The meeting was called to order by President Ben Kleinwachter. Managers Robert Kovar, Ben Kleinwachter, Jim Jubie, Roger Mischel and John W Nelson were present. Managers David Bakke and Tom Neibauer were not present. Connie Kujawa, Danny Omdahl, Tony Nordby, Bryan Murphy, LeRoy Vonasek, Rolland Miller, Nate Dalager, Randy Knott and Terry Nowacki were also present.

Motion by Mr. Roger Mischel, seconded by Mr. Robert Kovar that the agenda be approved, as amended, to include payment to H & S Contracting, Inc., and Administrator's Evaluation. Motion unanimously carried.

Motion by Mr. Roger Mischel, seconded by Mr. Ben Kleinwachter that the minutes of the October 5, 2015 meeting be approved, as corrected. Motion unanimously carried.

Chairman Kleinwachter recessed the meeting at approximately 4:15 p.m., to attend a phone conversation.

Chairman Kleinwachter resumed the meeting at approximately 4:22 p.m.

The financial report was reviewed and filed for audit purposes.

Motion by Mr. John W Nelson, seconded by Mr. Jim Jubie that the following bills be paid, from the Administrative funds: that payroll checks numbered 5863 thru 5872 inclusive for a total of $12,071.88; that checks numbered 16761 through 16785 inclusive, including the service charge for a total of $18,107.26; from the Project funds that checks numbered 2545 through 2559 inclusive for a total of $47,302.58; from the Ditch funds that checks numbered 2890 through 2906 inclusive, and including check #2907, for a total of $274,692.12. Motion unanimously carried.

The following permits were unanimously approved:

1. (15-097) Justin Gajeski to install a 18" culvert with trap thru spoil, ~ N ½ mile line, outlet into JD 29 Lat 1, NW4 NE4, Sec 30, Parker Township. (Motion by Mr. John Nelson, seconded Mr. Robert Kovar)

2. (15-100) Larry Riopelle to install tile with gravity flow, Eastern 10 ac, NE4, Sec 36, Parker Township, with conditions; gate valve is installed in the outlet pipe, outlet pipe has geotechnical fabric laid, rip-rap & is visibly marked, no flow during freezing conditions. (Motion by Mr. Roger Mischel, seconded Mr. John W Nelson)

Terry Nowacki addressed the permit (15-099) application of Bill Szczepanski. He stated he is in favor of increasing the culvert size(s), he signed the permit application and he would assist with the cost of the pipe(s).
Regular Meeting Minutes  
October 19, 2015  
October 26, 2015  
Page-2  

APPROVED (as corrected Nov 2, 2015)

Motion by Mr. John W Nelson, seconded by Mr. Jim Jubie to deny the permit (15-099) of Bill Szepanski to replace the 15" crossing culvert with a 24" culvert at the N ½ mile in NE4 and replace the existing culvert with a 24" culvert at the NW corner of NE4 NW4, until the District Staff can establish the drainage area and determine the appropriate culvert sizes, Sec 2 of Alma Township. Motion by Mr. John W Nelson, seconded by Mr. Jim Jubie. Motion unanimously carried.

Terry Nowacki left the meeting at approximately 4:50 p.m.

The following permits were unanimously approved:

3. (15-101) Stolte Farms to install drain tile, 3/8" coefficient, 50' spacing, 7.5 HP (1,100 GPM), SE4, Sec 3, Tamarac Township, with conditions: no pumping shall take place during flooding or freezing conditions; no pump mechanism can be on road or ditch right of way; outlet pipe must have geotechnical fabric laid with riprap, and all must be visibly marked; must contact Marshall County regarding outletting into MC Rd #6 road ditch. (Motion by Mr. John W Nelson, seconded Mr. Robert Kovar)

4. (15-102) Stoltman Farms to install a 24" centerline culvert thru MC Rd #6, provided permission is received from Marshall County. (Motion Mr. John W Nelson, seconded Mr. Robert Kovar)

5. (15-103) Mark Yutzenka to install 195 ac drain tile, 80' spacing 1/4" coefficient, 5 HP (950 GPM), outletting into coulee, E2 NE4, E2 W2 NE4 & E2 SE4, Sec 7, Alma Township. (Motion Mr. John W Nelson, seconded Mr. Robert Kovar)

6. (15-104) Jensen Farms to install a 3 HP surface water pump, ~ W ½ mile line to pump westerly into E Marshall Cty #5 road ditch. Conditions: no pumping shall take place during flooding or freezing conditions; no pump mechanism can be on road or ditch right of way; outlet pipe must have geotechnical fabric laid with riprap, and all must be visibly marked, pump must be stopped when water in ditch reaches an elevation TBD staff. This elevation will be marked with a pin at the site; must contact Marshall County regarding outletting into MC Rd #5 road ditch. (Motion by Mr. John W Nelson, seconded Mr. Jim Jubie)

7. (15-105) Jim Solem to move ~ 350' agricultural dike adjacent to Red River, along W line of NW corner of SE4 NW4, ~ 200' E, SE4 NW4, Section 32, Higdem Township. (Motion by Mr. John W Nelson, seconded Mr. Robert Kovar)

The following permits were Administratively approved and reviewed:

8. (15-095) Don Strickler to move crossing w/24" culvert from ¼ line to Center of W 80 ac; install new crossing w/24" culvert, center of E 80 ac, NW4, Section 35, Angus Township.

9. (15-096) Dwight Kasprowicz to lengthen existing 18" culvert, W township road ditch, NE4 NE4, Section 5, McCrea Strip Township.
Regular Meeting Minutes  
October 19, 2015  
October 26, 2015  
Page-3

APPROVED (as corrected Nov 2, 2015)

10. (15-098) Norman Lindemoen to widen field crossing w/18” culvert, N 300th St NW road ditch, SW4, Section 27, Marsh Grove Township.

Chairman Kleinwachter directed the managers to inform Connie Kujawka if they plan to attend the 2015 MAWD Annual Meeting.

The 2015 Advisory Committee Member list was reviewed and updated. It was the consensus of the Board to send notices of the 2015 Advisory Committee meeting to the members on the list. Connie Kujawka reported that the Notice is being published in the newspapers within the District.

Administrator Omdahl reported:

1. Arnold Weleski Contracting will begin to remove the sediment from Judicial Ditch #15, Branch C this week.
2. H & S Contracting, Inc has completed the resloping of Judicial Ditch #75 and temporary seeding has been completed. Permanent seeding will take place in the Spring of 2016.
3. Dufault Excavating should complete the resloping of Watershed Ditch #4 today.

Administrator Omdahl stated that a letter was sent to the landowner along Judicial Ditch #25-1 requesting that they inform the District before September 15, 2015 if the grass strip was being put into a government program. After no response, the District’s Attorney, sent the landowner’s presumed Attorney, a letter requesting the same, no response has been received. The Board directed the Administrator to contact the District’s legal counsel to draft another letter outlining the schedule and seeding time frame and send it certified mail.

Administrator Omdahl reported the 190’ ridge pipe in Judicial Ditch #25-2, adjacent to Angus Oslo #4, has separated. The Board directed Houston Engineering to assess the area and supply cost estimates to replace the culvert.

4. Wright Construction has completed the sediment removal on County Ditch #175 but there appears to be some areas where the contractor cut into the road slope mainly from working off of the road at farmyards. The Board directed the Administrator to set up a meeting with Northland Township. Mr. Omdahl also reported the culvert, on County Ditch #175, at the Henry Vasek farmyard, in Northland Township has failed.

Motion by Mr. John W Nelson, seconded by Mr. Roger Mischel that the Administrator request quotes to replace the culvert at the Vasek farmyard, on County Ditch #175, in Northland Township and to accept the low quote to replace the culvert. Motion unanimously carried.

5. Polk County Highway Department is proposing to widen County Road #23 adjacent to Watershed Ditch #5 and discussions are taking place with the District.
6. Watershed Ditch #5 and Watershed Ditch #6 have sediment issues; and a pipe has eroded on Watershed Ditch #5 and will need to be rip rapped. The District Staff is to perform a profile of the ditch systems to determine the extent of the sediment on both systems.
HDR Engineering and Houston Engineering presented their proposals regarding the RCPP for Judicial Ditch #14. Motion by Mr. Jim Jubie, seconded by Mr. John W Nelson to accept the RCPP proposal of Houston Engineering, on the Judicial Ditch #19 project, in the amount of $715,680.00. Motion unanimously carried.

Motion by Mr. John W Nelson, seconded by Mr. Roger Mischel to accept the RRCP proposal of Houston Engineering, for the Judicial Ditch #14 project in the amount of $715,889. Motion unanimously carried.

Motion by Mr. John W Nelson, seconded by Mr. Jim Jubie that Mr. Roger Mischel be appointed the District’s representative to the LWRR WRAP Joint Board. Motion unanimously carried.

It was announced that a BTAG meeting is scheduled for October 20, 2015 at 7:30 a.m., at the James Bergman Farm.

It was the consensus of the Board, that the Chairman request $23,000.00 for reimbursed expenses, from the Agassiz Audubon Sanctuary, for the years 2013 and 2014.

The Board deferred reviewing the Brandt/Angus Coulee bill of John Copp to a later date.

Administrator Omdahl reported the U.S. Supreme Court denied to hear the defamation case filed by Elseth and Zutz.

The Board directed Administrator Omdahl to accept the low quote to repair the front sidewalk of the District office.

A Notice of Intent to Request Release of Funds regarding Oslo, Minnesota’s watermain replacement project was distributed.

It was announced the Red River Watershed Management Board meeting will be held October 20, 2015, at the Red Lake Watershed District, at 9:30 a.m.

The following meetings were announced:

- Regular Board meetings: November 2, 2015 and November 16, 2015, 4:00 PM, at the District office.
- Public Hearing on Judicial Ditch #15: November 2, 2015, 2:00 p.m., Bremer Bank, in Warren, MN
- Advisory Committee meeting: November 16, 2015, 2:00 p.m., Bremer Bank, in Warren, MN

Motion by Mr. John W Nelson, seconded by Mr. Jim Jubie that the meeting be closed, pursuant to MN Statute 13D.05 subd 3, to evaluate the performance of Danny Omdahl. Motion unanimously carried.

Bryan Murphy, Connie Kujawa, LeRoy Vonasek, Rolland Miller, Tony Nordby, Nate Dalager and Randy Knott left the meeting at approximately 7:05 p.m.
Regular Meeting Minutes  
October 19, 2015  
October 26, 2015  
Page-5  

APPROVED (as corrected Nov 2, 2015)

The meeting was closed at approximately 7:05 p.m.

Mr. Jim Jubie assumed the duties of recording secretary.

At approximately 8:40 p.m., the employee performance evaluation of Administrator Omdahl was completed.

Motion by Mr. John W Nelson, seconded by Mr. Robert Kovar to conclude the closed portion of the meeting and reopen the public portion of the meeting. Motion unanimously carried.

The Board will announce the summary of conclusions regarding the performance evaluation of Administrator Omdahl, at the next meeting of the Board.

Chairman Kleinwachter requested the meeting be recessed. By unanimous consent the meeting was recessed, at approximately 8:50 p.m., and scheduled to reconvene on October 26, 2015, at 6:00 p.m., at the District office.

The recessed meeting of October 19, 2015 was called to order by Mr. Ben Kleinwachter, on October 26, 2015 at 6:00 p.m. Managers Jim Jubie, John W Nelson, Ben Kleinwachter, David Bakke, Roger Mischel, Tom Neibauer and Robert Kovar were present. Others present were Connie Kujawa, Danny Omdahl and Jeff Hane.

Mr. Jim Jubie announced the following conclusions of the performance evaluation of Administrator Omdahl that was conducted in closed session on October 19, 2015. They concluded that Mr. Ben Kleinwachter and Mr. Roger Mischel schedule a meeting with the District staff on October 20, 2015, at 3:00 p.m., to have an open discussion regarding the administrator’s interoffice communication and the administrators past decisions and policies.

Mr. Ben Kleinwachter reported that himself and Mr. Roger Mischel meet with Connie Kujawa, Bryan Murphy and Deb Rynda. Several staff concerns were addressed.

Mr. Jeff Hane distributed a document concerning his interpretation of the Statute regarding the recording of a closed meeting for employee performance evaluation purposes. He stated based upon his advice, the Board of Managers did not record the closed meetings and it was not an intentional act of the Board but it was his misinterpretation of the law. He also stated he is in contact with IPAD regarding this issue.

A discussion was held on several topics in regards to the administrator’s performance. It was decided that Mr. Kleinwachter, Mr. Mischel and/or Mr. Kovar schedule another meeting with the employees to discuss issues concerning the staff.

Motion by Mr. John W Nelson, seconded by Mr. Tom Neibauer that Administrator Omdahl be placed on paid Administrator leave from October 27th thru October 30th, 2015, and that Mr. Omdahl prepare a plan to move forward, addressing the conclusions of the performance evaluations and that he present said report to the Board at the regular meeting scheduled for November 2, 2015. Motion unanimously carried.
Regular Meeting Minutes
October 19, 2015
October 26, 2015
Page-6

APPROVED (as corrected Nov 2, 2015)

Motion by Mr. Robert Kovar, seconded by Mr. John W Nelson the meeting be adjourned. Motion unanimously carried.

The meeting was adjourned at approximately 8:47 p.m.

Connie Kujawa
Recording Secretary

Robert Kovar
Assistant Secretary/Treasurer

Jim Jubie
Treasurer

David Bakke
Secretary (Oct 26, 2015 Meeting)