

July16(a)2018.min

APPROVED (as corrected August 6, 2018)
**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. July 16, 2018**

The meeting was called to order by President John W Nelson. Managers John W Nelson, David Bakke, Robert Kovar, Brad Blawat, Bill Petersen and Roger Mischel were present. Joel Praska, LeRoy Vonasek, Tony Nordby, Dillon Nelson, Jeremy Misselhorn, Nick Pribula, John Kippen, Brady Johs, Dean Peterson, Kyle Schломann and Connie Kujawa were also present.

Motion by Mr. Roger Mischel, seconded by Mr. Brad Blawat that the agenda be approved, as amended with the addition of Radio Ad and the removal of item #1 under the RRWMB and permit #4. Motion unanimously carried.

Loren Zutz joined the meeting at approximately 8:32 a.m.

Motion by Mr. Robert Kovar, seconded by Mr. David Bakke that the minutes of the July 2, 2018 meeting be approved, as corrected, contingent upon approval from the District Attorney that the Resolution to Incorporate the Summary of Watercourses into the Overall Plan can be amended. Motion unanimously carried.

The financial report was reviewed and filed for audit purposes.

Loren Zutz left the meeting at approximately 8:45 a.m.

Motion by Mr. Bill Petersen, seconded by Mr. Brad Blawat that the following bills be paid: from the Administrative Funds, that payroll checks numbered 6229 through 6240 inclusive for a total of \$15,301.71; that checks numbered 17951 through 17979 inclusive, including ACH withdrawal and service charge for a total of \$20,082.64; from the Project funds that checks numbered 2910 through 2918 inclusive, for a total of \$25,375.31; from the RRWMB Fund, check #186 for a total amount of \$309,967.90; and from the Ditch Funds that checks numbered 3197 through 3204 inclusive, including the service charge, for a total of \$29,183.45 be paid. Motion unanimously carried.

Brady Johs, Brady-Martz and Associates, presented and reviewed the 2017 financial audit performed on the District finances.

Motion by Mr. Bill Petersen, seconded by Mr. Roger Mischel to accept the 2017 Financial Audit performed by Brady-Martz & Associates, and copies be distributed to those known to be interested in receiving a copy and to those required by Statute. Motion unanimously carried.

Brady Johs left the meeting at approximately 9:05 a.m.

The following permit was unanimously tabled until the public hearing is held to determine if the land qualifies to be in the benefited area of Judicial Ditch #16:

1) Permit (18-023) of Northern Plains Track to install 3 acres of drain tile, 1 HP (155 GPM) pump; ½" drainage coefficient; 20' spacing, S2 NE4, Section 36, Warrenton Township. (Motion by Mr. Robert Kovar, seconded Mr. David Bakke).

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The following permits were unanimously approved:

2) Permit (18-045) to Mark McGregor to clean & regrade W twp road ditch of 250th Ave NW & S ditch line of Sec 8 Comstock Twp; to build a levee along 250th Ave NW & N side of S line of ditch; E2, Sec 8, Comstock Twp. (Motion by Mr. Brad Blawat, seconded Mr. David Bakke).

3) Permit (18-022) to Helgeland Township & Numedal Township to replace a 36" x 40' CL culvert, same size, same elevation, and move ~ 70' S of the existing culvert, on range line common to Section 13 Helgeland and Sec 18, Numedal Townships. (Note: Loren Zutz stated he had no objections to the work.) (Motion by Mr. Robert Kovar, seconded Mr. Roger Mischel).

4) Permit (18-046) to Wayne Torgerson to clean & re-establish original grade of N township road ditch (190th St NW); to repair & replace 36" field crossing culvert on S line, S2, Section 17, Brislet Township. (Motion by Mr. Bill Petersen, seconded Mr. Robert Kovar).

5) Permit (18-048) to Dean Peterson to install 98 ac drain tile; ¼" coefficient, 80' spacing; connecting to existing system in NE4, SE4, Section 18, Brislet Township. (Motion by Mr. David Bakke, seconded Mr. Roger Mischel).

6) Permit (18-050) to Randy Huderle to install (2) 18" field drain SWI culverts w/flap gates on South line, S2, Section 5, Brandt Township, contingent upon NRCS approval. (Motion by Mr. Robert Kovar, seconded Mr. David Bakke).

7) Permit (18-051) to Joel Osowski to install 154 ac drain tile; 7.5 hp (1100 gpm) VFD pump; 3/8" coefficient; 50' spacing, NE4, Section 34, Oak Park Township. (Motion by Mr. Bill Petersen, seconded Mr. Robert Kovar).

Dean Peterson left the meeting at approximately 9:45 a.m.

8) Permit (18-052) to Joel Osowski to install 153 ac drain tile; 7.5 hp (1081 gpm) VFD pump; 3/8" coefficient; 50' spacing, NW4, Section 35, Oak Park Township. (Motion by Mr. Roger Mischel, seconded Mr. Brad Blawat).

9) Permit (18-053) to Joel Osowski and Mark Nelson to install 231 ac drain tile; 10 hp (1633 gpm) VFD pump; 3/8" coefficient; 50' spacing, NE4 & N2 SE4, Section 35 Oak Park Township. (Motion by Mr. David Bakke, seconded Mr. Roger Mischel).

10) Permit (18-054) to Joel Osowski to install 154 ac drain tile; 7.5 hp (1088 gpm) VFD pump; 3/8" coefficient; 50' spacing, SW4, Section 26, Oak Park Township. (Motion by Mr. Brad Blawat, seconded Mr. Robert Kovar).

11) Permit (18-056) to Kevin Gjovik to install 1 ac drain tile in farmyard; 0.5 hp (19 gpm) pump; 1" coefficient; 50' spacing, SW4, Section 33, Big Woods Township. (Motion by Mr. Roger Mischel, seconded Mr. Robert Kovar).

12) Permit (18-057) to Dale Hammerlund to extend permit (17-089) to install 228 ac drain tile; 15 hp (1612 gpm) pump; 3/8" coefficient; 50' spacing, SE4 & S2, NE4k, Sec 7, Vega Township. (Motion by Mr. Roger Mischel, seconded by Mr. Robert Kovar).

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Loren Zutz joined the meeting at approximately 10:10 a.m.

The following permit was denied due to the unknown elevation of the proposed levee, adjacent landowner concerns, and the works are proposing to use to use dirt from the ditch and road.

13) Permit (18-049) of Randy Huderle to construct a levee along the North bank of JD #25-2, on South line, Section 5, Brandt Township. (Motion by Mr. Bill Petersen, seconded by Mr. Roger Mischel).

The following permit was denied until additional drainage information along CR #144 is obtained:

14) Permit (18-055) of Cary Osowski to install 141 ac drain tile; 7.5 HP (996 GPM) VFD pump, 3/8" coefficient; 50' spacing, SE4, Section 26, Oak Park Township. (Motion by Mr. David Bakke, seconded Mr. Brad Blawat).

John Kippen left the meeting at approximately 10:15 a.m.

Administrator Praska reported the Polk County Zoning Authority will not require a permit for the proposed work on Polk County Ditch #175 and that they reviewed the plans and are fine with the proposed work.

A discussion was held concerning the spoil height on the Improvement to Polk County Ditch #175. After a lengthy discussion, Chairman Nelson directed Engineer Nick Pribula, Pribula Engineering, to incorporate in the plans, the elevation of the road and spillways and to remove existing swales and maintain 1' spoil elevation below road height on the westerly 1 mile. To maintain 1' spoil elevation below road elevation on center 1 mile.

Tony Nordby stated he has prepared the cost estimate to repair the sloughing on the South side and a portion of the North side of Judicial Ditch #1, in sections 17 & 20 of Higdem Township. He also stated there are 6 culverts, (3) 36" and (3) 24" culverts along CR #22 that could be replaced and incorporated as part of the project and that funding may be available through the Polk County SWCD for the culvert work.

Motion by Mr. Bill Petersen, seconded by Mr. Robert Kovar that Houston Engineering be directed to advertise for bids for the Repair of Judicial Ditch #1, in sections 17 & 20 of Higdem Township. Motion unanimously carried.

Administrator Praska reported the mower hired to mow the Judicial Ditch #25-1 grass strip hit a solar fence charger owned by Dustin Kalt and he also mowed approximately 170 corn stalks owned by Loren Zutz. Administrator Praska stated he determined the damages to the corn to be \$22.00 and to replace the fencer would be approximately \$408.00.

Loren Zutz presented a receipt, from Dustin Kalt, for the cost of a new solar fencer, in the amount of \$406.13. He also stated he does not want to be reimbursed for the damaged corn and stated the District should be following the rules regarding the grass strips as set forth by BWSR and Minnesota Statute. He stated he had planned to hay the grass strip, however, the District had the grass strip mowed.

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Loren Zutz also stated the District does not have an easement with him on Section 3 of Comstock (Strip) Township and Section 9 of Helgeland Township and requested this be straightened out. He also stated a fraud lawsuit will be forthcoming against the District.

Loren Zutz left the meeting at approximately 11:40 a.m.

Tony Nordby gave an update on the Swift Coulee Project Team meeting held on July 10, 2018 and inquired if he should proceed with preparing a budget and alternatives. It was the consensus of the Board that Tony Nordby proceed with preparing a budget and alternatives.

Administrator Praska distributed a map depicting the areas, within the District, that will be sprayed for cattails and brush.

Dillon Nelson reported the Step 1 submittal for the Newfolden/Middle River Project has been submitted to the Red River Watershed Management Board and Nate Dalager will present the project to the Red River Watershed Management Board on July 17, 2018.

Tony Nordby reported a Project Team meeting, on the Judicial Ditch #19 RCPP project has been scheduled for August 2, 2018, at 10:00 a.m., at the Viking Diner, to assess Review points 2 and 3 and alternatives.

Dillon Nelson left the meeting at approximately 12:20 p.m.

Motion by Mr. Bill Petersen, seconded by Mr. Robert Kovar that the hearing on the proposed 2019 budget be scheduled for 10:00 a.m., August 20, 2018, at the District office, and that the Administrative Assistant publish the Notice of Hearing on the District's proposed budget for two consecutive weeks, in the newspapers within the District, as presented:

1) the Proposed Administrative Funds Budget:

Building Maintenance	40,000	Miscellaneous	700
Utilities	5,500	Insurance	28,000
Supplies/Equipment	16,000	Legal/Professional/Administrative Services	53,000
Telephone	5,000	Managers Per Diem & Expenses	25,000
Publication & Printing	6,000	Association Dues	7,416
Postage	2,000	Employee Mileage & Expenses	3,000
Employee Payroll & Fringes	268,000	Vehicle Expenses	12,000
USGS Stream Gage & Cost Share	8,500	Project Construction	14,184
Property Taxes	56,000	Stream Maintenance	3,500
		Total	553,800
		Less Estimated Project Expenses	(303,800)
		Net Administrative Fund Budget	250,000

Motion unanimously carried.

Administrator Praska reported Brent Silvis has applied for unemployment benefits through the District. He stated, on behalf of the District, he filed an appeal with the Minnesota Department of Unemployment.

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Administrator Praska reported he received a written request from Eric Johnson and Neil Johnson that the District not mow any ditches along their property, specifically along Judicial Ditch #1, County Ditch #43 and Judicial Ditch #20. He stated the Johnson Brothers have stated they will take responsibility for the mowing. A discussion was held concerning liability issues. Administrator Praska was directed to prepare a Release of Claims for Eric Johnson and Neil Johnson to sign.

Administrator Praska reported he has been contacted by Radio Station 90.1 to see if the District would be interested in running an ad in support of returning troops. The Board stated they had no interest in running an ad.

It was announced the Red River Watershed Management Board meeting is scheduled for July 17, 2018, in Wheaton, Minnesota.

The following meetings were announced:

August 6, 2018-Regular Meeting, 8:30 a.m., District Office
August 6, 2018-Public Hearing-Petition of JD #16, 10:00 a.m., District Office
August 20, 2018-Regular Meeting, 8:30 a.m., District Office

By unanimous consent, the meeting was adjourned at approximately 12:35 p.m.

Connie Kujava
Recording Secretary

David Bakke
Secretary