

APPROVED (as corrected December 2, 2013)
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. NOVEMBER 18, 2013

The meeting was called to order by President Roger Hille. Managers David Bakke, Alvin Nybladh, John W Nelson, Roger Hille, Marvin Hedlund, and Ben Kleinwachter were present. Manager Tom Neibauer was not present. Nick Drees, Connie Kujawa, Heidi Hughes, Tony Nordby, Rolland Miller, Robin Johnson and LeRoy Vonasek were also present.

Motion by Mr. Alvin Nybladh, seconded by Mr. John W Nelson that the agenda be accepted with the addition of Closing the Meeting at 5:30 p.m., for purposes of discussing legal strategies with the Attorney Paula Vraa regarding the Appeal of the Redetermination of Benefits of Judicial Ditch #25-1. Motion unanimously carried.

Motion by Mr. Ben Kleinwachter, seconded by Mr. David Bakke that the minutes of the November 4, 2013 meeting be approved, as presented. Motion unanimously carried.

Jessie Russ joined the meeting at approximately 4:05 p.m.

Manager Tom Neibauer joined the meeting at approximately 4:07 p.m.

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 5562 through 5573 inclusive for a total of \$12,255.84; that checks numbered 15949 through 15979 inclusive, including the service charge for a total of \$16,164.91; from the Project funds that checks numbered 2323 through 2328 inclusive, for a total of \$20,108.12; from the RRWMB funds that check number 157 for \$4,866.36; and from the Ditch Funds that checks numbered 2677 through 2682 inclusive, for a total of \$23,763.44 be paid. Motion unanimously carried.

The following permit was unanimously approved:

1. Permit (13-115) to Lloyd Kasprick to lengthen an existing crossing and relay a 24" CSP, inlet elevation to remain the same with outlet to grade, with District staff to oversee the installation, NE4 NW4, Sec 19, Angus Township. (Motion John W Nelson, seconded Ben Kleinwachter)

Harlan Boman joined the meeting at approximately 4:20 p.m.

Mike McFarland joined the meeting at approximately 4:34 p.m.

Harlan Boman reported that the Vega Township Board of Supervisors met and he reported that the Township is not willing to fund the sloughing repairs along Judicial Ditch #20. After discussion, the District agreed to spot patch the sloughing areas in the spring with the Township's responsibility to mark the road as hazardous.

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Harlan Boman, Robin Johnson, Mike McFarland and Jessie Russ left the meeting at approximately 4:50 p.m.

The following permits were unanimously approved, with conditions:

2. Permit (13-116) to Ottertail Power Company to install a crossing with a 18" CSP, North MN Trunk Highway #1 ditch, in Oslo, Minnesota, and upon MN DOT approval. (Motion John W Nelson, seconded Tom Neibauer)
3. Permit (13-118) to Preston Solberg (to place excavated fill back into the East township road; install a field drain culvert; SW4, Section 36, Comstock Township; provided signatures are received from all affected landowners and township. (Motion Ben Kleinwachter, seconded David Bakke)

The following permit was unanimously tabled, pending review by the District Engineer:

4. Permit (13-117) BNSF (to remove a 26' 2-pier bridge (68.1 sq ft) and install a 25' 1-pier bridge (48.8 sq ft) over a natural waterway, SE4 NE4, Section 6, Sinnott Township. (Motion John W Nelson, seconded Ben Kleinwachter)

Nate Dalager joined the meeting at approximately 5:07 p.m.

Heidi Hughes reported:

1. That the Agassiz Audubon is preparing a proposal to the Watershed District concerning the assets of the Audubon;
2. That she had a conversation with Senator LeRoy Stumpf concerning support for the Birding Trail;
3. That she gave a presentation to the Warren Seniors;
4. That she is doing work for the Red River Watershed Management Board as a media spokesperson and that she will be attending the Flood Damage Reduction Work Group Meetings.

Nick Drees reported:

1. Brandt/Angus Project-working on monitoring mitigated wetlands;
2. Agassiz Valley Water Resource Management Project-Houston Engineering is preparing a report on the mitigation site;
3. Tamarac Project Work Team-meeting is scheduled for December 12, 2013, at the Strandquist Community Center;
4. Red River Watershed Management Board-meeting is scheduled for November 19, 2013 at the Red River Retention Authority Office in Fargo, ND; and that Ron Osowski declined to be re-appointed as the District Representative to the Red River Watershed Management Board.

Motion by Mr. Alvin Nybladh, seconded by Mr. David Bakke that Mr. Ben Kleinwachter be appointed the District's Representative to the Red River Watershed Management Board and Mr. Alvin Nybladh remain the alternate representative. Motion unanimously carried.

Nick Drees gave a brief report on the Red River Watershed Management Board tile drainage system guidelines.

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LeRoy Vonasek and Rolland Miller stated their point of view regarding the Redistribution of Managers hearing conducted by the Minnesota Board of Soil and Water Resources held on November 13, 2013. They stated the Marshall County Commissioners will be discussing this issue at their regular meeting, on November 19, 2013.

Attorney's, Paula Vraa and John Kolb joined the meeting, per conference call at approximately 5:41 p.m.

Attorney, Paula Vraa, requested the Board close the meeting to discuss legal strategies and issues regarding the Appeal of the Redetermination of Benefits of Judicial Ditch #25-1 and that the discussion would require absolute confidentiality between her and her clients and that a frank discussion would be impossible in an open setting. Therefore, Ms. Vraa recommended closing the meeting pursuant to Minnesota Statute 13D.05 subd. 3(b).

Motion by Mr. John W Nelson, seconded by Mr. Ben Kleinwachter that the meeting be closed pursuant to Minnesota Statute 13D.05 subd. 3(b), for the purpose cited by Attorney Ms. Vraa. Motion unanimously carried.

Mr. Roger Hille informed the audience that if anyone wished to be notified when the meeting was reopened to inform the Chair and they would be notified. No one present wished to be notified.

The meeting was closed at approximately 5:42 p.m.

LeRoy Vonasek, Nate Dalager, Tony Nordby, Rolland Miller, Heidi Hughes and Connie Kujawa left the meeting at approximately 5:42 p.m.

Motion by Mr. Tom Neibauer, seconded by Mr. Ben Kleinwachter that the meeting be reopened. Motion unanimously carried.

The meeting was reopened at approximately 7:15 p.m.

A brief discussion was held concerning the Right of Way and Grass Strip along Judicial Ditch #20.

Mr. John W Nelson announced that a meeting is scheduled to be held in Oslo, Minnesota, on November 21, 2013, to address flooding issues at Oslo, Minnesota.

A discussion was held regarding the proposed works to clean the South Branch of the Snake River (outlet of the Agassiz Valley Water Resource Management Project).

The next regular meetings are scheduled for December 2, 2013 and December 16, 2013, 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