

RED LAKE WATERSHED DISTRICT
Board of Manager's Minutes
October 22, 2009

Present were: Managers Orville Knott, LeRoy Ose, Dale M. Nelson, Kelly Nordlund, Gene Tiedemann, Lee Coe and Jim Votava. 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 Ose, and passed by unanimous vote that the Board approve the agenda.

Tammy Audette read the minutes of October 8, 2009. A motion was made by Tiedemann, seconded by Knott, and passed by unanimous vote that the Board approve the minutes with corrections.

The Board reviewed the Financial Report dated October 21, 2009. Motion by Knott, seconded by Votava, and passed by unanimous vote that the Board approve the Financial Report dated October 21, 2009.

The regularly scheduled Board meeting on November 26, 2009 falls on Thanksgiving Day. A motion was made by Tiedemann, seconded by Coe, to change the November 26, 2009 Board meeting to Tuesday, November 24, 2009 at 9:00 a.m. Motion carried.

Construction began on the Jerome Street Bank Stabilization Project, RLWD Project No. 97B on Monday, October 19, 2009. Administrator Jesme stated that due to the release of water from Agassiz National Wildlife Refuge the reservoir filled up faster than planned and that the contractor had more water issues than what we hoped for.

Two quotes were received for installation of a gate guard on the outlet structure of Brandt Impoundment, RLWD Project No. 60D. Motion by Tiedemann, seconded by Nordlund, to approve the low quote received from Crookston Welding in the amount of \$2,498.00. Motion carried.

Discussion was held on trapping of beaver within the Parnell Impoundment and the possibility of installing gate guards on the culverts within the impoundment.

Administrator Jesme discussed the Judicial Ditch 72 Joint Board meeting held on October 14, 2009. Jesme stated that the Joint Ditch Board voted that the road authority which is Winsor Township should pay for the culvert replacement through the township roadway within the JD 72 system. The Joint Board also passed a resolution authorizing the RLWD and/or Polk County the authority to spend up to \$7,500 per year on the JD 72 system without holding a joint board meeting.

Administrator Jesme stated that the bond was received from the petitioners for Pennington County Ditch 1, RLWD Project No. 171. Discussion was held in regard to proceeding with the preliminary engineer's report and process to be followed.

At 9:30 a.m., the final payment hearing for R.J. Zavoral & Sons, Inc. concerning the Improvement to Polk County Ditch 53, RLWD Ditch 12, Project No. 169 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 Knott, to approve the final payment in the amount of \$87,106.38 to R.J. Zavoral & Sons, Inc. for construction of the Improvement to Polk County Ditch 53, RLWD Ditch 12, Project No. 169. Motion carried. The hearing was videotaped and is on file at the RLWD office.

Administrator Jesme stated that landowners Wes and Calien Christianson have requested to pay the landowner costs of construction of their ring dike in installment payments. The total landowner cost is \$6000. Christianson would like to pay \$4,000 up front and the remaining balance by September 1, 2010. Motion by Tiedemann, seconded by Knott, with motion carried to allow landowners Wes and Calien Christianson to make two payments for construction of their ring dike and that interest is charged on the remaining balance owed at a rate consistent with other District projects.

A request was received from Alden Carlson for a one year extension to Permit No. 08089 until November 19, 2010. Motion by Knott, seconded by Tiedemann, to extend Permit No. 08089, Alden Carlson to November 19, 2010. Motion carried.

The Board reviewed permits for approval. Manager Knott stated additional conditions should be added to Permit No. 09110, Roger Hinrichs. After discussion by the Board, motion by Knott, seconded by Tiedemann, to add the following condition to Permit No. 09110: work shall not be completed until the completion of the proposed control structure on the Tom Oscarson property. Motion carried.

The Board reviewed the permits for approval. A motion was made by Tiedemann, seconded by Nordlund, to approve the following permits with conditions stated on the permits: No. 09121, Alden Carlson, Norden Township, Pennington County; No. 09122 and 09123, Clearwater County Highway Department, Winsor Township, Clearwater County; No. 09124, Dan Stroot, Belguim Township, Polk County; and No. 09126, Michael E Gasper, Crookston Township, Polk County. Motion carried.

Administrators Update:

- Drawdown on the Moose River Impoundment started on Sunday, October 11th. Winter levels should be reached by early next week.

- Construction on the Parnell Impoundment modifications have progressed well. Seeding will be completed next spring as we have to assume the impoundment will fill up in the spring. Installation of riprap will be completed after freeze up. Gravel will also have to be added to the project to allow travel to the two 48" screw gates. Except for the items mentioned, construction should be completed by October 23, 2009.
- Construction has started on the Michael Egeland ring dike west of Fisher. This ring dike is being constructed in conjunction with the Thompson Bridge project with the extra dirt from the bridge being used for the ring dike. We hope to substantially complete the ring dike this fall with minor touch up and seeding next spring/summer. Quotes will be received for two NRCS funded ring dikes. If weather permits, we hope to begin construction this fall.
- Construction on the Jerome Street Bank Stabilization project started on October 19th. To date most of the fill has been completed and rock riprap will be placed this week.
- Included in the packet is a water quality update from staff member Corey Hanson.

Further discussion was held on Pennington County Ditch 1, RLWD Project No. 171. Engineer Nate Dalager, HDR Engineering stated that the next step would be to perform a survey. Dalager stated that survey information that has already been completed will be helpful. Administrator Jesme stated that further funding discussions will be held with Senator LeRoy Stumpf. Funding needs will be submitted to the Senate bonding committee meeting in Ada at the RRWMB meeting on October 27, 2009.

President Nelson recessed the meeting at 9:45 a.m.

At 10:00 a.m., President Nelson reconvened the meeting and called to order the Preliminary Hearing for Pennington County Ditch 75, RLWD Ditch 13, Project No. 170. President Nelson directed Legal Counsel Delray Sparby to address the audience concerning the purpose and format of the meeting. Administrator Jesme read for the record the MN DNR Director's Advisory Report and MN BWSR Advisory Report. A copy of both reports were available for those in attendance and also placed as part of the record. Jeff Langan, Houston Engineering, Inc., and engineer for the petitioned project presented the Preliminary Engineer's Report which consisted of six alternatives. Upon completion of his presentation Langan then turned the hearing back to President Nelson who asked for questions from the Board members, followed by questions and comments from landowners in attendance. After all questions and comments had been heard, President Nelson closed the hearing. Of the six alternatives presented Alternative 3 was recommended by the Engineer at an estimated cost of \$1,055,047 providing a 5 year design protection. The hearing is on video tape and available for viewing at the RLWD office.

The Board discussed the various alternatives presented by the Engineer including the Engineer's recommendation of Alternative 3 and also Alternative 5 which had an estimated cost of \$1,149,297 for a drainage design providing a 10 year protection. After considerable discussion, a motion was made by Ose, seconded by Knott, that the petition met legal requirements, that the proposed drainage project as outlined in the petition or as

modified in the Engineer's suggested Alternative 5 is feasible, that there is a necessity for this proposed project, that the proposed project will be a public benefit and promote the public health, that the outlet for the proposed project is adequate and that the Engineer be authorized to proceed with a Detailed Survey Report in regard to Alternative 5 presented in the Preliminary Engineers Report for Pennington County Ditch 75, RLWD Ditch 13, Project No. 170 and also to proceed with appointment of viewers. Motion carried.

Legal Counsel Sparby discussed the meeting he will be attending with the City of Thief River Falls, Thief River Falls Chamber of Commerce and the MN Historical Society, via telephone conference, in regard to the transfer of title of the Carnegie Library.

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



Orville Knott, Secretary