

October 21, 2024 (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. October 21, 2024

The Meeting was called to order by President Bill Petersen, Managers Bill Petersen, Robert Kovar, Keith Szczepanski, Joey McGregor, Lein Schiller, and Brad Blawat were present. Mori Maher, Tyler Larson, Kyle Schlomann, Katrina Haugen, Chris Lauer, Gene Holthusen, Erin Peterson, John Umber, Steve Umber, Mike Anderson and Gunnar Bowman were also present. Adam Liden and Jeff Hane were in attendance online.

Motion by Mr. Robert Kovar, seconded by Mr. Keith Szczepanski to approve the agenda as presented Motion unanimously carried.

Motion by Mr. Brad Blawat, seconded by Mr. Lein Schiller to approve the Minutes of the September 16, 2024, meeting, as presented, with spelling corrections. Motion unanimously carried.

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

Motion by Mr. Robert Kovar, seconded by Mr. Joey McGregor to accept the Change Order from Davidson Construction for the Newfolden Project and authorize Mr. Bill Petersen to sign it. Motion unanimously carried

Motion by Mr. Keith Szczepanski, seconded by Mr. Robert Kovar to accept Pay Request #5 from Davidson Construction. Motion unanimously carried.

Motion by Mr. Brad Blawat, seconded by Mr. Joey McGregor to accept the Final Pay Request from Olson Construction TRF for JD #15. Motion unanimously carried.

Motion by Mr. Joey McGregor, seconded by Mr. Robert Kovar to accept the Final Pay Request from Higher Ground Construction for CD #43. Motion unanimously carried

Motion by Mr. Keith Szczepanski, seconded by Mr. Brad Blawat to pay the following bills: From Payroll checks #7179-7193 in the amount of \$24,218.70; From Administrative Funds checks #20001-20019 in the amount of \$57,673.92 including ACH withdrawals; From Project funds check #3549-3559 in the amount of \$1,403,376.38; From Ditch funds check #3735-3746 in the amount of \$133,636.89.53. Motion unanimously carried.

Adam Liden, Northern Plains Rail Companies' Roadmaster, Mike Anderson, Chris Lauer, Gene Holthusen, Erin Peterson, John Umber and Steve Umber were present to discuss drainage problems on JD #14 and culverts that are placed too high under the Railroad in sections 4 New Solum Strip Township and Section 32 New Solum Township and a failing diagonal culvert under 120th Ave NW. After discussion, Administrator Maher asked the landowners to submit their concerns in writing. Mr. Bill Petersen directed Attorney Jeff Hane to find out who owns the 2 Branch B 36" culverts with the 25.5" steel casings inserted into them, that are under the railroad on JD #14 Br B in Section 4 New Solum Strip. Petersen also asked Engineer Tony Nordby to find a way to improve flow under the railroad.

Petersen stated that the 36" x 120' diagonal pipe in Section 27/28 New Solum Township, under 120th Ave NW, needs to be replaced if it is failing. The diagonal pipe is owned by the Township.

Chris Lauer, Gene Holthusen, Erin Peterson, John Umber, Steve Umber, and Adam Liden (virtual) left the meeting at approximately 9:41 a.m.

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

APPROVED

Permit 24-076 Arianna Vanderlinden to raise the JD 15 Br F spoilbank to within 1' lower than 260th St NW and to install an 18" flapgate on the culvert in the vicinity of Station 66+24 in the N2 NW4 of Section 14 Viking Township.

Motion unanimously carried.

Mike Anderson left the meeting at approximately 9:45 a.m.
Dillon Nelson joined the meeting at approximately 9:45 a.m.

Motion by Mr. Robert Kovar, seconded by Mr. Joey McGregor to deny the following Permit with the findings below:

Permit 24-077 Robert Mager to move and replace an existing failed high flow culvert under 430th Ave to the 1/2-mile line of Section 16 Vega Township. Also install a flapgate on the East Side to control when water can flow from Section 16 to Section 17 of Vega.

1. There is no clear evidence of a centerline culvert having once been in place near this location. The Board also generally disfavors allowing or encouraging water to leave a road ditch to continue flowing overland where it has not done so historically.
2. Recent changes appear to have been successful in mitigating flooding from heavy summer rain events. District Staff observed the recently installed high flow culvert in the Northwest corner of Section 16 operating as intended following a heavy rainfall event this last summer. Ditches and culverts are generally not designed for spring flooding, unless it can be shown that there is a reasonable necessity for additional drainage or protection. The effects of the additional sediment removal that has taken place along the township road ditch going South is also unknown and untested.
3. The applicant does not have permission from the road authority to move, re-establish, or install a new centerline culvert near this location. The application is also missing signatures from other potentially affected landowners in Section 17. It is also not clear if the high flood water that would flow through the proposed culvert would remain within the line ditch on the applicant's property in the SE4 of Section 17 or will continue to flow West overland towards the West line of the section, effectively moving the perceived problem elsewhere.

Motion unanimously carried.

Motion by Mr. Joey McGregor, seconded by Mr. Lein Schiller to approve the following permit:

Permit 24-078 Johnson Family Farms & R&L Ag Holdings LLC to install 16 acres of field pattern drain tile in the N2 of Section 11 Vega Strip Township with 1/4" drainage coefficient; 40' & 80' tile spacings; 15-HP (1485 GPM) VFD pump to outlet to JD #24 at ~Sta 163+00.

Motion unanimously carried

Motion by Mr. Joey McGregor, seconded by Mr. Keith Szczepanski to approve the following permit:

Permit 24-081 Jarod Peterson to permanently remove an existing crossing with 18" CSP crossing culvert on the East side of 330th Ave NW, in the NW4 SW4 of Section 31 Brislet Township.

Motion unanimously carried

APPROVED

Motion by Mr. Joey McGregor, seconded by Mr. Keith Szczepanski to approve the following permit:

Permit 24-082 Goodwin Farms to install 153 acres of field pattern drain tile in the NW4 of Section 24 Northland Township with 1/4" drainage coefficient; 50' tile spacings; 5-HP (719 GPM) VFD pump to outlet to WD #6, at ~Sta 404+20.

Motion unanimously carried

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

Permit 24-083 Viking Gas Transmission Company to install a concrete revetment mat over exposed sections of a 24" natural gas pipeline within the MCD #45/Tamarac River channel in the SE4 of Section 24 Donnelly Township.

Motion unanimously carried.

Motion by Mr. Joey McGregor, seconded by Mr. Lein Schiller to approve the following permit:

Permit 24-087 Jay Michalski to install 19 acres of field pattern drain tile in the SE4 of Section 19 Alma Township with 3/8" drainage coefficient; 85' & 100' tile spacings; to gravity outlet (99 GPM) into a natural tributary of the Middle River.

Motion unanimously carried

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

Permit 24-089 Jeff Monroe to install 91 acres of field pattern drain tile in the SE4 of Section 29 Comstock Township with 1/4" drainage coefficient; 50' and 100' tile spacings; 2- gravity outlets into the Snake River.

Motion unanimously carried

The following permits were Administratively approved and reviewed:

Permit 24-073 Jerry Hapka to install a new 18" CSP through an existing dry crossing on the East side of the driveway in the SW4 of Section 8 Foldahl Township, to drain a portion of the farmyard south to the North ditch along Marshall CSAH #4.

Permit 24-074 Viking Township to reinstall an 18" CL pipe at Sta 63+42, by request of the owner, removing the failing 18" and install a new 18" at Sta 96+33 on the S.L. 11/14 Viking Township.

Permit 24-075 Jason Wagner to install a new 24" CSP side water inlet culvert in the East 190th Ave Ditch in the SW4 of Section 3 Cedar Township, to outlet to State Ditch #83 Branch 1.

Permit 24-080 Jarod Peterson to install a new 18" field drain culvert with a flapgate in an existing open swale that drains into JD #25-2 Approx. Sta 186+62 in the SW4 SE4 of Section 1 Angus Township.

Permit 24-086 Stuart Nordling to construct a new field approach with an 18"X40' culvert on the East side of 460th Ave NW, in the SW corner of the NW4 of Section 12 Oak Park Township.

APPROVED

Gunnar Bowmann left the meeting at approximately 10:15 a.m.

Motion by Mr. Lein Schiller, seconded by Mr. Keith Szczepanski to authorize Mr. Bill Petersen and Mr. Brad Blawat to sign Ditch Buffer Easements on SD #3 with Mary LaBine, Glen and Tanya Bergeron, and Jeffery and Drue Beaudry. Motion unanimously carried.

Discussion was held regarding a 42"X40' field crossing culvert that fell apart when it was being re-laid at the correct elevation during a cleaning of JD #14 Br. E. Technician Tyler Larson spoke with the owner Greg Dyrdal who agreed to pay up to \$2,000 as cost share to replace the culvert. Larson has been in contact with True North Equipment to get pricing on a pipe. The Ditch will pay for the remainder of the pipe cost and installation.

Administrator Maher reviewed the District's finances regarding the Newfolden, Swift Coulee and Nelson Slough projects with the use of cash flow charts. It was the consensus of the Board for Administrator Maher to continue working on all three of these projects and approach the RRWMB for assistance with funding.

Dillon Nelson provided an update on the Construction of the Newfolden Project.

Tony Nordby and Administrator Maher provided an update on the Nelson Slough project and Nordby provided information on flowage easements.

Maher reviewed Resolutions that were submitted to Minnesota Watersheds for the Annual Meeting. There were 8 submitted and they agreed to move forward with three of them. Minnesota Watersheds wanted to do more research on the other resolutions before they moved on them.

Administrative Assistant Haugen provided an update on accounting with the assistance of Brady Martz. A Project Balance sheet will be provided to the Board monthly to track the Projects. Haugen is working on a balance sheet for Ditches and will provide it when it is completed. A discussion was held regarding all of the District's Projects' ability to provide income to help mitigate maintenance expenses.

The Board was notified that the Legislative Open House in St. Paul will be held December 17, 2024.

An update on the 2025-2027 WBIF (Watershed Based Implementation Funding) was provided.

Attorney Jeff Hane is working on the Construction Easements for the Swift Coulee project.

The Court of Appeals hearing for MSTRWD & Erickson vs Zutz Etl will be held next Tuesday. A link will be available for anyone interested in attending. Ms. Bjornson with Brink Lawyers, P.A will present on the District's behalf.

Administrative Assistant Haugen informed the Board that starting January 1, 2025, the Minnesota minimum wage will increase to \$11.13 per hr.

Discussions were held regarding surveying for an easement on CD #44 and a failed culvert in WD #8 at the outlet to the Red River.

The following meetings were announced:

1. RRWMB meeting Tuesday, October 15, 2024 at 10:00 a.m. in Ada, MN.
2. MSTRWD Regular Board of Managers Meeting Monday, November 4, 2024 at 8:30 a.m. at the District Office in Warren, MN.

APPROVED

3. MSTRWD Regular Board of Managers Meeting Monday, November 18, 2024 at 8:30 a.m. at the District Office in Warren, MN.

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

The Meeting was adjourned at approximately 12:23 p.m.

Katrina Haugen
Recording Secretary

Brad Blawat
Secretary