

August 21, 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. **August 21, 2023**

The Meeting was called to order by President Bill Petersen, Managers Bill Petersen, Brad Blawat, Eric Johnson, Keith Szczepanski and Robert Kovar were present. Mori Maher, Kyle Schломann, Danny Omdahl, Tyler Larson, Jim Duckstad, and Tony Nordby were also in attendance. Dillon Nelson attended virtually.

Motion by Mr. Robert Kovar, seconded by Mr. Brad Blawat to approve the Agenda as amended with Permit 23-030 Reconsideration and Lawsuit Communication added under Other. Motion unanimously carried.

Motion by Mr. Brad Blawat, seconded by Mr. Keith Szczepanski to approve the Minutes of the August 7, 2023, Regular Board Meeting as presented. Motion unanimously carried.

It was announced that Bill Petersen and Keith Szczepanski were reappointed by the Marshall County Commissioners as District Managers. Both Petersen and Szczepanski reviewed and signed the Oath of Managers.

Jeff Hane joined the meeting at approximately 8:37 a.m. (virtual)

The Treasurer's Report was reviewed and filed with the Auditor.

Motion by Mr. Robert Kovar, seconded by Mr. Brad Blawat to pay the following bills: Payroll checks #6991-7000 in the amount of \$19,060.31; from Administrative Funds check # 19722-19747 inclusive of ACH withdrawal and service charge in the amount of \$25,220.21; from Project Funds Check #3420-3432 in the amount of \$180,402.69; from RRWMB Funds check #219 in the amount of \$2514.49; From Ditch Funds check #3615-3630 in the amount of \$455,947.67. Motion unanimously carried.

Motion by Mr. Robert Kovar, seconded by Mr. Eric Johnson to accept the Partial Payment Request presented for works on JD #75 by Gladen Construction and authorize President Bill Petersen to sign it. Motion unanimously carried.

Motion by Mr. Robert Kovar, seconded by Mr. Keith Szczepanski to accept the Partial Payment Request presented for works on SD #3 by Anderson Excavation and authorize President Bill Petersen to sign it. Motion unanimously carried.

Motion by Mr. Robert Kovar, seconded by Mr. Eric Johnson to authorize Managers Bill Peterson and Brad Blawat to sign an updated Grant Assistance agreement from the State Flood Hazard Mitigation for the Newfolden 100 Year Floodplain Project. Motion unanimously carried.

Administrator Maher stated that as part of the Reconsideration Request for Permit 23-030, Keaton Laymon, the Board needs to set a date for the reconsideration hearing. Maher suggested to the Board hold the reconsideration hearing during the September 18th Regular Board Meeting, with a final decision needing to occur no later than October 28th, 2023.

Motion by Mr. Robert Kovar, seconded by Mr. Keith Szczepanski to set the Reconsideration Hearing for Permit 23-030 for September 18, 2023. District Staff to notify all interested parties. Motion unanimously carried.

Attorney Jeff Hane stated he received communication from the Plaintiffs' Attorney regarding the draft response to the judge's questions in the MSTRWD and Erickson vs Zutz et al appeal of Permit 21-051, Christian Erickson. Following discussion, it was the consensus of the Board not to review the letter at this time. The Board will only consider information in the official record and decide upon the draft response at the September 5th Regular Board Meeting.

APPROVED

Operations Manager Omdahl updated the Board on the Glenn Rivard Petition to Add Lands to WD #4. He stated that upon review, it was discovered additional subsurface drainage in the SE4 of Section 11 Farley drain to, but are not in the existing WD #4 Benefited Area. It was the consensus of the Board that Attorney Hane draft a letter to communicate with the landowner that the lands need to be added to the Benefited Area of WD #4.

Administrator Maher informed the Board that he received communication from the DNR on potential Calcareous Fens being identified within the footprint of the Lilac Ridge Project. He stated Tony Nordby and himself will be in further contact with the DNR and inform the Board at a future meeting.

The following meetings were announced:

1. MSTRWD Regular Board of Managers Meeting Tuesday, September 5, 2023, at 8:30 a.m. in Warren, MN
2. Minnesota Budget Hearing Tuesday, September 5, 2023, at 10:00 a.m. at the District Office in Warren, MN.
3. MSTRWD Regular Board of Managers Meeting Monday, September 18, 2023, at 8:30 a.m. in Warren, MN.
4. RRWMB Monthly Meeting Tuesday, September 19, 2023 at 10:00 a.m. in Ada, MN

Motion by Mr. Robert Kovar, seconded by Mr. Brad Blawat to adjourn the Meeting. Motion unanimously carried.

The Meeting was adjourned at approximately 9:50 a.m.

Tyler Larson
Recording Secretary

Brad Blawat
Assistant Secretary