

RED LAKE WATERSHED DISTRICT  
Board of Manager's Minutes  
November 9, 2017

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, Les Torgerson, Terry Sorenson, Allan Page, Brian Dwight, LeRoy Ose, and Gene Tiedemann. Staff Present: Myron Jesme and Tammy Audette and Legal Counsel Sparby.

The Board reviewed the agenda. Administrator Jesme requested the addition of scheduling the Final Payment Hearing to Gerit Hanson Contracting, Inc. for the Blackduck Lake Outlet Repair, RLWD Project No. 50E. A motion was made by Torgerson, seconded by Ose, and passed by unanimous vote that the Board approve the agenda with the addition of the Final Payment Hearing for Gerit Hanson Contracting, Inc. for the Blackduck Lake Outlet Repair, RLWD Project No. 50E. Motion carried.

Motion by Sorenson, seconded by Page, to dispense reading of the October 26, 2017 Board meeting minutes and approve them as printed. Motion carried.

The Board reviewed the Financial Report dated November 7, 2017. Motion by Torgerson, seconded by Ose, to approve the Financial Report dated November 7, 2017 as presented. Motion carried.

Discussion was held on the lowering of the outlet culvert on Judicial Ditch 5, RLWD Project No. 102, that the Board authorized at their October 12, 2017 meeting. Administrator Jesme and Engineer Nate Dalager, HDR Engineering, Inc., received quotes to complete the work and met on site with the contractor. It was determined that weather conditions were not conducive to lowering of the culvert at this time. Dudley Township indicated that permission needs to be received from the township, prior to the start of work, as the culvert is through a Dudley Township road. Discussion was held that the Judicial Ditch Order would have provided the necessary easement authority to perform maintenance through the township road, which is a minimum maintenance roadway. The Clearwater County Attorney contacted Jesme and Legal Counsel Sparby stating that the Clearwater County Commissioners rescinded their previous resolution requiring the District to lower the outlet pipe due to damage on the county road. Discussion was held on how this did not change the fact of the need to lower the water level to allow for maintenance on the culverts and channel, and for Clearwater County to inspect their roads and maintenance. It was the consensus of the Board, that lowering of the outlet pipe will be completed as soon as conditions allow, authorizing the staff to work through the process with Dudley Township and Clearwater County.

Discussion was held on the Four Legged Lake Project, RLWD Project No. 102A. Engineer Nate Dalager, HDR Engineering, Inc. stated that a recommendation from the Project Work Team should be obtained in order to allow the project to move forward. Manager Torgerson stated that we should address landowner Ed Isaacson's request to participate as a Project Team member. As

recommended in the Project Team Handbook, Project Team Members should be approved by the Board. Discussion was held amongst the Board, that the current Project Team members that have been in place and meeting for the past three years. It was discussed that the Project Team process has taken over three years to get where they are currently at, with the need to move forward with a recommendation in the near future. All interested landowners will have an additional opportunity to be heard during the hearing process, should the project proceed to that phase. A motion was made by Dwight, that a recommendation from the Four Legged Lake Project Work Team be presented to the Board by the first meeting in February, 2018, and if no unanimous consensus is accepted, as defined in the Project Team Handbook, those minority dissenting votes will provide a written statement as to their reason for not being in agreement with the majority of the Four Legged Lake Project Work Team recommendation. President Nelson called for a second to the motion three times. Motion failed for the lack of a second. Motion by Dwight, seconded by Ose, that a recommendation from the Four Legged Lake Project Work Team be presented to the Board no later than the first meeting in February, 2018, and if no unanimous consensus is accepted, as defined in the Project Team Handbook, those minority dissenting votes will provide a written statement as to their reason for not being in agreement with the majority of the Four Legged Lake Project Work Team recommendation. Motion carried. Motion by Sorenson, seconded by Ose, that no additional members will be added, at this time, to the Project Work Team for the Four Legged Lake Project, RLWD Project No. 102A. Motion carried.

Engineer Tony Nordby, Houston Engineering, Inc. stated that he met with the Technical Advisory Committee (TAC) on November 3, 2017, to review the RRWMB Step 2 funding submittal for the Black River Impoundment Project, RLWD Project No. 176. Nordby stated that the TAC looked at the confluence of the Black River and Red Lake River and the ability to gain additional gated storage. The TAC requested that Nordby investigate how this project will function in cooperation with the Schirrick Dam to optimize peak reduction at Crookston. Nordby discussed the proximity of the Black River Church with adding the additional gated storage. Additional gated storage would increase the Star Value of the project, but would also drive costs up. The TAC requested the information prior to the November 21, 2017 RRWMB meeting. Nordby stated that comments from BWSR and DNR have not been received. Discussion was held on wetland impacts, permitting, 20% Flood Reduction Strategy and 10 year ditch design. TAC did question the diversion ditches, and if they are necessary for Flood Damage Reduction. Engineer Nate Dalager, HDR Engineering, Inc., discussed the Schirrick Dam issue and how the two projects will work together. The RRWMB is looking for retention and storage so we will have to make it clear that the only reason for the diversion ditches is not to improve drainage upstream, but to assure water will be able to get into the impoundment. Discussion was held on the lack of state funding, and if there would be a need for a redetermination of benefits. A redetermination of benefits could be used for future maintenance, which would require a hearing to determine the benefitted area. Nordby stated he will work on the TAC concerns and discussion with the RRWMB.

Administrator Jesme stated that as part of the grant for the Thief River 1W1P PTMApp Project, RLWD Project No. 149AA a new computer was budgeted to run GIS specific programs that require a larger processing system. The following quotes were received which include the

addition of the ArcGIS Spatial analyst: Garden Valley, \$8,463.98; Marco, \$7,935.00; PC Parts, \$7,575.00. Prices do not include the Professional Services set-up fees. Jesme stated that the grant for the Thief River 1W1P PTMApp Project will pay up to 10% of the grant amount for technology, and if additional funds are required, approval from BWSR would be required prior to the purchase. Jesme further stated that this computer could be used for future 1W1P. Motion by Ose, seconded by Torgerson, to approve the purchase of a computer from PC Parts and additional ArcGIS Spatial analyst in the amount of \$7,575.00 plus Profession Services set-up fees to be paid for from the Thief River 1W1P PTMApp Project, RLWD Project No. 149AA. Motion carried.

Administrator Jesme stated, construction is complete on the Polk County Ditch 63 Grade Stabilization Project, RLWD Project No. 134 and is ready to be seeded. Jesme reminded the Board that this project is being funded using a Clean Water Fund Grant which was applied for through a partnership with West Polk SWCD. Matching funds for this grant is coming out of RLWD Project No. 164. Due to the in climate weather conditions and late season construction timeline, the contractor will try to mulch and disc anchor the project area the best they can, with mulching and seeding occurring next spring. The Contractor is concerned about erosion during the spring runoff, and requested that the District hold them harmless if erosion occurs. Motion by Tiedemann, seconded by Sorenson, that the District will hold the Contractor harmless for any erosion that may occur on the Polk County Ditch 63 Grade Stabilization Project, RLWD Project No. 134 due to the late mulching and disc anchoring of the project area, with the agreement that the Contractor will complete the seeding, mulching, and disc anchoring as soon as Engineer feels conditions are favorable in the Spring 2018. Motion carried.

The Board reviewed correspondence from BWSR regarding the initial comments on the draft Buffer Ordinance for Pennington County.

The Board reviewed a request for an extension to Permit No. 16121, Richard Salentiny, Mayfield Township, Pennington County, until November 17, 2018. Motion by Torgerson, seconded by Sorenson, to grant a one year extension for RLWD Permit No. 16121, Richard Salentiny, Mayfield Township, Pennington County, until November 17, 2018. Motion carried.

The Board reviewed the permits for approval. Motion by Tiedemann, seconded by Sorenson, to approve the following permits with conditions stated on the permit: No. 17151, Roger Smith, Equality Township, Red Lake County; No. 17153, Ray Martell, Garnes Township, Red Lake County; No. 17157, Carl Schindler, Gervais Township, Red Lake County; No. 17158, Daniel Haack, Eckvoll Township, Marshall County; No. 17159 and 17160, Brent Strickler, Euclid Township, Polk County; No. 17161, Minnesota Department of Transportation, Quiring Township, Beltrami County; No. 17162, Terry Johnson, Mayfield Township, Pennington County; No. 17163, Grove Park Township, Polk County; No. 17164, Christian Kiel, Fairfax Township, Polk County; No. 17165, Minnesota Department of Transportation, Red Lake, Pennington and Polk Counties; No. 17166, Melvin Larson, Crookston Township, Polk County; and No. 17167, Kenny Johnson, Sullivan Township, Polk County. Motion carried.

Rinke Noonan will be hosting a Drainage and Waters Conference on Thursday, February 15, 2018, in St. Cloud, MN.

The Board reviewed the MAWD 2017 Proposed Resolutions that will be presented at the MAWD Annual Convention December 1-2, 2017.

Administrators Update:

- Manager Ose will attend the RRMWB meeting on November 21, 2017 in Ada.
- Included in the packet was a news release announcing the hiring of Emily Javens as the new MAWD Executive Director.
- BWSR has announced the hiring of Henry VanOffelen as the Red River Valley Clean Water Specialist. VanOffelen's first day of employment will be November 15, 2017. He will replace Brian Dwight who retired this summer.
- Jesme will participate in a Red Lake River 1W1P Planning Committee meeting at the District office on November 14, 2017 to discuss priority concerns. The priority concerns will be the basis of moving forward with potential projects in preparation of funding distributed by BWSR.
- A Judicial Ditch 72 meeting will be held on November 21, 2017 at 10:30 a.m. with the Polk County Engineer Rich Sanders and the Viewers for the redetermination of benefits. This meeting is intended as an update, as well as discussion of possible consolidation of various ditches that overlap drainage area.
- A Thief River 1W1P Advisory Committee, Planning Work Group and Policy Committee meeting was held November 8, 2017 at the District office. Some of the agenda items consisted of finalizing the matrix, recommendations for maps and finalizing items for the resource stations for the public meetings that will be held January 9<sup>th</sup> in Thief River Falls and January 10<sup>th</sup> in Grygla. There will be one more meeting with the Planning Work Group to finalize details for these two meetings.
- FEMA and MnDNR held a meeting to discuss the Risk Review for the City of Red Lake Falls followed by a meeting in Thief River Falls for the Floodplain Management Training for local officials, surveyors and others at the Pennington County Highway Department. Staff members Jesme, Sanderson, Stanley, Slowinski and Hitt attended all or part of the training sessions.

Legal Counsel Sparby reviewed the basic steps for the Four Legged Lake Project, RLWD Project No. 102A. Sparby stated, that once the Project Work Team presents their recommendation to the Board, the Board can then decide to do nothing or to initiate a project. If a project is initiated, the Board will appoint an Engineer which would develop a preliminary engineers report which will include a recommendation setting the lake levels. A hearing would be held, public input received, and the Board would need to make a final decision as to what levels will be set along with the operating plan. If a project does not move forward, the Board would need to address the abandonment petition. Sparby will present these steps in writing to Administrator Jesme. Engineer Nate Dalager, HDR Engineering, Inc. stated that there could be federal construction funds available.

President Nelson requested a \$0.90/hourly raise for Staff member Ashley Hitt effective August 1, 2017. Nelson indicated that this raise is an attempt to assure Ms. Hitt's salary stays in step with that of the newly hired staff this past summer. Motion by Dwight, seconded by Ose, to approve a \$0.90/hourly raise increase for Staff member Ashley Hitt effective August 1, 2017. Motion carried.

Administrator Jesme stated that construction is complete on the Blackduck Lake Outlet Project, RLWD Project No. 50E, requesting that the Board set a Final Payment Hearing for Gerit Hanson Contracting, Inc. Motion by Dwight, seconded by Sorenson, to set the Final Payment Hearing for 9:30 a.m. on December 14, 2017 for Gerit Hanson Contracting, Inc. for repairs to the Blackduck lake Outlet Project, RLWD Project No. 50E. Motion carried.

Manager Torgerson stated that his appointment to the District Board expires on January 10, 2018. Manager Torgerson indicated that he has expressed his desire to the Clearwater County Board to continue to serve on the District Board.

Manager Tiedemann stated that several signs are missing on the Parnell Impoundment, RLWD Project No. 81 and that staff should investigate in the Spring.

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



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LeRoy Ose, Secretary