

March3(a)2014.min

**APPROVED (as corrected March 17, 2014)**  
**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. MARCH 3, 2014**

The meeting was called to order by President Roger Hille. Managers Roger Hille, John W Nelson, David Bakke, Tom Neibauer, Alvin Nybladh and Ben Kleinwachter were present. Manager Marvin Hedlund was not present. Nick Drees, Connie Kujawa, Heidi Hughes, Tony Nordby, Rolland Miller, Ron Adrian, Danny Omdahl, LeRoy Vonasek and Loren Zutz were also present.

Loren Zutz taped the meeting with a recorder.

Motion by Mr. John W Nelson, seconded by Mr. Alvin Nybladh that the agenda be accepted, as amended, to include under #11 RRWMB (2) Joint Conference (3) Legislative Breakfast; and # 14 Legal (2) Open Meeting Lawsuit #2 (3) Managers Lawsuit). Motion unanimously carried.

Motion by Mr. Ben Kleinwachter, seconded by Mr. David Bakke that the minutes of the February 18, 2014 meeting be approved, as corrected. Motion unanimously carried.

Jon Hapka joined the meeting at approximately 4:05 p.m.

Loren Zutz inquired if the Board had any questions regarding the rebuttal letter that was submitted by himself and Elden Elseth to the Minnesota Board of Soil and Water Resources and the District regarding the matter of the Redistribution of Managers.

Peter Erickson joined the meeting at approximately 4:12 p.m.

Richard Bergeron joined the meeting at approximately 4:20 p.m.

Motion by Mr. Ben Kleinwachter, seconded by Mr. John W Nelson that permit (14-002) of Peter Erickson to install 426 acres drain tile; 3/8" coefficient, 100' spacing, to a pumped outlet with (2) 10 HP VFD pumps (280 GPM), in the North Half of Section 6 and the Southwest Quarter of Section 6, Viking Strip Township, be tabled until the applicant, affected landowners and Watershed District staff can meet and discuss the drainage issue. Motion unanimously carried.

Peter Erickson and Jon Hapka left the meeting at approximately 4:35 p.m.

Communications from the Northwest Regional Development Council and the International Water Institute stating their support for the Birding Trail; and from Rinke Noonan requesting comments for their services with the District, were distributed.

Heidi Hughes reported on the following activities:

1. That she has received a proposal from the Fish and Wildlife Service to conduct a prescribed burn, in the spring, at the Agassiz Audubon at a cost of \$5,000 which will be paid by the Prairie Partnership grant;
2. That she prepared News Releases concerning the town hall meeting held by Dan Fabian and the Red Board appearance of Collin Peterson;

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3. That the notice of the Informational Meeting on the Redetermination of Benefits of Judicial Ditch #14, scheduled for March 6, have been mailed to the affected landowners and other agencies;
4. That the Marshall County Central School will be bringing students to the Beach Ridge, in the spring, to identify plant species;
5. That the Osher Life Long Institute at the University of North Dakota is interested in partnering on future programs at the Beach Ridge;
6. That she has been contacted by the King of Trails Scenic Byway (US 75) Committee stating they are interested in extending the Birding Trail to the South border of Minnesota and Iowa;
7. That the University of Minnesota-Twin Cities is assisting in the development of the pollinator garden along the ridge of the Agassiz Valley Water Resource Management Project;
8. That the University of Minnesota is featuring an article in their magazine showcasing the students who have been working on some projects at the Audubon Sanctuary;
9. That Overtail Power and PKM Electric are collaborating on the kestrel project in Crookston and there will be a story in the Grand Forks Herald as part of the Birding Trail;
10. That Shannon Stassen, City Administrator for the City of Crookston will be sending a letter to collaborate with the District on the Birding Trail.

Danny Omdahl reported:

1. Judicial Ditch #14 Redetermination of Benefits – Informational Meeting is scheduled for March 6, 2014, at 1:00 p.m., at the Newfolden Community Center;
2. Judicial Ditch #14, Branch C-an individual has inquired about the process to extend Branch C.

The Memorandum of Understanding and Fee-For-Services Agreement with the Agassiz Audubon Sanctuary was reviewed.

Nick Drees reported that he discussed the Tamarac (Nelson Slough) project at the Flood Damage Reduction Work Group meeting that was held in Bemidji.

Loren Zutz and Richard Bergeron left the meeting at approximately 4:58 p.m.

Nick Drees gave a brief report on the Mediation Agreement with the Red River Watershed Management Board and the Flood Damage Reduction Work Group.

It was announced that the Red River Watershed Management Board meeting is scheduled for March 18, 2014, at the University of Minnesota-Crookston; the Red River Watershed Management Board and Flood Damage Reduction Work Group Joint Conference is scheduled for March 25-26, 2014, in Detroit Lakes; and the Legislative Breakfast will be held March 19-20, 2014, in St. Paul, Minnesota.

It was reported that a few Marshall County Commissioners and Polk County Commissioners are meeting to address lines of communications and other issues pertaining to the Watershed District.

The Draft Revised District Personnel Policy was reviewed. It was the consensus of the Board to forward the Draft to the District's Legal Counsel for review.

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Motion by Mr. John W Nelson, seconded by Mr. Ben Kleinwachter that the Chairman and Assistant Secretary be authorized to execute the Joint Powers Agreement with the Red River Watershed Management Board. Motion unanimously carried.

Danny Omdahl reported that interested persons are inquiring about haying the ditch systems of the District. The Board stated that the adjacent landowners should be allowed to hay the ditches before other interested individuals.

Nick Drees gave a brief report on the Como Township Watershed Restoration and Protection Strategies (WRAPS).

It was reported that the Administrator position of the District, has been posted internally, and one application has been received.

Nick Drees reported:

1. That the Open Meeting Lawsuit #1 appeal for attorney fees by Loren Zutz was denied by the State Court of Appeals;
2. That the Open Meeting Lawsuit #2-trial is scheduled for some time in December 2014;
3. That the Manager Lawsuit (Zutz/Elseth v Stroble/Nelson) - the summary judgment filed by the defendant's was granted by the District Court and that the Plaintiff's have asked the District Judge for a review.

The next regular meetings are scheduled for March 17, 2014 and April 7, 2014, at 4:00 p.m., at the District office.

By unanimous consent, the meeting was adjourned at approximately 6:10 p.m.

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Connie Kujawa  
Recording Secretary

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David Bakke  
Assistant Secretary/Treasurer