

February21(a)2017.min

APPROVED (as corrected March 6, 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. February 21, 2017**

The meeting was called to order by Vice President John W Nelson. Managers David Bakke, Roger Mischel, John W Nelson and Robert Kovar were present. Managers Brad Blawat and Ben Kleinwachter were not present. Tony Nordby, Connie Kujawa, Brent Silvis, Christina Slowinski, Dillon Nelson, Danny Omdahl and Jeremy Misselhorn were also present.

Motion by Mr. Robert Kovar, seconded by Mr. Roger Mischel that the agenda be approved, as amended, to include JD #1 and to amend an agenda item, changing MAWD proposed bylaws to MAWD proposed meeting to discuss bylaws. Motion unanimously carried.

Brad Blawat joined the meeting.

Motion by Mr. David Bakke, seconded by Mr. Robert Kovar that the minutes of the February 6, 2017 meeting be approved, as presented. Motion unanimously carried.

The financial report was reviewed and filed for audit purposes.

Motion by Mr. Robert Kovar, seconded by Mr. David Bakke that the following bills be paid: from the Administrative Funds, that payroll checks numbered 6041 through 6048 inclusive for a total of \$11,781.15; that checks numbered 17320 through 17359 inclusive, for a total of \$30,065.63; from the Project funds that checks numbered 2719 through 2727 inclusive, for a total of \$33415.51; from the RRWMB funds, check number 179 for a total of \$10,900.70; and from the Ditch Funds that checks numbered 3051 through 3060, inclusive, including the service charge, for a total of \$189,263.55 be paid. Motion unanimously carried.

The following permit was unanimously approved:

1. Permit (17-002) to Rolland Miller to install 305 ac drain tile; 1/4" coefficient; 40' spacing; gravity fed outlet, flap gates; install a 18" check valve ~ 1,320 ft South of the NW section corner in section 13, Sandsville Township, NW4 and SW4, Sandsville Township. The District tiling conditions also apply. (Motion by Mr. Robert Kovar, seconded Mr. Roger Mischel).

Jeremy Misselhorn left the meeting at approximately 8:50 a.m.

Administrator Silvis reported that he met with Ben Kleinwachter, Tony Nordby and Attorney Jeff Hane to discuss the wording in the proposed agreements to the Counties for obtaining right-of-way on Judicial Ditch #75. Attorney Jeff Hane is working on the changes to the agreements and plans are to have them ready by the next regular meeting.

The \$750.00 permit fee to the Canadian Pacific Railroad, for the repair on Judicial Ditch #14, was discussed during the review of the financial report and was approved for payment with the payment of the bills.

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Administrator Silvis reported the lighting in the Omdahl house on the District property, is apparently not up to code. He stated he has received three bids to bring the lighting up to code, however, the bids are not comparable. The Board directed Administrator Silvis to contact the bidders and have them submit comparable bids for LED lighting.

Administrator Silvis reported the Swift Coulee Project Team met on February 16, 2017. A presentation of the problems plaguing the Swift Coulee was given by Tony Nordby of Houston Engineering. He also stated that it needs to be decided what this project is trying to accomplish. Administrator Silvis reported that, after discussion, it was recommended that the whole Swift Coulee sub-watershed be looked at, including the reaches, and more information is gathered from the landowners.

Dillon Nelson, of HDR Engineering, reported the Scope of Work proposal for the Middle River/Newfolden Flood Plain Zoning project, is currently under review by HDR Engineering, and will be available for the next regular meeting of the MSTRWD Board of Managers.

Administrator Silvis reported he is researching the Judicial Ditch #20 documents regarding damages paid for right of way.

Administrator Silvis reported, that two data practices were received from one individual, and that he is gathering the information to fulfil the requests.

Motion by Mr. Robert Kovar, seconded by Mr. Brad Blawat, that the 2017 Minnesota Association of Watershed District dues, in the amount of \$4,000.00 be paid, as listed in the financial report. Motion unanimously carried.

Administrator Silvis briefed the Board on the 2017 work schedule of the District staff. He stated priority will be given to complete the works that were not completed in 2016.

Administrator Silvis reported the draft Permit and Drainage policy has been forwarded to the Managers for review and stated there are some unresolved issues that will need to be addressed. He also stated the Polk County Engineer would like to work more closely with the District in addressing permit violations. Administrator Silvis recommended the Permit Committee schedule a meeting to gather input from the Polk County Engineer and the Marshall County Engineer and that he hopes some contractors will also be able to attend. Administrator Silvis was directed to schedule a meeting of the MSTRWD Permit Committee and invite the Polk County Engineer, Marshall County Engineer and contractors.

Administrator Silvis stated he reviewed the draft letter prepared by Attorney Jeff Hane regarding the permit (16-061) violation of Lind Brothers and that he sent it back to Mr. Hane to make some changes. He anticipates the letter will be ready, for review, at the next regular board meeting.

Manager Mr. Robert Kovar, questioned the status of Eric Johnson's request regarding ditch right of way on Judicial Ditch #1. Administrator Silvis stated, he has been in contact with Attorney John Kolb and Mr. Kolb has informed him that he is working on this matter.

A discussion was held concerning who would be attending the hearing of the Marshall County Commissioners, scheduled for March 2, 2017, at the Courthouse in Warren,

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Minnesota. Administrator Silvis reported that he and Chairman Ben Kleinwachter will be attending, however, any board member that may want to attend may do so.

Administrator Silvis reported that he, Mr. John W Nelson and Mr. Ben Kleinwachter will be attending the Minnesota Legislative Breakfast and Reception scheduled for March 29-30th, 2017, in St. Paul, Minnesota.

It was the consensus of the Board, that a letter be sent to the Minnesota Association of Watershed Districts requesting a special meeting be held to amend the by-laws of the MAWD, and that the meeting be held during the MAWD Summer Tour scheduled for June 21-23, 2017.

Administrator Silvis stated a PRAP workshop, for the Managers and District staff, has been scheduled for April 10, 2017, at 1:00 p.m., at the Bremer Bank in Warren, Minnesota, and this will entail the office be closed that afternoon.

Administrator Silvis reported that employee, Christina Slowinski, is due for her one-year evaluation. The Personnel Committee was directed to meet with Christina Slowinski on March 6, 2017, at 1:00 p.m.

It was announced a hearing on the summary judgement filed by the District's Attorney John Kolb, regarding the WD vs Zutz et al lawsuit, will be held, via telephone, on March 1, 2017, at 1:15 p.m. This was rescheduled from February 23, 2017.

Christina Slowinski announced the District's new website, www.mstrwd.org is live and the old website, mstrwd.com is no longer active. She requested the Board check out the new website and the District's facebook page.

The following meetings were announced:

- February 21, 2017-RRWMB Meeting, 9:30 a.m., RLWD, Thief River Falls
- February 21, 2017-Flood Damage Reduction Work Group Meeting, 1:00 p.m.,
RLWD, Thief River Falls
- March 6, 2017-Regular Board Meeting, 8:30 a.m., District Office
- March 20, 2017-Regular Board Meeting, 8:30 a.m., District Office
- March 22-23, 2017-RRWMB/FDRWG Conference-Courtyard by Marriott, Moorhead
- March 29-30-MAWD Legislative Reception/Breakfast, Embassy Suites, St. Paul
- June 21-23, 2017-MAWD Summer Tour, Bemidji

By unanimous consent, the meeting was adjourned at approximately 10:30 a.m.

Connie Kujawa
Recording Secretary

David Bakke
Secretary