

**APPROVED (May 7, 2012)**  
**REGULAR MEETING OF THE BOARD OF MANAGERS OF THE**  
**MIDDLE- SNAKE-TAMARAC RIVERS WATERSHED DISTRICT**  
**HELD AT 453 NORTH MCKINLEY STREET, WARREN, MN**  
**4:00 P.M. APRIL 16, 2012**

The meeting was called to order by President Roger Hille. Managers Doug Sorenson, Alvin Nybladh, Roger Hille, John W Nelson, David Bakke, Marvin Hedlund and Ben Kleinwachter were present. Nick Drees, Connie Kujawa, Danny Omdahl, Ron Adrian, Jim Stengrim, LeRoy Vonasek, Curtis Carlson, Loren Zutz, Wallace Diedrich, Dale Hammerlund and Kenny Dagoberg were also present.

Others in attendance: Craig Jones, Dustin Lundeby and Craig Bunes.

Loren Zutz and Jim Stengrim each taped the meeting with one recorder.

Motion by Mr. Doug Sorenson, seconded by Mr. John W Nelson, that the agenda be approved as presented. Motion unanimously carried.

Motion by Mr. Marvin Hedlund, seconded by Mr. David Bakke that the minutes of the April 2, 2012 meeting be approved, as presented. Motion unanimously carried.

The financial report was reviewed and filed for audit purposes.

Motion by Mr. John W Nelson, seconded by Mr. Alvin Nybladh that the following bills be paid; from the Administrative Funds; that payroll checks numbered 5313 through 5317 and 5318 through 5326 inclusive for a total of \$14,964.32; that checks numbered 15320 through 15320 inclusive, including the service charge and safe deposit box rent for a total of \$18,458.25; from the Project funds that checks numbered 2083 through 2090 inclusive, for a total of \$31,598.23; and from the Ditch Funds that checks numbered 2529 through 2531 inclusive, for a total of \$12,744.56 be paid. Motion unanimously carried.

During the Open Forum, Loren Zutz addressed the wording in the April 2, 2012 minutes and inquired of why there is an issue of leaving recorders unattended. Wallace Diedrich questioned the definition of "attended".

Lane Loeslie joined the meeting at approximately 4:09 p.m.

The following permits were unanimously approved:

1. Permit (12-017) to Peter Hapka to install 310 acres of field drain tile and a 10 HP (1,380) GMP in the NW corner of field, in N2 of Section 21 of Brislet Twp, provided the tiling provisions of the District are followed. (Motion Ben, seconded by Doug)
2. Permit (12-019) to Peter Hapka to install 127 acres of field drain tile with a 5 HP (675) GPM VFD pump, in the NW4 of Section 36 of Brislet Township, outletting

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into the North road ditch in Section 25, provided the tiling provisions of the District are followed. (Motion David, seconded by Alvin).

3. Permit (12-023) to Dale Hammerlund to amend permit (12-002 for the installation of 144 acres of field drain tile) to include the installation of a 12" culvert through the township road, based on the District setting a reasonable inlet elevation and if issues are determined to be detrimental to the adjacent landowners then the outlet is to be redirected to the existing culvert, in the SE4 of Section 6 of Vega Township. (Motion John, seconded by Marvin).

Ron Osowski joined the meeting at approximately 4:25 p.m.

4. Permit (12-024) to Justin Gajeski to renew permit (10-032) to replace a 30" field crossing culvert with a 30" culvert, at the same elevation and location on the North side of MCD #43, SW NW, Section 19, Donnelly Township. (Motion Doug, seconded Alvin).

Ken Dagoberg left the meeting at approximately 4:47 p.m.

5. Permit (12-026) to Jared Peterson to install 137 acres of field drain tile in the SE4 of Section 19 and 155 acres of field drain tile in the NE4 of section 30; with a 10 HP (754 GPM) VFD sump pump in the SW corner of the SE4 of Section 19 and bore a 12" pipe thru CSAH #67, in Brislet Township, provided the tiling provisions of the District are followed. (Motion Ben, seconded by Marvin)
6. Permit (12-027) to Jared Peterson to install 155 acres of field drain tile in the SE4 and 80 acres of field drain tile in the N2 SW4 of Section 30 and drain under the S2 SW4 then under the twp road into the NW4 of Section 32 to a 10 HP (754 GPM) VFD pump, in Brislet Township, provided the tiling provisions of the District are followed. (Motion John, seconded by Alvin).
7. Permit (12-029) to Ronald Iverson to install 156 acres of field drain tile in the NW4 and 56 acres in the W2 SW4 with a 10 HP (1,498 GPM) VFD pump in the NW corner of the NW4 and to install a pipe thru the spoil to outlet water into JD #20, Branch A, in Vega Township, with the provisions that the District set a reasonable inlet elevation and if issues are determined to be detrimental to the adjacent landowners then the outlet is to be made to the existing 24" field culvert, and provided the tiling provisions of the District are followed. (Motion Marvin, seconded by John).
8. Permit (12-030) to Randal Kostrzewski to renew permit (06-085) to remove sediment from the unnamed coulee in the SE4 of Section 34 of Augsburg Township. (Motion Alvin, seconded by David).
9. Permit (12-031) to Jon Fosholm to renew permit (05-014) to lower the field crossing culvert on the East MN Hwy 32 road ditch, in the NW NW of Section 16 and to remove sediment on the West line of Section 16, Holt Township. (Motion David, seconded by Ben).
10. Permit (12-032) to Lane Loeslie to install 170 acres of field drain tile, in the SW4 of Section 13 of Numedal Township with gravity outlets to flow into the East ditch

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of CSAH #68 and the North ditch of CSAH #64, provided the tiling provisions of the District are followed. (Motion Ben, seconded by Doug).

11. Permit (12-033) to the Marshall County Highway Department to renew permit (10-027) to install a 24" culvert with trap, under CSAH #5, in the NW NE, of Section 3 of Fork Township. (Motion Ben, seconded by Alvin).
12. Permit (12-034) to Marshall County Highway Department to remove a 36" and 24" culvert, under the farmstead crossing, in County Ditch #41 and replace with a 57" x 38" CSPA, in the SE SW of Section 31 of Warrenton Township. (Motion Marvin, seconded by Alvin).

The following permit was unanimously tabled for further information:

13. Permit (12-025) of Joey McGregor to install 285 acres of field drain tile in the SE4 of Section 3 and the SW4 of Section 2 with a 10 HP (1,900 GPM) VFD in the SW corner of SE4 of Section 3 and install a 12" pipe under the township road, provided the tiling provisions of the District are followed. (Motion David, seconded by John).

The following permit was approved, with Mr. John W Nelson abstaining:

14. Permit (12-028) to John W Nelson to install 110 acres of field drain tile with a 10 HP (1,498 GPM) VFD pump in the N side of the farmyard, in NE4, Section 29, Oak Park Township, provided the tiling provisions of the District are followed. (Motion Ben, seconded by David).

Loren Zutz stated he sent a letter requesting that approximately 8 landowners wished to meet with the Viewers, appointed to redetermine the benefits of Judicial Ditch #25-1, as a group and not on an individual basis and the request has been denied. Loren Zutz was informed that the policy of the Viewers is to meet individually with the landowners.

Loren Zutz demanded that he receive a letter, from the Viewers, stating that they are refusing to meet with the landowners as a group in the Judicial Ditch #25-1 Redetermination of Benefits proceedings.

Loren Zutz also questioned who will cover the costs for the Redetermination of Benefits and what the rate of interest would be assessed to Judicial Ditch #25-1 to borrow funds from the ditch fund and also spoke regarding the Districts policy to get items on the meeting agenda.

There were no communications or data practice requests distributed.

Nick Drees reported on the following:

- 1) that three landowners requested that the District verify that the grass strip boundary was correct along Judicial Ditch #20. Staff addressed this and small alterations were made and that the District will be getting seed and quotes from the seeder to begin planning of the grass strip;
- 2) that there is one landowner left to sign the agreement, accepting the \$3,500 per acre offer for the additional right of way needed to complete the 3 ½ miles of

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repair of Judicial Ditch #75 and that bid documents for the works will be prepared shortly;

- 3) that the survey of Judicial Ditch #14 should be completed by the end of the week regarding the resloping of Branch E up to the Main Branch and cleaning of the Main Branch downstream of the Lilac Ridge to the Outlet.

Motion by Mr. David Bakke, seconded by Mr. John W Nelson that Nick Drees be authorized to clean Judicial Ditch #14 Main Branch in sections 34, 35 and 27 of Viking Township. Motion unanimously carried.

Nick Drees reported that there is approximately 3 miles of cleaning yet to be done on Judicial Ditch #29, Lateral 1, that was started last year and two additional miles to survey to complete Lateral 1.

Motion by Mr. Marvin Hedlund, seconded by Mr. Doug Sorenson that the Administrator and Chairman be authorized to sign the Agreement with the Viewers on the Redetermination of Benefits of Judicial Ditch #25-1. Motion unanimously carried.

Jim Stengrim stated that the District has been denied access to his property because the District has refused to provide data substantiating the 48" culvert recommended by the District Engineer, to replace the bridge in the SE corner of Section 1 of McCrea Strip. He also stated the District is expanding the drainage area of Judicial Ditch #25-1 through the redetermination proceedings by approximately 13 or 14 miles to the East.

Loren Zutz stated that 1 mile south of the Radium corner, there is a 60" culvert that runs full and that he has been dealing with Jim Stengrim for the past two years to purchase the property from him, and he will not buy the property if there is no access. He further stated that only Jim Stengrim has access to the property through the existing farmyard crossing.

Nick Drees reported on the following:

- 1) that Heidi Hughes of the Agassiz Audubon Sanctuary has put in an application for a Birding Trail and that Bill Blackburn has begun monitoring migrating birds at the Agassiz Valley Water Resource Management Project and adjacent impoundments;
- 2) that construction has begun on the Brandt/Angus Project by Zavoral Construction;
- 3) that there has been no word on the State's bonding bill for funding of the Brandt/Angus Project, however, the Red River Watershed Management Board has committed to financing the project if the bonding bill is not passed by the Legislature.

It was announced that the Red River Watershed Management Board meeting is scheduled for April 17, 2012, at the Sand Hill Watershed District in Fertile, Minnesota.

Ron Osowski stated that the Red River Watershed Management Board will make sure that the Brandt/Angus Project moves forward; that tiling practices appear to be the big issue up and down the Valley; and that the Red River Retention Authority has hired an Executive Director, who will be visiting with the local Watershed Districts, as his first duties.

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Jim Stengrim left the meeting at approximately 6:35 p.m.

Craig Bunes left the meeting at approximately 6:47 p.m.

Nick Drees stated that the Marshall County Central River Watch program is seeking funds to reimburse a substitute teacher \$475.00 plus mileage for conducting the program. It was the consensus of the Board, that they are not in favor of reimbursing the teacher for wages but would consider helping with the purchase of equipment or other needs as deemed appropriate.

Nick Drees reported that the Marshall County Soil and Water Conservation Service is interested in partnering with the District to apply for grants under the Clean Water Program. He also stated that he assured the Marshall County Soil and Water Conservation Service that the District is willing to partnership with the SWCD.

It was announced that the Marshall County Commissioners are meeting on Tuesday, April 17<sup>th</sup>, at the Marshall County Courthouse for purposes of Amending the Flood Plain Ordinance.

Wallace Diedrich took possession of Loren Zutz's recorder.

The next regular meetings are scheduled to be held on May 7, 2012 and May 21, 2012, at 4:00 p.m., at the District office.

By unanimous consent, the meeting was adjourned at approximately 7:05 p.m.

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Connie Kujawa  
Recording Secretary

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Marvin Hedlund  
Secretary