

March6(a)2017.min

APPROVED (March 20, 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 6, 2017**

The meeting was called to order by President Ben Kleinwachter. Managers Ben Kleinwachter, David Bakke, Roger Mischel, John W Nelson and Brad Blawat were present. Manager Robert Kovar was not present. Tony Nordby, Connie Kujawa, Brent Silvis, Christina Slowinski, Danny Omdahl, Jeremy Misselhorn, Rick Confer Jr, LeRoy Vonasek and Richard Abrahamson were also present.

Motion by Mr. Roger Mischel, seconded by Mr. John W Nelson that the agenda be approved, as amended, to include JD #75 Repairs to Ditches and Omdahl bids and plans to Projects. Motion unanimously carried.

Rolland Miller joined the meeting at approximately 8:33 a.m.; Manager Robert Kovar joined the meeting at approximately 8:34 a.m., and Nate Dalager joined the meeting at approximately 8:34 a.m.

Motion by Mr. David Bakke, seconded by Mr. Brad Blawat that the minutes of the February 21, 2017 meeting be approved, as corrected. Motion unanimously carried.

Rick Confer Jr discussed the flooding occurring at his residence in Section 17 of Angus Township. He stated the water from the recent snow melt cannot go south past his yard if the ditches are plugged with snow, causing it to pool in his yard. The Board directed Nate Dalager and Danny Omdahl to work on a solution to the flooding issue and present their proposal to the Board at a future meeting. Rick also mentioned that he had property damage in an outbuilding. Administrator Silvis asked Rick to provide him with a detailed list.

Rick Confer Jr left the meeting at approximately 8:47 a.m.

Richard Abrahamson reported he has been in contact with Ruth Anne Frankie, Minnesota Department of Natural Resources, concerning the drainage within the Florian Water Management Area, in section 23 of Wright Township. He stated he has been informed by Ruth Anne Frankie that the DNR has nothing planned, due to funding, to address the issue. The Board directed Administrator Silvis to schedule a meeting with Minnesota DNR and contact Senator Dan Fabian.

Richard Abrahamson left the meeting at approximately 9:03 a.m.

The following permit was unanimously approved:

1. Permit (17-003) to Rolland Miller to install 140 ac drain tile; 1/4" coefficient; 40' spacing; gravity fed outlet with a control structure; install a 15" steel outlet pipe with flap gate; NW4, Section 14, Vega Township. The District tiling conditions also apply. (Motion by Mr. John W Nelson, seconded Mr. Robert Kovar).

Jeremy Misselhorn left the meeting at approximately 9:07 a.m.

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Administrator Silvis reported the documents requested by Eric Johnson, regarding Judicial Ditch #1 have been forwarded to him.

Nate Dalager reviewed the proposal of HDR Engineering for engineering services for the Newfolden/Middle River Subwatershed Flood Damage Reduction Project, being referred to as Task Order #1. The proposed project will move forward with refining the alternatives and reducing the list of alternatives to resolve chronic flooding within the Middle River sub-watershed and to address removing the City of Newfolden from the 100 year floodplain.

Motion by Mr. David Bakke, seconded by Mr. John W Nelson that the Chairman execute the proposal, as submitted by HDR Engineering, for engineering services at an approximate cost of \$92,292.00, for the Newfolden/Middle River Subwatershed Flood Damage Reduction Project. Motion unanimously carried.

Administrator Silvis distributed the draft Ditch Repair Cooperation and Reimbursement Agreement, prepared for the Townships of Tabor, Sandsville, Northland and Farley Townships, for the Repair of Judicial Ditch #75. Administrator Silvis was directed to forward the draft to Tony Nordby of Houston Engineering, Attorney Jeff Hane and the townships for their review.

Administrator Silvis reported the following bids for land rental were received and publically opened on March 3, 2017, at the District office.

Brandt/Angus (Part of S2, Sec 18 & Part of Sec 19, Brandt Twp) (~60 Acres) 3 Year Term (2017, 2018, 2019)	
Stroble Farms	\$580.00
PL-566 (Part of SE4, Sec 2; Part of SW4, Sec 2, Boxville Twp (~32.19 Acres) 3 Year Term (2017, 2018, 219)	
Joe Pierce	\$10,200.00
PL-566 (Part of E2, Sec 31 and Part of Sec 6, McCrea Twp; Part of SE4, Sec 1, Boxville Twp) (62.3 Acres) 3 Year Term (2017, 2018, 2019)	
Travis Nelson	\$3,178.00
Arlyn Stroble	\$14,500.00

Motion by Mr. John W Nelson, seconded by Mr. Roger Mischel to accept the bid of Stroble Farms, in the amount of \$580.00, for Part of the S2 of Section 18 and Part of Section 19, Brandt Township, for a three year term, consisting of approximately 60 acres. Motion unanimously carried.

Motion by Mr. David Bakke, seconded by Mr. Robert Kovar to accept the bid of Joe Pierce, in the amount of \$10,200.00, for part of SE4 and Part of the SW4 of Section 2 of Boxville Township, for a three year term, consisting of approximately 32.19 acres. Motion unanimously carried.

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Motion by Mr. Brad Blawat, seconded by Mr. Robert Kovar to accept the bid of Arlyn Stroble, in the amount of \$14,500.00, for Part of E2 of Section 31 and part of Section 6, McCrea Township and part of SE4 of Section 1, Boxville Township, for a three year term, consisting of approximately 62.3 acres. Motion unanimously carried.

Nate Dalager left the meeting at approximately 9:45 a.m.

Administrator Silvis distributed the Contract Agreement prepared by RESPEC for Phase 2 of the Middle Snake WRAPS project. Administrator Silvis reported the contract states that the District's approval is contingent on the District receiving funding and an approved contract from the Minnesota Pollution Control Agency.

Motion by Mr. Robert Kovar, seconded by Mr. Roger Mischel that the Chairman execute the Contract Agreement with RESPEC, for Phase 2 of the Middle Snake WRAPS project, contingent upon the District receiving funding and an approved contract from the Minnesota Pollution Control Agency. Motion unanimously carried.

Administrator Silvis stated he received the following bids for retrofitting the lighting of the Omdahl house to LED. Contractor A: \$686.72 (no ballast work noted); Contractor B: \$691.00; and Contractor C: \$1,043.00.

Motion by Mr. Roger Mischel, seconded by Mr. John W Nelson that the District accept the bid of Contractor B, in the amount of \$691.00, to retrofit the lighting in the Omdahl house. Motion unanimously carried.

Chairman Kleinwachter stated that he and Administrator Silvis met with Heidi Hughes and a Board Member of the Agassiz Audubon Sanctuary. They stated a meeting between the Watershed District and the Agassiz Audubon Sanctuary Board should be scheduled to address funding, plans for the property and other matters. It was the consensus of the Board, that the Districts AAS committee consisting of Robert Kovar, Brad Blawat and Ben Kleinwachter schedule a meeting with the Agassiz Audubon Board.

Administrator Silvis reported that Jeff Hane has prepared the Findings and Order addressing the permit violation of Lind Brothers. Administrator Silvis stated he is waiting for a response from Rich Sanders of Polk County.

A discussion was held concerning the public hearing held by the Marshall County Commissioners on March 2, 2017. The audio of the hearing was distributed.

Connie Kujawa was directed to cancel two of the three rooms reserved for March 30th, at the Embassy Suites in St. Paul, Minnesota.

Administrator Silvis reported the Summary Judgement Hearing regarding the WD vs Zutz et al lawsuit, regarding the JD #25-1 grass strip right of entry issue was held on March 1, 2017, via telephone. He stated the District Court Judge has 60 days to make a determination if he will allow a brief to be filed by Zutz's Attorney.

The following meetings were announced:

March 6, 2017-Regular Board Meeting, 8:30 a.m., District Office

March 8, 2017-Permit & Drainage Committee, 10:00 a.m., District Office

Regular Meeting Minutes

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March 20, 2017-Regular Board Meeting, 8:30 a.m., District Office

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

June 21-23, 2017-MAWD Summer Tour, Bemidji

By unanimous consent, the meeting was adjourned at approximately 11:05 a.m.

Connie Kujawa
Recording Secretary

David Bakke
Secretary