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APPROVED (August 21, 2017)
**REGULAR MEETING OF THE BOARD OF MANAGERS OF THE
MIDDLE- SNAKE-TAMARAC RIVERS WATERSHED DISTRICT
HELD AT 453 NORTH MCKINLEY STREET, WARREN, MN
8:30 A.M. August 7, 2017**

The meeting was called to order by President Ben Kleinwachter. Managers John W Nelson, Roger Mischel, David Bakke, Ben Kleinwachter, Bill Petersen, Brad Blawat and Robert Kovar were present. Connie Kujawa, Tony Nordby, Christina Slowinski, Kyle Schломann, Danny Omdahl, Dillon Nelson, LeRoy Vonasek, Nick Pribula, Jeremy Misselhorn, Heidi Hughes, Sheila Hoerner, Jarod Peterson, Lon Aune and Ken Johnson were also present.

Motion by Mr. Roger Mischel, seconded by Mr. John W Nelson that the agenda be approved, as amended, with the addition of haying. Motion unanimously carried.

Motion by Mr. David Bakke, seconded by Mr. Bill Petersen that the minutes of the July 17, 2017 meeting be approved, as corrected. Motion unanimously carried.

Rolland Miller joined the meeting at approximately 8:34 a.m.

Jared Peterson stated he would like to install 160 acres drain tile in the SW4 of Section 33 of Alma Township. He stated water generally flows northwest through an adjacent landowner's property, however, the landowner is not acceptable to him installing the drain tile. He inquired if the ditch going north on the east side of CR #34 could be used as an outlet. After discussion, the Board directed the District staff and Jarod Peterson to schedule a meeting with the landowners along the east side of CR #34 to discuss the possibility of draining the water north. Jared Peterson was also directed to get cost estimates for the proposed drainage work and see if the landowners along the East side of CR #34 would be willing to share in the cost.

Sheila Hoerner, Agassiz Audubon Sanctuary, provided an update on what has been done and what has not been done on the properties owned by the District. She reported the Sentence to Serve have cleaned up some trees but more remain to be cleaned up; the shingling of the house and garage has been completed; the AAS trails have been mowed; Heidi is continuing to write newspaper articles and updating the AAS website. Some areas that need attention are, the sewer should be winterized; the overhead door on the Quonset needs re-programming, the walk in door on the garage needs replacing and the propane tank needs to be moved from its temporary location to a permanent one. Sheila inquired if the old house and other outbuildings are slated to be torn down or burned. She also stated that the Agassiz Wildlife Refuge has some mulch that the AAS can get free if they have can find a way to pick it up.

Danny Omdahl reported he contacted CHS Services and they will be moving the propane tank. He also reported the Warren Chief requested the old house be checked for asbestos. Danny stated once the inspection is completed, the buildings will be burnt.

The Board directed Sheila Hoerner to furnish a cost estimate to replace the walk in door on the garage and directed Christina Slowinski to contact the Sentence to Serve to continue removing trees at the AAS site.

Sheila Hoerner and Heidi Hughes left the meeting at approximately 9:27 a.m.

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The following permits were unanimously approved:

1. Permit (17-063) to Ken Johnson to install 88 acres drain tile; 3/8" coefficient; 35' spacing, tying into existing system, SW4 NW4, Section 25, Bigwoods Township. (Motion by Mr. John W Nelson, seconded by Mr. Bill Petersen)
2. Permit (17-064) to Ken Johnson to install 154 acres drain tile; 10 HP (980 GPM) VFD pump, 3/8" coefficient; 35' spacing, NW4, Section 12, Vega Township. (Motion by Mr. Roger Mischel, seconded Mr. David Bakke)

Ken Johnson left the meeting at approximately 9:30 a.m.

3. Permit (17-052) to Ronald Iverson to install 119 acres drain tile; gravity outlet; 3/8" coefficient; 50' spacing; 15" outlet pipe, SW4, Section 21, Vega Township. (Motion by Mr. David Bakke, seconded Mr. Brad Blawat)
4. Permit (17-053) to Dwight Peterson to install 315 acres drain tile; 10 HP (1,100 GPM) pump; 1/4" coefficient; 80' and 40' spacing; S2, Section 23, Farley Township. (Motion by Mr. John W Nelson, seconded by Mr. Robert Kovar)
5. Permit (17-054) to Stephen Hufnagle to replace 18" x 36' CMP with 18" x 50' CMP, NW4, Section 36, Warrenton Township. (Motion by Mr. David Bakke, seconded by Mr. Brad Blawat)
6. Permit (17-055) to Stephen Hufnagle to replace 24" x 36' CMP with a 24" x 40' CMP, SE4, Section 23, Deerwood Township. (Motion by Mr. Robert Kovar, seconded by Mr. Roger Mischel)
7. Permit (17-056) to R & R Farms to install 3 acres drain tile; 1/2" coefficient; 35' spacing, tying into existing system, NW4, Section 28, Farley Township. (Motion by Mr. John W Nelson, seconded by Mr. Roger Mischel)
8. Permit (17-057) to Mike Rosendahl to install 1 acre drain tile; 0.5 HP (14.14 GPM) pump; 3/4" coefficient; 20' spacing, NE4, Section 12, Boxville Township. (Motion by Mr. Roger Mischel, seconded by Mr. Robert Kovar)
9. Permit (17-058) to CHS to install 1 acre drain tile; 0.5 HP (33 GOM); 1 3/4" coefficient; 20' & 60' spacing, SE4, Section 15, Middle River Township, provided Marshall County Water Planning checks for contaminants or a report is furnished by CHS to the District. (Motion by Mr. Robert Kovar, seconded by Mr. Bill Petersen)

Motion by Mr. David Bakke, seconded by Mr. John W Nelson that Permit (17-059) to the Marshall County Highway Department to replace a 112" x 75" S.P.P.A. culvert with a 122" x 78" R.C.P.A., in the NE4 of Section 36 of Oak Park Township be denied. Motion failed.

Motion by Mr. Robert Kovar, seconded by Mr. Brad Blawat that Permit (17-059) to the Marshall County Highway Department to replace a 112" x 75" S.P.P.A culvert with a 122" x 78" R.C.P.A, in the NE4 of Section 36 of Oak Park Township, be approved, pending the advice of the District's legal counsel, with the advice to be added to this record. Motion carried, with Mr. John W Nelson voting against

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Lon Aune left the meeting at approximately 9:58 a.m.

The following permits were unanimously approved;

10. Permit (17-060) to Tim Sedlacek to install 297 acres drain tile; 2-10 HP (2,108 GPM) pumps; 3/8" coefficient; 35' spacing, N2, Section 6, Boxville Township. (Motion by Mr. David Bakke, seconded by Mr. Roger Mischel)
11. Permit (17-061) to Neil Johnson to install 480 acres drain tile; 1/4" coefficient; 44' spacing; Section 15, Sandsville Township, provided control structures are installed. (Motion by Mr. John W Nelson, seconded by Mr. Bill Peterson)
12. Permit (17-062) to Neil Johnson to install 500 acres drain tile; 1/4" coefficient; 44' spacing, Section 6, Angus Township. (Motion by Mr. Roger Mischel, seconded by Mr. Robert Kovar)

Jeremy Misselhorn left the meeting at approximately 10:15 a.m.

A phone conference was held with Laura Jester, Keystone Waters LLC, to review the PRAP Assessment and recommendations. Ms. Kester recommended the District work to develop clear policies, a communication plan and continue to meet with the County Commissioners.

Rolland Miller left the meeting at approximately 10:30 a.m.

Manager Mr. Robert Kovar left the meeting at approximately 10:35 a.m.

Rolland Miller re-joined the meeting at approximately 10:37 a.m.

Correspondence from the Minnesota Board of Soil and Water Resources regarding upcoming Listening/Discussion Sessions and from the Minnesota Pollution Control Agency regarding the Water Fee Rule Informational Meeting was distributed.

Danny Omdahl reported the MPCA is looking at increasing their permit fee structure and inquired if the Board was interested in submitting a comment before the August 17, 2017 deadline. The Board directed the District staff to submit a comment.

Tony Nordby informed the Board he reviewed the Preliminary Engineer's Report, prepared by Pribula Engineering for the Improvement to Polk County Ditch #175. He reported a hydraulic model should be performed on what is being proposed using a 5 year event and compare that to the current hydraulics of the ditch. The Board directed Nick Pribula, Pribula Engineering, to develop a hydraulic model on a 5 year event for the proposed Improvement to Polk County Ditch #175.

Under the direction of the Board, Attorney John Kolb was directed to review the Preliminary Engineers Report of Polk County Ditch #175 to determine if it met the requirements. Attorney Kolb's response was it was weak in addressing the criteria in 103E.015, subd.1(2)(i-v) however, it is sufficient to move forward. The Board directed District staff to contact Attorney Kolb and have him specify what the minimum requirements are.

Motion by Mr. John W Nelson, seconded by Mr. Bill Petersen that the Hearing on the Engineer's Preliminary Report for the Improvement of Polk County Ditch #175 be

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scheduled for September 18, 2017, at 11:00 a.m., at the District office. Motion unanimously carried.

Danny Omdahl reported two quotes have been received to replace the culverts at station 378+28 and at station 355+44 on Polk County Ditch #175, however, the quotes were inconsistent as to the size of the pipes, due to availability. The Board directed Danny Omdahl to clarify the pipe sizes with the bidders.

Connie Kujawa reported that she and Nick Pribula are working on submitting a grant application with the Minnesota Board of Soil and Water Resources for the Improvement of County Ditch #175.

Tony Nordby reviewed the estimates and plans for the proposed resloping of Judicial Ditch #29 Main and Laterals 1 and 2. Danny Omdahl reported that he, Kyle Schlomann and Derek Kayser, of Houston Engineering met with the Marshall County SWCD to discuss funding options for the Repair of Judicial Ditch #29 and the SWCD approved funding for the repair in the amount of \$59,499.88.

Motion by Mr. John W Nelson, seconded by Mr. Bill Petersen that the Chairman be authorized to sign the grant agreement with the Marshall County SWCD, in the amount of \$59,499.88, for the Repair of Judicial Ditch #29 Main and Laterals 1 and 2. Motion unanimously carried.

Motion by Mr. John W Nelson, seconded by Mr. Bill Petersen that the Engineers Report, Plans and Specifications for the Repair of Judicial Ditch #29 Main and the Engineers Report, Plans and Specifications for the Repair of Judicial Ditch #29, Laterals 1 and 2 be accepted, and that the District solicit quotes for the proposed works. Motion unanimously carried.

Tony Nordby reviewed the HEC/RAS modeling performed on the structure and channel on Judicial Ditch #1 upstream and downstream of Trunk Highway #220 in Sections 19 and 20 of Sandsville Township.

Connie Kujawa reported the easements for the Repair of Judicial Ditch #75 have been recorded with Polk County and that since all the easements were executed, Attorney Kolb is advising the Board discharge the Viewers.

Motion by Mr. Brad Blawat, seconded by Mr. Roger Mischel that the Order Discharging Viewers for the Repair of Judicial Ditch #75 be adopted and said order be executed by the Secretary of the Board. Motion unanimously carried.

Tony Nordby stated a pre-construction meeting with Gladen Construction and other interested individuals is scheduled for August 7, 2017, at 1:00 p.m., at the MSTRWD office.

Dillon Nelson reported HDR Engineering is continuing to work toward finishing up the modeling for each of the alternatives on the Newfolden/Middle River project; the Purpose and Need report has been updated since the last project team meeting; and they are working with the City of Newfolden on obtaining elevation certificates for the homeowners that have requested one.

Nick Pribula left the meeting at approximately 11:57 a.m.

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Dillion Nelson reviewed the preliminary plan for the construction of a ring dike around the Confer farmyard in section 17 of Brandt Township. Dillon reported he will meet with the adjacent landowner to review the proposed plan. The Board directed Dillon to check with the State to see if there may be funding available.

Tony Nordby reported the JD #19 RCPP Project team met on July 26, 2017, at the Strandquist Community Center. At the meeting, a discussion was held on what has been done and a preliminary Purpose and Need was drafted.

Christina Slowinski reported she has made the changes to the proposed Permit and Drainage Policy of the District as suggested by Attorney Kolb and she will be scheduling a meeting with the Policy Committee to review the proposed Permit and Drainage Policy within the next week.

Christina Slowinski reported the SR WRAP Open House was held on July 27, 2017, at the Argyle Community Center with many agencies and committee groups participating, however, public attendance was poor.

Danny Omdahl reported some of the District's property was not certified with the Marshall County FSA office and since the deadline to certify the lands has passed a penalty will be assessed. He inquired if the Board wished to proceed with certifying the properties.

Motion by Mr. John W Nelson, seconded by Mr. David Bakke that Danny Omdahl be authorized to certify the District property with the Marshall County FSA office and that a check, in the amount of \$62.00 for penalties, be drafted for the next regular meeting. Motion unanimously carried.

It was announced the 2017 Riparian Aid amounts have been determined by the State of Minnesota. The District is slated to receive \$22,582 for Marshall County; \$10,942 for Polk County and \$1,920.00 for Pennington County. A handout from the State of Minnesota was distributed.

Danny Omdahl reported the USDA has approved emergency haying and grazing and inquired if the District would allow CRP contract holders to hay portions of the CRP properties. The Board directed staff to contact the contract holders to let them make the decision.

The Personnel Committee reported they conducted an interview with Rachel Bremer for the Administrator position and Joel Praska for the Technician position and they have one more individual to interview.

Connie Kujawa reported an offer of \$1200.00 has been offered for the 1997 Suburban. It was the consensus of the Board to accept the offer only if a higher offer was not received.

It was the consensus of the Board that the email address, brent.silvis@mstrwd.org, be deactivated.

The following meetings were announced:

August 21, 2017-Regular Meeting, 8:30 a.m., District Office

August 21, 2017-2018 Budget Hearing, 9:00 a.m., District Office

By unanimous consent, the meeting was adjourned at approximately 12:47 p.m.

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Connie Kujawa
Recording Secretary

David Bakke
Secretary