

RED LAKE WATERSHED DISTRICT  
Board of Manager's Minutes  
June 28, 2012

Present were: Managers Lee Coe, Orville Knott, Dale M. Nelson, LeRoy Ose, Gene Tiedemann, Les Torgerson and Albert Mandt. 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 Mandt, and passed by unanimous vote that the Board approve the agenda. Motion carried.

Motion by Knott, seconded by Ose, to dispense reading of the June 14, 2012 Board meeting minutes and approve them as printed. Motion carried.

The Board reviewed the Financial Report dated June 27, 2012. Motion by Mandt, seconded by Tiedemann, and passed by unanimous vote that the Board approve the Financial Report dated June 27, 2012. Motion carried.

Administrator Jesme reviewed the 2012 General Fund Budget and Capital Projects Budget as of June 27, 2012.

President Nelson welcomed the new MnDNR Area Hydrologist Stephanie Klamm who replaced Garry Bennett. Klamm stated that she will be working with Clean Waters, permitting and regulatory issues that may arise.

Engineer Jeff Langan showed a Google Earth image of the Grand Marais Creek Bank Stabilization Project, RLWD Project No. 60FF. Langan stated that he hoped Archeologist would be completed within the next few weeks. Langan and Jody Beauchane, Polk County Ditch Authority, will be viewing the ditch slopes to determine if the bank is stable enough to proceed with further excavation. Langan stated that 17% of the work is complete. The Board reviewed Pay Estimate No. 1 for R.J. Zavoral and Sons, Inc. Jesme indicated that as part of the specifications, a 10% retainer will be held until final approval of the project. Based on the reduction of 10%, total payment owed for Pay Estimate #1 is \$83,811.01. Motion by Tiedemann, seconded by Knott, to approve payment in the amount of \$83,811.01, to R.J. Zavoral & Sons, Inc. for construction of the Grand Marais Creek Bank Stabilization Project, RLWD Project No. 60FF. Motion carried. Langan reviewed a cost breakdown of the project, with the addition of the archeologist fees.

Administrator Jesme stated that the Grand Marais Creek Channel Restoration Joint Powers Board (RLWD Project No. 60F) met this morning prior to the Board meeting to discuss RIM, flowage easements and a potential hearing date for the project. Jesme indicated that among other issues discussed by the Joint Board, they approved to maintain the remaining 35 acres of Todd Mack's RIM acres. In return, Mack agreed to allow approximately 13,000 yards of borrow and 4 acres of trees located on the north side of the Grand Marais Cut Channel Stabilization Project to be deposited on the 35 acres. Jesme explained the proposed sequencing of the project which may call for the channel and road crossings to be constructed first, with construction of the structure in 2014. The hearing has been scheduled for August 23, 2012 at 11:00 a.m. at the District office.

The Board discussed what documents need to be retained in project files and what can be discarded after they have been scanned into the new M-File document management system. Legal Counsel Sparby stated that most of what needs to be retained is controlled by the Minnesota Historical Society. Survey reports, original petitions, easements, and anything for a hearing process, etc. should be retained. Sparby will meet with the staff prior to any documents being discarded.

The Board discussed the request of the Red River Retention Authority for 20% Flood Reduction within the Red River Valley based on the 1997 flood. Manager Knott discussed what authority the Red River Retention Authority has over the District. Engineer Nate Dalager, HDR Engineering, Inc. stated that he would like to narrow it down to approximately 12 sites so the committee has something to look at. Dalager based his site selection on Non-channel, slope, wetlands, homesteads and flood prone areas. It was the consensus of the Board that the committee would meet later this summer.

Administrator Jesme stated that the District received the U.S. Army Corps of Engineers permit for construction of RLWD Ditch 14/TRF Flood Damage Reduction Project, RLWD Project No. 171/171A. The District is required to give the Corps written notice that we are taking the mitigated wetlands out of the wetland bank. Dalager updated the Board on construction activity.

Manager Knott stated that a landowner/agency meeting was held on the Chuck Flage Erosion Control Project, RLWD Project No. 174. Based on the meeting held, it appears that the landowners and Red Lake County SWCD approved diverting most of the flows to a more stable outlet into the river. Engineer Dalager stated that the structure is worn out and the original proposal was to leave the structure as is since most of the water will be diverted. After the site visit, it was determined that the original structure will need to be repaired. Discussion was held on repairing the structure as Phase 2, allowing the SWCD to apply for grant money to repair the structure. After further discussion by the Board, it was the consensus of the Board to complete Phase 1 of the project by diverting water to a more stable outlet and, therefore allowing the SWCD to apply for grant money for Phase 2.

Engineer Dalager discussed the Brandt Channel, RLWD Ditch 15, Project No. 175. Dalager stated that he will have the Preliminary Engineer's Report completed in the near future and a preliminary hearing could be potentially scheduled in mid to late August.

The Board discussed the Larry Martinson drainage issue. Administrator Jesme reviewed a map provided by the Middle Snake Tamarac Watershed District. Jesme stated that Martinson would like to drain his surface water from Section 7 Bray Township (located in the Red Lake Watershed District) north to Judicial Ditch #25-II, which is currently located in the Middle Snake Tamarac Rivers Watershed District. In discussion with MSTRWD staff, it was determined that Mr. Martinson does not pay benefits into the Judicial Ditch #25-II legal drainage system. Therefore he can't drain into that legal system without going through a petition process into that legal drainage system. After discussion by the Board, it is the recommendation of the staff that Mr. Martinson look into draining his water south along Section 7 of Bray Township and that permission from the local landowner would be required.

The Board reviewed a request for the purchase of a Garmin Montana 650 and Garmin TOPO software in the amount of \$589.90, plus shipping. Motion by Knott, seconded by Coe, to approve the purchase of a Garmin Montana 650 and Garmin Topo software in the amount of \$589.90, plus shipping. Motion carried.

The Board reviewed the disposal of property list. Motion by Coe, seconded by Torgerson, to declare the listed property as surplus and of no value to the District, and to properly dispose of the property listed. Motion carried.

The Board reviewed information on a Small Cities Development Program for updating of the City of Bagley and Gonvick storm water systems.

The Board reviewed permit No. 12065, Dean Philipp, Adger Township, Marshall County and Silverton Township, Pennington County. Administrator Jesme stated that the applicant requests a ditch plug as part of the permit. Mr. Philipp is requesting to place a ditch plug in a legal drainage system located in Marshall County, thus diverting flows into another legal drainage system located in Pennington County. Motion by Knott, seconded by Tiedemann, to deny Permit No. 12065, Dean Philipp, Adger Township, Marshall County and Silverton Township, Pennington County. Motion carried.

The Board reviewed the permits for approval. Motion by Tiedemann, seconded by Knott, to approve the following permits with conditions stated on the permit. No. 12067, Norden Township, Pennington County; No. 12068, Jeremy J Nelson, North Township, Pennington County; No. 12069, Minnesota Department of Transportation, Numedal Township; No. 12070, Horst Lesser, Valley and Espelie Township, Marshall County; and No. 12073, Leslie Hofstad, Equality Township, Red Lake County. Motion carried.

#### Administrators report:

- Jesme and Manager Knott attended the RRWMB meeting on June 19, 2012 at the Red River Attention Authority office in West Fargo.
- Jesme and Manager Torgerson will present the 2011 Annual Report to the Clearwater County Commissioners on July 10<sup>th</sup>.
- Jesme and Managers Tiedemann and Mandt attended the MAWD Summer Tour at the Mystic Lake Casino hosted by the Prior Lake-Spring Lake Watershed District.

Manager Knott discussed a private group ditch located south of Red Lake Falls that the landowners have been having maintenance issues on. Knott stated that the landowners are not in agreement on who would pay the maintenance costs. Discussion was held on the process required to petition the District for a legal ditch system.

Manager Coe stated that he presented the 2011 Annual Report to the Beltrami County on May 19<sup>th</sup>.

Motion by Coe, seconded by Mandt, to adjourn the meeting. Motion carried.

A handwritten signature in cursive script that reads "Orville Knott". The signature is written in black ink on a light-colored background.

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Orville Knott, Secretary