

January17(a)2017.min

APPROVED (February 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. January 17, 2017**

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

Motion by Mr. Roger Mischel, seconded by Mr. Robert Kovar that the agenda be approved, as amended, to include Lind Brothers and JD #75 Grass Strip. Motion unanimously carried.

Motion by Mr. David Bakke, seconded by Mr. Brad Blawat that the minutes of the January 9, 2017 meeting be approved, as presented. Motion unanimously carried.

The financial report was reviewed and filed for audit purposes.

Motion by Mr. David Bakke, seconded by Mr. Roger Mischel that the following bills be paid: from the Administrative Funds, that payroll checks numbered 6029 through 6040 inclusive for a total of \$19,723.84; that checks numbered 17285 through 17319 inclusive, for a total of \$16,586.18 and including the 2016 Sales Tax disbursement; from the Project funds that checks numbered 2707 through 2718 inclusive, for a total of \$61,175.71; from the RRWMB funds, check number 178 for a total of \$10,012.86; and from the Ditch Funds that checks numbered 3044 through 3050, inclusive, including the service charge, for a total of \$127,072.80 be paid. Motion unanimously carried.

The following permit was unanimously approved:

1. Permit (17-001) Roger Mathsen to regrade the south township road ditch to a .03% grade; to replace 24" CSP with a 24" x 60' CSP and lower ~6-8"; replace a 30" CSP and move to ½ mile line with a 30" x 40' CSP and lower ~6-8"; install a 30" x 40' CSP with trap at the west tree line; install (2) 18" x 20' CSP field culverts with traps, N2, Section 30, Sandsville Township, to construct a dike with the District staff to set the height of the dike. (Motion by Mr. Robert Kovar, seconded Mr. Roger Mischel)

Roger Mathsen left the meeting at approximately 8:55 a.m.

Danny Omdahl presented and reviewed the 2016 ditch report he prepared. He stated, it appears the ditches that need the most work are Judicial Ditch #75, Judicial Ditch #29 and State Ditch #3, and Judicial Ditch #28 is in need of brush whacking.

A discussion was held concerning a landowner who is refusing to comply with the grass strip requirements on Judicial Ditch #75, in the NE4 of Section 2 of Tabor Township. Manager Mr. Robert Kovar stated he has visited with the renter of the property and the renter has requested stakes be set depicting the required area for the grass strip. The renter informed Mr. Robert Kovar that they will only farm up to the stakes once the area is marked.

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A discussion was held concerning the Farm Lease Rental Agreements that have expired on the PL-566 project and Agassiz Valley Water Resource Management Project. Danny Omdahl reported that some landowners have expressed interest in renting the lands at the Brandt/Angus Project for haying activities.

Motion by Mr. Robert Kovar, seconded by Mr. Brad Blawat that the following lands be advertised for rent, for a 3 year term, with the rental agreements expiring December 31, 2019, and limiting the cutting of hay to 2 per year and any additional haying would need Board approval:

PL-566 (~34.3 Acres)	Part of the SE4, Sec 2, Boxville Twp Part of the SW4, Sec 2, Boxville Twp
PL-566 (Diversion) (~62.3 Acres)	Part of the E2, Sec 31, McCrea Twp Part of the E2 & SW4, Sec 6, McCrea Twp Part of the SE4, Sec 1, Boxville Twp
Agassiz Valley (~200 Acres)	Portion of the N ½ of Sec 7, Comstock Twp, within the pool area of the AGV Project & not within 33 ft of the embankment, or the N inlet channel, or the proposed Mitigation Site, and borrow areas.
Brandt/Angus	(Staff to determine acres and description)

Motion unanimously carried.

Administrator Silvis reported:

- 1) the Minnesota Department of Natural Resources have determined that a clean-out of the Swift Coulee would require an environmental review as the waters are considered protected waters. Tony Nordby stated a meeting of the Swift Coulee Project Team is tentatively being scheduled for a time in February 2017.
- 2) staff have reviewed the adopted changes to the Personnel policy and are requesting that the wording be amended. The proposed changes were distributed for the Board to review. Administrator Silvis was directed to forward the changes to legal counsel for review.

Administrator Silvis inquired if the Board had any questions in regards to the 2016 Financial Reports that were distributed at the January 9, 2017 meeting. There were no questions presented.

- 3) he (Silvis) contacted three organizations, requesting a quote, to perform a PRAP review, with only one organization responding.

Motion by Mr. Robert Kovar, seconded by Mr. Roger Mischel that the District retain the services of Keystone Waters, LLC, at a maximum cost of \$4,000.00 to perform the PRAP review and if expenses exceed \$4000.00, the Board will revisit the costs at that time. Motion unanimously carried.

- 4) he (Silvis) has received an estimate, in the amount of \$6,120.64, from Potucek Construction to replace the ceilings in the District offices and the kitchen.

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Motion by Mr. Roger Mischel, seconded by Mr. David Bakke that Potucek Construction be hired to replace the ceilings in the District offices and kitchen at a cost of \$6,120.64. Motion unanimously carried.

- 5) he (Silvis) received the following quotes to replace the signage on the District office:
 - JH Signs- \$1,420.00 to use the existing letters and to make letters that are needed, similar to those in place;
 - \$1,695.00 to replace all the letters with plastic letters
 - Brushmark Signs- \$1,854.90 to replace all the letters with 8" aluminum letters
 - Indigo Signs-new 6" aluminum letters for \$3,034.95

Motion by Mr. Roger Mischel, seconded by Mr. Robert Kovar that the District accept the quote of Brushmark Signs, in the amount of \$1,854.90 to replace the letters on the District office with 8" aluminum letters. Motion unanimously carried.

- 6) the permit committee met on January 9th, 2017 to review the preliminary permitting rules and guidelines, with the next meeting scheduled for January 30th, at 1:00 p.m., at the District office.
- 7) the Internal Revenue Service has set the 2017 mileage rate at \$.53 ½ cents as the reimbursable amount for conducting works of the District.
- 8) the Minnesota Management and Budget Pay Equity report is due January 31, 2017. Administrator Silvis distributed the employee classifications and job points for the Board's review.

Motion by Mr. Robert Kovar, seconded by Mr. David Bakke that the Minnesota Management and Budget Pay Equity report be submitted as presented. Motion unanimously carried.

- 9) that a petition is being circulated asking the Marshall County Commissioners to schedule a public hearing to hear concerns and grievances of some landowners regarding buffer strips, projects and procedures of the District.

Manager Mr. John W Nelson stated that Polk County will not issue any permits if an individual or landowner has violated a permit and inquired if Polk County is addressing the permit violation of Lind Brothers. Administrator Silvis reported that in conversations with the Polk County Engineer, they want the District to handle this issue. Administrator Silvis was directed to contact the Polk County Engineer stating the permit violation in regards to the road is the responsibility of the County to address.

Motion by Mr. David Bakke, seconded by Mr. Roger Mischel that the designated depositories of the District be the Bremer Bank of Warren, Frandsen Bank of Warren, and others, as determined by the Treasurer of the Board. Motion unanimously carried.

Motion by Mr. Robert Kovar, seconded by Mr. Brad Blawat that the Warren Sheaf and the Middle River Honker be designated the official newspapers of the District; and that official publications may be made in any or all of the following newspapers as required by statute: Warren Sheaf, Stephen Messenger, Middle River Honker, Crookston Times, The Exponent, Thief River Times, Kittson County Enterprise and the Roseau Times. Motion unanimously carried.

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Motion by Mr. David Bakke, seconded by Mr. Brad Blawat that the District retain the legal services of Brink, Sobolik, Severson, Malm et al, as the legal counsel for the District; and that other legal counsel may be retained as determined by the Board. Motion unanimously carried.

Motion by Mr. Roger Mischel, seconded by Mr. Robert Kovar that Houston Engineering and HDR Engineering, be designated the Engineering firms for the District. Motion unanimously carried.

Administrator Silvis reminded the Board to complete the Minnesota Campaign and Finance Disclosure report.

Administrator Silvis reported the pre-trial in the MSTRWD vs Zutz et al lawsuit, regarding the establishment of a grass strip on Judicial Ditch #25-1, is scheduled for May 11, 2017 at 1:30 p.m., by phone, and the trial is scheduled for May 26, 2017 at 9:00 a.m., at the Marshall County Courthouse.

Christina Slowinski reported she is nearing completion of the new website for the District and requested the Board check it out and provide her with feedback as to what they want changed or added.

The following meetings were announced:

- January 17-19, 2017-Red River Basin Commission Land & Water International Summit Conference, Fargo, ND
- January 31, 2017-JD #14 Project Team Meeting, 10:00 a.m., Viking Diner
- January 31, 2017-Middle River Project Team Meeting, 6:00 p.m., Newfolden Community Center
- February 6, 2017-Regular Board Meeting, 8:30 a.m., District office
- February 13, 2017-Drainage & Wetland Conference, St. Cloud, MN

By unanimous consent, the meeting was adjourned at approximately 11:05 a.m.

Connie Kujawa
Recording Secretary

David Bakke
Secretary