

RED LAKE WATERSHED DISTRICT  
Board of Manager's Minutes  
May 12, 2022

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

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

The Board reviewed the April 28, 2022, minutes. Motion by Anderson, seconded by Page, to approve the April 28, 2022, Board meeting minutes as presented. Motion carried.

The Board reviewed the Financial Report dated May 11, 2022. Motion by Tiedemann, seconded by Sorenson, to approve the Financial Report dated May 11, 2022, as presented. Motion carried.

Administrator Jesme discussed minor erosion repairs needed on smaller SCS/NRCS constructed dams that were turned over to the District, Maintenance on Dams, RLWD Project No. 50. Motion by Ose, seconded by Tiedemann, to authorize Administrator Jesme to hire local contractors on an hourly basis to complete the needed repairs. Motion carried.

Administrator Jesme stated that he met with Nick Knott regarding rental of agricultural property within the Black River Impoundment, RLWD Project No. 176. Knott's concern in enrolling the property previously owned by Craig Swanson, Parcel No. 1300301500 and 1300402000, that the real property is located in the lowest portion of the impoundment and the risk involved of having to reseed the CRP should there be some untimely rains and summer operation of the impoundment. If Knott were to enroll this property into a CRP contract, he requested that the District agree to cost share the reseeding at 50% of the total cost. Jesme stated that the District's policy on other CRP contracts is that we receive 25% of the CRP payments and landowner assumes all the risk. Jesme also indicated that there will be a total of two CRP contracts which include the property previously owned by Craig Swanson (described above) as well as Parcel No. 1300301300, previously owned by Tom Scholin. Knott is not concerned about the Scholin property, so he would assume all responsibility on that contract. Total CRP acreage on the parcels previously owned by Swanson totals 169.60 acres located in the W ½ NE ¼, Section 4, Polk Centre Township and the NW1/4, Section 3, Polk Centre Township, and total CRP acres on the property previously owned by Tom Scholin located in the NE1/4 and N1/2 SE1/4 of Section 3, Polk Centre Township totals 158.42 acres. Each CRP contract would run from 6/1/2022 thru 9/30/2036. Discussion was held on cost sharing just on the former Swanson property, as this property has a better chance of being inundated with water. Legal Counsel Sparby suggested that the District could cost share up to 50% for two re-seedings, and 25% cost share after that. Motion by Anderson, seconded by Page, to allow Administrator Jesme the discretion to enter

into two CRP contracts with Nick Knott for the Black River Impoundment Project, RLWD Project No. 176 and to approve a cost share of 50% for two re-seedings, and 25% cost share after that in relation to the property previously owned by Craig Swanson. Motion carried.

Discussion was held on damages to the newly constructed Black River Impoundment, RLWD Project No. 176, due to the recent rain events. Engineer Tony Nordby, Houston Engineering, Inc., indicated that there was a punch list completed last fall which he felt would be considered warranty work for the construction with R.J. Zavoral & Sons, Inc. Nordby indicated due to the flooding event that occurred this spring, some of the damages we've seen will most likely be change orders. Nordby will document all damages once the water recedes and prepare a change order for additional work to be added to the contract. Administrator Jesme stated that Pennington County will be declaring an Emergency Declaration and some of the damages will be added to the declaration.

Administrator Jesme stated that a legal land survey was completed on the Thief River Falls Westside Flood Damage Reduction Project, RLWD Project No. 178 on the property the District purchased from Marland and Sharon Johnson, (south of True North), that Tango TNE, LLC., is purchasing. In previous discussions with Tango TNE, LLC, it was originally thought the property north of the ditch totaled 5.88 acres. After the legal survey was completed, it was determined that only 2.99 acres remain on the north side of the diversion ditch, and 2.90 acres remained on the south side of that diversion ditch. Administrator Jesme stated that he spoke with Pete Carlson about purchasing or renting the 2.90 acres, but Mr. Carlson indicated that a purchase may make the most sense. After considerable discussion, Motion by Sorenson, seconded by Anderson, to prorate the sale of 2.99 acres from the originally planned 5.88 acres, to Tango TNE, LLC, from the original bid of \$200,000, to \$101,700.67 for the purchase of land north of the diversion on the Thief River Falls Westside Flood Damage Reduction Project, RLWD Project No. 178. Motion carried. Motion by Ose, seconded by Dwight, to approve the sale of 2.90 acres at \$3,500 per acre, south of the diversion ditch of the Thief River Falls Westside Flood Damage Reduction Project, RLWD Project No. 178 to landowner, Pete Carlson. Motion carried.

Discussion was held on the slumping and erosion of land where Pete Carlson completed some ditching through and into the buffer strip along various locations of the project last fall. Jesme indicated that Mr. Carlson will complete the repair of the areas mentioned as soon as conditions warrant.

Administrator Jesme received a call from staff at the MnDNR stating that erosion had occurred at the BR-6 Impoundment, RLWD Project No. 43A, that had been replaced the summer of 2021. Engineer Jake Huwe, HDR Engineering, Inc., stated that he could give an estimate of cost to repair the erosion. Motion by Page, seconded by Tiedemann, and passed by unanimous vote, to authorize Administrator Jesme authority to work with HDR Engineering, Inc., on a contract for services.

Administrator Jesme requested authority to request funds from the RRWMB Water Quality Base Funding for two streambank stabilization projects: the Thief River Falls Streambank Projects;

and the Black River Stream Stabilization Project, downstream of the Schirrick Dam. Jesme indicated that the RRWBM base funding is for \$100,000. Wayne Johnson, City of Thief River Falls and Engineer Tony Nordby, Houston Engineering, Inc., discussed the various sites within the City of Thief Rivers Falls and project concepts. Motion by Tiedemann, seconded by Page, to approve authorizing Administrator Jesme to request funding from the RRWMB Water Quality Base funding, for the Thief River Falls Streambank Projects and the Black River Stream Stabilization Project. Motion carried.

Manager Ose requested the installation of staff gauges at Ditch 200, County Road 7, and on Marshall County Highway 2 bridge to allow for local landowners the ability to monitor the water levels in State Ditch 83. Motion by Ose, for approval to install three staff gauges on State Ditch 83, RLWD Project No. 14, after asking for a second to the motion three times, the motion died for the lack of a second. Discussion was held on the various USGS and NOA gauges that are available online, where landowners can access water levels going in and out of Agassiz as well as at a station on the Thief River 4 miles north of TRF.

Administrator Jesme discussed a drainage system located in Lammers Township, Beltrami County, which is under the jurisdiction of Lammers Town Board. Most of the Lammers Township Board members are new and do not understand the procedures or what is required of a drainage authority for the system therefore they are asking if the Red Lake Watershed District would willing take over jurisdiction. Jesme stated that in 1929 townships had the authority to be the drainage authorities and in 1947, townships and counties were allowed to continue to maintain established ditches they currently had jurisdiction over. Legal Counsel Sparby indicated that the District would need to sign and join in the transfer petition with Lammers Township, followed by a public hearing. The system has a benefitted area that was completed in 1929, but Jesme would recommend a redetermination of benefits as there are areas not presently in the benefitted area that drain into the system. Currently a landowner is being flooded, as there is a culvert that needs to be replaced. The system outlets into a natural draw and proceeds to the Clearwater River. Discussion was held on the need to survey the system and complete a reestablishment of records. Dwight mentioned that since the system is so small, would it be best to just assist the Township and have them remain the drainage authority. Administrator Jesme asked that at a minimum, the Board allow District staff to assist Lammers Township with the process of better organizing the records of the system, thus allowing them to manage the system better. Motion by Sorenson, seconded by Tiedemann, to authorize District staff to assist Lammers Township with whatever means necessary for the Township to retain the jurisdiction of the system. Motion carried.

The Board viewed photos of debris from the recent flood and rain events on the Moose River Impoundment, RLWD Project No. 13. Motion by Dwight, seconded by Tiedemann, to authorize District staff the authority to hire Holthusen Construction to remove debris from the Moose River Impoundment, RLWD Project No. 13. Motion carried.

Administrator Jesme stated that all District impoundments will need to be inspected to look for seepage and/or damage that may have occurred during the recent flooding. Engineer Tony Nordby, Houston Engineering, Inc., stated that his office completed an ariel view of the Black

River Impoundment, RLWD Project No. 176, and the Schirrick Dam, RLWD Project No. 25 during the flood event.

Manager Page asked the status of the outlet of Ditch 10, RLWD Project No. 161. District staff will view the area once the water recedes.

Motion by Sorenson, seconded by Page, to approve previously tabled RLWD Permit No. 22019, Randy Lee, Badger Township, Polk County, as the applicant was granted approval to be added into the benefitted area of County Ditch 111. Motion carried.

Motion by Page, seconded by Ose, to approve the following permits with conditions stated on the permit: No. 22018, Red Lake County Highway Department, Louisville Township, Red Lake County; No. 22020, Gervais Township, Red Lake County; No. 22029, Clearwater County Highway Department, Holst Township, Clearwater County; No. 22031 and 22032, Brandsvold Township, Polk County; No. 22033, Charles Carlson, Wyandotte Township, Pennington County; No. 22034, Sheldon Matson, Brandsvold Township, Polk County; No. 22036, Gabrael Kløver, Smiley Township, Pennington County; No. 22037, Red Lake County Highway Department, Louisville Township, Red Lake County; and, No. 22039, Red Lake County Highway Department, Browns Creek Township, Red Lake County. Motion carried.

The Board reviewed quotes for a 2022 F150 from Christian Brothers Ford, Inc., in the amount of \$44,609.12 and from Thief River Ford in the amount of \$46,350.00. Discussion was held on either trading in the 2011 F150 or advertising to receive bids. Motion by Sorenson, seconded by Anderson, to approve the low quote from Christian Brothers Ford, Inc., in the amount of \$44,609 for a 2022 Ford F150. Motion by Tiedemann, seconded by Page, to advertise for bids the sale of the 2011 Ford F-150 once the new vehicle is received. Motion carried.

Administrator Jesme indicated that the individual that had the low quote in the amount of \$3,075 for painting of the District office had an opening to complete the job this past week, as the weather did not allow for her to proceed with other painting jobs. Cost of the paint was \$1,364.79. Motion by Dwight, seconded by Tiedemann, to approve payment of \$4,439.79 for labor and materials related to painting of the District office. Motion carried. Manager Dwight noted that the drop-down projection screen stayed in place, but the projector had been taken down.

Administrator Jesme stated that the District's cooling system needs to be replaced. Temporary repairs were made, as a definite date for delivery of a new system is unknown at this time. Motion by Ose, seconded by Page, to grant authority to Administrator Jesme to work with Brodin's on replacement of the District's office cooling system. Motion carried.

#### Administrators Update:

- The RRWMB meeting will be held on May 17<sup>th</sup> in Ada, with Manager Ose participating in person and Jesme participating virtually. Included in the packet was a 2022 Flood Information report prepared by Rob Sip.

- In an attempt to getting funding to the Red River Valley during the legislative session, Rob Sip was able to get Governor Walz to tour the areas flooded north of EGF and up to Oslo.
- Included in the packet was a 2022 flood report from the Red Lake County SWCD.
- Jesme and Staff member Tony Olson, met with individuals from Lammers Township on May 10<sup>th</sup> to discuss drainage issues.
- District water quality staff have been busy working on water monitoring and sampling, along with River of Dreams and River Watch.
- The Clearwater River 1W1P Policy Committee will meet on May 25<sup>th</sup> to review all comments submitted during the 30-day internal review.
- If available, Staff member Tony Olson will participate in a MN Association of Drainage Inspectors virtual meeting on May 24<sup>th</sup>.

Manager Anderson asked about the abandonment of County Ditch 1, RLWD Project No. 103. Administrator Jesme indicated that a landowner had recently called regarding flooding on his field. District staff will go out and survey his land to determine where the water should go. Manager Anderson stated that he would like to participate when staff are on site.

Manager Dwight indicated that an Upper Red Lake 1W1P Policy Committee meeting will be held on June 1<sup>st</sup>.

Manager Ose stated that he toured by plane the flooding areas in the Red River Valley along with Rob Sip and Nikki Swenson from the RRWMB.

Administrator Jesme stated that Loren Sanderson requested an hourly pay increase from \$40.00 per hour to \$50.00 per hour. Jesme explained the Mr. Sanderson is employed about half time but due to flooding this spring, his hours have been a little more than half time. Motion by Tiedemann, seconded by Page, to approve an hourly pay increase for Loren Sanderson from \$40.00 per hour to \$50.00 per hour. Motion carried.

Discussion was held on the Budget and Salary Committee meeting to review and update the District's employee job descriptions and development of an Assistant Administrator job description. Manager Dwight recommended adding to the Assistant Administrator job description under qualifications, "knowledge of Minnesota State Statutes 103D and 103E." Motion by Dwight, seconded by Sorenson, to approve the recommended additions/changes to the District's 2022 Job Descriptions and pay scale as recommended by the Budget and Salary Committee. Motion carried.

Motion by Sorenson, seconded by Tiedemann, to approve job title position change for Staff member Tammy Audette from the Office Manager/Administrative Assistant position to the Assistant Administrator position at a Step 7 pay scale. Motion carried.

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Motion Dwight, seconded by Anderson, to approve job title position change for Staff member Tony Olson from Ditch Inspector/Technician II to the Engineering Specialist at a Step 3 pay scale. Motion carried.

Motion by Ose, seconded by Page, 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.

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LeRoy Ose, Secretary