

RED LAKE WATERSHED DISTRICT  
Board of Manager's Minutes  
April 22, 2021

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: Managers Dale M. Nelson, Allan Page, Terry Sorenson, Gene Tiedemann, Tom Anderson, LeRoy Ose and Brian Dwight. Staff Present: Myron Jesme and Tammy Audette, and Legal Counsel, Delray Sparby.

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

The Board reviewed the April 8, 2021 minutes. Motion by Sorenson, seconded by Anderson, to approve the April 8, 2021 Board meeting minutes as presented. Motion carried.

The Board reviewed the Financial Report dated April 21, 2021. Motion by Tiedemann, seconded by Dwight, to approve the Financial Report dated April 21, 2021. Motion carried.

The legal survey for the Ditch 10 Outlet Repairs, RLWD Project No. 161 has been completed. The next step will be to draft up the easements and send to the landowners for signature. A pre-construction meeting was held on April 13, 2021, with construction slated to begin on April 26, 2021.

The Contractor for the Thief River Falls Westside Flood Damage Reduction Project, RLWD No. 178, has not begun the punch list items for completion of the project.

Administrator Jesme stated that he was informed by the MnDNR that if we were to apply for MnDNR CPL or a Federal grant for Pine Lake FDR and Fish Habitat Project, RLWD 26B, the earliest the grant would be awarded is for construction season 2022. Discussion was held on moving forward with the construction of the project, without waiting for funding assistance for the habitat portion of the project due to the increase of construction costs by waiting an additional year. Motion by LeRoy Ose, seconded by Tom Anderson, that the District move forward with construction of the Pine Lake FDR and Fish Habitat Project, RLWD Project No. 26B, without waiting for possible habitat grants.

Engineer Tony Nordby, Houston Engineering, Inc., stated that Red Lake Electric and Garden Valley Technologies, are on site moving utilities for the diversion ditches on the Black River Impoundment, RLWD Project No. 176. Nordby received word that CenturyLink plans to be on-site on April 27<sup>th</sup>. R.J. Zavoral & Sons, Inc., plan to resume construction mid-May, with pipe crews installing road culverts. Nordby will check into placement of the trees at the Black River Church.

Discussion was held on the appointment of members to the Clearwater River 1W1P Advisory Committee, representing the District. Motion by Anderson, seconded by Dwight, to appoint

landowners, Les Torgerson, Gary Mathis and Larry Peterson, to represent the District on the Clearwater River 1W1P Advisory Committee, RLWD Project No. 149B. Motion carried.

The Board reviewed correspondence from Gary Mathis requesting information on the Redetermination of Benefits on Judicial Ditch 72, RLWD Project No. 41. Administrator Jesme stated that the hearing for the Redetermination of Benefits will be reconvened on June 24, 2021.

The Board reviewed a proposal for financial support for analysis of lake samples on Bartlett Lake, near Northome, MN, at an approximate cost of \$320 per year. Samples will be gathered by a local volunteer. Motion by Dwight, seconded by Sorenson, to approve financial support, not to exceed \$500 per year for analysis of lake samples on Bartlett Lake, RLWD Project No. 46. Motion carried.

The Board reviewed Permit No. 21039, Polk County Highway Department, Crookston Township, Polk County. Staff member Nick Olson noted that the centerline pipe through CSAH 11, calls for the installation of a 60" RCP or equivalent size arch pipe. Motion by Sorenson, seconded by Ose, to approve Permit No. 21039, Polk County Highway Department, with conditions stated on the permit. Motion carried. Landowners Dan Bratvold and Mike Bouche discussed the possible placement of a screw gate, further discussion was had on all the land development in the area, and potential for a petition to improve the legal drainage system.

At 9:30 a.m., President Dale M. Nelson recessed the general meeting and called the hearing to order for the Petition for Use of a Legal Drainage System submitted by Wayne and Debra Vettleson for the inclusion of land into RLWD Ditch No. 1, Lateral C, RLWD Project No. 115. Administrator Jesme presented information in regard to the proposed property to be included into the benefitted area of RLWD Ditch No. 1, Lateral C RLWD Project No. 115, discussing the statutory factors to be considered by the Board. The Board reviewed the Engineer's Findings and Recommendations as prepared by Engineer Nate Dalager, HDR Engineering, Inc. After entertaining questions from the Board, and receiving comments from the public, motion by Tiedemann, seconded by Dwight, to close the hearing. Motion carried. Motion by Ose, seconded by Tiedemann, that based on the Engineers' Recommendations of no adverse downstream effects, sufficient capacity and adequate outlet with the addition of the petitioned for real property and pending the determination and payment of contingent costs billed to the landowner for petition proceedings, outlet fee and determination of benefits for future maintenance, for RLWD Ditch No. 1, Lateral C, RLWD Project No. 115, that the petitioned properties to be included into the RLWD Ditch 1, Lateral C, RLWD Project No. 115 be allowed. Motion carried. Motion by Sorenson, seconded by Anderson, to approve the Petition submitted by Wayne and Debra Vettleson, as submitted. Motion carried.

The Board reviewed a letter drafted by Staff member Nick Olson, to landowners Aaron and Jill Chervestad, regarding non-permitted work located in Section 25, Kratka Township, Pennington County. Olson stated that the landowner cleaned along a county road ditch and installed a culvert, without applying for the proper permits. Motion by Ose, seconded by Tiedemann, to approve submittal of the violation letter to landowners Aaron and Jill Chervestad, regarding non-permitted work. Motion carried.

Motion by Page, seconded by Tiedemann, to approve RLWD Permit No. 20207, Darrell and Danny Payment, Terrebonne Township, Red Lake County, with conditions stated on the permit. Motion carried.

Motion by Dwight, seconded by Tiedemann, to approve RLWD Permit No. 20264, Jeff Steer, Brandt Township, Polk County, with conditions stated on the permit. Motion carried.

Motion by Sorenson, seconded by Anderson, to withdraw RLWD Permit No. 21029, CM Farmland Holdings, GP, Winsor Township, Clearwater County. Motion carried.

Motion by Ose, seconded by Page, to approve the following permits with conditions stated on the permit: No. 21028, Eric Samuelson, Andover Township, Polk County; No. 21032, Lake Pleasant Township, Red Lake County; No. 21033, Curtis Swanson, Bray Township, Pennington County; No. 21035, Brian J. Moyer, Norden Township, Pennington County; No. 21036, Godfrey Township, Polk County; No. 21037, Kevin Capistran, Gentilly Township, Polk County; and No. 21042 and 21043, Wayne Vettleson, Equality Township, Red Lake County. Motion carried.

Administrator Jesme stated that two individuals were interviewed for the Ditch Inspector/Technician II position and four individuals were interviewed for the Engineer Senior/Hydro II position. The Budget and Salary Committee recommended hiring Anthony Olson for the Ditch Inspector/Technician II position, at a Step 3 level at an hourly rate of \$20.83, plus benefits: and Nathan Koland for the Engineer Senior/Hydro II position, at a Step 4 level at an hourly rate of \$29.62, 5 years of service for vacation leave, plus benefits. Motion by Dwight, seconded by Page, to approve the hiring of Anthony Olson and Nathan Koland at the hourly rates as stated, with benefits. Motion carried. Jesme indicated that Olson will start on April 26<sup>th</sup>, with Koland beginning employment on May 10<sup>th</sup>.

#### Administrators Update:

- Jesme and Manager Ose participated in the RRWMB meeting held on April 20, 2021.
- Staff member Hanson participated in the Pennington County WRAC meeting held on April 12<sup>th</sup>.
- Jesme and Staff members Slowinski and Olson participated in the RLWD Ditch 10, Project No. 161, pre-construction meeting held on April 13<sup>th</sup>.
- The Red Lake River 1W1P Policy Committee met on April 14<sup>th</sup> to review present and new projects.
- The Clearwater River 1W1P Planning Work Group meet on April 21<sup>st</sup>.
- Jesme and Nate Dalager met with the Euclid East Impoundment downstream landowners to discuss the findings of the survey and what the next steps should be to move forward.
- Jesme, Manager Dwight and Staff member Hanson participated in the Bartlett Lake Planning Work Group meeting held on April 15<sup>th</sup>.

Administrator Jesme discussed an invoice recently received from CenturyLink in the amount of \$30,914.37 for work completed during the construction of RLWD Ditch 16, RLWD Project No. 177. Jesme referenced the first estimate received from CenturyLink dated September 6, 2019, was in the amount of \$303,748.60. After discussion with CenturyLink staff, they submitted

another quote dated September 12, 2019 in the amount of \$127,875.54. Jesme again disagreed with the amount of the quote and after another call, they submitted a final quote in the amount of \$68,683.37, which the District reluctantly approved. As part of the agreement, the District paid 50% of the agreement in the amount of \$34,341.68 before they would start working. Jesme indicated that the scope of work shown in the agreement has changed and he feels no balance should be owed. Engineer, Jerry Pribula, has detailed notes of when CenturyLink was on site and he also feels the project should not owe CenturyLink any further funds. Jesme also reminded the Board, they approved payment to Burski Excavating of additional funds to complete work that CenturyLink was originally slated to complete. It was the consensus of the Board, that Jesme and Legal Counsel Sparby draft a letter, with the assistance from Engineer Jerry Pribula, to submit to CenturyLink, disputing the remaining balance.

Legal Counsel Delray Sparby stated that the Appeal Hearing for the Improvement to Polk County Ditch 39, RLWD Project No. 179, will be held on May 7, 2021 at 1:00 p.m. Sparby will send out the Zoom link to the Board.

Motion by Dwight, seconded by Ose, to adjourn the meeting.



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LeRoy Ose, Secretary