

RED LAKE WATERSHED DISTRICT
Board of Manager's Minutes
October 8, 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: Dale M. Nelson, Gene Tiedemann, Terry Sorenson, Allan Page, LeRoy Ose, and Les Torgerson. Absent: Brian Dwight. Staff Present: Myron Jesme and Tammy Audette and Legal Counsel, Delray Sparby.

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

The Board reviewed the September 24, 2020 minutes. Motion by Sorenson, seconded by Torgerson, to approve the September 24, 2020 Board meeting minutes as presented. Motion carried.

The Board reviewed the Financial Report dated October 7, 2020. Motion by Page, seconded by Tiedemann, and passed by unanimous vote to approve the Financial Report dated October 7, 2020. Motion carried.

Staff member Nick Olson and Dave Marshall presented constructions plans for modifications to the Brandt Impoundment, RLWD Project No. 60D, on property owned by Ron Salentine. Olson discussed installation of two berms that would stop water from breaking out onto Salentine's property, installation of culvert at the extension of the berm and lowering of the emergency spillway by one foot. Landowner, Ron Salentine, stated that the flowage easement he has with the District is at an elevation of 1916.0, with the emergency spillway at an elevation of 1917. Mr. Salentine is requesting a flowage easement up to 1917.0. Motion by Tiedemann, seconded by Ose, to grant authority to Administrator Jesme to negotiate a rate per acre for a flowage easement with Mr. Salentine up to an elevation of 1917.0, for the Brandt Impoundment, RLWD Project No. 60D and report back to the Board. Motion carried.

Landowners Tim Chaput, George Proulx and Randy Proulx appeared before the Board for discussion on RLWD Permit No. 20052, Tim Chaput, Lake Pleasant Township, Red Lake County. Staff member Nick Olson stated that Mr. Chaput's permit, requests the installation of a 18" culvert at Site 1, and removal of a 18" culvert at Site 2, which would allow Mr. Chaput to drain the 5 acre area between the two crossings to the west through the Proulx property. Olson stated that the remainder of Chaput's property can drain north in a private field ditch. Olson reviewed the 2001 Red Lake County road improvement plans and determined that an 18" culvert was designed for Site 1, which was later found buried in the field entrance. Olson stated that a berm was recently placed, which would block Chaput's water from going west. George and Randy Proulx discussed their local drainage and need for an outlet. Following discussion with the landowners, motion by Torgerson, seconded by Tiedemann, to approve RLWD Permit No.

20052, Tim Chaput, Lake Pleasant Township, directing George and Randy Proulx to remove the berm placed in the field ditch, to allow Mr. Chaput's water to drain west. Motion carried.

Administrator Jesme stated that he will be participating in a conference call with the staff from the NRCS to negotiate the grant match for the Black River Impoundment Project, RLWD Project No. 176. Jesme stated that he will request the land acquisition, engineering and design and potentially permitting to be included in the match. Motion by Tiedemann, seconded by Ose, to authorize Administrator Jesme the authority to sign the NRCS grant for the Black River Impoundment, RLWD Project No. 176. Jesme reported that District staff and Legal Counsel Sparby are reviewing R.Z. Zavoral and Sons, Inc. contract documents. A preconstruction meeting will be held on October 14, 2020. Legal Counsel Sparby stated that he had met with landowner Steve Sorvig regarding drafting of an easement.

The Board reviewed Pay Estimate No. 9 in the amount of \$78,536.01 to Burski Excavating, Inc. for construction of RLWD Ditch 16, RLWD Project No. 177. Motion by Sorenson, seconded by Tiedemann, to approve Pay Estimate No. 9 for \$78,536.01 to Burski Excavating, Inc. for Ditch 16, RLWD Project No. 177. Motion carried.

The Board reviewed Pay Estimate No. 11 in the amount of \$1,068,134.22 to R.J. Zavoral & Sons, Inc. for construction of the Thief River Falls Westside Flood Damage Reduction Project, RLWD Project No. 178. Motion by Ose, seconded by Page, to approve Pay Estimate No. 11 in the amount of \$1,068,134.22 to R.J. Zavoral & Sons, Inc., for construction of the Thief River Falls Westside Flood Damage Reduction Project, RLWD Project No. 178. Motion carried. Motion by Sorenson, seconded by Torgerson, to approve amending Change Order No. 6, to R.J. Zavoral and Sons, Inc., reflecting a completion date of November 1, 2020 for installation of the 6th Street box culvert for the Thief River Falls Westside Flood Damage Reduction Project, RLWD Project No. 178. Motion carried. Dave Zavoral and Nick Carlien, R.J. Zavoral & Sons, Inc., reported that topsoil is being spread, touch up work was being done around culverts, gravel is being placed on roads, and 80% of the outlet has been seeded. Mark Borseth and Wayne Johnson, City of Thief River Falls, stated that they were pleased with the construction progress over the last several weeks. Discussion was held on the ditch along Highway 32 on the Timm property line; with a 10:1 slope and concern of the narrowness of the area and location of the pipes. President Nelson stated that rock will need to be removed on the temporary right-of-way areas.

Motion by Ose, seconded by Tiedemann, to authorize President Nelson, the authority to sign the RRWMB Water Quality Program Grant Agreement for the Thief River Falls Oxbow Project, RLWD Project No. 46Q. Motion carried.

Administrator Jesme reported that the NRCS approved the replacement of the BR-6 (Burnham Creek) Outlet Structure, RLWD Project No. 43A. Construction inspection will be performed by Loren Sanderson.

Administrator Jesme informed the Board, that the redetermination of benefits hearing for Judicial Ditch 72, RLWD Project No. 41 will be delayed until this winter to allow Polk County time to

complete the Property Owner's Report which was not completed and mailed prior to the holding of the proposed hearing.

Discussion was held on the need to appoint Board members to the Clearwater River 1W1P, RLWD Project No. 149B Policy and Advisory Committee. Motion by Ose, seconded by Tiedemann, to appoint Manager Torgerson as the Delegate and Manager Sorenson as the Alternate to the Clearwater River 1W1P, RLWD Project No. 149B Policy Committee. Motion by Torgerson, seconded by Sorenson, to appoint Manager Page to the Clearwater River 1W1P, RLWD Project No. 149B Advisory Committee.

Motion by Ose, seconded by Page, to amend RLWD Permit No. 20-225, Edgar Miller, Reiner Township, Pennington County, with conditions stated on the permit. Motion carried.

The Board reviewed the permits for approval. Motion by Torgerson, seconded by Tiedemann, to approve the following permits with conditions stated on the permit: 20-214, Paul Hansen, Huntsville Township, Polk County; No. 20-231, Red Lake County Highway Department, Emardville Township, Red Lake County; No. 20-232, Jessica Hanson, Emardville Township, Red Lake County; No. 20-233, Monte Casavan, Black River Township, Pennington County; No. 20-234, Duane Knott, Lake Pleasant Township, Red Lake County; No. 20-235, Peggy Clow, North Township, Pennington County; No. 20-237, Darin Glass, Grove Park Township, Polk County; No. 20-240, Pennington County Highway Department, Star Township, Pennington County; No. 20-241, Pennington County Highway Department, Star Township, Pennington County; No. 20-242, Duane Anderson, Grand Forks Township, Polk County; No. 20-243, Grand Plain Township, Marshall County; No. 20-244, Pennington County Highway Department, Deer Park Township, Pennington County; No. 20-245 and 20-246, Pennington County Highway Department, Deer Park Township; Pennington County; No. 20-247, Keystone Township, Polk County; No. 20-248, Greg Hilgeman, Deer Park Township, Pennington County; No. 20-249, Red Lake County Highway Department, Lambert Township, Red Lake County; No. 20-250, Jeremiah Johnson, Equality Township, Red Lake County; and No. 20-253, Dennis Kainz, Cloverleaf Township, Pennington County. Motion carried.

Administrator Jesme indicated that the November 26, 2020, Board meeting date falls on Thanksgiving Day. Motion by Ose, seconded by Page, to change the November 26, 2020 Board meeting date to November 24, 2020 at 9:00 a.m. at the District office. Motion carried.

Motion by Sorenson, seconded by Tiedemann, to accept, with regrets, the letter of resignation from staff member Dave Marshall.

Administrators Update:

- Jesme and Manager Ose will attend/participate in the RRWMB October 20, 2020 Board meeting.
- There will be a Red Lake River 1W1P PWG meeting on October 13 to prepare for the October 21st PC meeting.
- Jesme will participate in a telephone conference regarding some new BWSR rules being developed to oversee the reporting of Ten-Year Overall Plans.

- The District was informed that the USACOE increased outflow on the Red Lake Dam from 650 cfs to 800 cfs.
- The District received payment from the City of Crookston for the wetland banking withdrawal and fees for the Gentilly Bridge River access to the Red Lake River.

Legal Counsel Sparby reported that he has not yet received a decision from the court on the JD 5/Four-Legged Lake appeal.

Legal Counsel Sparby will work with John Kolb, and the Polk County Auditor and Attorney on the filing of a Notice to Dismiss the appeal for the construction of Ditch 17, RLWD Project No. 179.

Manager Torgerson discussed his winter travels plans, stating that he wishes to participate virtually in any District meeting's that he will not be present.

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

A handwritten signature in blue ink that reads "LeRoy Ose". The signature is written in a cursive style and is positioned above a horizontal line.

LeRoy Ose, Secretary