

APPROVED (Sept 6, 2011)
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. AUGUST 15, 2011

The meeting was called to order by President Doug Sorenson. Managers Doug Sorenson, John W Nelson, Marvin Hedlund, Alvin Nybladh and Ben Kleinwachter were present. Managers Roger Hille and David Bakke were not present. Nick Drees, Danny Omdahl, Ron Adrian, Jeff Hane and Floyd Johnson were also present.

Motion by Mr. Alvin Nybladh, seconded by Mr. John W Nelson that Connie Kujawa be appointed the recording secretary for purposes of keeping the minutes of the meeting. Motion unanimously carried.

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

John and Linda Bodell and Robin Johnson joined the meeting at approximately 4:02 p.m.

Motion by Mr. Ben Kleinwachter, seconded by Mr. Marvin Hedlund that the minutes of the August 1, 2011 meeting be approved, as presented. Motion unanimously carried.

The financial report was reviewed and filed for audit purposes.

Motion by Mr. Marvin Hedlund, seconded by Mr. Alvin Nybladh that the following bills be paid: from the Administrative funds: that payroll checks numbered 5200 through 5211 inclusive for a total of \$14,456.82 and checks numbered 15063 through 15092 inclusive and including the service charge for a total of \$18,713.79; from the Project funds that checks numbered 1991 through 1998 inclusive for a total of \$36,133.54 and from the Ditch funds checks numbered 2481 through 2486 for a total of \$40,287.38 be paid.. Motion unanimously carried.

LeRoy Vonasek and Tony Nordby joined the meeting at approximately 4:04 p.m.

Mr. Doug Sorenson stated that the 2012 Budget hearing has been advertised and noticed to begin at 4:15 p.m. He requested the Board move to agenda item #8 (Open Forum) and continue with the other agenda items until it is time for the budget hearing. It was the consensus of the Board to address agenda item #8 and other agenda items as time allowed.

During the open forum, John and Linda Bodell presented a letter with signatures from landowners along the South Branch of the Snake River. The letter states that the District has unauthorized use of the South Branch of the Snake River as an outlet for the Agassiz Valley Water Resource Management Project and are asking the Board to get a new outlet for the Agassiz Valley Water Resource Management Project.

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Chairman Mr. Doug Sorenson stated the District is in the process of surveying the South Branch of the Snake River to determine if there is a problem with the drainage.

John and Linda Bodell left the meeting at approximately 4:06 p.m.

Eric Johnson joined the meeting at approximately 4:06 p.m.

Nick Drees distributed maps depicting the areas of the legal drainage systems, within the District, that have been mowed and will be sprayed and reported that the District has received a petition for an Improvement to County Ditch #175.

Attorney Jeff Hane will review the Petition and the Bond submitted for an Improvement to County Ditch #175 to verify it meets Statute.

Motion by Mr. John W Nelson, seconded by Mr. Ben Kleinwachter that the regular meeting be suspended for purposes of conducting the 2012 Budget Hearing. Motion unanimously carried.

There were no individuals present who wished to comment on the proposed 2012 budget.

Motion by Mr. John W Nelson, seconded by Mr. Alvin Nybladh that the following resolution adopting the 2012 Budget and Levies, be approved with the change to decrease the Project Construction item from \$48,500 to \$39,500.

RESOLUTION ADOPTING BUDGET & LEVIES

1) the 2012 Administrative Funds Budget be set at:

Building Maintenance	5,000	Miscellaneous	1,000
Utilities	5,500	Insurance	15,000
Supplies/Equipment	15,000	Legal/Professional/Administrative Services	70,000
Telephone	4,000	Managers Per Diem & Expenses	20,000
Publication & Printing	5,000	Association Dues	1,800
Postage	2,000	Employee Mileage & Expenses	2,000
Employee Payroll & Fringes	315,000	Vehicle Expenses	15,000
USGS Stream Gage & Cost Share	8,500	Project Construction	39,500
Property Taxes	18,000	Stream Maintenance	4,500
		Total	546,800
		Less Estimated Project Expenses (1)	296,800
		Net Administrative Fund Budget	250,000

2) that the Secretary certify to the Auditors of Marshall, Polk, Pennington, Kittson and Roseau Counties a proposed Administrative Fund Levy of **\$250,000**.

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3) that the Secretary certify to the Auditors of Marshall, Polk, Pennington, Kittson and Roseau Counties a proposed Project Fund Levy of .04836 percent of the estimated Market Value of all the taxable property within the District.

Motion unanimously carried.

Motion by Mr. Ben Kleinwachter, seconded by Mr. Marvin Hedlund that the Secretary certify to the Auditors of Marshall, Polk and Pennington Counties the levies for the repair and maintenance of the Ditch funds, and the Snake River PL-566 Project as listed:

<u>Drainage System No</u>	<u>Percent (Benefits)</u>	<u>Levy Projected Receipts</u>
JD #1		
Marshall	0%	0
Polk	0%	0
WD #2		
Marshall	0%	0
SD #3		
Marshall	20.00%	19,680
WD #4		
Marshall	0%	0
Polk	0%	0
WD #5		
Polk	.25%	6,420
BRF	6.027%	154,770
WD #6		
Polk	.50%	9,700
BRF	5.12%	99,350
WD #7		
Marshall	3.00%	9,130
Polk	1.00%	340
WD #7-Imp		
Marshall	0.00%	0
Polk	2.00%	1,080
JD #14		
Marshall	3.00%	1,340
Pennington	3.00%	610
JD #15		
Marshall	.50%	7,670
JD #16		
Marshall	1.00%	9,290
JD #17		
Marshall	0%	0
Polk	0.25%	1,560
JD #20		
Marshall	0%	0
JD #21		
Marshall	0%	0
JD #24		
Marshall	0%	0
Polk	0%	0

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JD #25-I		
Marshall	22.00%	3,780
Polk	10.00%	3,220
JD #25-II		
Marshall	0%	0
Polk	1.00%	4,280
Pennington	0%	0
JD #28		
Marshall	2.00%	1,120
JD #29		
Marshall	1.00%	22,370
CD #39		
Marshall	3.00%	3,770
CD #39 Improvement		
Marshall	5.88%	6,370
JD #68		
Polk	0%	0
JD #75		
Polk	2.00%	73,060
BRF	2.965%	108,320
CD #175		
Polk	0%	0
PL 566 (lien)		
Marshall	0.325%	37,820
PL 566 (maint)		
Marshall	0.030%	3,490
PL 566 (operation)		
Marshall	0.030%	3,460

Motion unanimously carried.

Motion by Mr. Ben Kleinwachter, seconded by Mr. John W Nelson that the 2012 Budget Hearing be adjourned. Motion unanimously carried.

Cary Osowski and Joel Osowski joined the meeting at approximately 4:39 p.m.

Danny Omdahl reported that Jon Hapka is present to clarify the permit (11-054) application which was tabled by the Board, at the August 1, 2011 meeting.

Jon Hapka stated that the catch basin he is requesting to install in the SE4 of Section 30 of Viking Township will be used to catch the seepage caused by hydraulic pressure thru the Beach Ridge. He also stated that the South Branch of the Snake River always drains, no more than any other year, with the exception that this year it may be more due to all the rain events.

Motion by Mr. Ben Kleinwachter, seconded by Mr. Marvin Hedlund that the following permit be issued:

1. Permit (11-054) to Jon Hapka to install a catch basin, in a low draw, and to install 18" pipes underground to pick up the seepage in the SE4 of Section 30 of Viking Township, outletting into Marshall County Ditch #22.

Motion unanimously carried.

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It was the consensus of the Board to address the permit applications of Robin Johnson as he is in attendance.

Motion by Mr. Marvin Hedlund, seconded by Mr. John W Nelson that the following permit be issued:

2. Permit (11-073) to Robin Johnson to remove an 18" township road centerline culvert and install a 24" culvert at the same elevation, in the SW SE, of section 1 of Vega Township.

Motion unanimously carried.

Motion by Mr. Ben Kleinwachter, seconded by Mr. Alvin Nybladh that the following permit be issued:

3. Permit (11-074) to Robin Johnston to install a dry crossing on the North side of Marshall CSAH #20, in the SW SE, of Section 8 of Warrenton Township.

Motion unanimously carried.

Robin Johnson left the meeting at approximately 4:55 p.m.

Heidi Hughes joined the meeting at approximately 5:00 p.m.

Motion by Mr. Ben Kleinwachter, seconded by Mr. John W Nelson that the following permit be issued:

4. Permit (11-075) to Jared Sands to remove (2) 24" culverts and install (1) 48" culvert or with a size determined by the District, in an unnamed coulee, in the NE NE, of section 23 of Oak Park Township.

Motion unanimously carried.

Motion by Mr. Marvin Hedlund, seconded by Mr. John W Nelson that the following permit be issued:

5. Permit (11-076) to Jared Sands to remove a 30" culvert and install a 36" culvert, at the same elevation, in the West ditch of CR #144, in the NE NE of section 23 of Oak Park Township. This permit is contingent upon the coulee being cleaned first.

Motion unanimously carried.

Nate Dalager joined the meeting at approximately 5:20 p.m.

Mr. John W Nelson motioned to deny permit (11-077), he retracted his motion.

Motion by Mr. Marvin Hedlund, seconded by Mr. Alvin Nybladh that the following permit be issued:

6. Permit (11-077) to Jared Sands to remove the existing 18" culvert and replace with a longer 18" culvert, with the District to set the grade, in the NE4, of section 26 of Oak Park Township.

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Motion unanimously carried.

Motion by Mr. Marvin Hedlund, seconded by Mr. Ben Kleinwachter that the following permit be issued:

7. Permit (11-078) to Jared Sands to remove (3) 18" field crossing culverts and install (3) longer 18" culverts, with the Marshall County Highway Department to set the grade, in the W2 of Section 25 of Oak Park Township.

Motion unanimously carried.

Motion by Mr. John W Nelson, seconded by Mr. Ben Kleinwachter that the following permit be issued:

8. Permit (11-079) to Cary Osowski to remove (1) 18" culvert at the ½ mile and (1) 18" culvert at the ¾ mile and replace with (1) 24" culvert at each location, in the NE NE of section 26 of Oak Park Township and a trap is installed on the field drain culvert in the NW SW of Section 26 of Oak Park Township. This permit is contingent upon the coulee being cleaned first, in the E2 of Section 23 of Oak Park Township.

Motion unanimously carried.

Motion by Mr. Marvin Hedlund, seconded by Mr. Alvin Nybladh that the following permit be issued:

9. Permit (11-080) to Joel Osowski to remove a 15" field drain culvert and install an 18" culvert with a trap in the NW SW of Section 26 of Oak Park Township.

Motion unanimously carried.

Motion by Mr. John W Nelson, seconded by Mr. Marvin Hedlund that the following permit be issued:

10. Permit (11-081) to Mark Nelson to remove (1) 18" township road centerline culvert and replace with (1) 24" culvert with the elevation to remain the same, on the East line of the NE NE, of Section 35 of Oak Park Township.

Motion unanimously carried.

Floyd Johnson, Joel Osowski, Cary Osowski and one other individual left the meeting at approximately 5:59 p.m.

Motion by Mr. John W Nelson, seconded by Mr. Marvin Hedlund that the following permit be issued:

11. Permit (11-082) to Tim Anvinson to install 78 acres of 4" field drain tile with a 5 HP sump pump (600 GPM) in the W2 SW4 of Section 2 of Oak Park (Strip) Township, provided there is no pumping after freeze up or during flood events and the outlet is ripped.

Motion unanimously carried.

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Motion by Mr. Marvin Hedlund, seconded by Mr. Alvin Nybladh that the following permit be approved:

12. Permit (11-083) to Roger Lorensen to install an 18" field crossing culvert, in the dry crossing, in the East township road ditch, in the NW corner of the SW SW of sections 23 of Huss Township.

Motion unanimously carried.

The following permit was Administratively Approved:

13. Permit (11-084) to Tamarac Township to replace a failed 24" centerline culvert between sections 16/21 and install (1) 24" culvert, at the same location and elevation.

Motion by Mr. John W Nelson, seconded by Mr. Marvin Hedlund that the following permit be issued:

14. Permit (11-067) to Mike Beaudry to install a new field crossing, in Judicial Ditch #1, Branch, with the District to determine the culvert size and set the grade, in the SW NW of Section 19 of Sandsville Township.

Motion unanimously carried.

The following permit was Administratively Approved:

15. Permit (11-068) to Alma Township to lengthen an existing 18" township road centerline culvert in the SE SE of section 30 of Alma Township.

Motion by Mr. John W Nelson, seconded by Mr. Ben Kleinwachter that the following permit be issued:

16. Permit (11-069) to Alma Township to replace a 18" township road centerline culvert and replace with (1) 24" culvert, provided the elevation remains the same.

Motion unanimously carried.

Motion by Mr. Ben Kleinwachter, seconded by Mr. Marvin Hedlund that the following permit be issued:

17. Permit (11-070) to Craig Jones to install 76 acres of field drain tile with a 5 HP sump pump (560 GPM) in the N2 NW of section 8 of Higdew Township, provided there is no pumping after freeze up or during flood events and the outlet is rippapped.

Motion unanimously carried.

Motion by Mr. Ben Kleinwachter, seconded by Mr. Alvin Nybladh that the following permit be issued:

18. Permit (11-071) to Jensen Farms to install 320 acres of field drain tile with a 10 HP sump pump (1500 GPM), in the N2 of section 29 of Augsburg Township, provided there is no pumping after freeze up or during flood events and the outlet is rippapped.

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Motion unanimously carried.

Motion by Mr. Ben Kleinwachter, seconded by Mr. Marvin Hedlund that the following permit be issued:

19. Permit (11-072) to Warrenton Township to raise the road in the SE4 of section 19 and in the S2 of Section 20, from 8" to 12"; and to raise the road in the S2 of section 29 and the S2 of section 28, approximately 4", in sections 19, 20, 28 and 29 of Warrenton Township.

Motion unanimously carried.

Correspondence from the Minnesota Viewers Association regarding a seminar scheduled for August 25, 2011, at 10:00 a.m, in Fergus Falls, Minnesota; and from the Minnesota Board of Water and Soil Resources regarding a letter mailed to Jim Stengrim concerning a request for informal resolution of disputes, were distributed.

Chairman, Mr. Doug Sorenson, reported that 4 additional data practice requests have been received from Jim Stengrim and 1 from Loren Zutz, and that they are available for review for those who maybe interested.

Eric Johnson addressed the Board regarding Judicial Ditch #16. He reported that there are areas in sections 33, 34 and 35 that need cleaning and that in order to expedite the cleaning, he will remove the crops in order for the work to be completed this year.

Eric Johnson was informed the District will continue to spot clean Judicial Ditch #16 as the crops are removed.

Eric Johnson left the meeting at approximately 6:44 p.m.

Nick Drees reported that the District staff are setting the baseline on Judicial Ditch #75 and are surveying Judicial Ditch #1 to determine the costs associated with resloping portions of the ditch systems.

Heidi Hughes, Manager of the Agassiz Audubon Sanctuary, stated that the Sanctuary's Annual meeting is scheduled for next week and that the Sanctuary Board is eager to work with the District to promote the benefits of the Agassiz Valley Water Resource Management Project.

Nick Drees reported the permits required from the Minnesota Department of Natural Resources for the low flow dams on the South Branch of the Snake River should be completed in the coming week and that Houston Engineering will be reviewing the mitigated site of the Agassiz Valley Water Resource Management Project to check the status of last fall's seeding.

A discussion was held concerning the WRP and RIM programs that maybe available on the lands currently under Contract with Sonny Chrusczh and Eileen Stancyk for the Brandt/Angus Project.

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Motion by Mr. Doug Sorenson, seconded by Mr. Ben Kleinwachter to authorize the District's legal counsel to explore restructuring the land acquisition and easement agreements with the affected project landowners in the Brandt/Angus Flood Control Project. Motion unanimously carried.

Nate Dalagher reported that the Army Corps of Engineers permit has been received and that the Dam Safety permit should be coming this week for the Brandt/Angus Project.

Jeff Hane reported the title work has been completed for the easements on the Brandt/Angus Project.

Nick Drees announced the Red River Watershed Management Board meeting is scheduled for August 16, 2011 at the Wild Rice Watershed District, in Ada, Minnesota, at 9:30 a.m.

Chairman, Mr. Doug Sorenson, reported that he attended the RRRRA meeting in Fargo.

Nate Dalagher left the meeting at approximately 8:00 p.m.

Mr. Marvin Hedlund left the meeting at approximately 8:07 p.m.

A discussion was held concerning the qualifications for determining if an employee is considered full-time or part time employee as described in the District Personnel Policy.

Mr. Doug Sorenson announced the next regular meeting is scheduled for Tuesday, September 6, 2011, at 4:00 p.m., at the District office.

Motion by Mr. Ben Kleinwachter, seconded by Mr. John W Nelson the meeting be adjourned. Motion unanimously carried.

The meeting was adjourned at approximately 8:10 p.m.

Connie Kujawa
Recording Secretary

Ben Kleinwachter
Secretary