

April 3, 2023 (a)

APPROVED
REGULAR MEETING OF THE BOARD OF MANAGERS OF THE
MIDDLE-SNAKE-TAMARAC RIVERS WATERSHED DISTRICT
HELD VIRTUALLY USING MICROSOFT TEAMS AND AT THE DISTRICT OFFICE
8:30 a.m. **April 3, 2023**

The Meeting was called to order by President Bill Petersen, Managers Bill Petersen, Eric Johnson, Brad Blawat, Keith Szczepanski and Lein Schiller were present. Mori Maher, Tyler Larson, Kyle Schломann, Danny Omdahl, Katrina Haugen, Jim Duckstad, Tony Nordby and Dean Danielski were also in attendance; Jeff Hane was in attendance virtually.

Motion by Mr. Joey McGregor, seconded by Mr. Brad Blawat to approve the agenda, as amended, to include OCSS Bypass Ditch at the impoundment under Other, Computer/Trimble under Other, snow removal for JD #1 and JD #75 under Ditches and move Project Funds from Administrator to Managers. Motion unanimously carried.

Rolland Miller joined the meeting at approximately 8:33 a.m.

Motion by Mr. Keith Szczepanski, seconded by Mr. Eric Johnson to approve the Minutes of the March 20, 2023, Regular Board Meeting as presented. Motion unanimously carried.

Motion by Mr. Joey McGregor, seconded by Mr. Brad Blawat, to approve the following permit:

Permit (23-007) Jamie Nelson to install 215 acres of field drain tile in portions of Section 27 Viking Township with 1/4" drainage coefficient; 50' and 100' tile spacings; gravity outlet to the South Branch of the Snake River in the NW4 of Section 27 Viking Township.

Motion unanimously carried

Gunner Bowman joined the meeting at approximately 8:38 a.m.

Motion by Mr. Eric Johnson, seconded by Mr. Keith Szczepanski to approve the following permit contingent that the permit holders petition into the benefited area of Marshall County Ditch #21:

Permit (22-008) Ronald Loeslie and Joey McGregor to install 171 acres of field drain tile in the S2 of Section 20 and NE4 of Warrenton with 1/4" drainage coefficient; 40' tile spacings; gravity outlet to the Melgard Coulee in the NE4 of Section Warrenton Township.

Motion carried with Mr. Joey McGregor abstaining.

The following permit was Administratively approved and reviewed:

Permit (23-009) Zachary Green to extend Permit 22-018 to install 130 acres drain tile. 1/4" drainage coefficient, 70' spacing, a 5 HP (500 GPM) pump in the SE corner of the field.

Gunnar Bowman left the meeting at approximately 8:50 a.m.

The Audited bids that were received on March 20, 2023 for the SD #3 Stream Restoration project were presented to the Board. It was the consensus of the Board to allow Administrator Maher to sign the SD #3 contract with Quality Spray Foam/Anderson Excavating.

Operations Manager Danny Omdahl described the needs for JD #25-1. He recommended installing a culvert in the grass strip, in section 4 of Comstock Strip and to utilize Side Water Inlet Program funds. He will talk with the landowner again regarding the SWCD funds.

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Access for the District's mowing contractors was discussed and the need to move a field access crossing on the Section line between sections 5 and 4 Comstock Township. Omdahl will talk to the landowner about moving ahead with this plan.

Tree removal within the Agassiz Valley Impoundment was discussed as well as a grove of trees in the NW4 section 18 Helgland, before the trees cause a larger problem.

Dillon Nelson joined the meeting at 8:59 a.m., (virtual).
Nate Dalager joined the meeting at 9:08 a.m.

Omdahl discussed the JD #25-2 system and the issues with water breaking out near the Polk-Pennington County line. A discussion was held about snow removal at JD 25-2 and AO #4 impoundment, including the inlet and outlet structures.

Regarding the 2023 spring melt, Omdahl discussed data related to using sand or dyed water to speed the melt in JD #1 and JD #75, near the Red River. He met with a pilot and they will establish an application price per mile. There was the consensus of the Board for Mr. Omdahl to develop a plan and report to the Board.

Jared joined the meeting at approximately 9:38 a.m., (virtual).

Motion by Mr. Joey McGregor, seconded by Mr. Keith Szczepanski to accept the Hay bid received on the 42 acres at the Off Channel Storage Site from Bryan Bolstad for \$1,001.00, for the contract years 2023-2027.

Maher discussed the Swift Coulee Project. Six of the ten landowners signed a Reinvest in Minnesota (RIM) program nonbinding application with the Board of Soil and Water Resources (BWSR) before the March 31, 2023 deadline. The next item focused on is a 0.3 acre portion of the Marshall County demolition site is within the setback levee area, but it's not eligible for RIM. Maher asked County Commissioners in attendance if they could discuss an easement with the District for the 0.3 acre at their next Board meeting. Lastly, Maher said further discussions on the Project's permitting are taking place with BWSR.

Jared left the meeting at approximately 10:32 a.m., (virtually).

Maher provided a cost update for the Nelson Slough project. The agreement from the RRWMB for the \$520,000 advance funding on the project has been received.

Motion by Mr. Joey McGregor, seconded by Mr. Eric Johnson to authorize Administrator Maher to sign the agreement for Nelson Slough Advance Funding with the RRWMB. Motion unanimously carried.

Tony Nordby provided an update on Nelson Slough project. The permitting process, wetland mitigation and Geotech are being worked on. Construction and landowner flowage easements still need to be discussed. A discussion was held regarding if the MNDNR will drawdown Nelson Slough before the spring runoff. A conversation ensued concerning if the District will be reimbursed for its future staff's operation of the Nelson Slough Project. It was mentioned that as this is a joint project and based on the processes laid out on the O&M plan, each partner will be bound to pay for their own staff time. At this point there is no income planned to come from this project. So, the District expenses will be paid from project levy fund.

Dean Danielski left the meeting at approximately 10:44 a.m.

Dillon Nelson (HDR Engineering) provided an update on the Newfolden Project bridge construction. As of 8:45 am today, the construction activity is halted and the contractor is removing the causeway to open the existing

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culverts as a preparation for the upcoming stormy condition and snow melt. Construction will resume after the spring melt is over. HDR will be documenting the event as well as onsite observations. Davidson construction is a subcontractor to CP Railways and is available onsite for emergency conditions if they arise.

Administrator Maher and Attorney Jeff Hane will draft a letter to CP Railways stating that the functionality of the work site needs to be returned to a preconstruction hydraulic capacity, to release the District from liability.

Administrator Maher stated DPA requests were received for 2023 Equipment Rental Rates and SD #3 bids tabulation.

Administrator Maher stated Christian Erickson's legal counsel, Mr. Delray Sparby, requested an extension on another extension provided on Permit 21-051 which expired March 30, 2023. The new extension requested on the bases of weather conditions and accessibility of the job site. Attorney Hane suggested sending Mr. Erickson a letter to show cause prior to making a decision. It was agreed to send a show cause letter.

Nate Dalager left the meeting at approximately 11:40 a.m., (virtual).

Nate Mobil joined the meeting at approximately 11:42 a.m., (virtual).

Administrator Maher stated that FEMA approved funding on all but 2 of the damages of last spring flood have been received with the remaining being JD 75 and SD3.

Nate Mobil left the meeting at approximately 11:46 a.m., (virtual).

Administrative Assistant Haugen reminded the Managers to turn in their Per Diem sheets for the last quarter.

Equipment Rental Rates have been received and the Board will be presented with the results at the next Board Meeting.

Administrative Assistant Haugen presented information to the Board regarding project balances. A conversation occurred on how the funds are accounted for and zeroing out accounts. It was the consensus of the Board that Haugen get advice from the Auditor and provide the information to the Board.

Dillon Nelson left the meeting at approximately 12:02 p.m., (virtual).

Technician Tyler Larson reviewed the 2023 spring flood outlook as of March 23, 2023. He said the outlook will be changing due to winter storm this week.

Manager Joey McGregor asked for clarification regarding the evaluation of the (3) box culverts that are in the Bypass Ditch of the Off Channel Storage Site along 240th Ave NW as discussed at the Board Meeting of March 20, 2023. Discussion was also held regarding beaver dams that have been removed and should help with the drainage this spring. Mr. McGregor will submit information in writing stating what the problem is.

Discussion was held regarding Technology contractors as well as new Trimble surveying unit options for the District.

The following meetings were announced:

1. MSTRWD Regular Board of Managers Meeting Monday, April 17 2023 at 8:30 a.m. in Warren, MN.
2. RRWMB Regular Monthly Meeting Tuesday, April 18, 2023 10:00 a.m. in Ada, MN.
3. MSTRWD Regular Board of Managers Meeting Monday, May 1, 2023 at 8:30 a.m. in Warren, MN.

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Motion by Mr. Brad Blawat, seconded by Mr. Eric Johnson to adjourn the Meeting. Motion unanimously carried.

The Meeting was adjourned at approximately 1:09 p.m.

Katrina Haugen
Recording Secretary

Brad Blawat
Assistant Secretary