

May4(a)2020.min

APPROVED (as corrected May 18, 2020)
REGULAR MEETING OF THE BOARD OF MANAGERS OF THE
MIDDLE-SNAKE-TAMARAC RIVERS WATERSHED DISTRICT
HELD VIA CONFERENCE CALL
DUE TO STATE WIDE "STAY-AT-HOME" COVID-19 ORDER
8:30 A.M. May 4, 2020

Chairman, Mr. John W Nelson, called for a roll call of Managers. Managers Bill Petersen, David Bakke, Robert Kovar, Brad Blawat, Roger Mischel and John W Nelson acknowledged their presence. Others attending the conference call were: Tony Nordby, Joel Praska, Tyler Larson, Kyle Schlomann, Connie Kujawa, Dillon Nelson, Jim Duckstad, Danny Omdahl and Dean Peterson. Chairman Nelson stated a quorum of the Board is participating and called the meeting to order.

Motion by Mr. Roger Mischel, seconded by Mr. David Bakke that the agenda be approved, as presented. Chairman Nelson called for a roll call of votes, and by unanimous vote the Board approved the agenda. Managers Nelson, Petersen, Mischel, Kovar, Blawat and Bakke voted yea, with no nay votes.

Rolland Miller joined the conference call at approximately 8:34 a.m.

Motion by Mr. Bill Petersen, seconded by Mr. Brad Blawat the minutes of the April 20, 2020 meeting be approved, as corrected. Chairman Nelson called for a roll call of votes, and by unanimous vote the Board approved the April 20, 2020 Board meeting minutes as corrected. Managers Nelson, Petersen, Mischel, Kovar, Blawat and Bakke voted yea, with no nay votes.

Motion by Mr. Roger Mischel, seconded by Mr. Robert Kovar the following permit be approved:

1. Permit (20-026) to Dean Peterson to move an existing spillway in 300th Ave NW, section line 21/22 approximately 800' South to the North ditch of CSAH #67; SE 4, Brislet Township.

Chairman Nelson called for a roll call of votes, and by unanimous vote the Board approved Permit (20-026). Managers Nelson, Petersen, Mischel, Kovar, Blawat and Bakke voted yea, with no nay votes.

Motion by Mr. Bill Petersen, seconded by Mr. David Bakke the following permit be approved, with conditions:

2. Permit (20-027) to Dean Peterson to lower an existing 18" CSP crossing culvert in the NW4 of Section 18, Brislet Township; and to regrade the South township road ditch of 200th St NW along the North line of Section 18, Brislet Township.

Chairman Nelson called for a roll call of votes, and by unanimous vote the Board approved Permit (20-027), with conditions: the District staff sets the elevation and grade. Managers Nelson, Petersen, Mischel, Kovar, Blawat and Bakke voted yea, with no nay votes.

Motion by Mr. Robert Kovar, seconded by Mr. Brad Blawat the following permit be DENIED:

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3. Permit (20-029) of Dean Peterson to remove a 42" RCP centerline culvert and install a 48" CSP with aprons under 310th Ave approach to CSAH #67, on section line 20/21, Brislet Township.

Chairman Nelson called for a roll call of votes and by unanimous vote, Permit (20-029) was DENIED, since the drainage area warrants a 42" CSP. Managers Nelson, Petersen, Mischel, Kovar, Blawat and Bakke voted yea, with no nays.

Motion by Mr. Bill Petersen, seconded by Mr. Roger Mischel the following permit be approved, with conditions:

4. Permit (20-030) to Dean Peterson to install 300 acres drain tile; 15 hp (1,410 GPM) VFD pump; 1/4" coefficient; 40' spacing; outletting to South township road ditch of 240th St NW, N2, Section 26, Warrenton Township, contingent upon the lands are petitioned into CD #21 benefited area.

Chairman Nelson called for a roll call of votes and by unanimous vote, Permit (20-030) was approved, contingent upon the lands are petitioned into the CD #21 benefited area. Managers Nelson, Petersen, Mischel, Kovar, Blawat and Bakke voted yea, with no nays.

Motion by Mr. Bill Petersen, seconded by Mr. David Bakke the following permit be TABLED:

5. Permit (20-031) Brian Jensen to move an existing 24" centerline culvert under 320th Ave, on section line 28/29 of Augsburg Township, approximately 350' South to better align with the line ditch on the East-West quarter line; and regrade the East township road ditch to drain water to new culvert location; NW4, Section 28 and NE4, Section 29, Augsburg Township.

Chairman Nelson called for a roll call of votes and by unanimous vote, Permit (20-031) was DENIED, pending the adjacent landowners and the township sign the application and the grade and elevation is specified. Managers Nelson, Petersen, Mischel, Kovar, Blawat and Bakke voted yea, with no nays.

Administrator Praska reported he has been contacted by a Marsh Grove Township Supervisor and Manager Mr. David Bakke, about water from JD #15 Main breaking out and flowing westerly across section 31 over the township road and into County Ditch #18 in Marsh Grove Township. He stated they inquired if the water overtopping the road is due to the cleaning performed on Judicial Ditch #15, Branch A. Staff was directed to investigate. Administrator Praska stated the staff surveyed the N2 NE4 of section 7 of New Solum Township, where Judicial Ditch #15 Branch B intersects with the Main and have determined there is a sediment issue for a short reach. Technician Omdahl stated the timing of the water flow could be decreased farther upstream if culverts were installed in the open swales along Branch A.

Attorney Jeff Hane, joined the conference call at approximately 9:30 a.m.

Engineer Tony Nordby stated the Red River Watershed Management Board is providing funding for Water Quality purposes and suggested the District check with them on funding of inlet culverts along Judicial Ditch #15, Branch A. The Board also directed staff to contact the Marshall County SWCD to see if they have funds available. After discussion, Managers, Mr. Bill

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Petersen, Mr. Brad Blawat and Technician Omdahl, are to schedule a meeting with Jon Hanson to discuss and derive a plan to address the drainage issue.

Manager Mr. John W Nelson, stated the District should consider performing Performance Reviews on the District staff and job descriptions be reviewed. Attorney Jeff Hane, stated typically organizations seek outside HR companies to perform the reviews. He also stated he believes the Minnesota Board of Soil and Water Resources offers this service.

Motion by Mr. John W Nelson, seconded by Mr. Roger Mischel, that Attorney Hane be directed to locate an entity who would be qualified in performing Performance Reviews of the District staff and review job descriptions. Chairman Nelson called for a roll call of votes and by unanimous vote, the motion was approved. Managers Nelson, Petersen, Mischel, Kovar, Blawat and Bakke voted yea, with no nays.

Mike Rosendahl, Mark Judovsky and the Attorney for Mike Rosendahl joined the conference call.

Administrator Praska reported November 18, 2019 the Board directed the staff to survey the line ditch in Section 6, Tabor Township, due to the filling in of the low draws. He stated due to the adverse weather conditions the survey was not completed. He stated he has been contacted by Mike Rosendahl and Mike is requesting the District survey only the W2 N2. Administrator Praska inquired if staff should also survey the West ditch of CR #66. He also reported Mark Judovsky, is the renter of the property in the S2 of Section 6, and the landowner has given permission to the District to enter the property to perform the survey on the land rented by Judovsky. Mike Rosendahl's Attorney requested the District look at points South of the line to determine if water is building up. After a lengthy discussion, the Board determined the survey work would be performed as stated at the November 18, 2019 board meeting and Mike Rosendahl and Mark Judovsky be billed for costs associated with the survey, in the amount of approximately \$1,000.00. Technician Larson stated the survey will begin today.

Mark Judovsky, Mike Rosendahl and his Attorney and Jeff Hane disconnected from the conference call.

Administrator Praska reported a large chunk of sod was found in the Judicial Ditch #75 ditch bottom, in section 4 of Northland Township. He stated after some inspection, it was found that the sod came from a slough area in section 1 of Northland Township. A discussion was held concerning how to proceed with stabilizing the ditch bottom. Engineer Tony Nordby stated the ditch appears to be undercut by approximately 4 to 5 feet. He stated installing rock structures in the ditch bottom could help stabilize the ditch bottom. The Board directed Engineer Nordby and Technician Omdahl to check the ditch upstream of the Holub residence for placement of rock structures and Administrator Praska was directed to discuss Water Quality funding options with the Red River Watershed Management Board.

Administrator Praska reported Engineer Nordby has redrawn the proposed plans to repair the slough on the South slope of Judicial Ditch #1, in section 20 of Higdrem Township using a 3:1 slope on the backslope. Administrator Praska stated he relayed the new data to Steve Nelson and Mr. Nelson is not receptive to the new plan. Engineer Nordby stated changing the slope to a 3:1 would cause approximately 2' to 3' of spoil to still cover the east/west main drain tile. He

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stated narrowing up the top spoil width and using a 3:1 slope would reduce the load on the ditch slope and could potentially remove the spoil from covering part of the east/west main drain tile.

Administrator Praska also reported he received pictures from Steve Nelson showing his 15" drain tile outlet pipe is broken and exposed, which was caused by the sluffing. The location is the south Judicial Ditch #1 slope in the NW4 Section 20 Higdem Township. A discussion was held on moving and repairing the outlet pipe as part of the repair. After discussion, the Board directed Technician Omdahl to have a conversation with Mr. Nelson to determine what he would like to see done with the overall project.

Administrator Praska reported Laudal & Sons have removed sediment from the inlets of culverts along State Ditch #3 in section 4 of Bloomer Township. He stated the 36" culvert was flowing well, however, the 24" is still approximately 70% blocked and plans are to remove the remaining sediment.

Administrator Praska reported the Contract with Lunke's Inc, to replace the inlet culverts, along State Ditch #3 in Section 34 of Parker Township and NW4 Section 3 of Bloomer Township, has been executed by the District Chairman and the documents will be mailed to Lunke's Inc for signature. He also stated the deadline for completion of the repair is July 31, 2020.

Administrator Praska reported Breidenbach Construction has resumed work on Polk County Ditch #175. He stated they are currently extending the inlet pipes, on the North ditch by 10'. He also reported that two additional inlets have been installed on the South ditch in the NW4 Section 12 Esther Township and some spillways have also been added.

Last fall, a discussion was held concerning the amount of rock riprap placed at the inlet culverts. West Polk SWCD inspected the riprap and have informed Pribula Engineering the amount of riprap in place is insufficient and more is needed. Chairman Nelson stated the spillways should be surveyed to verify they are on the ditch bottom. Technician Omdahl stated the MPCA Stormwater Permit calls for Bio Rolls and bales to be in place to prevent the movement of sediment. He stated there are no erosion measures in place. Administrator Praska is to notify the Pribula Engineering of the MPCA requirement.

Engineer Nordby reported he received the data on the survey performed on the Nelson Slough, from the District staff. He stated he has enough data to begin the preliminary design, however a few more shots are needed extending the perimeter around the slough. He also reported Terracon is expected to begin the soil borings the end of this week or next week. He also reported he broke down the Alternative Screening Document presented to the Project Team into 2 documents for submittal to the Army Corps of Engineers as Concurrent Points 2 and 3 as requested and is waiting for their response.

Administrator Praska reported Norman Lindemoen has accepted the \$1,500.00 per acre purchase price for lands in section 33 of New Maine Township for the Newfolden Project and the Purchase Agreement with Lowell Lindemoen Marital Trust has been executed. He also stated he has had conversations with Tod Strange, representing the Bret Strange Estate, and they are requesting the earnest money be increased from \$6,000.00 to \$10,000.00, for the lands in section 33 of New Maine Township. Administrator Praska informed the Board that the Strange family is also willing to sign the purchase agreement.

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Motion by Mr. Bill Petersen, seconded by Mr. Robert Kovar the Chairman and Secretary be authorized to execute the Purchase Agreement, with the Lowell Lindemoen Marital Estate, for the Newfolden Project, in Section 33 of New Maine Township.

Chairman Nelson called for a roll call of votes and the motion carried, with Managers Nelson, Petersen, Mischel, Kovar, and Blawat voting yea and Bakke abstaining.

Motion by Mr. Bill Petersen, seconded by Mr. Roger Mischel the earnest money offered to the Bret Strange Estate, be increased from \$6,000.00 to \$10,000.00, for lands in Section 33 of New Maine Township, for the Newfolden Project. Chairman Nelson called for a roll call of votes and the motion carried, with Managers Nelson, Petersen, Mischel, Kovar, and Blawat voting yea and Bakke abstaining.

Administrator Praska reported a second meeting was held on the One Watershed One Plan to discuss the grant funding available through the Minnesota Board of Soil and Water Resources to help pay for the costs associated with implementing the 1W1P. He stated the grant request would be for approximately \$236,000.00 and the deadline to submit the application to BWSR is June 12, 2020 and one of the requirements of the application is all the active participants, the District, Marshall County, Marshall County SWCD, Polk County and West Polk SWCD would need to enter into a Memorandum of Agreement and each participating member would assign a member and an alternate to the 1W1P policy committee. Administrator Praska stated he forwarded the Memorandum of Agreement to the District's Attorney Jeff Hane, for review.

Administrator Praska reported the 2019 Annual Report is nearing completion and the 2019 audit of the District finances, by Brady-Martz and Associates, is scheduled for May 11, 2020.

Marshall County Commissioner, Rolland Miller, reported Marshall County signed the Red Lake Watershed District 1W1P in February 2020.

Administrator Praska informed the Board the District's 50th Anniversary is in August and inquired if the Board wished to do something. Due to the COVID-19 pandemic, this will be addressed at a future meeting.

It was announced the Red River Watershed Management Board has started funding clean water projects and each Watershed District will be allocated \$100,000.00 to finance clean water projects upon the submission of a plan to the RRWMB. Administrator Praska was directed to see if repairs to Judicial Ditch #15 would meet the requirements.

Administrator Praska informed the Board, the District staff, is reporting to work as normal, however, the office doors remain closed to the public due to the COVID-19 pandemic and Governor Walz has extended the "stay-at-home" order to May 18, 2020.

Manager Roger Mischel gave a brief update of the Red River Management Board meeting held April 21, 2020 and the Water Quality meeting he participated in via internet.

Marshall County Commissioner, Rolland Miller, reported, as of today, there are 7 confirmed cases of the coronavirus in Marshall County.

Chairman Nelson stated, due to Covid-19 pandemic, the following meetings may be held via conference call, due to Governor Walz's stay-at home order:

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The following meetings were announced:

May 18, 2020-Regular Meeting-8:30 a.m., District Office or electronic means
June 1, 2020-Regular Meeting-8:30 a.m., District Office or electronic means

Motion by Mr. Robert Kovar, seconded by Mr. Bill Petersen the meeting be adjourned. Chairman Nelson called for a roll call of votes, and by unanimous vote the Board approved the adjournment. Managers Nelson, Petersen, Mischel, Kovar, Blawat and Bakke voted yea, with no nay votes.

The meeting was adjourned at approximately 12:20 p.m.

Connie Kujawa
Recording Secretary

Roger Mischel
Secretary