

LMKP-LID Board of Director's Meeting

November 18, 2020, 3:00 P.M., Telephone Conference Minutes,(approved)

Agenda:

1. Board members attending, Jim Nigg, Blair Anderson, Dave Dunning, Joe Esser, Denny Davidson, Boone Caughey, Steve Kulik, Steve Nelson, Mark Plencner.

Guests attending:Katie Bertsch, Ohnstad Twitchell Law Firm, Engineer Chad Engels, Moore Engineering, Angela Willenbring, Kerbs Lake, George Kuferschmid, Paul Lake, Roger Neitzke, Little McDonald Lake.

Old Business:

2. A motion was made by Joe E. with a second from Blair A. to approve the minutes of the September 30,2020 Board of Director's meeting. Motion approved 9-0.
3. Pipeline locate billings. Recent communications have been held with a representative of Gopher 1. A buffer had been established for our outlet pipe from the pump house to the Otter Tail River. The large buffer resulted in many locate billings being sent to LMKP-LID. The Gopher 1 representative was excellent to work with. Project Coordinator, Pat Downs, was able to access the grid and reduce our buffer to fifty feet.

New Business:

4. Treasurer's report, Dave D. Dave presented the monthly recurring expenses and additional invoices for a total of \$9,899.83. The individual November invoices are listed on the Year to Date spreadsheet posted on the LMKP-LID web page. A motion to approve the treasurer's report was made by Steve K., second from Denny D. Motion carried 9-0.

Dave addressed the interest on our 429 assessment and Bond to cover these expenses from Midwest Bank. Dave will be prepaying the bond as residents prepay their assessment and assessment payments arrive from Otter Tail County. Prepaying will help the LMKP-LID stay ahead of the interest charges. A payment of \$190,000 will be made before 11/30/2020. The LMKP-LID 429 account will be reconciled so adequate funds will be available to pay regular interest payments.

A recommended pre-payment procedure will be e-mailed to LMKP-LID residents who wish to prepay their assessment. This schedule will also be placed on the LID web-page. This procedure has been approved by the Otter Tail County Auditor.

5. Committee reports;
 - a. Outlet Operations report was given by Denny D. Denny stated that as the lake water levels decreased as a result of consistent pumping activity the pumps have been throttled back to a lower cfs/sec. and finally to one pump. The pumps were turned off on October 20,2020 when Little Mac reached +1/4 inch above OHW. As of November 18, Paul Lake is +3.30 in. OHW and Little Mac is at +1.1/4 in OHW. The Outlet Operations Committee recommended to have the control structures between Paul and Little Mac to remain open, one pump to begin operating at a very low cfs/sec level and to remain pumping

during the winter months. Lake levels will be consistently checked to be sure the LMKP-LID does not go below OHW. Lake levels will be measured from the wet well in the pump house. Culvert inlets and outlets between Paul and Little Mac will be checked and calibrated with DNR placed stakes and the wet well so accurate lake levels can be made. The pumps will operate when possible and turned off when needed. Mike K. of Northwest Services will alternate the pumps for servicing and pumping operations. Denny D. made a motion to follow the recommended procedures into the winter months. Joe E. provided the second. Motion passed 9-0.

- b. Kerbs Lake Outlet/Navigational Channel. Angela Willenbring reported that the title to the 67 foot channel had been removed from the Meyer family probate as the opposition law suit had been dropped. This strip of land is needed for an outlet as Paul and Little Mac have outlets. A Purchase Agreement for the LMKP-LID to purchase this 67 feet from the Meyer family for their legal costs and channel spoils. A Legal Opinion was received by the LMKP-LID Board from attorney John Shockley. The Conclusion of the legal review stated: After a review of the questions posed by the LID, there should not be any outstanding title issues for the navigational channel property, the LID is not limited to spending \$5,000.00 to prepare the navigational channel to be shovel-ready, and the LID should be protected by the recreational immunity afforded under Minnesota law but should contact its insurance advisor for policy recommendations. A motion was made by Steve N. with a second from Boone C. to close on the Purchase Agreement with the Meyer family for the 67 feet of channel property at a cost of \$12,875.92. Motion carried 9-0.

The 250 foot parcel east of the 67 foot channel strip that the LID had a Purchase Agreement for with Mark and Carol Raby was to be finalized if funding was received from the Minnesota Legislature. As the requested funding was not part of the Minnesota Bonding Bill the Purchase Agreement needed to take another direction. A group of Kerbs Lake residents are in the process of forming a LLC to purchase this 250 feet of lakeshore from the Raby's. This 250 feet will be used to place channel construction and maintenance spoils. A motion was made by Blair A. with a second from Joe E. to assign the Purchase Agreement from the LMKP-LID to the Kerbs Lake resident's LLC. The LLC will be the owners of the 250 feet. Motion was passed with a 9-0 vote.

6. Project Engineer's Report, Chad Engels. Chad reported that with the land parcels in place, 67 feet channel and 250 foot strip of land to the east, he is ready to present to the Department of Natural Resources a Public Waters Permit Application for a navigational channel between Kerbs and Little McDonald. This application could be ready by January 1, and could take the DNR, 60 to 120 days to complete. A motion was made by Blair A. and Boone C. provided the second to approve Moore Engineering to complete

preparations to advance a Permit Application for a navigational channel between Kerbs and Little McDonald Lakes to the Minnesota Department of Natural Resources. Motion passed 9-0.

7. Water Levels. December 18, 2020. Paul Lake +3.30 inches OHW
Little Mac +1.1/4 inches OHW
8. Next meeting, Wednesday, January 13, 3:00 P.M. 2021.
9. Steve K. will review these minutes before they are posted at lmkp-lid.com
Meeting was adjourned with a motion made by Denny D. with a second by Steve K. Motion passed 9-0 at 4:22 P.M.