

APPROVED (August 4, 2014)

WHEREAS: in an Order dated the 21st day of July, 2014, the Board of Managers did confirm the Report of the Viewers Redetermining the Benefits of Judicial Ditch #25-1, as amended, which amendment was pursuant to a stipulated settlement agreement reached in the respective appeals in the following cases:

NOW THEREFORE BE IT RESOLVED that the following Order be made;

1. That the damages for the establishment of the grass strip be paid to the owners as listed on the current tax roll, or as indicated in the public records;
2. That the Engineer is directed to have the grass strip seeded in accordance with the engineer's report;
3. That the repair funds be established for the Redetermined Judicial Ditch #25-1 as follows:
 - a. Judicial Ditch #25-1 Repair Fund consisting of the balance of the funds in Judicial Ditch #25-1 Repair Fund (Marshall County) and all funds received from the properties in Marshall County for the repair and maintenance of the Judicial Ditch #25-1 as found in Marshall County;
 - b. Judicial Ditch #25-1 Repair Fund consisting of the balance of the funds in Judicial Ditch #25-1 Repair Fund (Polk County) and all funds received from the properties in Polk County for the repair and maintenance of the Judicial Ditch #25-1 as found in Polk County;
 - c. Judicial Ditch #25-1 Repair Fund (Pennington County) from the properties in Pennington County for the repair and maintenance of the Judicial Ditch #25-1 as found in Pennington County;
4. That all costs and expenses incurred in the Redetermination of Benefits and all future costs and expenses be paid from the respective repair funds for Judicial Ditch #25-1 on the basis of the portion of the respective benefits in the County.
5. That the tabular lien statement of Redetermined Benefits as approved be updated to reflect the current ownership and forward it to the auditors of the respective counties and used for further collection for each county.
6. That the costs of the Redetermination as incurred by the District be assessed against the Redetermined Ditch.

Motion unanimously carried.

Danny Omdahl reported:

1. That there are numerous beaver dams along Judicial Ditch #28 and the process to remove them is ongoing;
2. That the survey of 2 miles of Judicial Ditch #75 has been completed and Houston Engineering is in the process of preparing an estimate of costs to reslope the ditch;
3. That an area of sloughing has occurred on the north side of Judicial Ditch #1, west of Polk County #22 and that Houston Engineering will view the area and provide a recommendation to the Board;
4. That a contractor has been retained to remove the sediment from old County Ditch #7, in Section 14 of Sandsville Township;

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5. That a contractor has been hired to begin repairing the sloughing areas along Judicial Ditch #20 at the NE4 section 12 Vega Township.
6. That there are erosion issues along Judicial Ditch #15, Branch B adjacent to CSAH #14, sections 6 and 5 Viking Twp. Tony Nordby, of Houston Engineering, stated to repair the side slopes to a 4:1 would be approximately \$110,000 to \$115,000 and that additional right-of-way would need to be purchased. It was the contention of the Board to discuss this issue with Marshall County and explore cost sharing measures.

No action was taken on the following permits since no additional supporting information has been provided:

1. Permit (14-022) of Robert Wesolowski to clean the ditch, N side of the NRR track, SW4 of Section 13 and SE4 of Section 14; to replace 48" CSP under the township road, section line 13/14 of Comstock Township.
2. Permit (14-047) of Lein Schiller to repair the dike along the north and south side of the Middle river in the NE4 of section 1 of Bloomer Township and the NW4; NE4 SW4; SE4 SW4 of section 6 of Middle River Township.
3. Permit (14-050) of Kent Bennitt to install 3 lines of drain tile on approximately 18 acres; 3/8" drain coefficient, with an outlet under a trail road thru 8" pipe, SW4, Section 17, Foldahl Township.

Motion by Mr. Ben Kleinwachter, seconded by Mr. Tom Neibauer that permit (14-054) of Lyle Silbernagel to increase the culvert size, or to add a culvert, at the E2 NW4, Section 9, East Park Township, be denied. Motion unanimously carried.

The following permits were Administratively approved and reviewed:

1. Permit (14-055) MN Department of Transportation to remove an existing 24" x 36' culvert, East side of US Hwy #75, and replace with a 24" x 50' culvert, same elevation and location, SE4, Section 34, Tamarac Township.
2. Permit (14-056) MN Department of Transportation to remove an existing 24" x 40' culvert, East side of US Hwy #75, and replace with a 24" x 70' culvert, same elevation and location, SW4, Section 16, Tamarac Township.
3. Permit (14-059) MN Department of Transportation to remove a failing 18" farm drive culvert, East side of US Hwy #75, install a new 18" culvert at the same elevation and location, NE4 SW4, Section 20, Sinnott Township.
4. Permit (14-060) MN Department of Transportation to remove a failing 24" township road approach culvert on the West side of US Hwy #75 and install a new 24" culvert, same elevation and location, SW4 SW4, Section 8, Sinnott Township.
5. Permit (14-061) MN Department of Transportation to remove a failing 36" township road approach culvert, East side of US Hwy #75, install a 36" culvert, same elevation and location, SW4 SW4, Section 8 of Sinnott Township.

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6. Permit (14-063) McCrea Strip Township to replace a 48" centerline culvert with a 48" culvert in S2, Section line 5-4, McCrea Township.

No action was taken on Permit (14-057) Brandon Langass to remove a failing N/S 24" high flow centerline culvert and replace with the same size, same elevation on section line 32/5 Lind/East Park Township; to replace a failed E/W 24" township centerline culvert from the NW4 of Section 5 with a 24" at the same grade and location, pending the drainage area is determined by Houston Engineering.

The following permits were unanimously approved:

1. Permit (14-062) Shaun Beauclair to install (1) 18" culvert with trap in the SW4 SE4 and (1) 18" culvert with trap in the SW4 SW4 of Section 20 of Holt Township to drain waters southerly into Marshall County Ditch #40. (Motion Ben Kleinwachter, seconded by Tom Neibauer)
2. Permit (14-064) Jarod Peterson to move a crossing ~ 1000' and remove a 30" concrete culvert, replace with a 30" steel culvert, SW4, Section 14, Brislet Township. (Motion Ben Kleinwachter, seconded by David Bakke)
3. Permit (14-066) Johnson Farms to move a 24" culvert and lower the outlet end 1', intersection of 240th St NW & 350th Ave NW, N side of road; install a crossing with an 18" culvert ~ 60' E of same intersection; move an existing crossing and 18" culvert N to property line, Section 23, Warrenton Township. (Motion David Bakke, seconded by Tom Neibauer)
4. Permit (14-067) Nathan Peterson to clean west Marshall CSAH ditch #34; move crossing with a 24" CSP to SW corner of the SW4, widen crossing, Section 16, McCrea Township. (Motion Ben Kleinwachter, seconded by Tom Neibauer)
5. Permit (14-068) Nathan Peterson to clean and slope ditch to outlet; move crossing and 18" CSP from middle of quarter to the SW corner, SW4 Section 33, Alma Township. (Motion Ben Kleinwachter, seconded by Tom Neibauer)

Permit (14-065) of Joe Bienek to install 127 acres drain tile in Section 34 of Wright Township was removed by the applicant.

Motion by Mr. Ben Kleinwachter, seconded by Mr. Tom Neibauer that the hearing on the proposed 2015 budget be scheduled for 4:15 p.m., August 18, 2014 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 2015 Administrative Funds Budget be set at:

Building Maintenance	5,000	Miscellaneous	1,000
Utilities	5,500	Insurance	20,400
Supplies/Equipment	24,000	Legal/Professional/Administrative Services	55,000
Telephone	4,000	Managers Per Diem	22,000

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Publication & Printing	5,000	& Expenses	
Postage	2,000	Association Dues	2,600
Employee Payroll & Fringes	245,000	Employee Mileage & Expenses	4,000
USGS Stream Gage & Cost Share	8,500	Vehicle Expenses	15,000
Property Taxes	43,000	Project Construction	50,000
		Stream Maintenance	3,500
		Total	529,640
		Less Estimated Project Expenses (1)	279,640
		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 .036270 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	2.00%	63,370
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	.10%	2,560
BRF	5.266%	135,220
WD #6		
Polk	1.00%	19,400
BRF	4.47%	86,800
WD #7		
Marshall	4.00%	12,180
Polk	2.00%	680
WD #7-Imp		
Marshall	0.00%	0
Polk	5.00%	2,710
JD #14		
Marshall	25.00%	11,230
Pennington	25.00%	5,090
JD #15		
Marshall	4.00%	61,420
JD #16		
Marshall	2.00%	18,580
JD #17		
Marshall	0.00%	0
Polk	0.25%	1,560

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JD #20		
Marshall	1.00%	23,540
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	0.282%	32,830
PL 566 (maint)		
Marshall	0.150%	17,480
PL 566 (operation)		
Marshall	0.029%	3,380

Motion unanimously carried.

Nick Drees distributed and briefly reviewed the Project Coordinator Report.

The Outreach Coordinator Report was distributed.

Motion by Mr. David Bakke, seconded by Mr. Ben Kleinwachter, at approximately 5:59 p.m., to recess the regular meeting and reconvene the hearing on the Redetermination of Benefits of Judicial Ditch #14. Motion unanimously carried.

The hearing on the Redetermination of Benefits of Judicial Ditch #14 reconvened at approximately 6:02 p.m., July 21, 2014, and recorded, at the District Office. Jonathan and Lisa Hams, Garret and Mary Reiersen, Kathryn Renwick, Don Dyrdal, Tony Nordby, Shaun Beauclair, Danny Omdahl, Mike Van Horn, Carl Roger Van Horn, Connie Kujawa,

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Nick Drees, Ron Adrian, Rolland Miller, Roger Hille, Ben Kleinwachter, David Bakke, Tom Neibauer, Jerry Bennett and Jeff Hane were present.

Jerry Bennett reported that an amended Viewers report and map has been prepared and distributed to those landowners wishing to receive it.

The Board heard testimony from those in attendance.

Motion by Mr. Ben Kleinwachter, seconded by Mr. Tom Neibauer that the hearing on the Redetermination of Benefits of Judicial Ditch #14 be recessed and be reconvened on September 2, 2014, at 6:00 p.m., at the District office. Motion unanimously carried.

Motion by Mr. David Bakke, seconded by Mr. Tom Neibauer to reopen the regular meeting of the Board of Managers. Motion unanimously carried.

The regular meeting was reopened at approximately 7:49 p.m.

Motion by Mr. Ben Kleinwachter, seconded by Mr. David Bakke that Nick Drees be authorized to sign the Engineering Survey Agreement with Houston Engineering to conduct the hydraulic study on the Oslo Bridge. Motion unanimously carried.

Danny Omdahl announced that the Marshall County Commissioners have reappointed Mr. Ben Kleinwachter and have appointed James Jubie, to replace outgoing Manager Mr. Alvin Nybladh, to serve as Managers of the Watershed District, for a 3 year term.

Jeff Hane stated that he had nothing new to report regarding the lawsuit filed by Ron and Loren Zutz regarding the Agassiz Valley Water Resource Management Project lands; or the Open Meeting lawsuit filed by Elseth & Zutz.

Danny Omdahl discussed correspondence from City of Crookston concerning the Small Cities Development Program letter.

The next regular meetings are scheduled for August 4, 2014 and August 18, 2014, at 4:00 p.m., at the District office.

By unanimous consent, the meeting was adjourned at approximately 7:55 p.m.

Connie Kujawa
Recording Secretary

David Bakke
Assistant Secretary/Treasurer

Project Coordinator Report

July 21, 2014

RRWMB –

1. 2015 Levy – Set at 75%
2. Project Team Reimbursements – Carried over to 2015, Acceleration Grants doubled to \$10,000.
3. Project Work Team process
4. Secretary of Agriculture visit to Moorhead
5. Mountain, ND presentation
6. 3rd Annual – Red River Ag Water Issues Forum

Lands –

1. Crops doing well

Oslo Access –

2. Grant Application

WRAPS –

1. Lower Red River (Tamarac River) – Nothing new
2. Grand Marais Coulee – Nothing new
3. Snake River – Coordination between DNR and RESPEC

Project Work Teams –

1. Tamarac River – June 26th meeting Strandquist
2. Others – Does Board want to accelerate other subwatersheds

Projects –

1. Agassiz Valley
2. Brandt/Angus – Mowing started
3. AO #4 – Mowing complete
4. PL 566 – OCSS - ?
5. Birding Trail – conference call
6. NRCS Tour of WRP sites

Outreach and Education Coordinator's Report - July 07, 2014

Publicity – News writing, Photography and reports

Uplinked photos and text on facebook pages
Wrote story & took photos – placed stories for Red Board - Strathcona 7/16
Wrote story & took photos – placed story for Roseau River WD Info Meeting 7/8
Prepared MSTRWD monthly report for Red Board meeting

Meetings –

Red River Watershed Management Board Meeting 7/15
Laurie Fairchild USFWS regarding native seed for Agassiz Valley
Shannon Mortenson City of Warren re: diversion (fitness route)
Attended Roseau River Watershed Info Meeting 7/8

Education

Course syllabus & did photo research for fall classes at U-ND OLLI migration
@ impoundments
See attached OLLI evaluation report for the bird program at the impoundment

Birding Trail

Set up meeting w/ Stephen City Council
Met w/ Ethel Thorlacius (Stephen) about US 75 Byway and Stephen participation
Collected parking area info for Pollinator Garden at Agassiz Audubon property
Meeting w/ Rob Sip MDA re producer Pollinator enhancements @ Agassiz Valley
Conference call w/ DNR, Explore MN, Pine to Prairie Birding Trail, Audubon MN
Prepared updated financial report requested by Northwest Minnesota Foundation
Prepared overview of existing trails in NW Minnesota for Ron Harnack