

March20(a)2017.min

APPROVED (as corrected April 3, 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. March 20, 2017**

The meeting was called to order by President Ben Kleinwachter. Managers John W Nelson, Roger Mischel, David Bakke, Robert Kovar and Ben Kleinwachter were present. Manager Brad Blawat was not present. Connie Kujawa, Brent Silvis, Christina Slowinski, Gayle Stoltman, Aaron Stoltman and Dillon Nelson were also present.

Motion by Mr. Roger Mischel, seconded by Mr. Robert Kovar that the agenda be approved, as presented. Motion unanimously carried.

Motion by Mr. David Bakke, seconded by Mr. Roger Mischel that the minutes of the March 6, 2017 be approved, as presented. Motion unanimously carried.

Tony Nordby joined the meeting at approximately 8:35 a.m.

The financial report was reviewed and filed for audit purposes.

Manager Brad Blawat joined the meeting at approximately 8:37 a.m.

Motion by Mr. John W Nelson, seconded by Mr. Robert Kovar that the following bills be paid: from the Administrative Funds, that payroll checks numbered 6049 through 6059 inclusive for a total of \$13,126.45; that checks numbered 17360 through 17397 inclusive, for a total of \$19,794.42; from the Project funds that checks numbered 2728 through 2737 inclusive, for a total of \$33,173.15; and from the Ditch Funds that checks numbered 3061 and 3062, including the service charge, for a total of \$19,994.63 be paid. Motion unanimously carried.

Randy Knott joined the meeting at approximately 8:40 a.m.

The following permits were unanimously approved:

1. Permit (17-004) to Stoltman Farms to install 240 acres drain tile; 3/8" coefficient; 50' spacing; gravity outlet; 18" steel outlet pipe with a gate; NW4 and W2 NE4, Section 5, Bloomer Township. The District tiling conditions also apply. (Motion by Mr. John W Nelson, seconded Mr. Robert Kovar).
2. Permit (17-006) to Stoltman Farms to extend permit (13-031) for two years; to install 320 acres drain tile; 3/8" coefficient; 50' spacing; 10 VFD (2272 GPM) pump, NE4 and NW4, Section 8, Bloomer Township. (Motion by Mr. John W Nelson, seconded by Mr. Roger Mischel).

The following permit was tabled until the District staff meets with Stoltman Farms to determine the height of the proposed dike.

3. Permit (17-005) of Stoltman Farms to install 160 acres drain tile; 3/8" coefficient; 50' spacing; 7.5 VFD (1136 GPM) pump outletting thru a 24" CSP under the twp road, SE4 SW4, NE4 SE4 & S2 SE4, Section 30, Parker Township; and to build

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a dike along the South side of SE4 SW4 of Section 30, Parker Township. (Motion by Mr. John W Nelson, seconded by Mr. Brad Blawat).

Gayle Stoltman and Aaron Stoltman left the meeting at approximately 9:05 a.m.

Administrator Silvis distributed samples of some buffer resolutions regarding accepting or waiving jurisdiction over buffer enforcement. He stated it is his understanding that if the Watershed District does not accept jurisdiction now, it could at a later date, however, Marshall County can choose to enforce the buffer law on the Watershed District systems. The Board took no action on this matter but will address it at a later date.

Administrator Silvis reported he has sent draft agreements to the townships of Sandsville, Farley, Northland and Tabor Townships in regards to the repair and transfer of right of way on Judicial Ditch #75. He stated he has been contacted by a representative of Farley Township and they are willing to cooperate with the land acquisition, however, he has been informed by the Sandsville Township Chairman that Sandsville Township may not be in favor of working with the District on the repair. Administrator Silvis stated he will continue to communicate with the affected townships.

Chuck Steer joined the meeting at approximately 9:25 a.m.

Administrator Silvis reported the District has received a grant agreement from the Minnesota Board of Soil and Water Resources to cover ½ the cost of the PRAP assessment being performed by Keystone Waters LLC.

Motion by Mr. Robert Kovar, seconded by Mr. Roger Mischel that the Chairman be authorized to execute the grant agreement with the Minnesota Board of Soil and Water Resources. Motion unanimously carried.

Administrator Silvis announced a Newfolden/Middle River Project Team meeting is tentatively scheduled for April 24, 2017.

Dillon Nelson, HDR Engineering, reported he will be working with Administrator Silvis to coordinate meetings with the landowners to discuss potential retention locations and to obtain landowner feedback regarding the flooding in the vicinity of the City of Newfolden and that he will be contacting the Canadian Pacific Railroad to present the proposed project to them.

Randy Knott, HDR Engineering, reported that he met with District staff employee, Danny Omdahl, to view the drainage issue in the vicinity of the Rick Confer residence, Section 17 of Angus Township. Randy Knott suggested a low ring dike be installed around the property starting at the approach on County Road #23 and continuing on the East and South side of the property, tying into 260th Ave North. He stated a dike would also be built on the field side to divert the waters around the property. After discussion, it was decided the District staff survey the area and HDR Engineering provide an estimate of cost for the proposed work.

Chuck Steer left the meeting at approximately 10:10 a.m.

Administrator Silvis reported he sent a letter along with the Findings and Order, prepared by Attorney Jeff Hane, to Lind Brothers regarding the permit (16-061) violation, and that Lind Brothers have not yet responded.

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Motion by Mr. John W Nelson, seconded by Mr. Robert Kovar that Mr. Ben Kleinwachter be appointed the District's representative to the Red River Watershed Management Board, for a three year term. Motion unanimously carried.

Motion by Mr. David Bakke, seconded by Mr. John W Nelson that Mr. Roger Mischel be appointed the District's alternate representative to the Red River Watershed Management Board, for a three term. Motion unanimously carried.

Administrator Silvis stated he is in the process of drafting a letter addressing the concerns outlined in the letter received from the Marshall County Commissioners, dated March 8, 2017. The Board directed Administrator Silvis to schedule a joint meeting with the Marshall County Commissioners and the MSTRWD Board of Managers.

It was announced that managers, Ben Kleinwachter and John W Nelson and Administrator Silvis will be attending the Minnesota Legislative Breakfast and Reception scheduled for March 29th-March 30th, 2017, in St. Paul, Minnesota.

Administrator Silvis reported the District court has ruled on the summary judgement, regarding the WD vs Zutz et al, JD #25-1 grass strip right of entry lawsuit, in favor of the Watershed District. He stated the District's Attorney will be filing a document with the District court to collect some of the District's costs related to this matter.

The following meetings were announced:

- March 21, 2017-RRWMB-9:30 a.m., Courtyard by Marriot, Moorhead
- March 22-23, 2017-RRWMB/FDRWG Conference-Courtyard by Marriott, Moorhead
- March 29-30-MAWD Legislative Reception/Breakfast, Embassy Suites, St. Paul
- April 3, 2017-Regular Meeting, 8:30 a.m., District Office
- April 10, 2017-PRAP Workshop, 1:00 p.m., Bremer Bank, Warren
- April 17, 2017-Regular Meeting, 8:30 a.m., District Office
- June 21-23, 2017-MAWD Summer Tour, Bemidji

By unanimous consent, the meeting was adjourned at approximately 10:53 a.m.

Connie Kujawa
Recording Secretary

David Bakke
Secretary