The meeting was called to order by President John W Nelson. Managers Bill Petersen, Robert Kovar, Roger Mischel, David Bakke and Brad Blawat were present. Tony Nordby, Joel Praska, Danny Omdahl, Tyler Larson, Dillon Nelson, Tony Pulkrabek, Robert Mager, Dean Danielski, Glenn Barrett, Jim Duckstad, Gunner Bowman and Arlyn Stroble were also present.

Motion by Mr. Robert Kovar, seconded by Mr. Roger Mischel that the agenda be approved, as amended, to include the City of Newfolden Flood Prevention Project. Motion unanimously carried.

Motion by Mr. Bill Petersen, seconded by Mr. Brad Blawat that the minutes of the June 17, 2019 meeting be approved, as amended. Motion unanimously carried.

Rolland Miller joined the meeting at approximately 8:37 a.m.

The following permit was unanimously approved:

1) Permit (19-039) Robert Mager to replace exiting 18" field culvert with a 24" field culvert; section line 17/20, Vega Township. District Staff is to set the elevation. (Motion by Mr. Robert Kovar, seconded Mr. Bill Petersen)

Robert Mager left the meeting at approximately 8:46 a.m.

Alex Wardwell joined the meeting at approximately 8:46 a.m.

Administrator Praska reported District Staff has completed field surveys along section 18 and 17 of Angus Township. Tony Pulkrabek has requested better drainage running south along 320th Ave NW. Under advisement of the Board, Mr. Pulkrabek has been asked to identify any underground lines running parallel and east of 320th Ave NW to the corner of 130th St NW and determine if regrading of the township road ditch to the south is attainable. At said intersection, Staff is to determine the correct elevation of the in place 24" centerline culvert. Mr. Arlyn Stroble has been asked to clean the township road ditch along 130th St NW and consider removing the existing 24" field entrance culvert located at the half-mile line of the south line of section 18.

Arlyn Stroble, Tony Pulkrabek and Glenn Barrett left the meeting at approximately 9:30 a.m.

The following permits were unanimously approved:

2) Permit (19-042) Neil Johnson to install a 30" side water inlet culvert with flap gate in the NW4 SW4, Section 11, Angus Twp, where the East township road ditch of 290th Ave outlets to JD 25-2 / CD 43 ~ Sta 80+53. (Motion by Mr. Bill Petersen, seconded Mr. David Bakke)
3) Permit (19-045) MNDOT to replace the 18” and 24” crossing culverts through Ken Kalin’s driveway in Section 8, Sinnott Twp, with a new 36” CSP at same elevation. (Motion by Mr. Robert Kovar, seconded Mr. David Bakke)

The following permits were administratively approved:

4.) Permit (19-040) MNDOT to replace a failed 18” CSP culvert through a driveway crossing along MN Hwy 1 in the SE4 of Section 1, Comstock Strip, with a new 18” culvert at the same elevation.

5.) Permit (19-041) MNDOT to replace a failed 18” CSP field crossing culvert along MN Hwy 1 in the SE4 of Section 1, Comstock Strip, with a new 18” culvert at the same elevation.

6. Permit (19-043) Steve Olson to construct a new field approach with 18” crossing culvert on East side of 140th Ave NE in N2 SW4, Section 27, Holt Twp.

7.) Permit (19-044) Como Twp to replace and lengthen an existing 18” centerline culvert through 253rd St NE that outlets to Judicial Ditch #19 Br D in the NW4 SW4, Section 10, Como Twp.

8.) Permit (19-046) Brad Kilian to extend and existing crossing with a 48” culvert in Section 9, Como Twp.

9.) Permit (19-047) Jeff Nelson to install a new crossing with an 18” culvert in the NE4, Section 31, off County Road #5, Augsburg Twp.

Edwin Osowski and Clint Osowski joined the meeting at approximately 9:37 a.m.

Alex Wardwell of MN Audubon gave a presentation on the increased number of diverse birds migrating inside of the Agassiz Valley Impoundment site. Ms. Wardwell indicated the affects of mowing prior to August 1st would result in the disturbance of fledgling birds. She would like to see all impoundment sites mowed at a later date to increase the survival rate of young fowl. It was determined by the Board to have Staff work alongside MN Audubon in the timing of mowing and to look in to the possibility of increasing the amount of spraying for broad leaf in order to reduce the miles of mowing at all impoundment sites.

Steve Goodwin and Lucas Goodwin joined the meeting at 9:50 a.m.

Motion by Mr. Robert Kovar, seconded Mr. Roger Mischel to recess the regular Board meeting at 9:57 a.m. Motion unanimously carried.

Alex Wardwell, Gunner Bowman, Edwin Osowski and Clint Osowski left the meeting at approximately 9:57 a.m.

Motion by Mr. Brad Blawat, seconded Mr. David Bakke to hold the public hearing on the Matter of the Petition of Cole & Lucas Goodwin to Drain Waters into Judicial Ditch #17. Motion unanimously carried.

The public hearing began at 10:00 a.m. Chairman Nelson announced the hearing is being recorded.
APPROVED (July 15, 2019)
Managers John W Nelson, David Bakke, Robert Kovar, Brad Blawat, Bill Petersen and Roger Mischel were present. Administrator Praska, Tony Nordby, Dillon Nelson, Tyler Larson, Danny Omdahl, Lucas Goodwin, Dean Danielski, Steve Goodwn, Rolland Miller and Jim Duckstad were also present.

Administrator Praska, noted for the record, the affidavit of mailing notice to all affected landowners, the affidavit of publishing within the affected county, the notice of public hearing posted at the District office, and the affidavit of posting on the District website have been filed.

Administrator Praska, reviewed the District staff’s findings and recommendations for parcel #08.00007.00, in section 9, of Brislet Township to include into the benefitted area of Judicial Ditch #17.

Chairman Nelson opened the floor for public comment. No public comments were received.

After Board deliberation, motion by Mr. Bill Petersen, Seconded Mr. Brad Blawat to allow said parcel to drain waters into Judicial Ditch #17. Motion unanimously passed.

Administrator Praska presented documentation of the benefitted area and the price per acre allocated to lands adjacent to parcel #08.00007.00.

Motion by Mr. Robert Kovar, Seconded Mr. Roger Mischel to set the outlet fee at a rate equal to 2019, 2018, 2017, 2016 and 2015 ditch tax levy rate for parcel #08.00007.00, with each year after to be equal to adjacent lands within the Judicial Ditch #17 benefitted area. Motion unanimously carried.

Motion by Mr. Bill Petersen, Seconded Mr. David Bakke to Adopt the Findings and Order on the Matter of the Petition of Cole & Lucas Goodwin to Drain Waters into Judicial Ditch #17. Motion unanimously carried.

MIDDLE SNAKE TAMARAC RIVERS WATERSHED DISTRICT
IN THE MATTER OF THE
PETITION OF COLE GOODWIN & LUCAS GOODWIN
TO DRAIN WATERS INTO JUDICIAL DITCH #17

FINDINGS & ORDER

The above-entitled matter came on for hearing pursuant to MN Statute 103E.401, before the Board of Managers on July 1, 2019, at the MSTRWD office located at 453 North McKinley, Warren, Minnesota, at 10:00 a.m. The following were received as exhibits: Notice of Hearing, Attendance Sheet, Description of Area, Affidavit of Publication, Affidavit of Mailing and the Mailing List, Affidavit of Posting, and the Petition.

Persons appearing regarding the matter are set forth on the attached sign-in sheet marked Exhibit A.

The Board, having heard all of the testimony, and having reviewed all of the exhibits, and having fully considered the matter, hereby makes the following facts:
APPROVED (July 15, 2019)

1. The Petitioner seeks to drain property into a public drainage system (JD #17), which property has not been assessed for benefits for the established drainage system. Petitioner seeks express authority from the District to drain the lands described on the attached Exhibit B. The District has jurisdiction over said lands, including Judicial Ditch #17;

2. Due and proper notice has been provided;

3. The Board has considered the capacity of the outlet drainage system, and reviewed possible appropriate terms and conditions for use of the established drainage system, together with appropriate and reasonable terms for the Petitioner to pay as an outlet fee as and for benefits. The land to be benefitted is listed on the attached Exhibit B. If allowed to drain into Judicial Ditch #17, the property, shall receive benefits equal per acre to the adjacent land.

Based on said facts, the Board hereby makes the following:

ORDER

1. Petitioner may drain the lands described on the attached Exhibit B into Judicial Ditch #17 upon the payment of an initial outlet fee. That fee will be 5 times that of the adjacent lands. Thereafter, the Petitioner shall pay an annual fee at the same rate as the adjacent parcels.

2. Petitioner’s property as described on the attached Exhibit B is henceforth liable for assessments levied from this date forward in the drainage system, on the basis of the benefits as if the benefits had been determined in the order establishing the drainage system.

A copy of the minutes of the meeting of the Board of Managers during which this hearing was held shall be attached hereto as evidence of the approval of these Findings and Order.

Motion by Mr. Roger Mischel, seconded Mr. Robert Kovar to close the public hearing on the Matter of the Petition of Cole & Lucas Goodwin to Drain Waters into Judicial ditch #17. Motion unanimously carried.

Motion by Mr. David Bakke, Seconded Mr. Robert Kovar to reconvene the regular Board meeting. Motion unanimously carried.

The regular Board meeting reconvened at 10:10 a.m.

Dillon Nelson, HDR Engineering, gave a report on the tasks and timeline for the City of Newfolden Flood Prevention Project. Currently, HDR is evaluating changes to the Hwy #59 crossing and in what affect it has on possible changes made to the Canadian/Pacific culverts south of Newfolden. A meeting with Canadian/Pacific RR will commence thereafter. The current project proposals under study include: Impoundment Site G with Railroad Improvements and Impoundment Site G with a Diversion.

Dillon Nelson left the meeting at approximately 10:23 a.m.
Administrator Praska gave an update on the Petitioned Improvement project for CD #175. The culvert through County Road #22 has been installed and the culvert through 150th St NW along section line 2/11 of Esther Twp has also been installed. Pribula Engineering has been onsite overseeing the project.

Tyler Larson, Staff Technician, gave an update on CD #43 maintenance project located in section 8 & 9 of Angus township.

Administrator Praska reported he has received four quotes for the erosion repair work along the south ditch spoil of JD #1 in section 20 of Higdem Township. Houston Engineering and Staff will review the quotes and award the repair work accordingly.

Administrator Praska informed the Board that due to a faulty flapgate located in section 29 of Angus Township, the operation of the Brandt/Angus Impoundment is hindered in the release of water from the site. It was suggested to replace the current flapgate with a Waterman cast iron gate.

Motion by Mr. Robert Kovar, seconded by Mr. Bill Petersen to purchase a 24” Waterman cast iron flapgate to be installed in section 29 of Angus Township. Motion unanimously carried.

Tony Nordby, Houston Engineering, gave an update on JD #14 RCPP and JD #19 RCPP respectively. PWT meetings have been scheduled for both projects. An extension agreement with the NRCS for the projects has been submitted to the Board for approval. By Board consensus, the agreement to extend the contract agreement for JD #14 RCPP and JD #19 RCPP to end September 2020 was signed by Chairman Nelson and Administrator Praska.

Administrator Praska indicated the District was approached by Denise Olson to see if the District would be interested in housing honey bee hives at various location owned by the District. Staff has pinpointed areas at AGV, OCSS and Agassiz Audubon that would be ideal placements for the hives. The Board directed Staff to work with Ms. Olson.

The construction of the District garage located south of the office is progressing nicely, Mr. Praska reported. An update of the abstract for the garage east of the fire hall has been completed. A deed will be drawn-up by the District’s attorney and the projected timeline for completion is on schedule.

Administrator Praska also indicated the temporary easement forms granting the City of Warren the right to install natural gas lines under the diversion east of Warren have been signed and work should conclude soon. Thereafter, final easement papers will be signed once the as-built is completed.

The Board was directed to review the 2018 Annual Audit Report performed by Brady/Martz. Brady/Martz is scheduled to attend the July 15th regular meeting.

Roger Mischel informed the Board that the RRWMB will be moving into their new office located in Ada soon. A strategic planning meeting was held by the RRWMB and discussion has incurred over possible alternative project funding for clean water projects by the RRWMB.

The following meetings were announced:
Regular Meeting Minutes
July 1, 2019
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APPROVED (July 15, 2019)

July 15, 2019-8:30 a.m.-Regular Meeting, District Office
July 17, 2019-10:00 a.m. -JD #14 RCPP PWT Meeting, Viking Café
July 18, 2019-10:00 a.m. -JD #19 RCPP PWT Meeting, Strandquist Community Center
August 5, 2019-8:30 a.m. -Regular Meeting, District Office

By unanimous consent, the meeting was adjourned at approximately 10:55 a.m.

_________________________________________  _______________________________
Joel Praska                                           Roger Mischel
Recording Secretary                                    Secretary