

November 6, 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. **November 6, 2023**

The Meeting was called to order by President Bill Petersen, Managers Bill Petersen, Robert Kovar, Brad Blawat, Lein Schiller, Keith Szczepanski and Joey McGregor were present. Mori Maher, Kyle Schlomann, Tyler Larson, Katrina Haugen, Jim Duckstad, George Feltman, Doni Loeslie, Don Loeslie, Rolland Miller, and David Nelson were also present. Jeff Hane and Tony Nordby attended virtually.

Motion by Mr. Robert Kovar, seconded by Mr. Keith Szczepanski to approve the agenda as corrected with the addition of SD#3 as item #3 under Ditches, Middle River Sportsmen's club as item #4 under Projects, and Letter dated September 25, 2023 as item #6 under Managers. Motion unanimously carried.

Motion by Mr. Joey McGregor, seconded by Mr. Brad Blawat to approve the Meeting Minutes from the October 23, 2023 Board of Managers Meeting as corrected. Motion unanimously carried.

Motion by Mr. Joey McGregor, seconded by Mr. Robert Kovar to approve the following Permit:

Permit (23-116) Lein Schiller to install a flapgate on the North end of an existing 24" CSP field crossing culvert located on the East line of the NE4 NE4 of Section 17 Bloomer Township.

Motion carried with Mr. Lein Schiller abstaining.

The following permits were Administratively reviewed and approved:

Permit (23-113) Joe Altepeter to install a new crossing with an 18" culvert in the East 240th Ave NW ditch, in the NW NW of Section 3 Comstock Township.

Permit (23-114) Arveson Township to clean approximately 3/8 mile East of Hwy #59 Ditch in the SW of Section 32 Arveson Township.

This portion of the meeting was recorded by a member of the public.

Discussion was held on JD#16. Warrenton Township has the road built up to the best of their ability but due to freezing conditions they have not been able to get gravel as the pit is currently closed. If it warms up and they open the pit they will add gravel this year. District staff was directed to survey the current road elevation and spoil elevation with multiple data points on Section 35 and 36 Vega Township, and Sections 31, 32, 33, and 34 in Warrenton Township so it can be seen exactly where the spoil height needs to be corrected.

Russel Miller joined the meeting at approximately 8:51 a.m.

George Feltman stated that the trees that were removed near his yard in Section 30 Warrenton Twp. were still laying there and asked if there was a plan to clean that up this year, so it does not get washed down the ditch in the spring and plug/damage culverts. It was the consensus of the Board that the staff hire a contractor to remove the brush piles as soon as practicable.

Don Loeslie discussed changes in drainage and water overtopping the road during spring events related to the spoil height.

Russel Miller asked if the flapgate that was damaged when JD#16 was cleaned was still scheduled to be replaced. Miller was told it is in the contractor's task list but no date has been set for the repairs.

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

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Dillon Nelson and Nate Dalager joined the meeting at approximately 9:20 a.m.
George Feltman left the meeting at approximately 9:25 a.m.

Technician Larson provided an update on the culverts to be installed on the JD#14 ditch system. The 48" culvert on Br F has been installed by Anderson Excavating. He also stated that New Solum Twp is still waiting for the 2-42" culverts to be delivered so that the work can continue on Br B.

Manager McGregor inquired about the status of the ongoing Redetermination of Benefits of State Ditch #3. Administrator Maher reported that staff has been working on proposed modifications to the Viewers Report that was submitted in 2022. However, progress had slowed significantly over the summer months due to the summer workload. Administrator Maher reported that he has recently started working with the staff to expedite the process and that he plans to have a proposal before the Board by the end of January 2024. It was the consensus of the Board that the Administrator work with the Staff, Attorney Jeff Hane, and Engineer Tony Nordby on the proposed modifications to the Viewers Report and to present said proposals to the Board during the second Regular Board Meeting in January of 2024.

Dave Thompson, Matt Stromstad, and Josh Smith joined the meeting at approximately 10:00 a.m.

The Middle River Sportsman's club is seeking a partnership with the Watershed District on a proposed channel restoration project on the Middle River within the city of Middle River, MN. Matt Stromstad, Josh Smith, and Dave Thompson approached the Board, requesting the Watershed Districts support and assistance in moving their proposal forward.

Dave Thompson, Matt Stromstad, Josh Smith and Russel Miller left the meeting at approximately 10:15 a.m.

Administrator Maher presented a Resolution to purchase land from Kathryn A. Smith for approximately \$45,947.73. for the City of Newfolden Flood Prevention Project.

Motion by Mr. Robert Kovar, seconded by Mr. Joey McGregor to purchase the property from Kathryn A. Smith and have the land put into the City of Newfolden's name. Motion unanimously carried.

Administrator Maher asked the board to set a final hearing date for the City of Newfolden Project.

Motion by Mr. Joey McGregor, seconded by Mr. Brad Blawat that the Final Hearing for the City of Newfolden Flood Prevention Project will be held on Monday, December 4, 2023 at 9:30 a.m. during the regular board Meeting. Motion unanimously carried.

Dillon Nelson from HDR Engineering provided an update on the CLOMR (Conditional Letter of Map Revision) and the Dam Safety Permit. It was the consensus of the board to rescind the CLOMR application and proceed with the LOMR (Letter of Map Revision) submittal as the Bridge portion of the project is complete and the CLOMR was not a requirement.

Administrator Maher provided an update on the Nelson Slough project. The Wetland credit purchase agreement was signed with Stelter LLC (John Erickson) for \$301,099.50. His proposal was the lowest of the two received. The DNR's legal department is still reviewing the Joint Powers Agreement. The project was recommended for \$3.4 million in funding from the Lessard Sams Outdoor heritage Council and is now waiting for allocation from the state legislatures. A stream gauge was installed by the MPCA at the 300th Ave NW crossing on the Tamarac River as requested by the JD 19 JDA.

Administrator Maher and Engineer Tony Nordby provided an update on the Swift Coulee Project. BWSR Easement Staff has provided feedback regarding the proposed RIM Easements and have requested that some

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adjustments be made to the proposed easement boundaries along the coulee. Houston Engineering has already provided BWSR with the new easement proposals as requested. Administrator Maher plans to facilitate meetings with individual landowners once these new maps have been approved by BWSR. These map revisions will be non-binding as the RIM applicants all signed a non-binding agreement.

Administrator Maher recommended allocating a portion of Administrative Funds as an annual allowance for each technician, for the purpose of reimbursing purchases made on work-related apparel.

Motion by Mr. Robert Kovar, seconded by Mr. Lein Schiller to give the staff an allowance of up to \$150 per year for clothing required for weather conditions. Receipts will need to be turned in to the Administrative Assistant and they will be reimbursed. Motion unanimously carried.

Administrative Assistant Haugen provided an overall Watershed District financial accounts presentation to the board.

Motion by Mr. Robert Kovar, seconded by Mr. Keith Szczepanski to authorize Administrative Assistant Haugen to make the necessary bookkeeping entries to balance out the projects that are in the negative as of December 31, 2022; and to balance all unactive projects yearly. Motion unanimously carried.

Haugen provided an update on the new PERA thresholds starting January 1, 2024

Administrative Assistant Haugen asked for Board approval to purchase a new fireproof file cabinet to better secure sensitive documents. The existing file cabinet no longer locks properly and cannot safely restrict or prevent unauthorized access to private or sensitive data.

Motion by Mr. Robert Kovar, seconded by Mr. Brad Blawat to authorize the purchase of a 3-drawer fireproof locking file cabinet from Amazon for \$3,999.00 + applicable fees. Motion unanimously carried.

Dillon Nelson, and Nate Dalager left the meeting at approximately 12:15 a.m.

A letter requesting the Board to reconsider Permit 23-103 was received and reviewed from Van Hapka. A reconsideration hearing on Permit 23-103 will be held on December 18, 2023, at 10:00 a.m. during the regular board meeting. The Board directed staff to send notice to all the parties involved in this matter.

There was discussion among the Board of Managers regarding an ongoing drainage concern in sections 3 & 10 of Comstock Township. An unauthorized dike in the NW4 of section 10 was partially removed in 2022 by Misselhorn Tiling & Excavation, however, there was skepticism amongst the Board that this work adequately restored the natural drainage system to pre-2021 conditions. It was the consensus of the board that the spoil within the county RoW must be removed, and that Administrator Maher and Mr. Brad Blawat will meet with the Morkens to discuss the Board's order. If necessary, the scope of work shall extend further South into the field to restore the drainageway and to minimize erosion. Administrator Maher and Manager Blawat are to provide an update during the next board meeting.

The following meetings were announced:

1. MSTRWD Regular Board of Managers Meeting Monday, November 20, 2023, at 8:30 a.m. at the District Office in Warren, MN
2. Advisory Board Meeting Monday, November 20, 2023, at 1:30 p.m. at the Newfolden Community Center in Newfolden, MN
3. RRWMB Regular monthly meeting Tuesday, November 21, 2023, at 10:00 a.m. in Ada, MN
4. MNWD Annual Meeting November 28-December 1, 2023, in Alexandria, MN

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

The Meeting was adjourned at approximately 2:31 p.m.

Katrina Haugen
Recording Secretary

Brad Blawat
Secretary