

UNAPPROVED
MINUTES OF A SPECIAL SUB-COMMITTEE OF THE
MIDDLE- SNAKE-TAMARAC RIVERS WATERSHED DISTRICT
HELD AT 453 NORTH MCKINLEY STREET, WARREN, MN
1:00 P.M. NOVEMBER 2, 2009

A subcommittee appointed by President Doug Sorenson for the purpose of considering payment of the litigation expenses of Managers Sorenson, Nelson, Kleinwachter, Nybladh, and former Manager Stroble, incurred to deferred the Stengrim Open Meeting Lawsuit, did meet at the Office of the Middle Snake Tamarac Rivers Watershed District at 453 North McKinley Street, Warren, Minnesota on November 2, 2009 at 1:00 p.m.

Committee members who were present were Roger Hille, David Bakke and Marvin Hedlund. No committee members were absent. Also in attendance were the District Administrator, Nick Drees and the District's counsel, Jeffrey Hane. Attending via speaker phone was Attorney Jerry VonKorff of the law firm Rinke-Noonan, St. Cloud, the District's special counsel. Also in attendance were members of the public, Loren Zutz and Elden Elseth.

The first order of business was the selection of a chair. It was moved and seconded that Roger Hille act as chair. Motion carried.

A motion was made that Jeff Hane act as the recording secretary for the meeting. Motion was seconded and carried.

After discussion, it was moved that the meeting be closed under the attorney-client privilege exception to the Open Meeting Law, to allow the committee members to seek the advice of counsel concerning the status of the Stengrim Open Meeting Lawsuit and to consider and review privileged information as that information bears on the decision of reimbursement or payment of manager's attorney's fees. Said motion was seconded and carried, upon which the meeting was closed to the public, and the chair asked the two members of the public in attendance to provide their cell phone numbers to the chair so that they could be contacted when the meeting was reopened. All persons except those protected by attorney/client privilege left the meeting room.

Following a discussion with counsel, a motion was made, seconded and carried to reopen the meeting. The chair immediately declared a recess and the members of the public previously in attendance were notified by telephone that the meeting was reopened.

Upon the return of the members of the public, the meeting was reconvened. The chair asked for a recommendation from Attorney Jerry Von Korff, which was given. A motion was made, seconded , and carried that the committee

UNAPPROVED

recommend to the full board that the litigation defense bills of Attorney Steve Anderson, incurred on behalf of Managers Sorenson, Nelson, Nybladh, Kleinwachter, and former Manager Stroble be paid by the Watershed District.

Following the vote, members of the public asked to address the chair and requested that the committee take up the issue of attorney's fees incurred by Loren Zutz and Elden Elseth and asked to be heard with regard to the same. The chair directed Elden Elseth and Loren Zutz to supply the Watershed District with written documentation as to why the attorney's fees of Elden Elseth and Loren Zutz incurred in the Stengrim Open Meeting Law litigation should be paid by the District, and further requested that in such correspondence they attach an itemized statement so that the fees could be reviewed.

Whereupon the chair entertained a motion to adjourn, which motion was made, seconded and carried.

Jeffrey Hane, Recording Secretary