

December 4, 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.** **December 4, 2023**

The Meeting was called to order by President Bill Petersen, Managers Bill Petersen, Robert Kovar, Brad Blawat, and Lein Schiller were present. Mori Maher, Tyler Larson, Katrina Haugen, Danny Omdahl, David Nelson, George Feltman, Doni Loeslie, Don Loeslie, Russell Miller, Dean Danielski, Tim Rivard, and Tony Nordby were also present. Stacy Loeslie and Jared (guest) were in attendance virtually.

Motion by Mr. Robert Kovar, seconded by Mr. Joey McGregor to approve the Agenda as with the addition of Employee Reviews as item #6 under Managers. Motion unanimously carried.

Motion by Mr. Brad Blawat, seconded by Mr. Lein Schiller to approve the Meeting Minutes from the November 20, 2023 Board of Managers Meeting as corrected. Motion unanimously carried.

A member of the public recorded this portion of the meeting

Discussion was held on JD#16 and the restoration orders that were sent out along with the letters sent asking landowners to lower the spoil bank at specific locations. Tim Rivard was in attendance and stated he purchased the land in 2018 and has not raised the spoil bank but he has cut dirt away to fill in low spots in his field. After the Fact permits were received from NELD Johnson Farms and Stacy Loeslie to allow them to leave the current spoil elevation.

Jeff Hane joined the meeting at approximately 8:41 a.m.

John Nelson, Curt Haugen, and Jim Burgman joined the meeting at approximately 8:55 a.m.

Lori Warne, Adam Gast, and Tammy Hanson joined the meeting at approximately 9:25 a.m.

Following discussion, Motion by Mr. Joey McGregor, seconded by Mr. Lein Schiller to suspend the requested action to lower the spoil bank along JD#16 to see how the maintenance that was performed in 2023 will help the situation in 2024. Landowners with spoil banks higher than the road elevation will be considered to be in violation of the District rules.

Motion carried with Mr. Brad Blawat voting Nay.

To see how the maintenance work would perform in 2024, Stacy was asked if she would agree to waive the 60-day limit to make a ruling on the after the fact application under Minnesota Statue 15.99. Stacy stated that she would. District staff were directed to contact NELD Johnson Farms to discuss waiving the 60-day limit for their application.

Motion by Mr. Robert Kovar, seconded by Mr. Joey McGregor to Table the following After the Fact Permits:

Permit (23-119) NELD Johnson Farms LLLP to modify the spoil shape and location on the North lines of the NW4 Section 33 and the NE4 Section 32 Warrenton Township and the NE4 Section 36 Vega Township to meet NRCS approved Alternate Practices.

Permit (23-121) Stacy Loeslie to modify the spoil shape and location on the North line of the NW4 Section 32 Warrenton Township to meet NRCS approved Alternate Practices.

Motion unanimously carried.

Don Loeslie asked for his written comments to be added to the record.

Stacy Loeslie (virtual) left the meeting at approximately 9:30a.m.

APPROVED

A member of the public stopped recording this portion of the meeting.

Curt Haugen, Jim Burgman and John Nelson from BTAG (Border Township Association Group) were in attendance to discuss a Joint Powers Agreement that they would like the Board of Managers to consider joining. BTAG explained that joining the Joint Powers would help with securing state funding for a potential project. BTAG is asking Walsh County Water Board and the Grand Forks Water Board to review the agreement and join the Joint Powers as well. Administrator Maher asked the Board how they would like to proceed. By consensus, the Board directed Maher and Attorney Jeff Hane to review the JPA and discuss any concerns that they had with the Attorney working with BTAG. Maher and Hane will provide an update or recommendation to the Board after meeting with BTAG.

John Nelson, Curt Haugen, Jim Burgman, Tim Rivard, Dave Nelson, Don Loeslie, Doni Loeslie, George Feltman, and Russel Miller left the meeting at approximately 9:45 a.m.

Motion by Mr. Robert Kovar, seconded by Mr. Brad Blawat to Recess the Regular Board Meeting. Motion unanimously carried.

The Regular Board of Managers meeting was recesses at 9:45 for the "City of Newfolden Flood Prevention Project" Final Hearing.

The "City of Newfolden Flood Prevention Project" Final hearing was opened at 9:50 a.m.

Board Chairman Bill Petersen stated that the hearing was being recorded.

Those in attendance were Tammy Hanson, Lori Warne, Adam Gast, Dillon Nelson, Jeff Hane, Tony Nordby, Mori Maher, Danny Omdahl, Tyler Larson, Katrina Haugen, Bill Petersen, Robert Kovar, Brad Blawat, Lein Schiller, and Joey McGregor.

Dillon Nelson from HDR Engineering provided a presentation on the project along with the project design and the Engineers Report.

The floor was opened for Public Comment, No comments were received  
The floor was closed for public comment.

During board discussion the option of overlaying the project onto JD#21 or not was discussed but no decision was needed or made at this time.

Motion by Mr. Joey McGregor, seconded by Mr. Robert Kovar to accept the engineers Report.  
Motion unanimously carried.

Motion by Mr. Brad Blawat, seconded by Mr. Lein Schiller to accept the Project Design plans from HDR.  
Motion unanimously carried.

Motion by Mr. Joey McGregor, seconded by Mr. Robert Kovar to adopt the following findings regarding the City of Newfolden Flood Prevention Project:

- 1) The project is conducive to public health;
- 2) The project promotes the general welfare;
- 3) The Project is in compliance with MN Statute §103D
- 4) Results in benefits that will be greater than the cost of the construction or implementation and damages.

APPROVED

Motion unanimously carried

Motion by Mr. Robert Kovar, seconded by Mr. Brad Blawat to publish invitation for bids on the project after the Dam Safety Permit is received, with a bid opening date of February 20, 2024 at 10:00 a.m. at the District Office in Warren, MN.

Motion unanimously carried

Motion by Mr. Joey McGregor, seconded by Mr. Lein Schiller to recess the hearing until the bid opening on February 20, 2024 at 10:00 a.m.

Motion unanimously carried

The meeting was recessed at approximately 10:49 a.m.

The Petition hearing to add lands to the Benefited area of WD#4 was opened at 10:55 a.m.

Board Chairman Bill Petersen stated that the hearing was being recorded.

Those in attendance were Jarod Peterson, Dillon Nelson, Tony Nordby, Jeff Hane, Dean Danielski, Mori Maher, Danny Omdahl, Tyler Larson, Katrina Haugen, Bill Petersen, Robert Kovar, Brad Blawat, Lein Schiller, and Joey McGregor.

Tony Nordby from Houston Engineering presented his report.

The floor was opened to the public for comments; No comments were received.

Motion by Mr. Joey McGregor, seconded by Mr. Lein Schiller to accept the 80 acres in the N ½ of the SE ¼ of Section 11 Farley Township into the Benefited area of WD#4.

Motion unanimously carried.

Motion by Mr. Joey McGregor, seconded by Mr. Brad Blawat that the Petitioner Jarod Peterson pay an outlet fee of \$168, pay Engineering Fees of \$1,063.75, mailing of Notice of Hearing fees of \$57.96, and Publication Fees TBD, and set the Benefits for the 80 acres at \$20 per acre.

Motion unanimously carried.

Motion by Mr. Robert Kovar, seconded by Mr. Joey McGregor to adjourn the Petition Hearing.

Motion unanimously carried.

The Petition hearing to add lands to the benefited area of WD#4 was adjourned at 11:06 a.m.

The Regular Board meeting was reconvened at 11:10 a.m.

Operations Manager Danny Omdahl is working with R.J. Zavoral and Sons to clean up, pile, and burn the dead trees in the Agassiz Valley Impoundment.

**APPROVED**

Manager Joey McGregor discussed potential changes to the Districts Personnel Policy regarding Employee Evaluations.

Mr. Joey McGregor left the meeting at approximately 11:15 a.m.

Motion by Mr. Robert Kovar, seconded by Mr. Brad Blawat to accept the following Board of Managers Meeting Schedule for 2024.

**2024 Schedule of Regular Board Meetings  
 Board of Managers  
 Middle Snake Tamarac Rivers Watershed District**

<b>Regular Monthly Meetings</b>	<b>Time</b>	<b>Alternate Date</b>	<b>Time</b>
<b>January 16, 2024</b>	8:30 a.m.	January 22, 2024	8:30 a.m.
February 5, 2024	8:30 a.m.	February 12, 2024	8:30 a.m.
<b>February 20, 2024</b>	8:30 a.m.	February 26, 2024	8:30 a.m.
March 4, 2024	8:30 a.m.	March 11, 2024	8:30 a.m.
March 18, 2024	8:30 a.m.	March 25, 2024	8:30 a.m.
April 1, 2024	8:30 a.m.	April 8, 2024	8:30 a.m.
April 15, 2024	8:30 a.m.	April 22, 2024	8:30 a.m.
May 6, 2024	8:30 a.m.	May 13, 2024	8:30 a.m.
May 20, 2024	8:30 a.m.	<b>May 28, 2024</b>	8:30 a.m.
June 3, 2024	8:30 a.m.	June 10, 2024	8:30 a.m.
June 17, 2024	8:30 a.m.	June 24, 2024	8:30 a.m.
July 1, 2024	8:30 a.m.	July 8, 2024	8:30 a.m.
July 15, 2024	8:30 a.m.	July 22, 2024	8:30 a.m.
August 5, 2024	8:30 a.m.	August 12, 2024	8:30 a.m.
August 19, 2024	8:30 a.m.	August 26, 2024	8:30 a.m.
<b>September 3, 2024</b>	8:30 a.m.	September 9, 2024	8:30 a.m.
September 16, 2024	8:30 a.m.	September 23, 2024	8:30 a.m.
October 7, 2024	8:30 a.m.	<b>October 15, 2024</b>	8:30 a.m.
October 21, 2024	8:30 a.m.	October 28, 2024	8:30 a.m.
November 4, 2024	8:30 a.m.	<b>November 12, 2024</b>	8:30 a.m.
November 18, 2024	8:30 a.m.	November 25, 2024	8:30 a.m.
December 2, 2024	8:30 a.m.	December 9, 2024	8:30 a.m.
December 16, 2024	8:30 a.m.	December 23, 2024	8:30 a.m.

NOTE: The First Meetings of the Month may be cancelled if there is a lack of District business.

Motion unanimously carried.

APPROVED

Managers Bill Petersen and Lein Schiller along with Administrator Maher provided an update from the MN Watersheds Annual Meeting that they attended November 28-December 1 in Alexandria MN.

Motion by Mr. Robert Kovar, seconded by Mr. Lein Schiller to authorize Mr. Bill Petersen and Mr. Brad Blawat to sign the Districts Snow Removal Policy.

Motion unanimously carried.

Administrative Assistant Haugen will send the Policy to the newspapers for publication prior to the Spring so that the public is aware of the new Policy.

Attorney Jeff Hane provided an update on the District's purchase of property in the City of Newfolden as part of the Newfolden Project.

The 2024 Billable Rates for Rinke Noonan were distributed to the Board.

The following meetings were announced:

1. Swift Coulee Project Work Team meeting Thursday, December 7, 2023 at 5:00 p.m. at the Court House in Warren MN.
2. MSTRWD Regular Board of Managers Meeting Monday, December 18, 2023 at 8:30 a.m. at the District office in Warren, MN
3. RRWMB Regular monthly meeting Tuesday, December 19, 2023, at 10:00 a.m. in Ada, MN
4. 1W1P Policy Committee Meeting Wednesday, December 20, 2023 at 1:00 p.m. at the Marshall County SWCD Office.

Motion by Mr. Robert Kovar, seconded by Mr. Lein Schiller to adjourn the Meeting. Motion unanimously carried.

The Meeting was adjourned at approximately 11:43 a.m.

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Katrina Haugen  
Recording Secretary

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Brad Blawat  
Secretary