APPROVED (as corrected April 20, 2015)
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 PM April 6, 2015

The meeting was called to order by President Ben Kleinwachter. Managers Ben
Kleinwachter, John W. Nelson, David Bakke, Tom Neibauer, Robert Kovar, and Roger
Hille were present. Manager Jim Jubie was not present. Tony Nordby, Danny Omdahl,
Debbie Rynda, LeRoy Vonasek, Lloyd Fagerstrom, Jeff Fagerstrom, and Lon Aune were
also present.

Debbie Rynda assumed the recording secretary duties in the absence of Connie
Kujawa.

Motion by Mr. Tom Neibauer, seconded by Mr. John W. Nelson, to approve the agenda,
as presented. Motion unanimously carried.

Rolland Miller arrived at the meeting at 4:10 PM.

Motion by Mr. Tom Neibauer, seconded by Mr. David Bakke that the minutes of the
March 16, 2015 meeting be accepted as presented. Motion unanimously carried.

Greg Snare arrived at the meeting at 4:13 PM.

Motion by Mr. John W. Nelson, seconded by Mr. Tom Neibauer that the Chairman be
authorized to execute the Agreement with Davidson Construction for the repair of
Judicial Ditch 15. Motion unanimously carried.

Danny Omdahl, Tony Nordby, and Debbie Rynda updated the Board on sloughing
issues along the westerly mile of JD 75 in Esther Township, section 4.

Danny Omdahl and Tony Nordby explained where the new centerline and toe of road will
be in SE4 section 13 of Sandsville Township after JD 1 is resloped. The landowner here
previously expressed concerns about disturbing the established grass on the north slope
of the ditch. Danny reported that a letter will go out to Mr. Abrahamson to set up a
meeting with him. Mr. Roger Hille recommended that a Manager also be present.

Permits:

1. Permit (15-013) Viking Gas Transmission to amend permit 14-009 to acquire an
additional 1.5 million gallons of water from Agassiz Valley impoundment site to
transfer to Viking pipeline fill point ~1.3 mile W of Warren, MN for hydrostatic
testing of natural gas pipeline in June of 2015. Motion to approve by Mr. John W.
Nelson, seconded Mr. Tom Neibauer. Motion carried unanimously.

Greg Snare left the meeting at approximately 4:41 PM.

2. Permit (15-010) Marshall County Highway Department to grade, widen, overlay,
culvert replacement, increase some culvert sizing and ditch grading of CSAH #5
from TH 75 to TH 220. Lon Aune, the County Engineer, said there will be a
public hearing in Stephen, MN on April 7 to discuss the road plan. He said that
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no one from the public has spoken against the road plan. Motion to approve by Mr. Roger Hille, seconded Mr. David Bakke. Motion carried, with Mr. John W. Nelson opposed.

The following permits were tabled unanimously. Board wants staff to work with County before more discussion.

3. Permit (15-005) Jeff Fagerstrom to install a trap, S end of field crossing off Cty #111, N of Cty #14, SW4, Sec 5, Comstock Township. Motion by Mr. Roger Hille, seconded Mr. John W. Nelson.

4. Permit (15-011) Jeff Fagerstrom to install levy beside N Cty #14 ditch and clean N Cty #14 road ditch, SW4, Sec 5, Comstock Township. Motion by Mr. Roger Hille, seconded Mr. John W. Nelson.

5. Permit (15-012) Jeff Fagerstrom to remove a field crossing and 24" CSP from Cty #14 road ditch, ~1200' E of intersection of sections 6/5/7/8; SW4, Sec 5, Comstock Township. Motion by Mr. Roger Hille, seconded Mr. Robert Kовар.

6. Permit (15-014) Jeff Fagerstrom to remove 24" culvert under Cty #111 and replace with 30" culvert; SW4, Sec 5, Comstock Township. Motion by Mr. Roger Hille, seconded by Mr. Robert Kовар.

Lloyd Fagerstrom and Jeff Fagerstrom left the meeting at approximately 6:30 PM.

7. Permit (15-003) Ernie Johnson to install new field crossing with 24" CSP and 48" CSP culverts at the NW4NE4, Sec 6, Holt Township; District is to set the elevations. Motion to approve by Mr. David Bakke, seconded by Mr. Tom Neibauer. Motion carried unanimously.

No action was taken on the following permits pending additional information. Lon Aune stated that the drainage area is still being determined for these permits, therefore, no landowner letters have been sent at this time.

8. Permit (14-165) Brandon Langaas

9. Permit (14-166) Brandon Langaas

Motion by Mr. Roger Hille, seconded by Mr. John W. Nelson to approve the $18 tillage bid for cultivation, packing, and harrowing for the Agassiz Valley hay planting. Motion carried unanimously.

Motion by Mr. Roger Hille, seconded by Mr. Tom Neibauer to approve the $2.80/pound bid by Rivard's Turf and Forage with minor adjustments to the mix for the seed for the Agassiz Valley hay planting. Motion carried unanimously.

Danny Omdahl reported:

1. The MPCA announced the Tamarac WRAPS has been delayed a year. There will be an informational meeting for the District in the near future.
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2. There will be a meeting on April 13th in Oslo regarding the Oslo Red River study. Houston Engineering will be presiding the meeting.

Motion by Mr. David Bakke, seconded by Mr. John W. Nelson to approve, pending Counsel approval, Mr. Blake Owen’s request to renew the CRP contract at Angus Oslo #4. Motion unanimously carried.

Danny Omdahl reported:

1. On the March 25-26th Joint Conference meeting and that he attended a training session for an Environmental Assessment Worksheet for new projects.

2. Staff is still working on reviewing the Rules and Regulations, Bylaws, and Personnel Policy.

3. That he interviewed one applicant for the open Survey Technician position and he has received two other applications. Danny will post a closing date for applications.

4. That he received notice that the MN Supreme Court will not hear further appeals regarding the Zutz/Elseth vs. Nelson/Stroble lawsuit.

5. Angus Township received letter from legal counsel representing Eric Johnson regarding the 18” culvert that was installed in dry crossing in NW4NW4, Sec. 6, Angus Township.

6. Legal counsel John Kolb submitted his affidavit requesting attorney’s fees and court costs on behalf of the District in regards to the Zutz/Elseth Open Meeting Law lawsuit.

7. The signing of the Red River Retention Authority and NRCS contract regarding USDA funding for flood damage reduction projects has been postponed.

Mr. Ben Kleinwachter will work with Danny Omdahl to draft a letter to Governor Mark Dayton with cc to MAWD, BWSR, and DNR stating that the District is not in favor of the Governor’s 50’ buffer strip initiative as it is currently written. Motion carried by consensus.

Mr. Roger Hille will be leaving the District Board due to a change in his residency status. Rolland Miller said that the County Board will be advertising for the position this summer.

Motion by Mr. John W. Nelson, seconded by Mr. David Bakke to allow the City of Warren to place its new Warren sign near the Richard P. Nelson Floodway Monument as long as it does not block the monument. Motion carried unanimously.

It was announced the Red River Watershed Management Board meeting is scheduled for April 21, 2015 at the Wild Rice Watershed District in Ada, MN.

The next meetings are scheduled for April 20, 2015 and May 4, 2015, at 4:00 PM, at the District office.
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By unanimous consent, the meeting was adjourned at approximately 6:47 PM.

Debbie Rynda
Recording Secretary

David Bakke
Secretary