

RED LAKE WATERSHED DISTRICT
Board of Manager's Minutes
September 27, 2012

Present were: Managers Lee Coe, Orville Knott, Dale M. Nelson, LeRoy Ose, Les Torgerson, Gene Tiedemann and Albert Mandt. Staff Present: Myron Jesme and Tammy Audette and Legal Counsel Sparby.

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

Motion by Knott, seconded by Coe, to dispense reading of the September 13, 2012 Board meeting minutes and approve them as printed. Motion carried.

The Board reviewed the Financial Report dated September 26, 2012. Motion by Knott, seconded by Coe, and passed by unanimous vote that the Board approve the Financial Report dated September 26, 2012. Motion carried.

President Nelson discussed the letter to the editor in the Thief River Falls Times in regard to standing water and beaver at the intersection of Pennington Avenue and County Road 8 on the Thief River Falls Flood Damage Reduction Project, RLWD Project No. 171A. Administrator Jesme stated that it was determined that an underground storm system outlets into the diversion ditch at that location, resulting in a continuous flow of water thus keeping the bottom of channel wet.

Administrator Jesme stated that at the August 23, 2012 Board meeting, the Board made a motion to remove Judicial Ditch 1, Project No. 100 from the listing of projects as it is not an active project but it has a remaining fund balance of \$236.67. Motion by Coe, seconded by Torgerson, to transfer the remaining balance of \$236.67 into the project funds. Motion carried.

Engineer Jeff Langan, Houston Engineering, Inc. updated the Board on construction activities on the Grand Marais Creek Cut Channel, RLWD Project No. 60FF. Langan stated that a U.S. Army Corps of Engineers Permit has been submitted to complete additional resloping of the bank from Polk County Road 64 west to the wooded area east of the drop structure as well as the area in the eastern most part of the project near the proposed diversion structure. Langan stated that the contractor has left the site, so additional mobilization will be required. Langan stated that the scope of the project has not changed we are just increasing the limits of the project.

The Board reviewed Pay Estimate No. 7 for R.J. Zavoral & Sons, Inc. for construction of the Grand Marais Creek Cut Channel Stabilization Project, RLWD Project No. 60FF. Jesme indicated that as part of the specifications, a 5% retainer will be held until final approval of the project. Langan stated that based on the retainage of 5%, total payment owed for Pay Estimate #7 is \$57,457.47. Motion by Torgerson, seconded by Tiedemann, to approve payment in the amount of \$57,457.47 to R.J. Zavoral & Sons, Inc. for construction of the Grand Marais Creek Cut Channel Stabilization Project, RLWD Project No. 60FF. Motion carried.

The Board reviewed Change Order No. 6, for R.J. Zavoral & Sons, Inc. for the Grand Marais Creek Cut Channel, RLWD Project No. 60FF for a extension of Contract Time from September

20, 2012, to December 1, 2012. Motion by Coe, seconded by Knott, to approve Change Order No. 6 for R.J. Zavoral & Sons, Inc. for construction of the Grand Marais Creek Cut Channel, RLWD Project No. 60FF. Motion carried.

The Board reviewed Pay Estimate No. 6 for Spruce Valley Corporation for construction of RLWD Ditch 14, Project No. 171. Jesme indicated that as part of the specifications, a 10% retainer will be held until final approval of construction of the project. Based on the retainage of 10%, total payment owed for Pay Estimate #6 is \$24,241.50. Motion by Tiedemann, seconded by Ose, to approve payment in the amount of \$24,241.50 to Spruce Valley Corporation for construction of RLWD Ditch 14, Project No. 171. Motion carried.

The Board reviewed Change Order No. 2 for Spruce Valley Corporation for the RLWD Ditch 14, RLWD Project No. 171 in the amount of \$26,935.00 for additional work along County Road 7. Motion by Mandt, seconded by Torgerson, to approve Change Order No. 2, for Spruce Valley Corporation for RLWD Ditch 14, RLWD Project No. 171 in the amount of \$26,935.00. Motion carried.

The Board reviewed Pay Estimate No. 6 for Spruce Valley Corporation for construction of the Thief River Falls Flood Damage Reduction Project, Project No. 171A. Jesme indicated that as part of the specifications, a 10% retainer will be held until final approval of construction of the project. Based on the retainage of 10%, total payment owed for Pay Estimate #6 is \$39,107.59. Motion by Knott, seconded by Ose, to approve payment in the amount of \$39,107.59 to Spruce Valley Corporation for construction of Thief River Falls Flood Damage Reduction Project, Project No. 171A. Motion carried.

The Board reviewed Change Order No. 3 for Spruce Valley Corporation for the Thief River Falls Flood Damage Reduction Project, RLWD Project No. 171A in the amount of \$13,763.43 for additional topsoil north of Greenwood Street, hydroseeding and pipe beveling. Motion by Coe, seconded by Mandt, to approve Change Order No. 3, for Spruce Valley Corporation for the Thief River Falls Flood Damage Reduction Project, RLWD Project No. 171A in the amount of \$13,763.43. Motion carried.

Administrator Jesme reviewed the project costs for the RLWD Ditch 14/Thief River Falls Flood Damage Reduction Project, RLWD Project No. 171/171A.

The Board discussed setting the Water Management District fee for the Thief River Falls Flood Damage Reduction Project, RLWD Project No. 171A. Motion by Coe, seconded by Knott, to set the fee for the Thief River Falls Flood Damage Reduction Project, RLWD Project No. 171A at \$700,000, the maximum allowed in accordance to the petition submitted by the District to the Board of Water and Soil Resources. Motion carried.

Administrator Jesme stated that the CRP contracts on the Paul Hoff land is soon to expire. Mr. Hoff wishes to re-enroll the land into CRP. Jesme stated that the District rents the property to Mr. Hoff, and feels we need to be consistent with the rental rates that we are charging on other property the District owns. Motion by Knott, seconded by Ose, to charge Mr. Hoff, \$20.00 per

acre for land within the Louisville/Parnell Impoundment, RLWD Project No. 121. Motion carried.

Administrator Jesme stated that since the District established the wetland banking site, Basin A, within the Louisville/Parnell Impoundment, RLWD Project No. 121, the District is required to pay back the CRP payments received on acres taken out of CRP and enrolled as part of the wetland banking site. Jesme indicated that CRP lands affected include 4.8 acres in Louisville Township at the rate of \$3,382.67 and 2.1 acres in Section 13 Parnell Township at the rate of \$3,882.67 for a total of \$5,632.27. Motion by Tiedemann, seconded by Mandt, to pay back the CRP payments for lands that the District received wetland banking credits in the amount of \$5,632.27. Motion carried.

Legal Counsel Sparby stated that he had minor corrections to the River Watch Agreement and recommended approval by the Board. Motion by Mandt, seconded by Torgerson, to approve the River Watch Agreement with the suggested changes by Legal Counsel Sparby. Motion carried.

The Board reviewed the 2012 MAWD Annual Meeting Resolution Process. Resolutions must be submitted to MAWD prior to October 19, 2012.

The regularly scheduled Board meeting on November 22, 2012, falls on Thanksgiving Day. A motion was made by Ose, seconded by Mandt, to change the November 22, 2012, Board meeting to Wednesday, November 28, 2012 at 9:00 a.m. Motion carried.

Motion by Knott, seconded by Tiedemann, to grant a one year extension to Permit No. 11112, Gary Novak, River Falls 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 permits: No. 12105, Kirk Luckow, Keystone Township, Polk County; and No. 12140, Marshall County Highway Department, Excel Township, Marshall County. Motion carried.

Administrators Update:

- Manager Knott and Jesme attended the RRWMB meeting held at the District office on September 18, 2012. Part of the meeting was a continuation of a tour held on September 17th on behalf of the Red River Basin FDR Work Group. This tour was host to various agency heads consisting of the USACOE, MPCA, NRCS, MnDNR and BWSR. The tour started in Thief River Falls and went west to Agassiz Valley Project being constructed by the Middle Snake Tamarac Rivers Watershed District. The tour intent was to discuss the mediation agreement and to explain why it was developed. There seems to be a commitment from all agencies involved in developing FDR project goals to assure the money is well spent both in terms of Natural Resource Enhancement as well as permitting. Included in the packet was a draft "Renewing our Commitment to the Red River Valley.
- The District in conjunction with RMB Labs, MPCA and MnDNR hosted a picnic on September 24 in Crookston on the Red Lake River Initiative. The picnic was a kick-off

to educate the public and get ideas about various aspects of the Red Lake river. The plan that will be developed is about restoring and protecting the Red Lake River. Included in the packet are two newspaper articles that touch on the goals of this initiative.

- Contract documents for the Clearbrook Stormwater Project have been sent to Taggart Excavating. A pre-construction meeting will be set up next week.
- Contract documents for the Flage Erosion Control Project have been sent to Wright Construction. A pre-construction meeting will be set in the near future.

Discussion was held on the non-renewal of the RRWMB Public Information Office contract.

Manager Torgerson stated that he would like to attend the pre-construction meeting for the Clearbrook Stormwater Retention Pond, RLWD Project No. 160.

Manager Torgerson discussed a canoe route on the Clearwater River and what the District's policy is on improving the river.

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



Orville Knott, Secretary