

APPROVED (November 1, 2010)
REGULAR MEETING OF THE BOARD OF MANAGERS OF THE
MIDDLE- SNAKE-TAMARAC RIVERS WATERSHED DISTRICT
HELD AT 453 NORTH MCKINLEY STREET, WARREN, MN
4:10 P.M. OCTOBER 18, 2010

The meeting was called to order by President Doug Sorenson. Managers Marvin Hedlund, John W Nelson, Doug Sorenson, Roger Hille, David Bakke, Alvin Nybladh and Ben Kleinwachter were present. Nick Drees, Connie Kujawa, Danny Omdahl, Ron Adrian, Tony Nordby and Wallace Diedrich were also present.

Wallace Diedrich taped the meeting with one recorder.

Motion by Mr. Alvin Nybladh, seconded by Mr. Ben Kleinwachter that Connie Kujawa be appointed the recording secretary for purposes of keeping the minutes of the meeting. Motion unanimously carried.

Motion by Mr. David Bakke, seconded by Mr. Roger Hille that the agenda be accepted as presented. Motion unanimously carried.

Motion by Mr. Ben Kleinwachter, seconded by Mr. John W Nelson that the minutes of the October 4, 2010 meeting be approved, as presented. Motion unanimously carried.

The financial report was reviewed and filed for audit purposes.

Motion by Mr. Alvin Nybladh, seconded by Mr. John W Nelson that the following bills be paid: from the Administrative funds: that payroll checks numbered 5068 through 5080 inclusive for a total of \$15,517.87; and checks numbered 14717 through 14753, including the service charge for a total of \$20,210.78; from the Project funds that checks numbered 1898 through 1910 for a total of \$69,206.51; and from the Ditch Funds that checks numbered 2445 through 2447 for a total of \$6,070.95 be paid. Motion unanimously carried.

There were no individuals present who wished to address the Board during the open forum.

Motion by Mr. Ben Kleinwachter, seconded by Mr. Marvin Hedlund that the following permit be issued:

1. Permit (10-055) to Ron Osowski to remove a 38" x 48" wood culvert in the SE SW of Section 24 of Big Woods Township; to remove a 36" culvert and install a 48" culvert at section line 24/19 of Big Woods and Bloomer Township; to remove (2) 24" culverts and install a 42" culvert at the SW SW of Section 19 of Big Woods Township; to move an existing 36" culvert farther north in the ditch to improve the turning radius at section line 20/21 of Bloomer Township; and to remove the sediment in the ditch on the North side of Marshall CSAH #19, in Big Woods and Bloomer Township.

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Motion unanimously carried.

Arlyn Stroble joined the meeting at approximately 4:17 p.m.

Motion by Mr. Roger Hille, seconded by M. John W Nelson that the following permit be issued:

2. Permit (10-060) to Derek Peterson to raise and repair an existing levee on the south line of the quarter on the north side of Polk CSAH #67 to no more than 1' below the centerline of Polk CSAH #67, in Section 20 of Brislet Township, contingent that approval is received from Marshall County.

Motion unanimously carried.

Motion by Mr. John W Nelson, seconded by Mr. Ben Kleinwachter that the following permit be denied until a design is submitted to the District by the NRCS:

3. Permit (10-061) of Henry Weiland to install field drain plug(s) to be designed by the NRCS in conjunction with enrolling the property into a WRP RIM program, in the SW4, of Section 20 of Numedal Township.

Motion unanimously carried.

Motion by Mr. Marvin Hedlund, seconded by Mr. Ben Kleinwachter that the following permit be issued:

4. Permit (10-062) to Don Loeslie to remove an 18" field drain culvert with trap that is facing northeast and drains into Marshall County Ditch #21 and reinstall it facing northwest, said culvert is on the north line, west of the 80 line in the NW4 of Section 30 of Warrenton Township, with the District to set the grade of the culvert.

Motion unanimously carried.

Motion by Mr. John W Nelson, seconded by Mr. Roger Hille that the following permit be issued:

5. Permit (10-063) to Gowan Farms to install 4" field drain tile in the SW4 and the SW4 SE4 on the east side of MN Trunk Highway #220 with a pump lift station and a rip rap structure to be installed on the east side of MN Trunk Highway #330 Right of Way, in Section 21 of Big Woods Township, contingent on receiving approval from the Minnesota Department of Transportation.

Motion unanimously carried.

Motion by Mr. Roger Hille, seconded by Mr. David Bakke that the following permit be denied, since it is the ditch systems responsibility to maintain the pipe:

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6. Permit (10-064) of Ed Honek to remove a field crossing with a 45" x 65" culvert at station 443+16, in the NW4 of Section 10 of Northland Township.

Motion carried, with Mr. Ben Kleinwachter voting no.

The following permit was Approved by the Administrator of the District:

7. Permit (10-065) to Ed Honek to widen a field crossing and to extend the 45"x61"x36' RCPA on Polk County Ditch #175 South, in the NE NW, of Section 10 of Northland Township.

Motion by Mr. David Bakke, seconded by Mr. Ben Kleinwachter that the following permit be issued:

8. Permit (10-066) to Ed Honek to install a field crossing with a 24" x 20' culvert with a trap on the west line of the NW4, in the NW corner of Section 10 of Northland Township.

Motion unanimously carried.

The following permit was Approved by the Administrator of the District;

9. Permit (10-069) to Gary Rivard to remove a failing 30" field drain culvert and traps and replace with a 30" culvert and trap, at the same grade, in the NW NE of Section 6 of Vega Township.

Arlyn Stroble discussed the permit received from the Minnesota Department of Natural Resources concerning the proposed work on the coulee (South Branch of the Snake River) at the outlet of the Agassiz Valley Water Resource Management Project, in Section 2 of McCrea (Strip) Township. He stated the DNR is requiring a 50' buffer strip be maintained, and he will not allow the works if this is the case.

After discussion, Nick Drees was directed to contact the Minnesota Department of Natural Resources and check into this matter.

Loren Zutz joined the meeting at approximately 5:20 p.m.
Arlyn Stroble left the meeting at approximately 5:30 p.m.

Correspondence from the Minnesota Association of Watershed Districts concerning the 2010 Annual Meeting scheduled for December 2-4, 2010; and from the Northwest Regional Development Commission concerning a Go Green Seminar scheduled for October 28, 2010, was distributed.

Nick Drees reported a data practice request was received from 103 Holmes Street East #109, Detroit Lakes, Minnesota, and it is available to those who want to see it or would like a copy.

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Nick Drees reported that the works on Judicial Ditch #15 (Main) will begin as soon as the contractor is able. He stated approximately 1 mile will be cleaned, and that a 30" culvert will be replaced on the crossing on Branch G.

Nick Drees reported that the Minnesota Board of Soil and Water Resources has not reviewed the District's Overall Plan submitted to them; that the Agassiz Valley Water Resource Management Project has been drawn down another 3'; and that he has been contacted by the renter of the District properties in the Agassiz Valley Water Resource Management Project, reporting cattle are roaming in his bean field; and that the wetland mitigation area of the Agassiz Valley Water Resource Management Project has been seeded.

Nick Drees was directed to contact David Jadeke informing him that he should maintain the fencing of the pasture land he is renting from the District to prevent his cattle from roaming on other properties.

Nick Drees stated a meeting with the landowners in regards to the Brandt/Angus Project is scheduled for October 28; that a Flood Damage Reduction Work Group meeting is scheduled for October 20, 2010 at Detroit Lakes; and the hearing on the petition of Polk County to turn jurisdiction of Polk County Ditch #43 and Polk County Ditch #44, to the District, is scheduled for November 18, 2010 at Crookston, Minnesota.

Nick Drees was directed to contact Nate Dalager, of HDR Engineering, to attend the next regular meeting and provide a update of the Brandt/Angus Project.

Nick Drees informed the Board that there are cost overruns in the construction of the NRCS Equip Ring Dikes and stated the Board would need to decide how to collect the overruns from the landowners.

Roger Hille reported that he discussed with Charlie Anderson the outlet structure of the Angus Oslo #4 Project. He reported that the repairs seem to be holding, however, in the Spring of 2011 it should be repaired properly.

A letter from James Oberg concerning the drainage issues of Angus Oslo #1 was distributed.

Nick Drees stated the majority of the drainage issues plaguing Angus Oslo #1 are caused by beaver dams and the inability to draw down the pond due to the plugged coulee (outlet).

Nick Drees was directed to follow up with the concerns expressed by James Oberg.

It was announced that the next Red River Watershed Management Board meeting is scheduled for 9:30 a.m., October 19, 2010, at the Sand Hill Watershed District, in Fertile Minnesota.

A summary of activity from the District's Legal Counsel, Jeff Hane was distributed. He reported that the easement for the cleaning of the outlet of the Agassiz Valley Water Management Project is in place; that the Open Meeting Lawsuit filed by Jim Stengrim is

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scheduled for hearing on October 26, at 1:30 a.m., in Crookston; and that he had nothing to report on the Managers Lawsuit.

Motion by Mr. Ben Kleinwachter, seconded by Mr. John W Nelson that the 2010 Advisory Committee meeting be scheduled for 1:00 p.m., November 15, 2010. Motion unanimously carried.

The Board reviewed the proposed resolution regarding the permit guidelines of the District.

Motion by Mr. Roger Hille, seconded by Mr. Marvin Hedlund that the following resolution be adopted:

**PERMIT GUIDELINES
OF THE
MIDDLE SNAKE TAMARAC RIVERS WATERSHED DISTRICT**

WHEREAS, the Board of Managers desires to respond to permit requests in a timely manner, and

WHEREAS, the District staff requires sufficient time to evaluate permit requests, and

WHEREAS, specific types of permit requests do not require consideration by the Board of Managers and may be approved by the District Administrator.

THEREFORE BE IT RESOLVED that the following PERMIT GUIDELINES shall be approved by the Board of Managers:

1. All permit requests shall be submitted to the District on forms provided
2. Permit requests shall be received a minimum of 3 working days before the next regular scheduled meeting. Permits will considered by the Board only after District staff/engineer have had an opportunity to fully evaluate the request and provide the Board with a recommended course of action. Staff evaluation of the permit request shall include affected landowners, affected agencies, and frequency design of a drainage system.
3. The District Administrator is authorized to approve the following permits:
 - a. Emergency repairs requested by a Governmental Agency when public safety is a factor;
 - b. Replacement of culverts with the same size, elevation, and location;
 - c. Lengthening of an in-place culvert; and
 - d. Requests from other Governmental Agencies (township, city, state) that include hydraulic analysis performed by a Registered Engineer.
4. All permits approved by the District Administrator shall be included in the numbered list of permit requests presented at the next scheduled meeting as well as subsequent minutes and noted as approved by the District Administrator.

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Danny Omdahl reported that, under the advice of the Board, he has been in contact with various individuals and agencies who might be interested in forming a committee to address hunting on District property.

The Board advised Danny Omdahl to pursue forming a committee with the committee to form some guidelines for the Board to review.

Nick Drees reported that he is on the PL-566 subcommittee that met October 14, 2010 in East Grand Forks and another meeting is scheduled for November 16th, in Ada, Minnesota, following the Red River Watershed Management Board meeting; and that last week, Senator Amy Klobuchar toured the District's PL-566 Diversion and Floodway Project.

Mr. Marvin Hedlund stated that he nothing to report on the Higdem Ditch.

The next regular meetings of the Board were scheduled for November 1, 2010 at 4:00 p.m., and November 15, 2010, at 4:00 p.m., with the Advisory Committee meeting scheduled for November 15, 2010, at 1:00 p.m.

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

The meeting was adjourned at approximately 6:42 p.m.

Connie Kujawa
Recording Secretary

Ben Kleinwachter
Secretary