

APPROVED (November 19, 2007)
REGULAR MEETING OF THE BOARD OF MANAGERS OF THE
MIDDLE- SNAKE-TAMARAC RIVERS WATERSHED DISTRICT
HELD AT 453 NORTH MCKINLEY STREET, WARREN, MN
4:00 P.M. NOVEMBER 5, 2007

The meeting was called to order by President Doug Sorenson. Managers John W Nelson, Alvin Nybladh, Loren Zutz, Doug Sorenson, and Elden Elseth were present. Managers Arlyn Stroble and Ben Kleinwachter were not present. Nick Drees, Connie Kalinowski, Danny Omdahl, John Schmidt, LeRoy Vonasek, Lon Aune, Wallace Diedrich, Gary Johnson and Nate Dalager were also present.

Motion by Mr. John W Nelson, seconded by Mr. Alvin Nybladh, that Connie Kalinowski be appointed the recording secretary for purposes of keeping the minutes of the meeting. Motion carried, with Mr. Loren Zutz and Mr. Elden Elseth voting no.

Wallace Diedrich taped the meeting with two recorders.

Mr. Elden Elseth requested to add the following items to the agenda: grain bin bid of John Umber and the litigation sub-committee.

Motion by Mr. John W Nelson, seconded by Mr. Elden Elseth that the agenda be accepted as amended to include under item (11a) grain bin bid of John Umber, and item (11b) litigation sub-committee. Motion unanimously carried.

Curtis Carlson joined the meeting at approximately 4:12 p.m.

No action was taken on the permit request (07-074) of Scott Anderson to install a trap on the north/south 24" culvert, in the vicinity of the SE4 of section 23 and the NW4 of section 26 of Viking Township.

John Schmidt and Gary Johnson discussed the drainage issues in section 25 and 26 of Bloomer Township.

Mark Judovsky joined the meeting at approximately 4:17 p.m.

Motion by Mr. John W Nelson, seconded by Mr. Alvin Nybladh that following permit be denied:

1. Permit (07-075) of Gary Johnson to install a trap on a field crossing in the SE4 of section 26 of Bloomer Township, or to install a vertical inlet structure on the east side of a 30" CSP at section corner 26/35 25/36 of Bloomer Township.

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After discussion, it was the consensus of the Board that the District would contact the interested parties in section 25 and section 26 of Bloomer Township to address the issue.

Mark Judovsky discussed with the Board permit (07-044) issued to him to install a 30" CSP with a trap, in the SE4 NE4 quarter of section 3 of Northland Township. He requested that the permit be amended to allow the installation of a smaller culvert instead of the 30" CSP as previously approved.

Motion by Mr. Loren Zutz, seconded by Mr. Elden Elseth that Mark Judovsky be granted permission to install a 15" culvert with a trap, instead of the 30" CSP with a trap, as previously issued in permit (07-044) in the SE4 NE4 quarter of section 3 of Northland Township. Motion unanimously carried.

Lon Aune discussed with the Board the permitting process between the Middle Snake Tamarac Rivers Watershed District and Marshall County on Marshall County ditch systems.

A discussion was held on the reimbursement of costs incurred by the District for providing Engineering services on County ditch systems on permit requests. It was decided that the District Administrator would work with Lon Aune, Marshall County Highway Department Engineer, on developing a permit process.

Mr. Aune wanted to address the permit request (07-063) of Como Township to resize the culvert on Judicial Ditch #19, between sections 6/5 of Como Township that was denied at the meeting of the Board on October 1, 2007.

Motion by Mr. Loren Zutz, seconded by Mr. Elden Elseth that the permit (07-063) request of Como Township to replace and lengthen the culvert, on Judicial Ditch #19, provided a culvert of the same size is installed, in sections 6/5 of Como Township, be granted, and that any change in sizing would require a new permit request. Motion unanimously carried.

Nick Drees reported on the spraying done by Midwest Helicopters and Cenex of Alvarado on the legal drainage ditches within the District; that the north spoil, on State Ditch #3, in the SE4 of section 34 of Parker Township has been investigated with the landowner and the spoil will be leveled off in a few locations; that Art Laudal & Sons have completed the cleaning of a portion of Judicial Ditch #16, and that he has been in contact with the Minnesota Department of Safety regarding the status of the Judicial Ditch #75 FEMA disaster application and that he is awaiting their response.

Lon Aune left the meeting at approximately 5:45 p.m.

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A discussion was held on the driveway of Jerry Knute's, on Judicial Ditch #75, in the NE4 of section 2 of Northland Township. It was the recommendation of the Board that cost estimates be prepared to relocate the existing driveway and the purchase of additional right of way for the Board to review at the next regular meeting scheduled for November 19, 2007.

Nick Drees was directed to extend an invitation to Jerry Knute to attend the next meeting scheduled for November 19, 2007.

Nick Drees reported that the contractor has filled in the spoil, upstream of the Angus Oslo Site #4 Impoundment on Judicial Ditch #25-2; that a landowner has dug a ditch in section 26/31 of Helgeland Township; and that at the township road along Judicial Ditch #25-2, at the outlet of Angus Oslo Site #4 is sloughing and the roadway may need relocation.

Motion by Mr. John W Nelson, seconded by Mr. Elden Elseth that authorization be given to replace the 48" culvert and trap on Judicial Ditch #68, at station 6+91, on section line 29/32 of Higdem Township. Motion unanimously carried.

Nate Dalager of HDR Engineering, updated the Board on the status of the Angus/Brandt project and on the Project Work Team meeting held on October 25, 2007. He also presented a powerpoint presentation on the proposed project. He stated that he should have the Engineers Preliminary Report ready sometime in January or February 2008.

Nick Drees reported that all the permits and plan approvals have been acquired for Phase IV of the Snake River PL-566 Project and that the works will be implemented in 2008.

Nick Drees reported that the Marshall County Auditor is in the process of preparing the statements for the lien on the Snake River PL-566 project.

Nick Drees reported that the District has received the Army Corps of Engineers permit for the Agassiz Valley Water Resource Management Project and that it is being reviewed by Houston Engineering.

A discussion was held on the agreements with David Jadeke and the Agassiz Audubon Sanctuary on the water supply issue regarding the Agassiz Valley Water Resource Management Project.

Chairman, Doug Sorenson, requested that the District allow two weeks to receive the signed agreements of David Jadeke and the Agassiz Audubon Sanctuary or the District would proceed with the original planned seepage ditch around the embankment.

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Nick Drees reported that the District has a dormant account at the Bremer Bank for the Agassiz Valley Water Resource Management Project and that he has contacted the State of Minnesota and has been informed that the District can close the account.

Motion by Mr. John W Nelson, seconded by Mr. Alvin Nybladh that the dormant account at the Bremer Bank, on the Agassiz Valley Water Resource Management Project be closed, with the funds deposited into the Agassiz Valley Water Resource Management Project fund. Motion unanimously carried.

Nick Drees reported that Jerry Hermreck has withdrew his request for a farmstead ring dike and that the funds for the landowner portion would be returned to him; that construction of the Steve Abbey ring dike will be delayed until spring, that the west side of the Rodney Teigen ring dike could be constructed this fall ; that the Myron Larson ring dike would need to be put out on bids, and that the District is assisting the Joe River Watershed District on the construction of a farmstead ring dike.

Motion by Mr. Loren Zutz, seconded by Mr. Elden Elseth that Mr. Alvin Nybladh and Mr. John W Nelson be appointed the District's delegates and that Mr. Ben Kleinwachter be appointed the District's alternate for the 2007 MAWD Annual meeting scheduled for November 29 – December 1, 2007. Motion unanimously carried.

Nick Drees reported on the Red River Watershed Management Board "SWAT" model on the Snake River; the Administrator's Messaging Training Session he attended in Alexandria, Minnesota; that he gave his deposition regarding the Agassiz Valley Water Resource Management Project; and that Brian Dwight will be attending the next regular meeting to discuss with the Board the 10 Year Overall Plan.

Mr. Elden Elseth suggested that the District consult with Jeff Monroe as to providing John Umber with two of the bins that were awarded to Jeff Monroe.

Mr. Doug Sorenson stated that John Umber attended the October 1, 2007 meeting, at which time the Board personally apologized to him for any misunderstanding. Mr. Sorenson also stated that the consensus of the Board following the discussion with Mr. Umber was to make no changes in the bid awards.

Motion by Mr. Elden Elseth, seconded by Mr. Loren Zutz that the District send a letter of apology to Mr. Umber and offer him \$300 for compensation. Motion failed, with Mr. Loren Zutz and Mr. Elden Elseth voting yes, and Mr. Alvin Nybladh, Mr. Doug Sorenson and Mr. John W Nelson voting no.

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Mr. Elden Elseth questioned how the litigation sub-committee would affect the rest of the Board, asked if he could attend the closed meeting of the litigation sub-committee, and asked if he would be forcibly removed for attending.

Mr. Jeff Hane attempted to clarify the reasons why the sub-committee was formed.

Chairman Doug Sorenson, called for a motion to adjourn the meeting, since Mr. Elden Elseth was in disagreement with the Litigation sub-committee meeting in closed session. Mr. Doug Sorenson stated that the sub-committee would not meet and that no progress was going to be made on the pending litigation issues.

The Advisory Committee meeting is scheduled for November 19, 2007, at 1:00 p.m., at the Bremer Bank in Warren, and the regular board meeting is scheduled for November 19, 2007, at 4:00 p.m., at the District office.

Motion by Mr. Doug Sorenson, seconded by Mr. John W Nelson that the meeting be adjourned. Motion unanimously carried.

The meeting was adjourned at approximately 7:07 p.m.

The Litigation Sub-Committee did not meet. A scheduled conference call with legal counsel, Jerry VonKorff, was cancelled.

Connie Kalinowski
Recording Secretary

Alvin Nybladh
Treasurer