch be extended to allow him better drainage to his property. It was the consensus of the Board, that Engineer Jeff Langan review the request of the landowner and present his recommendations at the preliminary hearing.

The Board reviewed the estimated 2010 MAWD Dues. Dues will be based on a .003 market value of the District with a maximum cap of \$3,500. If this proposal is accepted by the MAWD Board, the RLWD dues would reach the maximum amount payable.

A request was received from Kam Harstad to withdraw Permit No. 09033, Esther Township, Polk County. Motion by Coe, seconded by Tiedemann, to approve the withdrawal of Permit No. 09033, Kam Harstad. Motion carried.

Administrator Jesme discussed an e-mail of questions received from John Johnson in regard to the installation of a culvert and elevation of the driveway for Kam Harstad, Esther Township, Polk County. The Board reviewed the e-mail and answered the questions and instructed Jesme to forward the Board's response to Mr. Johnson.

Administrators Update:

- The USDA has increased the dollar amount appropriated for farmstead ring dikes in Minnesota and North Dakota. Minnesota will receive 2.4 million dollars, up from the 2.0 million originally appropriated. Work will begin on these ring dikes once details are worked on with the landowners.
- Jesme will meet with the Lessard-Sam Outdoor Heritage Council on August 17, 2009 to explain some of the project in the Red River Basin such as the Grand Marais Outlet Restoration Project. It is our hope that this will assist the council in prioritizing project funding.
- Houston Engineering, Inc. is working on the modeling for various conditions for the Pennington County Ditch #75 petition with the intention of holding the preliminary hearing in late September.
- Jesme attended a pre-construction meeting on August 10, 2009 with the USFWS, DNR and H&S construction for repairs to the Farnes Pool Structure/Elm Lake Project. If all permits are attained, construction should begin within the next week. It was determined that a permit from Agder Township is required for the temporary installation of a 36" culvert upstream of the structure and through the road to bypass water from JD 11, Branch 200. The township is concerned that if the road is cut, it may lose its strength when the pool is back to normal. Discussion is being held with DNR Engineers to give assurance to the township in regard to their concerns. If the pipe is installed, the USFWS has indicated that they will supply the culvert, backhoe and operator to install the pipe.
- Included in the packet is the July 2009 Water Quality Report.

Manager Knott updated the Board on repairs to the Seeger Dam and Schirrick Dam.

President Nelson presented the proposed 2010 General Fund Budget and schedule for the General Fund Budget hearing to the Board of Managers for review. Nelson stated that the Budget/Salary committee members Nelson, Coe and Tiedemann met on Tuesday, August 11, 2009 to review the 2010 Budget and Salary recommendations.

Upon considerable discussion, a motion was made by Coe, seconded by Tiedemann, to approve a .75 (seventy five cents) per hour pay increase per employee effective January 1, 2010 and for future salary reviews, the Administrator will provide employee evaluations to the committee and to set the 2010 General Fund Budget hearing for September 10, 2009 at 9:30 a.m.. Motion carried with Manager Knott opposed.

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



Orville Knott, Secretary