

APPROVED (August 6, 2012)
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 16, 2012

The meeting was called to order by President Roger Hille. Managers Roger Hille, Doug Sorenson, David Bakke, John W Nelson, Marvin Hedlund and Alvin Nybladh were present. Manager Ben Kleinwachter was not present. Nick Drees, Connie Kujawa, Danny Omdahl and Ron Adrian were also present.

By unanimous consent, the agenda was accepted, to include under #15 Managers (1) Report.

Motion by Mr. Doug Sorenson, seconded by Mr. David Bakke that the minutes of the July 2, 2012 meeting be approved, as corrected. Motion unanimously carried.

Nate Dalager and Tony Nordby joined the meeting at approximately 4:08 p.m.

Manager, Mr. Ben Kleinwachter, joined the meeting at approximately 4:17 p.m.

The financial report was filed for audit purposes.

Motion by Mr. Marvin Hedlund, seconded by Mr. Alvin Nybladh that the following bills be paid: from the Administrative Funds: that payroll checks numbered 5354 through 5366 inclusive for a total of \$15,193.28; that checks numbered 15426 through 15460 inclusive, including the service charge for a total of \$20,440.11; from the Project funds that checks numbered 2112 through 2146 inclusive, for a total of \$778,528.62; from the RRWMB funds that check number 149 for a total of \$35,110.03 and from the Ditch Funds that checks numbered 2551 through 2559 inclusive, for a total of \$30,036.37 be paid. Motion unanimously.

The following permits were unanimously approved:

1. Permit (12-084) Angus Township to remove (2) 24" culverts and install (2) 24" culverts with the grade 6/10th lower, NE NE of Section 3 and the NW NW of Section 2, Angus Township (Motion Marvin Hedlund, seconded by John W Nelson)
2. Permit (12-085) Van Hapka to install a field crossing with an 18" culvert, West line, SE SE, Section 6, Brandt Township. (Motion Ben Kleinwachter, seconded by Doug Sorenson)
3. Permit (12-086) WJS Nelson to install a crossing, East PCSAH #70 road ditch, with an 18" culvert, (length to be determined by Polk County), SE SE of Section 14, Higdrem Township. (Motion John W Nelson, seconded by Marvin Hedlund)

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- 4. Permit (12-088) Vernon Blazejewski to install a 36" flap gate on a 36" culvert, draining North into JD #19, NW NW, Section 22, Lincoln Township. (Motion Alvin Nybladh, seconded John W Nelson)

- 5. Permit (12-089) Vernon Blazejewski to install a field crossing with a 15" culvert, West CR #114 ditch, SW SE of Section 2, Wright Township. (Motion Ben Kleinwachter, seconded Doug Sorenson)

Heidi Hughes joined the meeting at approximately 4:28 p.m.

The following permit was unanimously tabled until the affected landowners can be contacted:

- 6. Permit (12-087) WJS Nelson to install 156 acres of field drain tile; 7.5 HP (1,100 GPM) pump in SE corner, SE4, Section 22 of Oak Park Township. (Motion David Bakke, seconded Ben Kleinwachter)

There were no guests present.

Correspondence from the Minnesota Department of Agriculture to the US Army Corps of Engineers regarding RPG-002-MN; from the Minnesota Department of Agriculture regarding a Conservation Drainage Field Day and Workshop; and a Notice from the Minnesota Viewers Association scheduling the July Seminar.

A discussion was held concerning the Army Corps of Engineers RPG-002-MN regarding certain tiling and farmed wetland activities, and the comments submitted by the Minnesota Department of Agriculture. Nick Drees was directed to prepare a draft resolution addressing the comments of the Minnesota Department of Agriculture and present it to the Board at the next regular meeting.

Loren Zutz joined the meeting at approximately 4:55 p.m.

The proposed 2013 budget was distributed and reviewed, It was the consensus of the Board to increase the Equipment budget to \$53,300 and eliminate the Project Construction budget.

Motion by Mr. John W Nelson, seconded by Mr. Alvin Nybladh that the hearing on the proposed 2013 budget be scheduled for 4:15 p.m., August 20, 2012 and that the 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 2013 Administrative Funds Budget be set at:

Building Maintenance	5,000	Miscellaneous	1,000
Utilities	5,500	Insurance	15,000
Supplies/Equipment	53,300	Legal/Professional/Administrative Services	70,000
Telephone	4,000	Managers Per Diem & Expenses	20,000

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Publication & Printing	5,000	Association Dues	2,000
Postage	2,000	Employee Mileage & Expenses	2,000
Employee Payroll & Fringes	325,000	Vehicle Expenses	15,000
USGS Stream Gage & Cost Share	8,500	Project Construction	0
Property Taxes	25,000	Stream Maintenance	4,500
		Total	562,800
		Less Estimated Project Expenses (1)	312,800
		Net Administrative Fund Budget	250,000

2) that the Secretary certify to the Auditors of Marshall, Polk, Pennington, Kittson and Roseau Counties a proposed Administrative Fund Levy of **\$250,000**.

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	5.773%	148,260
WD #6		
Polk	.50%	9,700
BRF	4.90%	95,170
WD #7		
Marshall	4.00%	12,180
Polk	2.00%	680
WD #7-Imp		
Marshall	0.00%	0
Polk	2.00%	1,080
JD #14		
Marshall	25.00%	11,230
Pennington	25.00%	5,090
JD #15		
Marshall	.50%	7,670
JD #16		
Marshall	1.00%	9,290
JD #17		
Marshall	0.00%	0
Polk	0.25%	1,560
JD #20		

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Marshall	0.00%	0
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	0.00%	0
Polk	1.00%	4,280
Pennington	0.00%	0
JD #28		
Marshall	5.00%	2,800
JD #29		
Marshall	1.00%	22,370
CD #39		
Marshall	3.00%	3,770
CD #39 Improvement		
Marshall	5.88%	6,370
JD #68		
Polk	0.00%	0
JD #75		
Polk	6.00%	219,200
BRF	2.787%	101,820
CD #175		
Polk	0.00%	0
PL 566 (lien)		
Marshall	0.316%	36,770
PL 566 (maint)		
Marshall	0.100%	11,650
PL 566 (operation)		
Marshall	0.030%	3,460

Motion unanimously carried.

Nick Drees reported on the following:

1. Judicial Ditch #20 - that the grass strip has been seeded, with the exception of two tracts that will be seeded upon the removal of the crop.
2. Judicial Ditch #75-the Notice of Award has been issued and executed and the contract documents will be signed shortly;
3. Judicial Ditch #14-that the reconvened hearing was held on June 25, 2012, and the Order of the Board has been prepared and is ready for Board signature;
4. Judicial Ditch #1-the District staff has done some staking and some landowners on the Eastern end will need to be contacted regarding their crops and that the District is waiting to receive permission from the State's of North Dakota and Minnesota to perform the proposed works at the outlet of Judicial Ditch #1.

Jeff Hane joined the meeting at approximately 5:45 p.m.

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Loren Zutz taped this portion of the meeting.

5. Judicial Ditch #25-1-the District has been informed that the Stengrim property has been sold and the current owner is requesting a crossing be installed on the West side of the property in place of replacing the bridge in the SE corner of Section 1, McCrea (Strip) Township.

Nick Drees was directed to send a letter to Dennis Strand stating the District is willing to replace the bridge, in the SE corner of Section 1, McCrea Township, with a 48" culvert, provided the District is granted permission to enter the property and that the fill is supplied by the landowner. He is also to inform the landowner that any additional crossings would need to follow the permitting policies of the District.

6. Judicial Ditch #16-the hearing on the Petition to add lands to the benefitted area of Judicial Ditch #16 is scheduled for tonight, at 7:00 p.m., at the Bremer Bank.

Heidi Hughes updated the Board on the bird sightings at the Agassiz Valley Water Resource Management Project and other upcoming activities scheduled at the Agassiz Audubon Sanctuary.

Heidi Hughes left the meeting at approximately 6:12 p.m.

Nick Drees reported that a majority of the Easements and Warranty Deeds for the Brandt/Angus Impoundment Project have been signed and returned to the District. He stated the checks have been cut to the individuals and the documents will be recorded with the Polk County Records Office.

It was the consensus of the Board, that the District Administrator, the Engineer, and the Contractor for the Brandt/Angus Impoundment determine the best approach to replace the two culverts on the township road that have been damaged during construction.

Jeff Hane reported that the taxation of costs on the open meeting lawsuit filed against the District by Jim Stengrim are due no later than August 14th, 2012; that a letter and itemized statements have been received from a law firm representing Elden Elseth seeking reimbursement of Attorney fees. Jeff Hane informed the Board the District does not have statutory authority to pay since the payments to Elden Elseth's Attorney were paid by his insurance; and that a request for documents has been sent to Paul Sortland, who represented Loren Zutz and he has not received a response.

Jeff Hane requested the District have written agreements with Michal Sands and Dennis Strand regarding the replacement of the bridge in the SE corner of Section 1, McCrea (Strip) Township.

The Red River Watershed Management Board meeting is scheduled for July 17, 2012, at 9:30 a.m., at the Sand Hill Watershed District, Fertile, Minnesota. The News and Views were distributed.

Nick Drees gave a brief update on the mowing, haying and spraying of the legal drains under the jurisdiction and the properties of the District. He stated he had been contacted Loren Zutz requesting to cut the grass on the adjacent land to the Agassiz Valley Water

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Resource Management Project. Nick Drees informed the Board that rather than just mow the property, it was baled and removed.

Motion by Mr. Doug Sorenson, seconded by Mr. Marvin Hedlund that the meeting be recessed and reconvened immediately following the conclusion of the Hearing on the Petition to Add Lands to the Benefitted area of Judicial Ditch #16, which is scheduled to begin at 7:00 p.m. Motion unanimously carried.

The meeting was recessed at 6:55 p.m.

Motion by Mr. Doug Sorenson, seconded by Mr. John W Nelson that the meeting be reconvened. Motion unanimously carried.

The meeting was reconvened at 7:40 p.m.

Mr. Roger Hille and Mr. Marvin Hedlund discussed the conversation they had with Ernest Pribula concerning his drainage issues in the SW4 of Section 7 of Northland Township.

Loren Zutz addressed the Board regarding him baling and removing the hay from the Agassiz Valley Water Resource Management Project.

By unanimous consent, the meeting was adjourned at approximately 7:58 p.m.

Connie Kujawa
Recording Secretary

Marvin Hedlund
Secretary