

APPROVED (Nov 18, 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 4, 2013

The meeting was called to order by President Roger Hille. Managers John W Nelson, Roger Hille, Alvin Nybladh, David Bakke, Marvin Hedlund, Tom Neibauer and Ben Kleinwachter were present. Nick Drees, Connie Kujawa, Heidi Hughes, Tony Nordby, Ron Adrian, Rolland Miller and Leroy Vonasek were also present.

By unanimous consent, the agenda was accepted, as presented.

Motion by Mr. David Bakke, seconded by Mr. Ben Kleinwachter that the minutes of the October 21, 2013 meeting be approved, as presented. Motion unanimously carried.

Rolland Miller joined the meeting at approximately 4:02 p.m.

Motion by Mr. John W Nelson, seconded by Mr. Marvin Hedlund that the delegates to the Minnesota Association of Watershed District Annual meeting be amended, and that Mr. Ben Kleinwachter and Mr. David Bakke be the official designated delegates and Mr. Tom Neibauer be designated the official alternate delegate. Motion unanimously carried.

Nick Drees reported that he has not received a response from Vega Township in regards to sharing expenses on the sloughing issues on Judicial Ditch #20; and that a letter had been sent to the landowner advising them that the drain tile pump installed on the right of way of Judicial Ditch #20 had to be moved and that no response has been received nor has the pump been moved.

Brian Fischer of Houston Engineering gave a presentation of the Drainage Ditch Database Software of Houston Engineering. He stated the cost would be \$15,000, including set up, maintenance and hosting for the first year and \$4,000 per year thereafter. The Board will revisit this item at the December meeting.

Danny Omdahl joined the meeting at approximately 5:10 p.m.

Permit (13-114) to Dean Peterson was Administratively Approved to remove a 24" field crossing culvert and install a longer 24" culvert, same elevation and location, SW4 NW4 of Section 18, Brislet Township.

Motion by Mr. John W Nelson, seconded by Mr. Ben Kleinwachter to amend permit (13-112) Bob Kovar to install a 48" x 68" arch culvert, County Ditch #175N, SE4 SW4 of Section 4 of Northland Township, with the same conditions as previously approved. Motion unanimously carried.

Heidi Hughes reported that the Roseau River Watershed District and the City of Warren are joining the Birding Trail Project; that Lowe's in Grand Forks will be building a chimney swift nesting tower for erection at the Agassiz Valley Project; and that the grant money has been received from the Northwest Minnesota Foundation.

APPROVED (Nov 18, 2013)

Ron Adrian reported that the amount of damages for the grass strip establishment for the Redetermination of Benefits of Judicial Ditch #14 has been forwarded to the Viewers.

Nick Drees reported that due to the wet conditions the repair of Judicial Ditch #1 will begin in the Spring of 2014; and inquired if the Board wished to establish the grass strip along Judicial Ditch #1. It was the consensus of the Board to hold off seeding until 2014.

Danny Omdahl reported that the landowner is in agreement with the terms to repair the crossing in the E2 NW4 of Section 35, Vega Township, on Judicial Ditch #16, with the District furnishing 30' of pipe and the equipment, with the landowner supplying 10' of pipe and the material.

Nick Drees reported:

1. Agassiz Valley Water Resource Management Project - that the Corps permit has been received for cleaning the South Branch of the Snake River and that the landowner is offering a perpetual easement for the properties along the South Branch of the Snake River. Nick Drees was directed to negotiate a price with the landowner and report back to the Board.
2. Brandt/Angus Project - no word has been received from the NRCS on extending the "compatible use" agreement another year and that meetings are still ongoing with the MMB concerning rental of property purchased with "GO" bonds.
3. Tamarac Project Work Team-will meet sometime in November.
4. PL-566-the rental lease on the properties expire at the end of this year. It was the Board's recommendation to proceed with advertising for the rental of the property.

Tony Nordby reported that construction on Project 60 is progressing.

A discussion was held concerning allowable expenses of the Board of Managers. The District staff was directed to research this matter and report back to the Board.

A discussion was held regarding the criteria of a full time employee to receive benefits and when an employee is considered part time in regards to benefits.

Mr. Ben Kleinwachter that he attended a meeting with representatives of the Agassiz Audubon Sanctuary concerning the assets of the Audubon. He stated when additional information is available it will be presented to the Board.

Danny Omdahl reported that District staff will be required to provide 24 hour notice to the Administrator, prior to taking leave, with the exception that under certain circumstances it may not be possible to give such notice.

Nick Drees reported:

1. That the Briefs have been filed in regards to the Loren Zutz Attorney fee issues in the Open Meeting Lawsuit filed by Jim Stengrim and the District is awaiting word from the Court of Appeals;

APPROVED (Nov 18, 2013)

2. That the partial Summary Judgment regarding the appeal of the Redetermination of Benefits of Judicial Ditch #25-1 is scheduled for November 21, 2013, in Warren, Minnesota; and that depositions are scheduled for November 12 thru November 14, 2013.
3. That a Summary Judgment hearing is scheduled for November 8th in regards to the Zutz/Elseth vs Stroble/Nelson slander lawsuit.

The next meetings are scheduled for November 18, 2013 and December 2, 2013 at 4:00 p.m., with the Advisory Meeting scheduled for November 18, 2013 at 1:00 p.m., at the Bremer Bank in Warren, Minnesota

By unanimous consent, the meeting was adjourned at approximately 7:15 p.m.

Connie Kujawa
Recording Secretary

Marvin Hedlund
Secretary