

APPROVED (May 19, 2008)
PERMIT 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 5, 2008

The meeting was called to order by President Doug Sorenson. Managers John W Nelson, Doug Sorenson, Ben Kleinwachter, Arlyn Stroble, Loren Zutz and Elden Elseth were present. Manager Alvin Nybladh was not present. Nick Drees, Connie Kalinowski, Danny Omdahl, Wallace Diedrich, Dean Peterson and Van Hapka were also present.

Wallace Diedrich taped the meeting with two recorders.

Motion by Mr. Arlyn Stroble, seconded by Mr. John W Nelson, that Connie Kalinowski be appointed the recording secretary for purposes of keeping the minutes of the meeting. Motion carried, with Mr. Loren Zutz and Mr. Elden Elseth voting no.

Loren Zutz requested the addition of the Marshall County Commissioner meetings to the agenda. He stated he would like the Board to be notified when Watershed District personnel would be attending the Marshall County Commissioner meetings and stated that the date of the next regular meeting should be corrected on the agenda to read May 19, 2008.

Motion by Mr. Ben Kleinwachter, seconded by Mr. Arlyn Stroble that the agenda be accepted as presented. Motion failed.

Motion by Mr. John W Nelson, seconded by Mr. Arlyn Stroble to amend the agenda to correct the date of the next regular meeting to read May 19, 2008. Mr. Elden Elseth offered to amend the motion to include the request of Loren Zutz to add Marshall County Commissioner meetings to the agenda.

Motion by Mr. Elden Elseth, seconded by Mr. Loren Zutz that the motion of Mr. John W Nelson and Mr. Arlyn Stroble be amended to include the request of Mr. Loren Zutz to add County Commissioner Meetings to the agenda. Motion carried, with Mr. Ben Kleinwachter, Mr. Loren Zutz and Mr. Elden Elseth voting yes, and Mr. Arlyn Stroble and Mr. John W Nelson voting no.

Motion by Mr. John W Nelson, seconded by Mr. Arlyn Stroble that the agenda be amended to correct the date of the next regular meeting and to include the addition of County Commissioner Meetings. Motion carried, with Mr. Ben Kleinwachter, Mr. Loren Zutz and Mr. Elden Elseth voting yes, and Mr. Arlyn Stroble and Mr. John W Nelson voting no.

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A discussion was held with Dean Peterson and Van Hapka regarding the request of Dean Peterson to renew permit (98-28) to construct a dike along the south side of the SE4, parallel to Polk County Road #67, in section 21 of Bristlet Township.

Nick Drees reported that the District staff conducted a survey of the township road on section line 21/22 and CSAH #67 and the farmstead in relation to the permit request of Dean Peterson.

Motion by Mr. Loren Zutz, seconded by Mr. John W Nelson that the permit (08-005) of Dean Peterson to renew the permit (98-28) be approved. A motion to amend the motion was made by Mr. Elden Elseth, seconded by Mr. Ben Kleinwachter to read 200' from the section corner to the west. Motion to amend the motion unanimously carried.

Motion by Mr. Loren Zutz, seconded by Mr. John W Nelson that the permit (08-005) of Dean Peterson to renew the permit (98-28) be amended to read that the easterly 200' of the dike, from the centerline of the township road, on section line 21/22 of Brislet Township remain 6" lower than the lowest portion of the north/south township road, with the elevation verified by the Watershed District. Motion carried, with Mr. Arlyn Stroble voting no.

Dean Peterson and Van Hapka left the meeting at approximately 5:50 p.m.

Motion by Mr. Ben Kleinwachter, seconded by Mr. Arlyn Stroble that the following permit be issued:

1. Permit (08-011) be issued to the Marshall County Highway Department to replace five culverts under MN Trunk Highway #220 and one culvert under Marshall CSAH #9, in Oak Park Township and Oak Park (Strip) Township, respectively, with the culvert size to remain the same or equivalent and the grade set at the original grade of Marshall County Ditch #44 on Laterals 1-6, in the Northwest Quarters of section 9, 16, 21, 28, 33, and 4,

Motion carried, with Mr. John W Nelson abstaining.

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

2. Permit (08-12) be issued to the Marshall County Highway Department to replace an existing 18" RCP with an 18" CMP, at the same elevation, under Marshall County Road #20, in the SE4 SE4, of section 9 of McCrea Township.

Motion unanimously carried.

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Motion by Mr. Arlyn Stroble, seconded by Mr. Elden Elseth that the following permit be issued:

3. Permit (08-013) be issued to the Marshall County Highway Department to realign and regrade CSAH #43 and to replace the 48" culvert on Judicial Ditch #14 with a 60" CSP, in New Solum Township and New Solum (Strip) Township.

Motion unanimously carried.

Motion by Mr. Elden Elseth, seconded by Mr. Loren Zutz that the following permit be issued:

4. Permit (08-014) be issued to the Marshall County Highway Department to replace an existing 24" culvert under CSAH #21 with a 24" culvert in the NE4 NE4 of section 36 of Bloomer Township.

Motion unanimously carried.

Nick Drees reported that the District received a letter from Blake Owens concerning the bids he submitted for the rental of the Agassiz Valley Water Resource Management Project. A copy of Blake Owens letter was distributed.

A discussion was held concerning the withdrawal of the bids submitted by Blake Owens.

Mr. Loren Zutz questioned whether the motions of the April 28, 2008 meeting awarding the bid for Parcel #1 to Blake Owens needed to be rescinded.

Mr. Elden Elseth stated there could be a possible violation of the Agassiz Valley Water Resource Management Settlement Agreement if the District rents Parcel #1 to a party other than Loren Zutz.

Motion by Mr. Arlyn Stroble, seconded by Mr. Ben Kleinwachter that the District honor the request of Blake Owens to withdraw all bids he submitted for the rental of the Agassiz Valley Water Resource Management properties, and award the bid of Parcel #1 to Terry Potucek the next apparent high bidder, in the amount of \$11,029.25. Motion carried, with Mr. Ben Kleinwachter and Mr. Arlyn Stroble voting yes; Mr. Elden Elseth voting no; and Mr. Loren Zutz and Mr. John W Nelson abstaining.

Nick Drees reported that he has been contacted by David Jadeke regarding the bid he submitted for the rental of the lands for Parcel #3 of the Agassiz Valley Water Resource Management lands. He reported that David Jadeke stated that he misinterpreted the amount of land for rent, however, he had read and acknowledged receipt of the addendum for Parcel #3.

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After discussion it was the consensus of the Board that the bid of David Jadeke for the rental of Parcel #3, as the apparent high bidder, remain as is.

Motion by Mr. John W Nelson, seconded by Mr. Arlyn Stroble that the President and Secretary be authorized to sign the Joint Funding Agreement with the US Geological Survey for the stream gage on the PL-566 Project, in the amount of \$14,406.00, effective October 1, 2007 to September 30, 2008. Motion unanimously carried.

Mr. Loren Zutz stated that the Board should be informed as to when the Districts Administrator attends the Marshall County Commissioner meetings, so the Board knows when or what will be discussed.

The next regular meeting of the Board was scheduled for 4:00 p.m., May 19, 2008, at the District office.

Motion by Mr. Arlyn Stroble, seconded by Mr. Ben Kleinwachter that the meeting be adjourned. Motion unanimously carried.

The meeting was adjourned at 5:21 p.m.

Connie Kalinowski
Recording Secretary

Ben Kleinwachter
Secretary