

May15(a)2017.min

**APPROVED (as corrected June 5, 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. May 15, 2017**

The meeting was called to order by President Ben Kleinwachter. Managers John W Nelson, Roger Mischel, David Bakke, Robert Kovar, Ben Kleinwachter and Bill Petersen were present. Manager Brad Blawat was not present. Connie Kujawa, Brent Silvis, Dean Peterson, Dillon Nelson, Tony Nordby, Heidi Hughes, Sheila Hoerner, Danny Omdahl and Kyle Schломann were also present.

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

Motion by Mr. David Bakke, seconded by Mr. Robert Kovar that the minutes of the May 1, 2017 meeting be approved, as corrected. Motion unanimously carried.

The financial report was reviewed and filed for audit purposes.

Rolland Miller joined the meeting at approximately 8:35 a.m.

Jerad Sands joined the meeting at approximately 8:35 a.m.

Motion by Mr. John W Nelson, seconded by Mr. Roger Mischel that the following bills be paid: from the Administrative Funds, that payroll checks numbered 6073 through 6082 inclusive for a total of \$13,448.50; that checks numbered 17433 through 17466 inclusive, and including the check order charge, for a total of \$26,745.46; from the Project funds that checks numbered 2748 through 2754 inclusive, for a total of \$29,639.89; and from the Ditch Funds that checks numbered 3067 and 3072, including the service charge, for a total of \$5,462.02 be paid. Motion unanimously carried.

Sheila Hoerner, representing the Agassiz Audubon Sanctuary, reported that Administrator Silvis and Manager Robert Kovar attended the Agassiz Audubon Sanctuary Board meeting, held April 28, 2017. Ms. Hoerner distributed a list of the works performed by Heidi Hughes, a recommended list of priorities for the properties owned by the District, referred to as the Omdahl property, and reported that internet service is now available at the property. She also requested that the District write a newspaper article clarifying to the public that the Agassiz Audubon Sanctuary is paying Heidi Hughes salary. She also requested the District install signs citing which areas are inaccessible or closed for safety reasons. The Board directed Ms. Hoerner to provide Administrator Silvis with the amount of signs needed.

David McGlynn joined the meeting at approximately 9:07 a.m.

Dean Peterson addressed the Board concerning the beaver problem on the Northeast side of the Omdahl property. He stated the beavers are continuously plug the 30" culverts along 190th St NW. He requested permission to contact Richard Abrahamson to trap the beavers. By consensus, the Board granted Dean Peterson to contact Richard Abrahamson to remove the beavers.

Dean Peterson left the meeting at approximately 9:07 a.m.

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The following permits were unanimously approved:

1. Permit (17-026) to David and Steve McGlynn to install a flapgate on the inlet side (east) 36" CSP, on JD #29 Main, SW4 SW4, Section 18 Parker Township. (Motion by Mr. Robert Kovar, seconded Mr. Bill Petersen).
2. Permit (17-027) to Joel Osowski to remove a 15" culvert and install an 18" culvert, same location and grade, SW4 SE4, Section 1, Fork Township. (Motion by Mr. John W Nelson, seconded Mr. Robert Kovar).

Heidi Hughes and Sheila Hoerner left the meeting at approximately 9:08 a.m.

Eric Johnson joined the meeting at approximately 9:09 a.m.

3. Permit (17-023) to Paul Aakre to install an 18" field drain culvert with flapgate, station 202+37, north into Judicial Ditch 25-2, NE4, Section 12, Angus Township. (Motion by Mr. David Bakke, seconded Mr. Roger Mischel).
4. Permit (17-024) to Marshall County Highway Department to grade, widen, culvert replacement, ditch restoration and aggregate surfacing on County Road #104, Sections 5 and 8, Boxville (Strip) Township. (Motion by Mr. Bill Petersen, seconded by Mr. Robert Kovar)
5. Permit (17-025) to Virgil Olson to repair the South slope of State Ditch #5, Section 16, Sandsville Township, provided the District contact the MN DNR and District staff set the elevation. (Motion by Mr. Robert Kovar, seconded by Mr. John W Nelson)

David McGlynn left the meeting at approximately 9:40 a.m.

The Board took no action on the following permit and it remains tabled due to the applicant not responding to the request of Administrator Silvis for additional information.

6. Permit (17-012) of Arden Lind to lower the section line culvert under 180th St NW, CR #70 to depth of the ditch; NE4 NE4, Section 27 and SE4 SE4, Section 22, Higdem Township. This permit was tabled due to the application not listing how much lower the culvert would be lowered; this permit will need approval from Polk County, and due to the unresolved permit violation in the same vicinity.

Eric Johnson and Jared Sands inquired if the Highway #220 bridge's waterway over Judicial Ditch #1 could be increased at the same time the Minnesota Department of Transportation is working on Minnesota Trunk Highway #220. They stated, in their opinion, the arch culvert is undersized. After discussion, it was the consensus of the Board that Tony Nordby, Houston Engineering, review the hydraulics upstream and downstream of the arch culvert, determine what effects the installation of drop structures into Judicial Ditch #1 would have and report back to the Board.

Administrator Silvis reported that:

- Nick Pribula, Pribula Engineering, is working on completing the Engineers Report in regards to the Polk County Ditch #175 petition.

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- The documents governing the transfer of right-of-way on Judicial Ditch #75 were sent to Attorney John Kolb and the Township's Attorney for review. John Kolb has been notified that the Township Attorney is fine with the agreement. Administrator Silvis stated before a contract is let for the project, a hearing will need to be held to review the Engineer's Report and for the Board to consider adopting the Findings and Order for the project.

Eric Johnson and Jared Sands left the meeting at approximately 10:15 a.m.

Motion by Mr. Robert Kovar, seconded by Mr. John W Nelson, that the District advertise for bids for the Repair of Judicial Ditch #75. Motion unanimously carried.

Motion by Mr. John W Nelson, seconded by Mr. Robert Kovar that the Hearing on the Repair of Judicial Ditch #75 be scheduled for June 19, 2017 at 9:00 a.m., at the District office provided the date meets the requirements of Minnesota Statutes and upon the advice from the Attorney John Kolb and if the above date does not meet Statute that it be scheduled for July 3, 2017 at 9:00 a.m., at the District office. Motion unanimously carried.

Danny Omdahl reported that staff is planning on finding a contractor for erosion repair on Watershed Ditch #7 Improvement. The Board directed the staff hire a contractor to repair the slope.

Danny Omdahl reported the following culverts are have eroded and inquired if they should be ripped and erosion control measures installed:

WD #5 - 15" culvert, Sec 9, Esther Township, station 38 + 74; 24" culvert, Sec 9 Esther Township, station 15-61; and a 15" culvert, Sec 10, Esther Township, station 50+65.

JD #75 – (2) 15" culverts, Sec 4 Esther Township, station 55 + 63 and station 32+63; (2) 36" culverts at station 128+67; and an 18" culvert at station 18+09.

The Board directed the staff to have the above culverts ripped and erosion control measures installed.

Danny Omdahl reported two culverts, 1 mile East of the Red River, on Judicial Ditch #1 have eroded. The Board directed the staff to contact the Polk County Engineer and inform them of the erosion in their right of way.

Administrator Silvis reported that Danny Omdahl and Tony Nordby viewed the sloughing occurring on the Snake River in the vicinity of the March Impoundment properties. Tony Nordby stated that before any work is performed the District needs to determine what they are trying to accomplish. He stated if it's water quality, the work would entail not only sloping the banks back but would also require stabilization to the channel bottom. However, if it's to reestablish the berm, the top portion of the bank could be sloped back to construct a berm/setback levee, which may not have much impact as the channel will naturally slough and the area to repair is small. Tony Nordby recommended the Board consider seeding the buffer strip for safety purposes and to prevent future erosion.

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Motion by Mr. Robert Kovar, seconded by Mr. John W Nelson that the District staff stake the eroded areas of Snake River channel, within the March Impoundment properties and have the areas seeded. Motion unanimously carried.

A discussion was held concerning graveling the access road North of the Off-Channel Storage site, in Section 14 of Comstock Township.

Motion by Mr. John W Nelson, seconded by Mr. Robert Kovar that the District gravel approximately 2500' feet of the Off-channel Storage Site access road, on the north line of Section 14 of Comstock Township. Motion unanimously carried.

Administrator Silvis reported that Jamey Brandon was to furnish a letter from the FSA, by today, confirming he had financing to pay the rent due on the hayland, per the rental agreement, at the Agassiz Valley Water Resource Management Project and that the District has not received the letter.

Motion by Mr. John W Nelson, seconded by Mr. Robert Kovar to allow Jamey Brandon until noon, May 19, 2017 to produce the letter from the FSA or pay the rental payment due, and if neither is received that Administrator Silvis be directed to advertise the hayland at the Agassiz Valley Water Resource Management Project for rent, for a term of three years. Motion unanimously carried.

Danny Omdahl reported a grass fire occurred at the Agassiz Valley Water Management Project on May 7, 2017 and the Warren Volunteer Fire Department responded.

Motion by Mr. Robert Kovar, seconded by Mr. David Bakke, that Mr. Bill Petersen be appointed to the Oslo/Access Steering Committee. Motion unanimously carried.

Administrator Silvis reported he is compiling the minutes of the Swift Coulee Project Team meeting held on May 4, 2017 and Tony Nordby reported he is working on the Purpose and Need Report and is incorporating the suggestions that were made by agencies and landowners.

Administrator Silvis reported he has contacted the Polk County Sentence to Serve to remove the brush around the buildings at the Omdahl property and that he is looking into getting estimates to mow the property. Mr. Roger Mischel suggested Administrator Silvis also contact Dale Loeslie for an estimate.

Connie Kujawa stated the renewal for the Professional Liability Insurance has nearly tripled from last year and the current policy expires July 1, 2017. She reported that she contacted the District's insurance agent and they are looking into quotes with other carrier's for the insurance.

Connie Kujawa reported the District received a refund from the Northwest Service Cooperative for the District's 2015 health insurance coverage. She stated, a motion was made in the past that any future refunds be distributed by the percentages in which they were paid. For the 2015 refund, the District's portion is 59.43% and the remaining 40.57% of the refund will be disbursed to the employees who had health insurance with the District in 2015.

Motion by Mr. John W Nelson, seconded by Mr. Robert Kovar that Mr. Roger Mischel and Mr. Bill Petersen work with the Administrator and the District staff to determine what

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outside employment firm should be utilized to assist in recruiting candidates for the Administrator position. Motion unanimously carried.

Dillion Nelson, HDR Engineering, informed the Board that as part of the 5 year plan on the Brandt/Angus wetland mitigation site, the District will need to spray the cattails this spring or summer. Mr. Nelson will work with the staff to determine the necessary works.

The following meetings were announced:

- May 16, 2017-RRWMB, 9:30 a.m., Sand Hill Watershed District
- May 22, 2017-Newfolden Project Team, 8:30 a.m., Newfolden Community Center
- May 31, 2017-JD #14 Project Team, 9:30 a.m., Viking Café
- June 6, 2017-Regular Meeting, 8:30 a.m., District Office
- June 21-23-MAWD Summer Tour, Bemidji

By unanimous consent, the meeting was adjourned at approximately 11:10 a.m.

Connie Kujawa
Recording Secretary

David Bakke
Secretary