

APPROVED (as corrected June 6, 2011)
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. MAY 16, 2011

The meeting was called to order by President Doug Sorenson. Managers Doug Sorenson, John W Nelson, Ben Kleinwachter and Marvin Hedlund were present. Managers Roger Hille, David Bakke and Alvin Nybladh were not present. Nick Drees, Connie Kujawa, Danny Omdahl, Ron Adrian, LeRoy Vonasek, Tony Nordby, Loren Zutz, Wallace Diedrich, Jim Stengrim, Milt Gowan, Chad Anvinson, Craig Jones, Tom Kallock, Jim Nelson and Mark Nelson were also present.

Jim Stengrim and Loren Zutz recorded the meeting.

Motion by Mr. Ben Kleinwachter, seconded by Mr. John W Nelson that Connie Kujawa be appointed the recording secretary for purposes of keeping the minutes of the meeting. Motion unanimously carried.

Manager, Roger Hille, joined the meeting at approximately 4:02 p.m.

Danny Omdahl requested to add permit (11-018) to agenda item #8 (Permits).

Motion by Mr. Marvin Hedlund, seconded by Mr. Ben Kleinwachter that the agenda be accepted as amended to include under agenda item #8 (Permits) the permit application #11-018. Motion unanimously carried.

Motion by Mr. Ben Kleinwachter, seconded by Mr. Marvin Hedlund that the minutes of the May 2, 2011 meeting be approved, as presented. Motion unanimously carried.

Jim Stengrim addressed the Board during the open forum, regarding the following: a letter he received from the District Administrator; response he received from the Executive Director of the Minnesota Association of Watershed Districts stating the 2011 Summer Tour is for MAWD members and guests; questioned the hearing held on the Outlet Petition for the Brandt/Angus Project; the Public Access Policy under review by the Board; a bill from Rinke-Noonan paid from Ditch funds; and the Joint Meeting held with the Red Lake Watershed District. He also distributed a newspaper article.

Loren Zutz addressed the Board about the Districts response to his question on what the procedure would be to remove lands from the PL-566 benefitted area; stated he presented the District Administrator with a letter written by himself and Elden Elseth to Mr. Jerry VonKorff; stated he wants the District to provide him a crossing on the Snake River, in section 11 of Comstock Township; and stated he was "kicked" out of the office by the District Administrator, this morning.

Motion by Mr. Roger Hille, seconded by Mr. John W Nelson that the following permit be issued:

APPROVED (as corrected June 6, 2011)

1. Permit (11-017) to Ed Honek to install drain tile in the farmyard with a sump pump to outlet waters into Watershed Ditch #5, in the NE NE, of section 14, of Northland Township.

Motion unanimously carried.

Nate Dalager joined the meeting at approximately 4:27 p.m.

Motion by Mr. Marvin Hedlund, seconded by Mr. Ben Kleinwachter that the following permit be issued:

2. Permit (11-018) to David McGlynn to lower 3 field drain culverts approximately 6" to 1', outletting into Judicial Ditch #29 Main, in the NE4, of Section 24, of Parker Township.

Motion unanimously carried.

Craig Jones, Tom Kallock, Jim Nelson, Mark Nelson, Milt Gowan and Chad Anvinson addressed the Board regarding the Higdem Township Subordinate Service District Ditch, Watershed Ditch #7 and Watershed Ditch #7 Improvement Ditch.

A discussion was held on the procedure to increase the outlet culvert sizes on Marshall County Ditch #44, Lateral 6, Watershed Ditch #7 and the Higdem Township Subordinate Service District Ditch.

The Board recommended that a spokesperson(s) be appointed to meet with the District Administrator to address the issues of the Higdem Township Subordinate Service District Ditch.

Jeff Hane joined the meeting at approximately 5:25 p.m.

Craig Jones, Tom Kallock, Jim Nelson, Mark Nelson, Milt Gowan and Chad Anvinson left the meeting at approximately 5:26 p.m.

A letter from the Minnesota Board of Water and Soil Resources, setting the hearing date for June 9th, 2011, at 7:00 p.m., at the Bremer Bank, in Warren, Minnesota, on the District's Overall Plan was distributed.

Nick Drees reported that the data practice requests received by the District are available to those interested in reviewing them.

Nick Drees reported that some maintenance will need to be done to Watershed Ditch #7 before the grass strip is reseeded; and that he has been informed that another portion of the grass strip along State Ditch #3 has been tilled.

Motion by Mr. John W Nelson, seconded by Mr. Marvin Hedlund that the Judicial Ditch #75 BRF funds be transferred to the Judicial Ditch #75 Maintenance Fund and that the Judicial Ditch #75 BRF fund be closed. Motion unanimously carried.

APPROVED (as corrected June 6, 2011)

Nick Drees reported that he has been contacted by Chuck Steer, the renter of property upstream of the Angus Oslo #4 Impoundment, in section 26 of Helgeland Township, along Judicial Ditch #25-2, requesting the north spoil be raised to prevent waters from overtopping and leaving the Judicial Ditch #25-2.

Nick Drees was directed to check on the cost of raising the spoil, determine where the material would come from; and how much material would be needed to raise the north spoil in section 26 of Helgeland Township, and if the landowner would be willing to provide the material.

Wallace Diedrich requested that Judicial Ditch #25-2 be cleaned along his property in the NW4 of section 12 in Angus Township.

Jeff Hane reported that the Court of Appeals has determined the appeal filed by Jim Stengrim regarding the District courts decision agreeing to the District's request to drop the lawsuit against Jim Stengrim on the Agassiz Valley Water Resource Management Project Breach of Contract lawsuit is premature.

Nick Drees reported that he is in the process of getting agreements with the landowners downstream of the Agassiz Valley Water Resource Management Project to repair the Texas crossings; that the crossing on the Peterka property on the south inlet ditch of the Agassiz Valley Water Resource Management Project has been repaired and that the Texas crossing on section line 2/11 of Comstock Strip, on the north inlet ditch, will be repaired as soon as the water recedes.

Loren Zutz stated he would like the Texas crossing in section 11 of Comstock Township be repaired which he feels washes out due to waters of the PL-566 Off Channel Storage Site.

Nick Drees stated that because of the change of course of the North Inlet Ditch, a parcel of land was purchased from Marlene Sommers for the Agassiz Valley Water Resource Management Project that was not needed for the project and recommended that the property be deeded back to Marlene Sommers.

Jeff Hane was directed to research the legalities of deeding the property back to Marlene Sommers.

Nick Drees reported that the comment period to respond to the District's Overall Plan has expired. He stated that the responses submitted by the agencies have been addressed and that the hearing has been scheduled for June 9, 2011, at 7:00 p.m., at the Bremer Bank in Warren, Minnesota.

Nick Drees reported that he and Nate Dalager were attendees at a Technical Evaluation Panel meeting concerning the Corps 404 permit dealing with the mitigation of wetlands and that it appears that naturally restored wetlands in CRP that have been restored due to the cessation of farming could be counted as mitigated wetlands for the Brandt /Angus Project. He also stated that the West Polk County SWCD may request a 60 day delay to check with regulations under the Wetland Conservation Act.

APPROVED (as corrected June 6, 2011)

A discussion was held concerning whether there would be funds available in the State Bonding Bill for the construction of the Brandt/Angus Project or if the Project would need to be built in phases.

Nate Dalager was directed to prioritize phases of construction of the Brandt/Angus Project along with the costs of each phase and that the land rights needed for construction be the first priority.

Nick Drees reported that a portion of the field ditch and riverbank of the March Impoundment, in section 14 of Sandsville Township, has eroded due to the spring flood and is in need of repair.

Nick Drees was directed to check with FEMA to see if there are disaster funds available to repair the field ditch and riverbank of the March Impoundment in section 14 of Sandsville Township.

Motion by Mr. Roger Hille, seconded by Mr. John W Nelson that the Administrative Agreement providing for the Joint Administration of the Lower Red (Tamarac & Joe) Watershed Approach Project Phase 1, which Project affects properties within the Boundaries of the Middle Snake Tamarac Rivers Watershed District, the Two Rivers Watershed District and the Joe River Watershed District be executed by the President and Secretary of the Board of Managers of the Middle Snake Tamarac Rivers Watershed District. Motion unanimously carried.

Motion by Mr. Marvin Hedlund, seconded by Mr. John W Nelson that Mr. Alvin Nybladh and Mr. Ben Kleinwachter be appointed the District's representatives to the Lower Red (Tamarac & Joe) Joint Powers Board. Motion unanimously carried.

Nick Drees announced that the Red River Watershed Management Board meeting is scheduled for May 17, 2011, at the Wild Rice Watershed District in Ada, Minnesota.

Mr. Doug Sorenson announced to the Board that Connie Kujawa, Administrative Assistant, has been an employee of the District for 23 years and he presented her with a recognition award from the District for her years of service.

Nick Drees reported that Brady-Martz is in the process of scheduling a date to present the 2010 audit report of the District's finances to the Board.

It was the consensus of the Board that Jeff Hane review the public access policy submitted by the Public Access Committee members concerning hunting on District properties, before the Board would take any action on the policy.

Jim Stengrim stated he wanted a response from Jeff Hane regarding a letter he wrote to Drenckhahn and Williams. Jeff Hane directed Jim Stengrim and Loren Zutz to put their comments and/or questions in writing and forward them to him.

APPROVED (as corrected June 6, 2011)

A discussion was held concerning office recording equipment. Nick Drees stated it appears that the cost could range from \$600 to \$1500 depending on whether the equipment would be hard-wired or portable and the number of microphones.

The Board directed Nick Drees to gather more information and check on the portability of the recording equipment and report back to the Board.

Nick Drees reported that Ernie Pribula and Don Diedrich were in the Office concerning the traps installed on the culverts on the west side of ring dike of Ernie Pribula. He stated he recommended that Ernie Pribula apply for a permit for the installation of culverts from the District.

Nick Drees reported that a letter from Jeff Hane to the Tabor Township Board of Supervisors has been sent concerning the non-compliance issue of permit (09-075), and that there has been no response from Tabor Township regarding this matter.

It was announced that the 2011 Equipment Rental Proposals will be publicly opened on June 6, 2011, at 1:00 p.m., at the District office.

The next regular meetings of the Board of Managers have been scheduled for June 6, 2011 and June 20, 2011, at 4:00 p.m., at the District office.

Motion by Mr. Ben Kleinwachter, seconded by Mr. John W Nelson that the meeting be adjourned. Motion unanimously carried.

The meeting was adjourned at approximately 7:09 p.m.

Connie Kujawa
Recording Secretary

Ben Kleinwachter
Secretary