

RED LAKE WATERSHED DISTRICT  
Board of Manager's Minutes  
September 11, 2014

President Dale M. Nelson called the meeting to order at 9:00 a.m. at the Red Lake Watershed District Office, Thief River Falls, MN.

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

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

Motion by Coe, seconded by Torgerson, to dispense reading of the August 28, 2014 Board meeting minutes and approve them as printed. Motion carried.

The Board reviewed the Financial Report and Investment Summary dated September 10, 2014. Motion by Tiedemann, seconded by Torgerson, to approve the Financial Report and Investment Summary dated September 10, 2014. Motion carried.

The Board reviewed Pay Estimate No. 3 in the amount of \$125,400.36 for construction of RLWD Ditch 15, Project No. 175. Motion by Tiedemann, seconded by Knott, to approve Pay Estimate No. 3 in the amount of \$125,400.36 to Davidson Construction, Inc. for construction of RLWD Ditch 15, Project No. 175. Motion carried.

Administrator Jesme stated that on September 23, 2014, staff from the Board of Water and Soil Resources will participate in a field day on the Grand Marais Creek Channel Restoration Project, RLWD Project No. 60F. Jesme stated that Davidson Construction, Inc. was on site doing some weed management.

Engineer Nate Dalager, HDR Engineering, Inc., stated that they met with R.J. Zavoral & Sons, Inc. regarding construction of the Diversion Channel on the Grand Marais Creek Channel Restoration Project No. 60F. R.J. Zavoral & Sons, Inc. requested a pay estimate for rock that has been delivered to the construction site.

The Board reviewed draft comments to the U.S. EPA Proposed Rule on Waters of the United States that was drafted by Rinke Noonan. Administrator Jesme stated that any comments should be directed to John Kobe with Rinke Noonan.

The Board reviewed correspondence from the Red Lake SWCD requesting funding assistance cost share for a 319 Non-Point Grant the Red Lake SWCD received for the installation of alternative side inlets. Administrator Jesme stated additional sites were installed, therefore the Red Lake SWCD was over budget by \$6,406.73. The Red Lake SWCD is requesting the remaining balance to be appropriated out of the 2014 Erosion Control Funds, RLWD Project No. 164. Motion by Tiedemann, seconded by Torgerson, to approve the funding assistance request

Red Lake Watershed District

September 11, 2014

Page 2 of 5

from the Red Lake SWCD in the amount of \$6,406.73, from the 2014 Erosion Control Funds, RLWD Project No. 164. Motion carried.

The Board reviewed a cost share request from the Red Lake County SWCD for a Stormwater Runoff Project at the St. Joseph's Church in Red Lake Falls, located in Section 22, Red Lake Falls Township, Red Lake County. Administrator Jesme stated that Jim Hest, Red River Valley Conservation Service Area Engineer, has completed the survey and final design work for the project. The total project cost is \$44,399.26. The Red Lake County SWCD is requesting \$7,399.26 cost share from their 2014 Erosion Control Funds, RLWD Project No. 164. Motion by Knott, seconded by Ose, to approve the request of the Red Lake County SWCD for cost share in the amount of \$7,399.26 for the Stormwater Runoff Project, St. Joseph's Church, Red Lake Falls from the 2014 Erosion Control Funds, RLWD Project No. 164. Motion carried.

The Board reviewed a letter from Minnesota Governor Mark Dayton to the Chairman of the Flood Diversion Authority regarding the Fargo/Moorhead Diversion and potential impact to landowners upstream of the project.

Kevin Davidson, Davidson Construction, Inc., appeared before the Board to discuss construction on RLWD Ditch 15, Project No. 175. Davidson stated that approximately 6 ½ miles have been completed of a 10 mile project. Davidson stated that due to the late spring and untimely summer rainfall events, Davidson Construction will be unable to complete construction by the September 15 deadline and is requesting a 30 day extension. Motion by Ose, seconded by Torgerson, to grant a 30 day construction extension, to October 15, 2014. Motion carried with Manager Mandt opposed. Engineer Nate Dalager, HDR Engineering, Inc. discussed the project warranty and that any spring damage and reseeded will be the responsibility of the Contractor due to the late time frame for completing construction and the dormant seeding that will be required. Kevin Davidson concurred with Dalager's statement.

Administrator Jesme discussed the formation of the Project Work Team for the Four Legged Lake Project. Jesme stated that at the landowner meeting held in Clearbrook, three landowners had expressed interest in participating on the Project Work Team. Jesme stated that he will contact the landowners to discuss the commitment that would be required to meet monthly for up to a year.

Administrator Jesme stated that District Staff have contacted a Contractor that would be available to work on the inlet channel of the Euclid East Impoundment, RLWD Project No. 60C. Jesme stated that the inlet channel will be widened with a berm built to alleviate overland flooding. Construction will be completed at an hourly rate. Motion by Mandt, seconded by Ose, to approve the construction to the inlet channel of the Euclid East Impoundment at an hourly rate. Motion carried with Manager Tiedemann abstaining.

Administrator Jesme stated that Staff member Jim Blix will be retiring on December 31, 2014. Jesme stated that he would like to begin advertising for this position immediately, to allow for some overlap of training prior to Blix's retirement date. Jesme stated that starting pay would be set up by the Fox Lawson pay structure, dependent on experience. Motion by Torgerson,

Red Lake Watershed District

September 11, 2014

Page 3 of 5

seconded by Ose, to approve the advertisement for the Natural Resource Technician Position. Motion carried.

Administrator Jesme stated that District staff will participate in the Northwest Minnesota Water Festivals in Thief River Falls, Warren, and Fertile.

The Board reviewed correspondence from a landowner in Whiteford Township, Marshall County, regarding a drainage concern.

Administrator Jesme stated that the RRWMB has had several presentations on medical emergencies and discussion of purchasing automated external defibrillators (AED) to have at all RRWMB meetings. The RRWMB received quotes from the Sanford First Aid and Safety for the purchase of an AED. Jesme stated that the RRWMB inquired if any of the Watershed District's would be interested in purchasing an AED, as there is a price reduction if multiple AED's are bought. Motion by Torgerson, seconded by Tiedemann, to approve the purchase of an AED at an approximate cost of \$1,798.95. Motion carried.

Administrator Jesme stated that the siding on the south side of the District office is cracking in several locations. There is currently a class action lawsuit against the siding company. Jesme stated that according to the lawsuit, the District could potentially receive 56% of the actual cost of replacement, but would only collect ½ of the value now and then all or part of the remaining balance would be paid based on the dollar amount left in the fund after all claims are settled in 2016. It was the consensus of the Board, to authorize Administrator Jesme to contact a contractor to measure the square footage to determine the amount that would need to be replaced and report back to the Board.

Discussion was held concerning the District's pending Permit Rules and Regulations regarding tile drainage. It has been brought to the Boards attention by various landowners downstream of tile pumps that once tile drainage is installed, road ditches remain wet and downstream landowners are not able to maintain road ditches as they had in the past. Considerable discussion was had on what provisions could be included in the draft rules and regulations to allow maintenance on road ditches should tile run all summer thus keeping ditches wet? The Board wondered if it would be a good idea to meet with counties and townships to receive input on how to maintain wet road ditches should they get inundated with cattails.

Administrator Jesme stated that at the April 22, 2010 Board meeting, the Board voted to allow landowners and/or renters to sign District permit applications. Legal Counsel for the RRWMB, has determined that only the landowner is allowed to sign permit applications. Motion by Knott, seconded by Torgerson, to change the District's Rules and Regulations, requiring the landowner to sign permit applications. Motion carried.

The Board reviewed the permits for approval. Motion by Lee, seconded by Mandt, to approve the permits with conditions stated on the permit: No. 14136, Matthew L. Stenberg, Garnes Township, Red Lake County; No. 14147, Todd Evenson, Small Vineland Township, Polk County; No. 14148, David Jones, Rollis Township, Marshall County; No. 14149, Joe Stroot, Belguim Township, Polk County; No. 14150, John Garry, Fanny Township, Polk County; No. 14151, Michael R. Harmoning, Gervais Township, Red Lake County; No. 14152, Steve Morenz,

Goodridge Township, Pennington County; No. 14153, Brent & Don Strickler, Euclid Township, Polk County; No. 14154, Wayne Vettleson, Equality Township, Red Lake County; No. 14155 and 14156, Alex Engelstad, Russia Township, Polk County; No. 14157, Carl Moland, Onstad Township, Polk County; No. 14159, Quiring Township, Beltrami County; No. 14160, TVF Airport, Rocksbury Township, Pennington County; and No. 14161, Michael L. Knott, Red Lake Falls Township, Red Lake County. Motion carried.

The Board reviewed a draft Data Policy. Administrator Jesme stated that the Data Policy is old and outdated. Jesme and Legal Counsel Sparby have been working on updating the policy. Motion by Tiedemann, seconded by Knott, to authorize Administrator Jesme and Legal Counsel to update the Data Policy. Motion carried.

Discussion was held on the formation of a Project Work Team for the Pine Lake Subwatershed, Project No. 26.

#### Administrators Update:

- Jesme and Manager Knott will attend the RRWMB meeting on September 16, 2014 to be held in the District office. Included in the packet was the minutes and Treasurer's Report for the RRWMB meeting held August 18, 2014.
- Legal Counsel Sparby is reviewing the Memorandum of Agreement for the 1W1P, which will be signed by all partners of the Red Lake River 1W1P Pilot Project. Jesme took part in a telephone conference on September 9<sup>th</sup> with the State Roundtable Committee to discuss pilots projects, assist with guidance material and updates on how they are progressing.
- Included in the packet was an update from Heidi Hughes on the Tallgrass Aspen Parkland Birding Trail, indicating that she is moving forward with discussion with shop teachers in TRF and Crookston school districts to see if they would be willing to construct observation towers/kiosks for Parnell and Euclid East Impoundments. The towers would cost approximately \$1,500 in material costs for east tower/deck. Hughes will use some of the project funding for interpretive panels, informational signs (rules and regulation, site map and trail map), etc.
- Jesme and Manager Ose presented the 2013 Annual Report to the Marshall County Commissioner's on September 2<sup>nd</sup>.
- BWSR staff will tour the Grand Marais Outlet Restoration Project as part of the state mandated grant obligations. Included in the packet was a BWSR newsletter labeled "Drainage Law Updates: Water Management Considerations".
- Included in the packet was the July/August 2014 River Rendezvous which is written for the promotion of watershed education and awareness in the Red River Basin.

Administrator Jesme stated that in October 2013, the Board agreed to address the gates at the north entrance of the Parnell Impoundment to keep people from accessing the area. Staff member Loren Sanderson spoke to Parnell Township, who expressed their desire to not have the gates moved to the suggested location. Discussion was held on where the township road easement is located.

Red Lake Watershed District

September 11, 2014

Page 5 of 5

Manager Torgerson asked if the drainage concern located within the City of Gonvick had been resolved. Administrator Jesme stated that the landowner has not contacted the District nor has he rectified the situation. Administrator Jesme stated that we will contact him and inform him that the District will have the work completed and a bill submitted to the landowner.

Manager Mandt stated that he met with staff member Loren Sanderson and landowner Marlin Iverson regarding a drainage concern by Maple Lake.

Manager Torgerson stated that landowner Larry Olson requested to have the District's approved minutes physically sent to him. It was determined that minutes should be sent to Mr. Olson in a timely manner consistent to when other approved minutes are circulated.

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



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LeRoy Ose, Secretary