

APPROVED (as corrected June 19, 2017)
**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. June 5, 2017**

The meeting was called to order by President Ben Kleinwachter. Managers John W Nelson, Roger Mischel, David Bakke, Robert Kovar, Ben Kleinwachter, Bill Petersen and Brad Blawat were present. Connie Kujawa, Brent Silvis, Tony Nordby, Danny Omdahl, Kyle Schlomann, Shawn Bubb, Troy Schroeder, Cameron Fanfulik, LeRoy Vonasek, Jeremy Misselhorn, Neil Peterson, Nate Dalager and Rolland Miller were also present.

Motion by Mr. Robert Kovar, seconded by Mr. Roger Mischel that the agenda be approved, as amended, with the addition of Investments, Swift Coulee and changing item #6 under Ditches to JD #29 and the wording on permit (17-040). Motion unanimously carried.

Motion by Mr. Roger Mischel, seconded by Mr. Robert Kovar that the minutes of the May 15, 2017 meeting be approved, as corrected. Motion unanimously carried.

Troy Schroeder, representing the City of Warren, stated the City of Warren has received funding to install a 10' bituminous bike path. The proposed bike path would be along US Hwy 75 S and along the PL-566 diversion ditch. He stated the timeline to construct the path is approximately 4 years. He also stated the City would be responsible to maintain the bike path and install signage stating the path would not be accessible to motorized vehicles.

Motion by Mr. John W Nelson, seconded by Mr. Bill Peterson to allow the City of Warren to install a 10' bituminous bike path provided there is no cost or liability issues to the Watershed District, and that the responsibility of maintaining the path lies with the City of Warren. Motion unanimously carried.

Troy Schroeder and Cameron Fanfulik left the meeting at approximately 8:49 a.m.

Administrator Silvis reported that Robert Wesolowski would like to clean the sediment within railroad right of way in the SW4 of Section 14, Comstock Township. He stated Robert has contacted the railroad and they are requiring he obtain written permission from the Watershed District to perform the sediment removal. Administrator Silvis was directed to furnish Robert Wesolowski with a letter stating the District has no objections to the proposed work.

A discussion was held with Shawn Bubb regarding the request to install 3 surface water inlet risers in the E2 NE4, Section 32 of Sandsville Township.

The following permit was unanimously tabled until the District staff, Shawn Bubb and Agassiz Drain Tile review different designs and options to control the surface water inlet risers:

1. Permit (17-028) Shawn Bubb to install 74 acres of tile, 10 HP (511 GPM) pump, 3/8" coefficient; 35' spacing, (3) surface water inlet risers, E2 NE4, Section 32, Sandsville Township. (Motion by Mr. John W Nelson, seconded Mr. Brad Blawat).

APPROVED (as corrected June 19, 2017)

The following permit was unanimously tabled until the District Staff determines the natural ground elevation to tie into the neighboring dike:

2. Permit (17-029) Shawn Bubb to construct a E/W levee on the South side of 170th St NW with the dike 1' lower than the township road, E2 NE4, Section 32, Sandsville Township. (Motion by Mr. Brad Blawat, seconded Mr. John W Nelson).

The following permits were unanimously approved:

3. Permit (17-037) to Neil Peterson to install 4 acres drain tile, .5 HP (53 GPM) pump; 3/8" coefficient; 50' and 100' spacing, SE4, Section 10, Newfolden Township, provided the township ditch is cleaned from section corner 9/10 West to CD #40 (~1/4 mile); and that Administrator Silvis be authorized to Administratively approve the installation of a culvert and crossing in the SE4, Section 9, of Newfolden Township provided a permit application is submitted to the District. (Motion Mr. David Bakke, seconded Mr. Roger Mischel).

Neil Peterson left the meeting at approximately 9:25 a.m.

4. Permit (17-038) to James Widner to install 23 acres drain tile, gravity outlet with shut off gate, 3/8" coefficient; 200' and 300' spacing, SE4, Section 20, Nelson Park Township. (Motion by Mr. Robert Kovar, seconded Mr. Bill Peterson).
5. Permit (17-040) to Milo Monroe to replace an existing 24" CSP with a 36" CSP and replace an existing 36" CSP with a 42" CSP, SW4, Section 25, McCrear Township. (Motion by Mr. David Bakke, seconded Mr. Roger Mischel).
6. Permit (17-030) to Brad Johnson to install a crossing with a 24" culvert, SW4, Section 11, Oak Park Township. (Motion by Mr. John W Nelson, seconded Mr. Brad Blawat).
7. Permit (17-032) to Scott LaBine to install a 18" CSP with a flapgate under 350th St NW, into JD #29 Lateral 2, from the SE4 of Section 25 into NE4 of Section 36, Parker Township. (Motion by Mr. John W Nelson, seconded Mr. Robert Kovar).
8. Permit (17-033) to Robert Wesolowski to re-establish the spoil bank with an 18" CMP with flapgate and riprap thru the NRCS program. (Motion by Mr. David Bakke, seconded Mr. John W Nelson)
9. Permit (17-035) to Mark Judovsky to install a crossing with a 24" CSP, NW corner NE4, Section 34, Sandsville Township. (Motion by Mr. Robert Kovar, seconded Mr. John W Nelson).
10. Permit (17-039) to Thomas Kostrzewski to install a crossing with a 18" CSP and flapgate, SE4, Section 3, Wanger Township. (Motion by Mr. Brad Blawat, seconded Mr. Bill Peterson).
11. Permit (17-041) to East Park Township to remove a failing 36" RCP, install a longer 24" CSP, same grade, outletting into JD #19, SW4 SE4, Section 12, East Park Township. (Motion by Mr. Robert Kovar, seconded Mr. Roger Mischel).

APPROVED (as corrected June 19, 2017)

Eric Johnson, Neil Johnson and Jared Sands joined the meeting at approximately 9:40 a.m.

The following permits were Administratively approved and reviewed:

12. Permit (17-031) to Tabor Township to remove a E/W 36" centerline pipe, lengthen and reinstall; remove a 24" pipe, lengthen and reinstall, NW4, Section 8 Tabor Township.
13. Permit (17-036) to Aaron Knoll to remove a 24" CSP and to lengthen and install a 24" CSP with end aprons, SE4 SW4, Section 17, Comstock Township.

Administrator Silvis reported he has been in communication with Arden Lind regarding his permit request (17-012) and has been informed that Arden has not determined how much the culvert would be lowered.

The following permit was unanimously denied until Arden Lind informs the District how much the culvert would be lowered and the unresolved permit violation in the same vicinity is addressed.

14. Permit (17-012) Arden Lind to lower the sectionline culvert under 180th St NW, CR #70 to depth of the ditch; NE4 NE4, Section 27 and SE4 SE4, Section 22 of Higdem Township. (Motion by Mr. Bill Peterson, seconded Mr. David Bakke).

Administrator Silvis reported Kyle Schломann reviewed the information received from the Marshall County SWCD and according to their data it shows the grass strip on Judicial Ditch #14 appears to be 44% in compliance with the buffer law requirements. Administrator Silvis stated the SWCD staff will verify this data.

Administrator Silvis reported he received preliminary approval from the railroad to bore a 18" steel casing pipe thru Judicial Ditch #14, Branch A, in section 12 of New Solum Township. However, a permit will need to be secured from the Canadian Pacific Railroad before the work can take place. The Canadian Pacific Railroad requires a fee of \$500.00 be submitted with the permit application. He also stated he solicited for bids and the following bids were received from: Travis Plut, \$15,500.00 and RZS Construction \$29,620.00.

Motion by Mr. Bill Peterson, seconded by Mr. Robert Kovar that the District accept the low bid of Travis Plut, in the amount of \$15,500.00, to bore the culvert thru Judicial Ditch #14, Branch A in section 12 of New Solum Township and check #3073 be issued to the Canadian Pacific Railroad for the permit fee in the amount of \$500.00. Motion unanimously carried.

Administrator Silvis reported that the easement transfer documents prepared by Houston Engineering for the repair of Judicial Ditch #75 will be mailed to the respective landowners and pursuant to statute, the Notice of Hearing on the Repair of Judicial Ditch #75 will be mailed to approximately 250 landowners, this week.

Tony Nordby stated he reviewed the hydraulics of the existing arch culvert under MN Trunk Highway #220, on the Judicial Ditch #1 drainage system and by standards it appears to be undersized. He also reported he contacted the Minnesota Department of Transportation to see if this culvert could be incorporated into the MN Trunk Highway

APPROVED (as corrected June 19, 2017)

#220 repair plan currently in progress. He was informed by Shawn Groven, of the MN DOT, that this is not part of the repair and they are not looking into changing this culvert.

Eric Johnson, Neil Johnson and Jared Sands participated in a discussion with the Board and Tony Nordby on what the options are to increase the drainage capacity of the arch culvert. After discussion, Tony Nordby was directed to review this matter with the Minnesota Department of Transportation and request their participation in investigating the drainage capacity of the system and to check the entire drainage system leading up to Minnesota Trunk Highway #220.

Jared Sands inquired who has ownership of the flapgates on the 2 – 36” culverts on the west ditch on Minnesota Trunk Highway #220, in the NE4 NE4 of Section 13, Higdem Township. Administrator Silvis and Tony Nordby were directed to research the ownership of the culverts.

Eric Johnson, Neil Johnson and Jared Sands left the meeting at approximately 10:31 a.m.

Administrator Silvis reported that correspondence has been received regarding the buffer strip legislation and it appears that \$50,000 to \$200,000 in Riparian Aid will be allocated to each county and Watershed District that affirm jurisdiction to enforce the law. Assuming the Counties and Watershed District accept jurisdiction, the funds would be split by the Counties and Watershed District based on the number of miles of ditches under each jurisdiction. A resolution affirming jurisdiction based on funding made available, must be sent to BWSR by June 28, 2017. After discussion, it was decided that a sub-committee be formed to address enforcement with Polk County, Marshall County, Marshall County SWCD, Polk County SWCD and the NRCS.

Motion by Mr. Roger Mischel, seconded by Mr. Brad Blawat that Mr. John W Nelson and Mr. Robert Kovar be appointed to the Buffer sub-committee and that a meeting be scheduled with representatives from Polk County, Marshall County, Marshall County SWCD, Polk County SWCD and the NRCS to address enforcement of the buffer legislation. Motion unanimously carried.

Tony Nordby presented a proposed plan to repair the ditch and road on Judicial Ditch #29 Main, in sections 22 and 15 of Fork Township. He stated it may be possible to bump the road 16', reslope the slope to a 4:1 grade, and the material removed from the slope could be used to fill in the bottom of channel. He stated the estimated cost would be approximately \$70,000.00. Tony Nordby was directed to inform the Department of Natural Resources of the proposed work and also contact Fork Township to see if they would be willing to cost share on the repair.

Administrator Silvis reported that the Judicial Ditch #14 RCPP Project Team met on May 3, 2017 in Viking, Minnesota and progress is being made on the Purpose and Need Statement and it is very close to completion. He also reported that Nate Dalager, Ben Kleinwachter and himself met with the Canadian Pacific Railroad on May 25th, 2017 and they are willing to cooperate with the District in addressing the drainage issue through the railway, within the City of Newfalden. Nate Dalager stated a Project Team meeting and a retention tour will be scheduled within the next few months.

Administrator Silvis reported he solicited for bids to lay the 5 cement slabs for the kiosk's and received only one bid from J & N Construction, in the amount of \$1,849.82.

APPROVED (as corrected June 19, 2017)

Motion by Mr. Robert Kovar, seconded by Mr. Bill Petersen to accept the bid of J & N Construction, in the amount of \$1,849.82 for the installation of 5 cement pads. Motion unanimously carried.

Danny Omdahl reported he has calculated the amount of acres required for the buffer strip on the PL-566 OFCSS site and the March Impoundment. He stated the fall rental payment on the PL-566 OFCSS will be reduced by \$53.45 to \$1,622.59 and the March Impoundment rental payment will be reduced by \$501.00 to \$11,189.00.

Tony Nordby reported he is preparing a draft Purpose and Need on the Swift Coulee Project and he and Danny Omdahl will be communicating with landowners and townships to request damage information. He also stated the approximate cost to perform Hydrology & Hydraulics Planning and Modeling would be \$38,636.00.

One data practice request was received by email. Administrator Silvis stated he is responding to the request.

The Board directed the committee of Mr. Roger Mischel and Mr. Bill Petersen to review the recommended recruiting firms and determine which firm the District should utilize to recruit candidates for the Administrator position and present their recommendation at the next regular meeting of the Board.

A discussion was held concerning purchasing another vehicle to be used when performing the works of the District. Administrator Silvis reported the blue Suburban continues to have maintenance issues and the repair costs continue to add up. Administrator Silvis and Connie Kujawa were directed to research vehicles and report back to the Board.

Connie Kujawa requested permission to transfer funds from Bremer Bank of Warren to American Federal of Warren, due to a better rate of return on a 3 month, \$200,000.00 Certificate of Deposit. By consensus, Connie Kujawa was granted permission to transfer funds.

The Minnesota Association of Watershed District's Meeting Notice, Manual of Policy and Procedures and Bylaws were distributed.

Motion by Mr. John W Nelson, seconded by Mr. Roger Mischel that Mr. Ben Kleinwachter and Mr. David Bakke be appointed the District's Delegates and Mr. Brad Blawat be appointed the Alternate Delegate to the Minnesota Association of Watershed Districts. Motion unanimously carried.

Motion by Mr. John W Nelson, seconded by Mr. Roger Mischel that Mr. Bill Petersen be authorized as a signatory, on the District accounts, at the Bremer Bank and Frandsen Bank of Warren. Motion unanimously carried.

Administrator Silvis distributed the Red River Watershed Management Board Strategic Planning Notes and Items addressed at the planning meeting held March 21, 2017. Chairman Kleinwachter directed the Board to review the material and add discussion on the RRWMB strategic planning to the next meeting agenda.

The following meetings were announced:
June 19, 2017-Regular Meeting, District Office

Regular Meeting Minutes
June 5, 2017
Page-6

APPROVED (as corrected June 19, 2017)
June 20-FDR Meeting, RLWD, TRF
June 21-23-MAWD Summer Tour, Bemidji

By unanimous consent, the meeting was adjourned at approximately 11:45 a.m.

Connie Kujawa
Recording Secretary

David Bakke
Secretary