

May19(a)2014.min

APPROVED (June 2, 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. MAY 19, 2014

The meeting was called to order by President Roger Hille. Managers John W Nelson, Alvin Nybladh, David Bakke, Marvin Hedlund, Tom Neibauer, Roger Hille and Ben Kleinwachter were present. Nick Drees, Connie Kujawa, Tony Nordby, Rolland Miller, Ron Sorvig, Danny Omdahl, Troy Schroeder and John and Connie Omdahl were also present.

Motion by Mr. Ben Kleinwachter, seconded by Mr. Marvin Hedlund that the agenda be amended, to include the addition of farming/native grasses to (11) Project Coordinator; data practice requests to (9) DPA; and Houston billings and PL-566 culvert request to (15) Administrator. Motion unanimously carried.

Motion by Mr. Marvin Hedlund, seconded by Mr. David Bakke that the minutes of the May 5, 2014 meeting, be approved, as presented. Motion unanimously carried.

The financial report was reviewed and filed for audit purposes.

Motion by Mr. Alvin Nybladh, seconded by Mr. John W Nelson that the following bills be paid: from the Administrative Funds that payroll checks numbered 5640 through 5651 inclusive for a total of \$14,230.59; that checks numbered 16168 through 16199 inclusive, including the service charge, for a total of \$37,683.57; from the Project funds that checks numbered 2364 through 2370 inclusive, for a total of \$101,468.22; and from the Ditch Funds that checks numbered 2716 through 2722 inclusive, for a total of \$5,247.21 be paid. Motion unanimously carried.

Tim Mortenson, Robert Weslowski and John Wesolowski joined the meeting at about 4:10 p.m.

The summer interns hired by the District, Anthony Long and Andrew Buell, introduced themselves to the Board.

Nate Dalager with HDR Engineering joined the meeting at approximately 4:14 p.m.

Troy Schroeder, with the Northwest Regional Development Council, gave an update on the proposed bike trail in Warren and on the Richard P Nelson Floodway and distributed a map outlining the planned route.

John Omdahl gave a brief talk on the life and legacy of Eldor and Stella Omdahl in relationship to the Agassiz Audubon Society.

Paul Aakre joined the meeting at approximately 4:28 p.m. John and Connie Omdahl left the meeting at approximately 4:55 p.m.

The following permits were unanimously approved:

1. Permit (14-017) to Pete Carlson to remove dirt from the slope of Judicial Ditch #14, Branch E in the SW4 of Section 9 and the NW4 NW4 of Section 16 to

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construct a berm along the slope of Judicial Ditch #14, on Branch E and the Main, in Section 9 and Section 16, Norden Township; and to install (5) 18" trapped, field inlet culverts, provided the berm is placed 1' lower than the height of the road. (Motion by Mr. Marvin Hedlund, seconded Mr. Tom Neibauer)

2. Permit (14-023) to Paul Aakre to install a crossing with a 42" and a 48" culvert, or equivalent, in the Gjerde Coulee, in the NW4 SE4, of Section 36, Brislet Township, with the District to set the invert elevation. (Motion by Mr. Marvin Hedlund, seconded by Mr. John W Nelson)
3. Permit (14-018) to Enbridge Energy LTD to excavate around the pipeline, within the banks of the Middle River, ~40' wide 80' long & 10' deep in the E2, section line 7/18 Foldahl Twp. (Motion by Mr. John W Nelson, seconded by Mr. Alvin Nybladh).
4. Permit (14-019) to Enbridge Energy LTD to excavate around the pipeline at Enbridge milepost 847.17895 and 847.1390, NW4 of Section 28, Viking Township. (Motion by Mr. John W Nelson, seconded by Mr. Alvin Nybladh).
5. Permit (14-020) to Steven Moen to replace a Judicial Ditch #1 30" culvert with a 30" culvert and move the culvert approximately 50' west; to lower the inlet end 6", with the District to set the grade, in the NE4 of Section 24, of Higdem Township. (Motion Mr. Marvin Hedlund, seconded Mr. David Bakke)
6. Permit (14-021) to Jarod Peterson to install a trap on a 30" culvert, Judicial Ditch #16, SW4 of Section 27 of Warrenton Township. (Motion by Mr. John W Nelson, seconded Mr. Ben Kleinwachter)

Motion by Mr. John W Nelson, seconded by Mr. Tom Neibauer that the following permit be tabled, pending receipt of further information:

7. Permit (14-022) of Robert Wesolowski to clean the ditch, N side of the NRR track, SW4 of Section 13 and SE4 of Section 14; to replace 48" CSP under the township road, section line 13/14 of Comstock Township.

Motion unanimously carried.

Ron Sorvig left the meeting at approximately 5:30 p.m.

Jerry Von Korff, of the Rinke-Noonan law firm, joined the meeting by speakerphone at approximately 5:50 p.m., to review the requirements regarding the farming of District properties in relationship to projects constructed with General Obligation Bonds.

Motion by Mr. John W Nelson, seconded by Mr. Tom Neibauer that the District hire CHS (Harvest States) to manage certain District properties provided the properties are planted with round-up ready soybeans, and that the planting is completed before June 13, 2014. Motion unanimously carried.

Nick Drees reported that the rental agreement on 20 acres of pastureland at the Agassiz Valley Water Resource Management Project has expired. It was the consensus of the Board that the rental agreement would not be renewed.

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It was announced that two data practice requests have been received. One from Park Rapids, Minnesota and another from PO Box 155, Warren, Minnesota.

The Outreach and Education Coordinators Report was distributed. A copy is attached.

Nick Drees distributed and reviewed the Project Coordinator report. A copy is attached.

Nick Drees was directed to proceed with soil borings on the Como Township section 8 WRP/RIM land.

Motion by Mr. Marvin Hedlund, seconded by Mr. John W Nelson that the District continue with the resloping works of Judicial Ditch #75, east of Section 4, in Sandsville Township and that bids are solicited for the proposed works. Motion unanimously carried.

Danny Omdahl reported:

1. A landowner inquired about repairing a crossing on Judicial Ditch #75 and who would be responsible for the costs of the repair;
2. the survey done on Judicial Ditch 15, Branch B, has been completed and will be forwarded to Houston Engineering to determine the costs to repair the erosion issue;
3. due to wet conditions, the survey along Judicial Ditch 15 in section 18 of Newfolden Township has not been completed;
4. a culvert on Judicial Ditch #25-2 in Sec 1 of Brandt Township is in need of repair and inquired if the District would expend ditch funds to repair the culvert;
5. The hearing on the Redetermination of Benefits of Judicial Ditch #14 is scheduled for May 28, 2014, at 7:00 p.m., at the Newfolden Community Center;
6. That a crossing on Judicial Ditch #16 has washed out and that the planned survey has not been completed due to the wet conditions.

Danny Omdahl was directed to work with the District Engineer, to determine the hydraulics to repair the culvert on Judicial Ditch #25-2, in Section 1 of Brandt Township.

It was announced that the Red River Watershed Board meeting is scheduled for May 20, 2014, at 9:30 a.m., at the Wild Rice Watershed District, in Ada, Minnesota. The News and Views were distributed.

Connie Kujawa reported on the information received regarding the possibility of the District obtaining a credit card. After discussion, the District will not be applying for a credit card.

A discussion was held concerning the billing of Houston Engineering for attending the District's board meetings. Danny Omdahl was directed to work out the details with Houston Engineering with the intent to limit their attendance at the meetings to one hour.

Motion by Mr. Marvin Hedlund, seconded by Mr. Tom Neibauer that the District cost share the installation of an 18" culvert, on the east side of the PL-566 embankment at a 50/50 share. Motion unanimous carried.

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Nick Drees reported that:

1. Jeff Hane is preparing a response to the claim that the District owes \$2,080.00 of costs on the judgement of \$13,000.00 awarded to Loren Zutz for attorney fees;
2. Zutz/Elseth vs Nelson/Stroble has been appealed to the Minnesota Court of Appeals by the Plaintiffs;
3. Attorney, Paula Vraa, has submitted the Answer to Complaint in regards to the claim filed by Loren Zutz and Ron Zutz concerning the rental of the Agassiz Valley Water Resource Management Project;

The next regular meetings are scheduled for June 2, 2014 and June 16, 2014, at 4:00 p.m., at the District office.

By unanimous consent, the meeting was adjourned at approximately 7:35 p.m.

Connie Kujawa
Recording Secretary

Marvin Hedlund
Secretary

Outreach and Education Coordinator's Report - May 20, 2014

Publicity – News writing & Photography

Warren Sheaf – Open House birding trail 13 May
Shorebird Blitz @ Rydell NWR – Grand Forks Herald, Northern Watch, the Honker
Uplinked photos and copy on facebook pages
Created Facebook Page for King of Trails – Agassiz Valley photos on the mast

Meetings –

US-FWS Site Visit – Agassiz Valley Project – FWS - Partners for Fish & Wildlife funding
Beach Ridge prescribed burn
US- 75 King of Trails Scenic Byway meeting in Wahpeton to discuss extending the
Aspen Parkland Birding Trail south to the Iowa border to include watersheds
from Fargo south

Education

Featured Speaker the UND - OLLI Summer program at the Grand Forks
Senior Center - Bird monitoring and education programs at Agassiz Valley
Scheduled programs for the summer w/Stephen Science Camp and social services
Big Brothers/Sisters

Birding Trail

Birding Trail Project - birding trail designers – tour the impoundments
Roseau, Ross # 7, Springbrook, Agassiz Valley, Angus Oslo 4, Parnell, Euclid
NW Regional Sustainable Development Partnership tour of Agassiz Valley
in Warren “meet/greet” 5-8pm (Bremer Bank community room)
Met w/landscape architect to design pollinator gardens/create plant
list/installation plan (@Agassiz Valley and proposal for Parnell sites)

Project Coordinator Report

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RRWMB –

- 1) Red River Basin Tour – Roseau WD – June 4 & 5
- 2) MAWD – Summer Tour – Stillwater – June 18th- 20th
- 3) Administrators meeting May 2nd Fargo
 - a. Tiling Policy
 - b. Rules and Regulations
 - c. Project Acceleration (Chuck Fritz)
 - d. Danny or Tom comments?
- 4) Project Work Team – Reimbursement – June 30th Deadline
- 5) RRRRA – Farm Bill Implementation
- 6) Discussion on individual District ability to reduce Project Levy. Finance committee is bringing to full Board. Thought on reducing to 75%

Land Rental –

- 1) Brandt/Angus – Land prep for native seed establishment. NRCS allowing (1) year (2014).
- 2) Agassiz Valley – Still working with DNR and MMB on what the rules are. There appears to be the following options –
 - a. Do nothing. Summer Fallow and seed to native grasses.
 - b. Put into Hayland.
 - c. Hire someone to farm (Farm Manager). March 15 was deadline for MST to obtain crop insurance. A Farm Manager can still obtain insurance.
 - d. Give State of Minnesota money back for the two parcels rented in 2013, to remove restrictions. Property was purchased on a 75% State, 25% local match. Property costs were between \$750 - \$900 per acre. The amount returned would split with Red Board on a 67% - 33% ratio. No go.
 - e. ~~Allow current renter to rent this year until we receive documentation from State~~

Oslo Access –

- 1) Ron Harnack reports that the grant for \$75,000 to do the “Model” (Phase 1) will be in the Senate Bonding Bill (Sen LeRoy Stumpf). MNDOT will need to supply the difference. MSTRWD will administer grant and coordinate between stakeholders

- 2) Met in Crookston April 8th with “technical committee” to discuss Phase #2 (Floodway) and discuss Phase #1 model. ND Water Commission will be asked to provide funds to assist in Phase #2 model. \$375,000 Houston Engineering estimate

WRAPS –

- 1) Snake River Watershed – RESPEC Consulting & Services has provided a contract for our approval. MPCA has agreed in principle to RESPEC’s Workplan and Budget. I have not received MPCA’s agreement as yet. Struggling with State contracting process.
- 2) Tamarac River Watershed – Nothing new to report since change in Houston’s Lead individual’s retirement and Mark Deutschman replacement.

Project Work Team –

- 1) Tamarac River Watershed – April 18th Meeting with DNR to discuss their “Opportunities and Constraints” report. Option #7 has possibilities.
 - a. Possible additional 3,000 ac/ft
 - b. Hold for a limited period
 - c. No Summer Retention
 - d. Raise/Repair Embankment – DNR would be asked to contribute to embankment repair
 - e. Change Outlet Features – to controlled
 - f. Protect Upstream Trees
- 2) Como WRP – NRCS meeting in West Fargo. Maintaining and operating a good possibility
- 3) PWT meeting scheduled for May 29 Stephen 10:00 A.M.

Projects –

- 1) Agassiz Valley –
 - a. Awaiting dry conditions to finish seeding and cleaning up. DNR continues to monitor.
 - b. Landowner Agreement – Landowner has signed.
- 2) Impoundments – Draining of sites.