

RED LAKE WATERSHED DISTRICT
Board of Manager's Minutes
July 9, 2009

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

The Board reviewed the agenda. A motion was made by Votava, seconded by Nordlund, and passed by unanimous vote that the Board approve the agenda with the addition of Pay Estimate No. 2, for R.J. Zavoral and Sons, Inc. for the construction of RLWD Ditch 12. Project No. 169.

Tammy Audette read the minutes of June 25, 2009. A motion was made by Knott, seconded by Votava, and passed by unanimous vote that the Board approve the minutes with corrections.

The Board reviewed the Financial Report and Investment Summary dated July 8, 2009. A motion was made by Coe, seconded by Knott, and passed by unanimous vote that the Board approve the Financial Report and Investment Summary dated July 8, 2009. Administrator Jesme stated that staff will be soliciting quotes for maturity of two CD's.

Administrators Jesme stated that bids to repair the Elm Lake Project structure came in higher than what was estimated by the MnDNR engineer. Costs for repairing the structure were intended to be divided equally between the RLWD, MnDNR, and USFWS. Money allotted to the repair from the USFWS is earmarked one year in advance. Due to the higher estimates, the USFWS is unable to secure additional funding for this project until next years fiscal budget is submitted. Motion by Ose, seconded by Coe, to share the additional cost to repair the Elm Lake structure with the MnDNR, for a total cost to the District in the amount of \$70,000. Motion carried.

Nate Dalager, HDR Engineering, and staff members Loren Sanderson and Gary Lane discussed the recent rains and downstream conditions on the Parnell, Euclid East, and Brandt Impoundments. Discussion was held on various landowner perceived localized flooding issues with the release of water out of the impoundments. Discussion was held on the potential of building a berm downstream of the Euclid Impoundment along County Ditch 66 to keep water off of agricultural land. It was the consensus of the Board that discussion should be held with Polk County in regard to a potential berm and weed control.

Nate Dalager presented a revised Operating Plan for the Parnell Impoundment. Dalager stated that proposed trigger levels for operation of the Parnell Impoundment are not a major change, but a simplification of what was originally presented. Dalager discussed the ability to move water within the Parnell Impoundment from the west pool into the east pool. Dalager recommends cutting a 3' deep inlet ditch within the impoundment to connect the two pools. By cutting the ditch, taking advantage of the topography and the

installation of two pipes with screw gates approximately 3' of water from the west pool could be diverted back into the east pool and sent down into Judicial Ditch 60 if it is needed. This could help County Ditch 126 with flooding problems and would effectively direct floodwaters downstream into Judicial Ditch 60 if there is adequate capacity. Dalager recommends installing 2 – 48" CSP pipes with gates, at an approximate cost of \$61,000. Legal Counsel Sparby stated that a hearing should be held to inform the public of the proposed changes. Motion by Ose, seconded by Coe, to accept the proposed trigger level changes to the Parnell Impoundment Operating Plan and to set a hearing in regard to the cutting of a ditch and installation of an operational structure within the impoundment for August 13, 2009 at 10:00 a.m. Motion carried.

Nate Dalager presented information on Operating Plans for the Brandt and Euclid East Impoundments. Dalager stated that the information presented is a starting point to work with. Motion by Knott, seconded by Coe, with motion carried to adopt the Brandt and Euclid East Impoundment Operating Plans as presented.

Administrator Jesme stated that the Viewers for RLWD Ditch 12, Project No. 169, did not award damages to landowners Jim and Marsha Ketring for the removal of trees because of problems with the project, Jesme stated that the project now goes directly through the landowner's yard requiring trees to be removed. Jesme requested the Board compensate the landowner for damages to the trees at \$200.00 per tree. Motion by Coe, seconded by Ose, to pay landowners Jim and Marsha Ketring damages for the removal of trees at \$200.00 per tree. Motion carried.

The Board reviewed Pay Estimate No. 2 to RJ Zavoral and Sons, Inc. for the construction of RLWD Ditch 12, Project No. 169, in the amount \$108,775.09. Motion by Nordlund, seconded by Knott, to approve Pay Estimate No. 2 in the amount of \$108,775.09, to RJ Zavoral and Sons, Inc. for construction of RLWD Ditch 12, Project No. 169. Motion carried.

A Petition was received for signature from the Polk County Board of Commissioner on behalf of Polk County Ditch No. 126 requesting the District as a landowner in the Polk County Ditch No. 126 benefited area to sign a Petition for Outlet and to Add Property to the Assessed area of Polk County Ditch No. 126. Administrator Jesme stated that there is property within the County Ditch No. 126 benefited area that drains into the system and doesn't pay benefits. Motion by Coe, seconded by Votava, to authorize President Nelson to sign the Petition for Outlet and to Add Property to the Assessed Area of Polk County Ditch No. 126. Motion carried.

A Petition was received for signature from the Polk-Red Lake County Joint Board on behalf of Polk – Red Lake County Joint Ditch No. 60 requesting the District as a landowner in the Polk – Red Lake County Joint Ditch No. 60 to sign a Petition to Remove Property from Joint County Ditch No. 60. Administrator Jesme stated that as a result of the construction of the Parnell Impoundment, the District owns property that does not drain into Joint County Ditch No. 60 and should be removed from the assessed area of said ditch system. Motion by Coe, seconded by Votava, to authorize President

Nelson to sign the Petition to Remove Property from Joint County Ditch No. 60. Motion carried.

The Board reviewed a letter received from Carol Johnson in regard to Permit No. 06041 for the construction of Kameron Harstad drive way. Administrator Jesme stated that Harstad received a permit to build up his driveway with the stipulation that the driveway be one-half foot lower than the shoulder of County Road #64. During the 2009 spring flood, the spillway on Harstad's driveway washed-out. Landowners in the area are concerned that Harstad's driveway is constructed higher than their ring dikes. It was the consensus of the Board that staff members will contact the Polk County Highway Department to discuss the repairs to Harstad's driveway entrance. Staff members will profile the driveway once construction is complete.

A request was received from Enbridge Energy for extension to Permit No. 07119 until December 31, 2010. Motion by Knott, seconded by Votava, to extend Permit No. 07119, Enbridge Energy to December 31, 2010. Motion carried.

The Board reviewed permits for approval. A motion was made by Votava, seconded by Knott, to approve the following permits with conditions stated on the permit: No. 09054, Wallace Bengtson, Cedar Township, Marshall County; No. 09055, Larry J. Kotrba, Star Township Pennington County; No. 09056, Enbridge Energy, Pennington, Polk, Red Lake and Clearwater Counties; No. 09057, Paul Erickson, Excel Township, Marshall County; No. 09058, Marvin Jensen, Eden Township, Polk County; No. 09059; Joe Jagol, Highlanding Township, Pennington County; No. 09060, Grand Forks Township, Polk County. Motion carried.

Administrators Report:

- Thief River Falls City Council at their July 7, 2009 meeting approved a resolution to provide in-kind services for construction of the Jerome Street/Red Lake River Bank Stabilization Project. The City will provide upwards of 2,000 cubic yards of compacted material as well as provide trucks to haul the material to site. A letter of support will be received in the near future.
- An executed grant agreement from Working Lands Initiative in the amount of \$24,328.86 was received for the Grand Marais Outlet Restoration Project. A second draft agreement was received in the amount of \$108,075 which will be used to augment the local cost of land easements for the project. The signed agreements should be received within in a few weeks.
- Jesme received a call from a representative from MN Dakota Generating Company to better understand how much land they would need to sell to the City of Clearbrook for the Clearbrook Stormwater Retention Pond Project.
- A MAWD Legislative Update is included in the packet.
- Included in the packet is a Water Quality Update for June. The following draft reports have been completed by staff member Corey Hanson: Silver Creek E.coli Bacteria TMDL, Clearwater River Dissolved Oxygen TMDL, Red Lake County Ditch 57 Dissolved Oxygen TMDL, Poplar River Dissolved Oxygen TMDL, Lost River E. coli Bacteria TMDL, and Clearwater River E. coli TMDL.

Manager Ose and Coe discussed the MAWD summer tour. Manager Coe was appointed to serve on the MAWD Board.

Manager Knott discussed needed repairs to the Seeger Dam road. Staff members will work with Manager Knott and a contractor to complete the work.

Discussion was held on the Advisory Tour being held on July 16, 2009.

The Budget and Salary Committee will meet in the near future to review the 2010 budget. Manager Knott, Tiedemann and Coe serve on this committee.

Motion by Ose, seconded by Votava, with motion carried to adjourn the meeting to the Advisory Board tour on July 16, 2009 at 9:30 a.m. at the RLWD Office.



Orville Knott, Secretary