

RED LAKE WATERSHED DISTRICT
Board of Manager's Minutes
July 23, 2020

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 in person: Dale M. Nelson, Gene Tiedemann, Terry Sorenson, Allan Page, and LeRoy Ose. Present via conference call: Les Torgerson and Brian Dwight. Staff Present: Myron Jesme and Tammy Audette and Legal Counsel, Delray Sparby.

The Board reviewed the agenda. Motion by Tiedemann, seconded by Page, and passed by unanimous vote that the Board approve the agenda. Motion carried.

The Board reviewed the July 9, 2020 minutes. Motion by Tiedemann, seconded by Torgerson, to approve the July 9, 2020 Board meeting minutes. Upon roll call vote, motion carried unanimously.

The Board reviewed the Financial Report dated July 22, 2020. Motion by Sorenson, seconded by Ose, to approve the Financial Report dated July 22, 2020. Upon roll call vote, motion carried unanimously.

Staff member Arlene Novak reviewed the Investment Summary as of July 22, 2020. Novak recommended investing the \$200,000 Certificate of Deposit set to mature on July 31, 2020, into the CDARS program with Unity Bank at an interest rate of .84% for 12 months. Motion by Tiedemann, seconded by Sorenson, to invest \$200,000 into the CDARS program with Unity Bank. Upon roll call vote, motion carried unanimously.

Staff member Arlene Novak reviewed the 2020 General Fund Budget as of June 30, 2020. Discussion was held on recent Data Practice Policy request costs to the District. President Nelson proposed drafting a Resolution for presentation to the Minnesota Association of Watershed District pertaining to Data Practice Requests Policy.

Engineer Mike Flaagan, Pennington County Highway Department appeared before the Board to discuss Pennington County Ditch No. 96 outlet stabilization project, located south of St. Hilaire. Flaagan stated that the estimated project cost will be \$205,676.00 and that a portion of funding for the project will come from a Clean Water Fund grant that the Pennington SWCD received from BWSR, through an unused grant the Red Lake SWCD received, as well as a local match using ditch funds. Flaagan requested that the District apply for a grant through the RRWMB Water Quality Program Funding in the amount of \$26,313.00. There was considerable discussion concerning additional stabilization of the system which could be considered in the future. Motion by Ose, seconded by Tiedemann, to approve the request for submittal of a Grant Application to the RRWMB in the amount of \$26,313.00 for a bank stabilization project at the outlet of Pennington County Ditch No. 96. Upon roll call vote, motion carried unanimously.

Engineer Mike Flaagan, Pennington County Highway Department, stated that the realignment of the Challenger Ditch, RLWD Project No. 122A, is moving forward. The roundabout should be completed by September 8th, prior to the start of school. The bridge over the Red Lake River has a September 15th deadline, but due to highwater may not meet the deadline date.

The Board reviewed Pay Estimate No. 4 in the amount of \$147,714.48, to Burski Excavating, Inc., for construction of RLWD Ditch 16, RLWD Project No. 177. Motion by Tiedemann, seconded by Ose, to approve Pay Estimate No. 4 to Burski Excavating, Inc., in the amount of \$147,714.48 for construction of RLWD Ditch 16, RLWD Project No. 177. Upon roll call vote, motion carried unanimously. The Board reviewed a letter dated July 14, 2020, from Burski Excavating, Inc., addressing the letter the District submitted to Burski Excavating, Inc. on July 9, 2020. It was noted that Burski Excavating, Inc. did not address the lack of on-site workers and equipment but is willing to meet with the District to address other concerns. It was the consensus of the Board, that the Board is not willing to entertain discussions on adding extra working days onto the Contract at this time. Administrator Jesme and Engineer Jerry Pribula, will schedule a meeting with the Contractor.

The Board reviewed Pay Estimate No. 6 in the amount of \$835,837.55 to R.J. Zavoral and Sons, Inc. for construction of the Thief River Falls Westside Flood Damage Reduction Project, RLWD Project No. 178. Motion by Ose, seconded by Dwight, to approve Pay Estimate No. 6 in the amount of \$835,837.55 to R.J. Zavoral and Sons, Inc., for construction of the Thief River Falls Westside Flood Damage Reduction Project, RLWD Project No. 178. Upon roll call vote, motion carried unanimously. Engineer Nate Dalager, HDR Engineering, Inc., discussed potential change orders for the installation of box culverts on Highway 1. MnDOT is requesting granular back fill instead of what is currently on site. Considerable discussion was held on construction of the project, and the sequencing the Contractor chose, which included considerable work within the city portion of the project prior to diversion ditch being completed. Dalager discussed the boulders found while boring under Highway 32 near the Thief River Falls Bowling Alley. Dalager stated that the Contractor has requested a change order to hauling of material at the intersection of Highway 32 and the truck bypass. Dalager and Administrator Jesme informed the Contractor that hauling of the material is incidental to the price they bid for common excavation. Contractor indicated that they would have to change the procedure to move the dirt which would include using a backhoe and scrapers versus just using scrapers. The Board reviewed a letter from R.J. Zavoral & Sons, Inc., requesting extending the substantial and final completion dates. After consideration discussion, it was the consensus of the Board to take the request for extending the completion dates as well potential change orders under advisement.

Engineer Tony Nordby, Houston Engineering, Inc. discussed acquiring or purchasing a flowage easement for the template of the embankment and interior ditch for construction of the Black River Impoundment, RLWD Project No. 176. Motion by Tiedeman, seconded by Ose, to authorize Administrator Jesme the authority to proceed working with the landowners to secure the purchase of the template of the embankment, and interior and outlet of ditch, for permanent and temporary right-of-way for construction of the Black River Impoundment, RLWD Project No. 176. Upon roll call vote, motion carried unanimously. Nordby noted that easements will need to be acquired on the diversion ditches. Nordby discussed the Step 3 submittal that was

approved by the RRWMB, and potential funding from the NRCS. Nordby will present a project cost and funding breakdown at the next meeting.

Administrator Jesme stated that he was contacted by a landowner on the Burnham Creek Project, RLWD Project No. 43B, that would like an area of the ditch system improved along his property, that was not part of the original Burnham Creek project. Jesme referenced the strategy for the 20% Flood Damage Reduction, noting that this could be a potential area to store water as well as cleaning out or restoring the portion of the channel that is causing flooding problems. Jesme recommended the formation of a Project Work Team to review an off-channel impoundment.

Staff member Nick Olson stated that the Euclid East, Brandt and Parnell Impoundments are still holding water from the July 1st rain event. It was the consensus of the Board, that all gates remain open, to allow for a complete drawdown of the impoundments, unless the District receives a major rain event. Gates on the Moose River Impoundment will be opened next week to bring the levels to the summer target elevation.

Staff member Dave Marshall discussed RLWD Permit No. 20130 and 20131, Dave Faldet, Lessor Township, Polk County. Marshall recommended tabling the permits until the District receives an opinion from the East Polk SWCD regarding possible wetlands that may be affected by the proposed work. As per the District's Permit Rules and Regulations, the District has a 60-day timeline for taking action on a permit application. Marshall discussed the collection of different mapping for potential wetland impacts. Motion by Ose, seconded by Torgerson, to table RLWD Permit No. 20130 and 20131, Dave Faldet, Lessor Township, Polk County, for further review. Upon roll call vote, motion carried unanimously.

Staff member Nick Olson recommended tabling RLWD Permit No. 20-156, James Reinbold, Equality Township, Red Lake County, as a portion of the tile permit application pays into a different benefitted area. Motion by Tiedemann, seconded by Ose, to table RLWD Permit No. 20-156, James Reinbold, Equality Township, Red Lake County. Upon roll call vote, motion carried unanimously.

Motion by Tiedemann, seconded by Sorenson, to approve the withdrawal of RLWD Permit No. 20-121, Grove Park Township, Polk County. Upon roll call vote, motion carried unanimously

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. 20116, John & Cheryle Gunvalson Land Holdings, LCCP, Gully Township, Polk County; No. 20119 and 20120, Grove Park Township, Polk County; 20128, Evelyn Johnson, Badger Township, Polk County; No. 20132, Maxply Farmland Holdings GP, Agder Township, Marshall County; No. 20133, John Eldon Vigstol, Poplar River Township, Red Lake County; No. 20134, Mike Tiedemann, Wylie Township, Red Lake County; No. 20138, Scott G. Olson, Norden Township, Pennington County; No. 20139, Minnesota Department of Transportation, Knute Township, Polk County; No. 20141, Kristel Kaizer, Kratka Township, Pennington County; No. 20142, Dan Ewings, Kratka Township, Pennington County; No. 20143 and 20144, Gervais Township, Red Lake County; No. 20145, Ryan Brang, North Township, Pennington County; No. 20146, Lars & Nicole Toft,

Garnes Township, Red Lake County; No. 20148, Brian Nelson, Sullivan Township, Polk County; No. 20149, Mitchell Kotrba, Northland Township, Polk County; No. 20150, Douglas Peterson, Grand Forks Township, Polk County; No. 20152, Gully Township, Polk County; No. 20153, Red Lake County Highway Department, Red Lake Falls Township, Red Lake County; No. 20155, Scott Strand, Badger Township, Polk County; No. 20157, Roland Brule, Louisville Township, Red Lake County; No. 20158, Red Lake County Highway Department, Garnes Township, Red Lake County; No. 20162, Red Lake County Highway Department, Red Lake Falls Township, Red Lake County; No. 20163, Dan Larson, Equality Township, Red Lake County; and No. 20165, Duane Finkenbinder, Andover Township, Polk County. Upon roll call vote, motion carried unanimously.

The Board reviewed correspondence from BWSR on the 2020 Estimated Market Values.

The Budget and Salary Committee members Brian Dwight, Dale Nelson and Terry Sorenson presented various items for the Board to review based on their meeting held July 20th. Items they presented for review were a job description for the new Administrative Assistant/Office Manager position, proposed salary ranges for each existing job description, step process for each salary range as well as the proposed 2020 salary increase for each position based on the proposed salary ranges. After considerable discussion. Motion by Tiedemann, seconded by Ose, to approve the job description for Administrative Assistant/Office Manager, proposed salary ranges and step processes as well as 2020 staff salary increases as follows. Administrator and Accounting Officer receive a 1.6% COLA adjustment, Administrative Assistant/Office Manager and Water Quality Coordinator salary at Step 10, Natural Resource Technician at Step 9, Ditch Inspector/Technician II at Step 8, and Engineering Specialist and Engineering Senior/Hydro II at Step 7. Upon roll call, motion carried unanimously.

Motion by Tiedemann, seconded by Sorenson, and passed unanimously to approve the proposed 2021 General Fund Budget, in the amount of \$145,337, and set the 2021 General Fund Budget hearing for 9:30 a.m. on Thursday, August 27, 2020 at the RLWD Office.

Administrators Report:

- The RRWMB approved the Step 3 Submittal for the Black River Impoundment project.
- Thief River Falls Oxbow project was presented to the RRWMB for funding. The RRWMB sent the project to the Water Quality Committee for review. The District also requested the \$100,000 RRWMB Water Quality Allocation for the installation of side water inlet pipes and rock structures for the proposed Black River Impoundment Project and side water inlets for RLWD Ditch 16 that were not previously funded.
- Design of a timber retaining wall for the Threat Ring Dike will be forthcoming.

Staff member Christina Slowinski will inspect the outlet of Ditch 10, RLWD Project No. 161, for any additional damage during recent rain events.

Legal Counsel Sparby stated that the Judicial Ditch 5 (Four-Legged Lake), RLWD Project No. 102 hearing will be held on July 28, 2020. Manager Torgerson requested the zoom information so he could participate in the hearing.

Administrator Jesme discussed the Final Hearing for the Improvement to Polk County Ditch 39, RLWD Project No. 179 to be held in the District's garage on July 24, 2020 at 9:00 a.m. Jesme discussed all precautions that will be taken due to the Covid-19 pandemic.

Motion by Page, seconded by Ose, and passed by unanimous roll call vote to adjourn the meeting.

A handwritten signature in blue ink that reads "LeRoy Ose". The signature is written in a cursive style with a horizontal line underneath the text.

LeRoy Ose, Secretary