

**APPROVED (August 5, 2013)**  
**REGULAR MEETING OF THE BOARD OF MANAGERS OF THE**  
**MIDDLE- SNAKE-TAMARAC RIVERS WATERSHED DISTRICT**  
**HELD AT 453 NORTH MCKINLEY STREET, WARREN, MN**  
**4:00 P.M. JULY 15, 2013**

The meeting was called to order by President Roger Hille. Managers Doug Sorenson, Alvin Nybladh, Ben Kleinwachter, David Bakke, John W Nelson, and Roger Hille were present. Manager Marvin Hedlund was not present. Nick Drees, Danny Omdahl, Connie Kujawa, Ron Sorvig, Heidi Hughes, Tony Nordby, Rolland Miller, Nate Dalager, Randy Knott, Ernest Pribula, Harlan Boman and Brian Opsahl were also present.

Motion by Mr. John W Nelson, seconded by Mr. Ben Kleinwachter that the agenda be accepted, as amended to include #14 (2) Reappointment. Motion unanimously carried.

Motion by Mr. Doug Sorenson, seconded by Mr. David Bakke that the minutes of the July 1, 2013 meeting be approved, as presented. Motion unanimously carried.

The financial report was reviewed and filed for audit purposes.

Motion by Mr. Alvin Nybladh, seconded by Mr. David Bakke that the following bills be paid: from the Administrative funds: that payroll checks numbered 5513 thru 5524 inclusive for a total of \$13,520.83; that checks numbered 15820 thru 15849 inclusive, including the service charge for a total of \$30,477.08; from the Project funds that checks numbered 2271 thru 2283 inclusive, including check number 2284 for a total of \$448,780.67; from the RRWMB funds that check 156 for a total of \$36,840.24; and from the Ditch funds that checks numbered 26430 through 2650 inclusive, for a total of \$60,645.31. Motion unanimously carried.

Harlan Boman discussed the sloughing issue along Judicial Ditch #20, through out Vega Township. It was agreed that the District staff would survey the area and a cost assessment would be prepared.

Peter Erickson joined the meeting at approximately 4:45 p.m.

Peter Erickson discussed the tiling permit (13-048) that was denied approval due to the Appeal of Order Accepting Viewers' Report and Adopting the Redetermined Benefits of Judicial Ditch #25-1. He was informed the District is awaiting a response from Legal Counsel regarding permitting in the new benefited area. This matter will be addressed at the next regular meeting scheduled for August 5, 2013.

Peter Erickson left the meeting at approximately 4:43 p.m.

Brian Opsdahl of Brady-Martz and Associates presented the 2012 Auditors Report and Management Report of the District's finances.

Motion by Mr. Ben Kleinwachter, seconded by Mr. Doug Sorenson that the 2012 Annual Report and Audit Report be accepted, as presented. Motion unanimously carried.

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Motion by Mr. John W Nelson, seconded by Mr. David Bakke, that the Chairman be authorized to sign the contract with Brady Martz and Associates, for the service years ending December 2013, December 2014 and December 2015. Motion unanimously carried.

Brian Opsahl left the meeting at approximately 5:10 p.m.

Motion by Mr. Alvin Nybladh, seconded by Mr. Ben Kleinwachter that the 2012 Annual Report and Financial Report be published and mailed to all those required to receive it and to other individuals and organizations interested in receiving it. Motion unanimously carried.

The following permits were unanimously approved:

1. Permit (13-059) Ernest Pribula to regrade the East twp road ditch to the south, 6' bottom 4:1 side slopes; jack a 24" culvert under MN Trunk Hwy #220 to drain into Watershed Ditch #5, SW4, Sec 17, Northland Township, contingent upon other permits being received. (Motion Ben Kleinwachter, seconded Alvin Nybladh)

Ernest Pribula left the meeting at approximately 5:25 p.m.

Nate Dalager left the meeting at approximately 5:26 p.m.

2. Permit (13-006) Helgeland Township to remove a 36" culvert and replace with a 30" culvert, same location and elevation, SW, Section 31, Helgeland Township. (Motion Doug Sorenson, seconded David Bakke)

A conference call was held with Ms. Paula Vraa regarding the appeal on the Redetermination of Benefits of Judicial Ditch #25-1 and the Open Meeting Lawsuit #2.

3. Permit (13-043) Eric Johnson to lower the West (1 of 3) 36" culverts by 1', East township road ditch, NW SW, Section 6, Angus Township. (Motion David Bakke, seconded Alvin Nybladh)

4. Permit (13-032) Stoltman Farms to install 152 ac drain tile; 18" culvert, lift station with 7.5 HP VFD (1,100 GPM); E2 SE, SW SE & SE SW, Section 30, Parker Township. (Motion Mr. John W Nelson, seconded Alvin Nybladh)

5. Permit (13-051) Jim Potucek to install 130 ac drain tile; 3/8" coefficient; 5 HP VFD (800 GPM); drain into N ditch of CSAH #14, SE4, Section 4, Comstock Township. (Motion Ben Kleinwachter, seconded Doug Sorenson)

Mr. Alvin Nybladh left the meeting at approximately 5:58 p.m.

6. Permit (13-054) Garrett Swan to install a crossing with an 18" culvert, N2 NE, Section 17, Newfolden Township. (Motion John W Nelson, seconded Ben Kleinwachter)

7. Permit (13-056) WJS Nelson to install 100 ac drain tile; 1/2" coefficient; 50' to 25' spacing; 7.5 HP VFD (1,200 GPM); N2 NE & NE NE NW, Section 29, Higdem Township. (Motion John W Nelson, seconded David Bakke)

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8. Permit (13-057) Neil Widner to install 65 ac drain tile; 40' spacing; tying into VFD pump (11-014), SE, Section 27, Tamarac Township. (Motion Ben Kleinwachter, second Doug Sorenson)

9. Permit (13-058) Steve Goodwin to install approximately 85 ac drain tile; ¼" coefficient; 60' spacing; 5 HP, 700 GPM pump in the NE corner of qtr, with an 18" culvert to drain east into CD #44 Br 1; in the Red Lake Watershed District to install 35 acres of tile in the SW SE with a gravity outlet southerly under township road, all in the SE4, Section 30, Angus Township. (Motion Ben Kleinwachter, seconded Doug Sorenson)

The following permit was tabled until more information on the design and location of the pump is received:

10 Permit (13-055) of WJS Nelson to install 240 ac drain tile; ¼" coefficient, 50' spacing, 10 HP VFD (1,500 GPM), bordering the Red River, Section 19, Higdem Township. (Motion John W Nelson, seconded Ben Kleinwachter)

The following permits were Administratively Approved:

11. Permit (13-052) MN DOT to remove and replace a 30" culvert, County Road #27, SE SE, Section 3, Huntley Township.

12. Permit (13-053) MN DOT to remove and replace a 24" CMP, East approach to MN Trunk Hwy #75, NE SW, Section 17, Sinnott Township.

13. Permit (13-060) David Jadeke to remove a 12" x 20" culvert and replace with a 12" x 30-40' culvert, SE4, section line 14/13 Brislet Township.

Nick Drees reported that the cost estimates have been received for the resloping of 2 ½ miles of Judicial Ditch #1 and that discussions have taken place with a landowner concerning a farmstead regarding trees that need to be removed and possibly some grain bins.

Nick Drees reported:

1. Agassiz Valley Water Resource Management Project-That a meeting was held with the Northwest Foundation to discuss the renewal of the CRP contract with the Agassiz Audubon Sanctuary and that they are drafting a MOU with the Watershed District. Heidi Hughes reported that the chimney sweep tower will be installed in August.

2. Brandt/Angus Project-  
a. the hearing to accept the Contract of Zavoral Construction was held today, at 3:30 p.m., and final payment has been issued;  
b. the downstream drainage issue along Polk County Ditch #44 will be addressed after fall harvest.

3. Red River Watershed Management Board meeting is scheduled for July 16, 2013, at the Roseau Watershed District and they are soliciting comments on the Tile Drainage System Recommendations. The News and Views were distributed.

Motion by Mr. Alvin Nybladh, seconded by Mr. Ben Kleinwachter that the hearing on the proposed 2014 budget be scheduled for 4:15 p.m., August 19, 2013 and that the

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Administrative Assistant publish the Notice of Hearing on the Districts proposed budget for 2 consecutive weeks in the newspapers within the District, as presented:

**PROPOSED BUDGET & LEVIES**

1) the proposed 2014 Administrative Funds Budget be set at:

Building Maintenance	5,000	Miscellaneous	1,000
Utilities	5,500	Insurance	15,000
Supplies/Equipment	24,000	Legal/Professional/Administrative Services/Outreach	75,000
Telephone	4,000	Managers Per Diem & Expenses	20,000
Publication & Printing	5,000	Association Dues	2,000
Postage	2,000	Employee Mileage & Expenses	2,000
Employee Payroll & Fringes	274,000	Vehicle Expenses	15,000
USGS Stream Gage & Cost Share	8,500	Project Construction	50,000
Property Taxes	40,000	Stream Maintenance	3,500
		<b>Total</b>	<b>551,500</b>
		Less Estimated Project Expenses (1)	301,600
		<b>Net Administrative Fund Budget</b>	<b>249,900</b>

2) that the Secretary certify to the Auditors of Marshall, Polk, Pennington, Kittson and Roseau Counties a proposed Administrative Fund Levy of **\$249,900**.

3) that the Secretary certify to the Auditors of Marshall, Polk, Pennington, Kittson and Roseau Counties a proposed Project Fund Levy of .04836 percent of the estimated Market Value of all the taxable property within the District.

4) that the Secretary certify to the Auditors of Marshall, Polk and Pennington Counties proposed levies for the repair and maintenance of the Ditch funds as listed:

<u>Drainage System No</u>	<u>Percent (Benefits)</u>	<u>Levy Projected Receipts</u>
JD #1		
Marshall	1.00%	4,970
Polk	4.00%	126,750
WD #2		
Marshall	0.00%	0
SD #3		
Marshall	5.00%	4,920
WD #4		
Marshall	0.00%	0
Polk	0.00%	0
WD #5		
Polk	.50%	12,840
BRF	5.519%	141,740
WD #6		
Polk	1.00%	19,400
BRF	4.69%	90,990
WD #7		
Marshall	4.00%	12,180
Polk	2.00%	680
WD #7-Imp		

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Marshall	0.00%	0
Polk	5.00%	2,710
JD #14		
Marshall	25.00%	11,230
Pennington	25.00%	5,090
JD #15		
Marshall	1.00%	15,350
JD #16		
Marshall	2.00%	18,580
JD #17		
Marshall	0.00%	0
Polk	0.25%	1,560
JD #20		
Marshall	0.50%	11,770
JD #21		
Marshall	0.00%	0
JD #24		
Marshall	0.00%	0
Polk	0.00%	0
JD #25-I		
Marshall	22.00%	3,780
Polk	10.00%	3,220
JD #25-II		
Marshall	1.00%	700
Polk	.50%	2,140
Pennington	0.00%	0
JD #28		
Marshall	5.00%	2,800
JD #29		
Marshall	1.00%	22,370
CD #39		
Marshall	1.00%	1,250
CD #39 Improvement		
Marshall	3.00%	3,250
CD #43		
Polk	2.00%	23,520
CD #44		
Polk	1.00%	10,010
JD #68		
Polk	0.00%	0
JD #75		
Polk	.50%	18,260
BRF	0.00%	0
CD #175		
Polk	0.50%	5,900
PL 566 (lien)		
Marshall	0.307%	35,720
PL 566 (maint)		
Marshall	0.150%	17,480
PL 566 (operation)		
Marshall	0.029%	3,380

Motion unanimously carried.

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Mr. John W Nelson stated that he has applied with the Marshall County Commissioners for reappointment to the Board of Managers. He also reported that Loren Zutz and Elden Elseth have applied.

Danny Omdahl stated a request has been received to survey approximately 1 mile on the West side of Section 5 of Angus Township. The Board directed Nick Drees and Danny Omdahl to handle the situation.

Nick Drees reported that Jim Stengrim has filed an appeal to the MN Supreme Court regarding the open meeting lawsuit he has filed against the District; and that the issue Loren Zutz's attorney fees, concerning the Stengrim open meeting lawsuit, has been granted an extension.

The next regular meetings are scheduled for August 5, 2013 and August 19, 2013, at 4:00 p.m., at the District office.

By unanimous consent, the meeting was adjourned at approximately 7:10 p.m.

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Connie Kujawa  
Recording Secretary

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Marvin Hedlund  
Secretary