The meeting was called to order by President Roger Hille. Managers Alvin Nybladh, John W Nelson, David Bakke and Ben Kleinwachter were present. Managers Doug Sorenson and Marvin Hedlund were not present. Nick Drees, Connie Kujawa, Danny Omdahl, LeRoy Vonasek, Wallace Diedrich, Joe Pierce and Tony Nordby were also present.

Wallace Diedrich taped the meeting with one recorder.

By unanimous consent, the agenda was approved with the addition of Project 60 to agenda item #13 (Projects) and Correspondence to agenda item #21 (Other).

Motion by Mr. Ben Kleinwachter, seconded by Mr. John W Nelson that the minutes of the December 19, 2011 meeting be approved, as corrected. Motion unanimously carried.

The financial report was reviewed and filed for audit purposes.

Heidi Hughes joined the meeting at approximately 4:17 p.m.

Motion by Mr. Alvin Nybladh, seconded by Mr. Ben Kleinwachter that the following bills be paid including checks #15247 and #15248; from the Administrative Funds: that payroll checks numbered 5274 through 5278 inclusive for a total of $14,932.26 and checks numbered 15217 through 15246 inclusive, and checks numbered 15247 and 15248 for a total of $21,627.95; from the Project Funds checks numbered 2057 through 2065 inclusive for a total of $23,785.65; and from the Ditch Funds checks numbered 2516 through 2521 inclusive for a total of $12,761.77 be paid. Motion unanimously carried.

Joe Pierce addressed the Board during the open forum inquiring if the District property along the PL-566 Diversion could be rented for agricultural purposes.

Troy Schroeder joined the meeting at approximately 4:22 p.m.

Shannon Mortenson joined the meeting at approximately 4:29 p.m.

Nate Dalager discussed the Brandt/Angus project notice for bids and construction and stated that the bid opening is scheduled for February 28, 2012.

Motion by Mr. Alvin Nybladh, seconded by Mr. John W Nelson that the District advertise for bids for the Construction of the Brandt/Angus Project provided the remaining landowners who have not signed the easements are contacted, and that legal council reviews the Advertisement for Bids notice. Motion unanimously carried.
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Troy Schroeder with the Northwest Regional Development Council, on behalf of the City of Warren, presented a proposal for a bituminous bike path along the PL-566 Floodway. Shannon Mortenson with the City of Warren, stated that she received word from the Burlington Northern Santa Fe Railway informing them that they would not allow a crossing over the tracks adjacent to Trunk Highway #75 for the proposed bike path. It was the consensus of the Board that they would work with the City of Warren in communications with the Burlington Northern Santa Fe Railway regarding the bike path crossing.

Motion by Mr. John W Nelson, seconded by Mr. Alvin Nybladh that the District support the works of the NWRDC and the City of Warren on the proposed bike path, as presented, with details of the project, to be worked out with legal council and the District Engineer. Motion unanimously carried.

Troy Schroeder and Shannon Mortenson left the meeting at approximately 5:00 p.m.

The following permits were unanimously approved:

1. Permit (12-001) (ADMINISTRATIVELY APPROVED) to Wayne Hamrick to lengthen an existing field crossing culvert/trap and to rip rap the outlet in the East township road ditch, in the SW4 SW4 of Section 1 of Angus Township.

2. Permit (12-002) to Dale Hammerlund to install 144 acres of field drain tile with a 7.5 HP 1017 GPM Variable Drive pump, excluding the installation of a 12” tile pump culvert through the township road, in the SE4 of Section 6 of Vega Township. (Motion John, seconded Ben)

Linda Bodell and John Bodell stated they heard they would receive more water in the South Branch of the Snake River, with the redetermination of benefits of Judicial Ditch #25-1. The Board informed them that the redetermination of benefits is a process that equalizes the benefits or damages to the ditch system and the redetermination does nothing to change the drainage.

John and Linda Bodell left the meeting at approximately 5:20 p.m.

Heidi Hughes, of the Audubon Sanctuary, reported on the progress of installing bird houses and boxes on the Agassiz Valley Water Resource Management Project and along the PL-566 Diversion (bike path) and the involvement of the Community on the project. The Board extended their appreciation to Heidi Hughes for utilizing the benefits of the Agassiz Valley Water Resource Management Project.

Heidi Hughes left the meeting at approximately 5:32 p.m.

Nick Drees reported that the District received a letter from Eric Johnson and Neil Johnson supporting the resloping efforts the District is undertaking on Judicial Ditch #1 and Judicial Ditch #75.

Mr. Ben Kleinwachter requested a meeting be scheduled with the landowners along Judicial Ditch #19 to address drainage issues. The Board directed Mr. Kleinwachter to organize the meeting and inform the Board when the meeting will be held.
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Nick Drees reported that he and Mr. Roger Hille met with the Office of the Legislative Auditor regarding the Agassiz Valley Water Resource Management Project; and that the Court of Appeals has affirmed the District’s Courts ruling, that was appealed by Jim Stengrim in the Agassiz Valley Water Resource Management Breach of Contract lawsuit to dismiss the lawsuit against Jim Stengrim.

Motion by Mr. David Bakke, seconded by Mr. John W Nelson that the following order be adopted:

ORDER APPOINTING VIEWERS AND THE ENGINEER IN
THE REDETERMINATION OF BENEFITS OF JUDICIAL DITCH #25-1

WHEREAS, the Middle-Snake-Tamarac Rivers Watershed District, acting as Drainage Authority for Judicial Ditch #25-1, has been informed that the original benefits or damages determined in Judicial Ditch #25-1 do not reflect reasonable present day land values and/or the benefitted or damaged areas has changed; and

WHEREAS, after review by the Board of Managers and staff, the Middle-Snake-Tamarac Rivers Watershed District Board of Managers makes the following:

Findings of Fact and Order

1. That the original benefits or damages determined in the Judicial Ditch #25-1 proceedings do not reflect reasonable present day land values.

2. That the benefitted or damaged areas has changed since the original determination.

NOW, THEREFORE, it is hereby ordered that a Redetermination of Benefits is to be completed on Judicial Ditch #25-1, pursuant to Minnesota Statutes 103E.315. That further Jerry Bennet, Roger Beiswenger and Rodney Langass are appointed Viewers and are requested to prepare a Viewer’s Report concerning the Redetermination of Benefits on Judicial Ditch #25-1, and, Ronald J Adrian, Houston Engineering, is appointed as consulting Engineer to provide technical information as required or requested by the Viewers.

Motion unanimously carried.

Motion by Mr. Ben Kleinwachter, seconded by Mr. Alvin Nybladh that the District approve the resloping of the Main Branch of County Ditch #43, in the NW4 of Section 8, of Angus Township and then continue the resloping to include County Ditch #43 Main. Motion unanimously carried.

Mr. Ben Kleinwachter left the meeting at approximately 6:04 p.m.

Nick Drees reported that the District has completed the Minnesota Board of Soil and Water Resources grass strip survey. Nick Drees was directed to inform the landowners, where the grass strip has been removed, that they are required to re-establish the strip.

Motion by Mr. John W Nelson, seconded by Mr. David Bakke that the hayland on the PL-566 Diversion Ditch, West of Marshall County Highway #15, in the SW4 of Section 2 of
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Boxville Township, be bid out for rent on a 5 year term, for agricultural purposes, and that the current land rental advertisement be rescinded. Motion unanimously carried.

It was announced that a Project 60 Project Work Team meeting is scheduled for January 19, 2012, at 9:30 a.m., the Red Lake Watershed District.

Nick Drees was directed to inform Skip Gornowicz that the District is not interested in selling the property back to him along the Off Channel Storage Site in Section 14 of Comstock Township, but the District would look into hiring him to maintain the area.

It was announced that the Red River Watershed Management Board was held today, January 17, 2011 at the Sand Hill Watershed District, in Fertile, Minnesota; that the land rental bids for the PL-566, Agassiz Valley Water Resource Management Project and the March Impoundment will be publically opened on January 23, 2012; and that the depositions of the District Employees regarding the defamation lawsuit and the open meeting lawsuit filed by Elden Elseth and Loren Zutz are scheduled for February 8, 9 and 10th, at the Marshall County Courthouse.

Motion by Mr. Alvin Nyblad, seconded by Mr. John W Nelson that the Bremer Bank of Warren, the Frandsen Bank of Warren, and others, as determined by the Treasurer, be the designated depositories of the District. Motion unanimously carried.

Motion by Mr. John W Nelson, seconded by Mr. David Bakke that the following newspapers be the designated official newspapers of the District: Warren Sheaf, Stephen Messenger, Crookston Times, Thief River Times, Kittson County Enterprise, Roseau Times and the Middle River Honker and that the official publications be made in any or all of these newspapers as required by statute. Motion unanimously carried.

Motion by Mr. Alvin Nyblad, seconded by Mr. John W Nelson that the District retain the services of Brink Sobolik, Severson and Malm, et al as the legal council for the District. Motion carried.

Motion by Mr. Alvin Nyblad, seconded by Mr. David Bakke that Houston Engineering be designated the Engineering firm for the District. Motion unanimously carried.

Jeff Hane reported that it is highly unlikely that the Supreme Court would hear an appeal from Jim Stengrim regarding the Agassiz Valley Water Resource Management Project lawsuit; that he reviewed the Contract specifications for the Brandt/Angus Project and will meet with Nate Dalager to address some changes; that he has prepared the final easement for right of way acquisitions for the Brandt/Angus Project, and that he has updated the title work on the properties in Section 19 and Section 20 of Brandt Township per the NRCS request.

The next regular meetings of the Board of Managers will be held on Monday, February 6, 2012 and Tuesday, February 21, 2012, at 4:00 p.m., at the District office.

By unanimous consent, the meeting was adjourned at approximately 6:46 p.m.