

October 23, 2023 (a)

APPROVED (As Corrected 11-6-23)
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. October 23, 2023

The Meeting was called to order by President Bill Petersen, Managers Bill Petersen, Eric Johnson, Robert Kovar, Brad Blawat, Lein Schiller, Keith Szczepanski and Joey McGregor were present. Kyle Schломann, Danny Omdahl, Tyler Larson, Katrina Haugen, Jim Duckstad, George Feltman, Doni Loeslie, Don Loeslie, Nathan Potucek, Loren Zutz, Ronnie, Zutz, Tracy Anderson, Tim Mortensen, David Nelson and Tony Nordby were also present. Jeff Hane attended virtually.

Motion by Mr. Robert Kovar, seconded by Mr. Keith Szczepanski to approve the agenda as corrected with the addition of Nelson Slough as item #4 under Projects. Motion unanimously carried.

Motion by Mr. Joey McGregor, seconded by Mr. Robert Kovar to approve the Meeting Minutes from the October 2, 2023 Board of Managers Meeting as presented. Motion unanimously carried.

Motion by Mr. Robert Kovar, seconded by Mr. Brad Blawat to authorize Mr. Bill Petersen to sign the final Payment Requests to Gladen Construction; Pay Payroll Checks #7014-7029 in the amount of \$23,248.88; Check #19772-19800 from Administrative funds in the amount of \$27,924.26 inclusive of a service charge and ACH withdrawal; checks #3448-3456 from Project Funds in the amount of \$484,194.96; checks #3638-3649 from Ditch funds in the amount of \$211,949.92. Motion unanimously carried.

Guests Nathan Potucek and Tracy Anderson were in attendance to discuss a block in an apparent natural drainage way in section line 1/6 of McCrea /Comstock Townships. Operations Manager Danny Omdahl provided some background information on this matter. After discussion, it was agreed that Tracy Anderson and Nathan Potucek would each pay 50% for a contractor to install an 18" culvert through the blockage at an elevation set by the District Staff.

Motion by Mr. Eric Johnson, seconded by Mr. Lein Schiller to approve the installation of an 18" culvert with the elevation to be set by District staff with a deadline of December 1, 2023 for the work to be completed or the rocks restricting the natural waterway will be removed on the section line 1/6 of McCrea/Comstock Townships. Motion unanimously carried.

Carl and Brandon Gornowicz joined the meeting at approximately 8:55 a.m.
Tracy Anderson left the meeting at approximately 9:12 a.m.

Guest Loren Zutz was in attendance to discuss a ridge cut along the South line of Section 13 Helgeland Township, on the north side of John Johnson's yard. Zutz and Omdahl both provided information on this matter.

Motion by Mr. Lein Schiller, seconded by Mr. Keith Szczepanski that an Order of Restoration be drafted by the District's Attorney Jeff Hane, to John Johnson, with a deadline of 30 days from the date of the letter for the works to be completed. Motion unanimously carried.

Attorney Jeff Hane left the meeting (virtual) at approximately 9:22 a.m.

Brandon Gornowicz was in attendance to discuss some of the lands being rented out by the District that are adjacent to the Gornowicz property in Section 22 Comstock Township. There was discussion on if the former landowners should have the right of first refusal to rent lands that were acquired for a District project. There was also discussion on lands being rented at other District Impoundments and what is allowed for rental based on how the lands were acquired. It was the consensus of the Board to have Attorney Jeff Hane research if there were any restrictions on land use in the purchase agreements. Loren Zutz and Brandon Gornowicz asked to receive copies of Attorney Hane's legal opinion.

APPROVED

Dillon Nelson joined the meeting at approximately 10:00 a.m.
Attorney Jeff Hane joined the meeting (virtual) at approximately 10:37 a.m.

After hearing additional comments from Tim Mortenson, Comstock Township Supervisor Nathan Potucek, and other neighboring landowners, motion by Mr. Robert Kovar, seconded by Mr. Keith Szczepanski to approve permit 23-103 with the same conditions as permit 21-039.

Permit (23-103) Tim Mortensen and Van Hapka to remove a failed 18" crossing culvert on the quarterline between the SW4 and SE4 of Section 13 Comstock Township and to install an 18" x 60' culvert at the same location and to grade in the vicinity along the North 250th St NW Ditch.

Motion unanimously carried.

Motion by Mr. Brad Blawat, seconded by Mr. Keith Szczepanski to deny the request to increase the approved culvert size of 54" to 60" on the following Administratively approved permit:

Permit (23-074) Jim Solem to install a new field crossing with a culvert with a 54' culvert in WD #7 at the North quarter line of Section 9 Oak Park Township.

The reason for denial being that the 60" culvert would not be consistent with existing culvert scheme in WD #7.

Motion unanimously carried.

Loren & Ronnie Zutz, Tim Mortensen, Brandon & Carl Gornowicz, and Nathan Potucek left the meeting at approximately 10:51 a.m.

Motion by Mr. Brad Blawat, seconded by Mr. Joey McGregor to approve the following permit contingent on a signed agreement with Kim Lubarski for shared responsibility of cleaning and maintaining the natural channel in Section 29.

Permit (23-105) Carl Green & Sharon Bring to install 153 acres of field drain tile in the W2 NW4 & N2 SW4 of Section 33 West Valley Township with ¼" drainage coefficient; variable spacings (50', 80', and 100'); 5-HP (720 GPM) VFD pump to discharge into the Cty Rd #115 Ditch in the NW corner of Section 33.

Motion unanimously carried.

Motion by Mr. Joey McGregor, seconded by Mr. Eric Johnson to approve the following permit:

Permit (23-110) Steve Moen & Marvin Hedlund (A) To remove an existing tile main and gravity outlet in the NE4 SW4 of Section 23 Higdrem Township and install a new main and lift station with a 10-HP (1086 GPM) VFD pump at the same location (B) to install 76 acres of field drain tile in the N2 SE4 of Section 23 Higdrem Township with ¼' drainage coefficient; 40' tile spacings; to outlet to proposed new lift station.

Motion unanimously carried

APPROVED

Motion by Mr. Joey McGregor, seconded by Mr. Eric Johnson to approve the following permit:

Permit (23-111) Robert Kovar to install 35 acres of field pattern drain tile in the E2 W2 NW4 of Section 4 Northland Township with $\frac{1}{4}$ " drainage coefficient; 40' tile spacings; 10" CSP gravity outlet into Judicial Ditch #75 (~Sta 348+49)

Motion carried with Mr. Robert Kovar abstaining

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

Permit (23-112) Peter Carlson to install a new 18" CL culvert under 210th St NW, to drain North into Judicial Ditch #14 Br. B (~Sta 30+50) , in the NW4 NW4 of Section 9 New Solum Strip.

Motion unanimously carried.

The following permits were Administratively reviewed and approved:

Permit (23-107) Fork Township to remove a failed 18" side inlet culvert in the East Township Road ditch of 480th Ave NW, that outlets to Judicial Ditch #29 Lateral 1 ~ Station 57+96 in the NW NW of Section 26 Fork Township and to install a new culvert to be no larger than the equivalent of a 36" culvert.

Permit (23-108) Ed Honek to install a new field crossing with 24' X60' culvert in the North CSAH #23 Road Ditch, located in the SW4 SE4 of Section 12 Northland Township.

Permit (23-109) Enbridge to permanently remove two entrance crossings in the North ditch along Marshall CSAH #2 at Highway stations 276+68 and 280+32, in the SE4 SE4 of Section 28 Viking Township.

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

Operations Manager Danny Omdahl provided data at the Board's request regarding drainage into JD #16. Manager Eric Johnson discussed what he sees during spring events. Don Loeslie inquired about what is being done about the water overtopping 230th Street. George Feltman was in attendance to discuss his concerns with water threatening his homestead/house and overtopping the road. David Nelson, Warrenton Township Supervisor, stated that they were almost complete with the restoration of the road height to the 1974 survey elevations, to the best of their ability.

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

Don & Doni Loeslie, George Feltman and David Nelson left the meeting at approximately 12:15 p.m.

An update on the crossing replacement on JD#14 Br. F was provided.

Technician Larson stated that earlier in the year, Sylvester Novak discussed with staff drainage issues North of his farmyard on JD #75. It was discovered by staff that during the 2012 Repair, a 24" culvert was not replaced like the remainder of the culverts along the repair had been. It appears to both staff and Mr. Novak, that the existing culvert elevation is too high to drain his property. Larson suggested installing an extra 18" culvert, left over from the 2023 Repair, near the same Station, but at a lower elevation.

APPROVED

Motion by Mr. Robert Kovar, seconded by Mr. Joey McGregor to install an 18" culvert at a grade to allow water to drain off the Novak property. Motion unanimously carried.

A discussion was held on staff purchasing a battery powered chainsaw for the District.
Motion by Mr. Eric Johnson, seconded by Mr. Brad Blawat to authorize Staff to purchase a chainsaw. Motion unanimously carried.

Staff discussed a failed 36" culvert in the NW4 of Section 1 McCrea Strip to allow for better JD #25-1 access for mowers.

Motion by Mr. Joey McGregor, seconded by Mr. Keith Szczepanski to install a 36" SWI in the NW4 of Section 1 McCrea Township. Motion unanimously carried.

Dillon Nelson provided an update on the JD #1 / JD #75 study that HDR Engineering has been working on. The next step will be to review the information with District Staff and 2 or 3 Managers before the final presentation.

An update on the scour repair in the Warren Diversion Ditch was provided.

Motion by Mr. Eric Johnson, seconded by Mr. Joey McGregor to re-install a dry crossing that was removed during the construction of the AO4 Impoundment, in Section 2 Brandt Township, where the road was raised. Motion unanimously carried.

Dillon Nelson provided an update on the Newfolden Project

Motion by Mr. Joey McGregor, seconded by Mr. Eric Johnson to authorize Mr. Bill Petersen to sign the Standard Wetland Credit Withdrawal Form for Newfolden. Motion unanimously carried.

Motion by Mr. Robert Kovar, seconded by Mr. Brad Blawat to authorize Administrator Maher to enter into a purchase agreement with the lowest bidder for the Nelson Slough Wetland Credits. Motion unanimously carried.

Eric Johnson left the meeting at approximately 1:01 p.m.

Motion by Mr. Joey McGregor, seconded by Mr. Robert Kovar to approve the 2023 Advisory Committee list. Motion unanimously carried.

Danny Omdahl gave a brief overview of items to keep in mind from the 2022 Ditch inspection Report
-SD #3 has the biggest need of attention
-JD#28 should have surveying done as it has been a dry year. Concerns were brought up about the Redetermination of Benefits and the potential of the State owned lands being removed from the Benefited Area.

Mr. Bill Petersen provided data from the Middle River Sportsman's Club on a potential project in Middle River.

The following meetings were announced:

1. BWSR Academy October 24-26 in Brainerd, MN
2. MSTRWD regular Board of Managers Meeting Monday, November 6, 2023 at 8:30 a.m. at the District Office in Warren, MN
3. Advisory Committee Meeting Monday, November 20, 2023 at 1:30 p.m. in Newfolden, MN

APPROVED

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

The Meeting was adjourned at approximately 1:22 p.m.

Katrina Haugen
Recording Secretary

Brad Blawat
Secretary