

September 21(a)2020.min

**APPROVED (October 5, 2020)
REGULAR MEETING OF THE BOARD OF MANAGERS OF THE
MIDDLE-SNAKE-TAMARAC RIVERS WATERSHED DISTRICT
HELD AT THE DISTRICT OFFICE**

8:30 A.M.

September 21, 2020

The meeting was called to order by President John W Nelson. Managers Bill Petersen, Robert Kovar, Brad Blawat and David Bakke were present. Manager Roger Mischel was not present. Tony Nordby, Joel Praska, Kyle Schlomann, Danny Omdahl, Tyler Larson, Mike Enright, Dean Danielski, Don Dyrdal, Greg Dyrdal and Jim Duckstad were also present.

Motion by Mr. Bill Petersen, seconded by Mr. David Bakke the agenda be accepted, as amended, with the addition of Brislet Township and Agassiz Valley. Motion unanimously carried.

Motion by Mr. Bill Petersen, seconded by Mr. Robert Kovar the minutes of the September 8, 2020 meeting be approved, as presented. Motion unanimously carried.

Chairman Nelson distributed the Oath of Managers to Brad Blawat. Manager Brad Blawat reviewed and signed the Oath. Technician Danny Omdahl notarized the Oath.

The financial report was reviewed and filed for audit purposes.

Motion by Mr. Robert Kovar, seconded by Mr. Brad Blawat the following bills be paid: from the Administrative Funds; payroll checks #6517-6526 inclusive for a total of \$16,405.56; checks #18718-18748 inclusive, including the service charge and ACH withdrawal, for a total of \$22,442.62; from the Project Funds: checks numbered #3137-3149 inclusive for a total of \$112,562.48; and from Ditch Funds: checks numbered #3382-3393 inclusive, including the service charge, for a total \$146,106.72. Motion unanimously carried.

Dean Danielski, Farley Township, addressed the Board over the elevation of a dike along 200th St NW in Section 13 of Sandsville Township. He stated that when the Snake River is full, JD #17 backs up and spills out over the berm east of the dike and often overtops CSAH #66 during spring melt events. Dean Danielski believes the removal of the dike to establish a legal berm would help reduce flooding to the east and help keep CSAH #66 open. The Board of Managers instructed Staff to survey the road and spoil height along 200th St NW in Section 13 of Sandsville Township and to have HEI draw up a profile and return a recommendation back to the Board.

Don Dyrdal expressed concerns over the District granting a permit to Viking Township to install an 18" high flow culvert adjacent to a 36" culvert where 210th Street crosses a natural low draw on the Section Line between Section 3 & 10 of Viking Strip Twp. Don Dyrdal believes the addition of the high flow culvert will impact his land in Section 9. He stated the 54" CSP north of Hwy #1 that feeds into JD #25-2, directly below Section 9, backs up and doesn't allow waters to drain efficiently at this time and by adding the high flow culvert even greater waters will remain standing in Section 9. Don Dyrdal would like to see the Township develop a plan that would not negatively impact himself and others to the west. He encouraged the development of a comprehensive plan for the whole area.

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Motion by Mr. Brad Blawat, seconded by Mr. David Bakke to deny the installation of a new 18" high flow culvert adjacent to the new 36" culvert on the Section Line between sections 3 & 10 of Viking Strip Township with approval granted for the replacement of an existing 36" culvert for the following permit: Motion unanimously carried.

- 1) Permit (20-088) Viking Township to replace a 36" culvert and install an 18" high flow culvert adjacent to the new 36" culvert; section line 3 and 10, Viking Strip Township.

Mike Enright, Don Dyrdal and Greg Dyrdal left the meeting at approximately 9:50 A.M.

Permit (20-094) was previously tabled pending review by legal counsel. Legal counsel requested assistance from HEI in determining the necessity of lands being required to petition into the benefitted area of SD #3.

Motion by Robert Kovar, seconded by Bill Petersen the following permit be approved sighting that in 1958 landowners appealed the Redetermination of Benefits for SD #3 where the courts ruled in favor of the landowners. Motion passed with David Bakke abstaining.

- 2) Permit (20-094) Osowski-Urbaniak Farms to install 160 acres drain tile; ¼" coefficient; 35', 50' and 100' spacing; 5 hp (752 GPM) VFD pump outletting to East ditch of CR #32; NW4, Section 11, Middle River Township.

Motion by Mr. Bill Petersen, seconded by David Bakke the following permit be approved with the stipulation District Staff is to set the outlet elevation 1' above actual ditch grade. Motion unanimously carried.

- 3) Permit (20-095) Damon Stroble to install 370 acres drain tile; ¼" coefficient; 80' spacing; (2) natural gravity outlets into JD #75; S2 SE4 of Section 3 and N2 and SE4 of Section 10, Tabor Township.

The following permits were unanimously approved:

- 4) Permit (20-100) TKDA Engineering on behalf of BNSF RR to remove a 28', 2 span bridge; install 43', 3 span bridge in the NE4 SE4 of Section 16, Angus Township. (Motion by Mr. Robert Kovar, seconded Mr. David Bakke).
- 5) Permit (20-106) Brandt Township to re-establish township road on Section Line 30 & 31 Brandt Township; to install a missing 18" centerline culvert in SE4 Sec 30 Brandt; to replace a failed 24" centerline culvert in SW4 Sec 30 Brandt. (Motion by Mr. Robert Kovar, seconded by Mr. Brad Blawat).

The following permits were Administratively approved and reviewed:

- 6) Permit (20-105) Jim Nelson to lengthen an existing 24" field crossing culvert on the East side of 480th Ave NW in the NW4 of Section 10, Oak Park Strip.
- 7) Permit (20-107) Tim Osowski to lengthen a 24" CSP crossing and widen an existing field approach on the East side of 400th Ave NW in the NW4 of Section 1, Bloomer Township.

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- 8) Permit (20-108) Tim Osowski to widen an existing field approach and lengthen existing 18" CSP crossing culvert on East side of County Road #32 in SW4 of Section 25, Tamarac Township.
- 9) Permit (20-109) Vega Township to replace a 12" CSP centerline culvert thru 250th St, that drains into JD #20 Branch A (Sta 66+60) with a new 18" CSP, Section Line 18 & 19 Vega Township with the condition District Staff to set the elevation of the pipe.
- 10) Permit (20-110) Stoltman Farms to install a new field approach with a 30" culvert on the North side of CSAH #4 in the SE4 SE4 of Section 9, Bloomer Township.
- 11) After-the-Fact Permit (20-112) Orin Knutson to install a new field crossing with a 24" culvert on the West side of CSAH #17 in the SE4 of Section 15, Oak Park Township.

The following permit was tabled until the affected landowners downstream sign the permit application:

- 12) Permit (20-111) Larry Rud to install 450 acres of field drain tile in the N2 of Sec 14 & NE4 of Sec 13 Helgeland Twp with 1/4" drainage coefficient; 80' spacing; 10 hp (1390 GPM) VFD pump that will outlet to the East ditch of 230th Ave NW and a gravity outlet into the South ditch of 200th St NW in the NE4 NW4 of Section 14 Helgeland Twp.

Administrator Praska presented survey results for WD #4 in Section 11 & 12 of Boxville Twp and Section 7 of McCrea Strip Twp. He indicated approximately 2-miles of ditch require sediment removal. Administrator Praska informed the Board that due to WD #4 being designated protected waters, he has contacted the DNR and requested and received permission to remove sediment in WD #4. Administrator Praska also informed the Board that he has contacted Anderson Excavating to inquire their availability to perform maintenance on the ditch and has been notified Anderson Excavating is available and can start immediately. It was the consensus of the Board to have Administrator Praska hire Anderson Excavating to remove sediment in WD #4.

Administrator Praska informed the Board sediment removal along WD #7 in Section 8, 9 & 10 of Oak Park Township has been completed by Anderson Excavating.

Administrator Praska informed the Board that Kraulik Excavating has completed erosion repair work by reshaping and reseeded the area along CD #43 in Section 5 & 6 of Angus Township.

Engineer Nordby gave an update on JD #14 RCPP. He announced a PWT meeting will be held Tuesday, September 29, 2020 at 10:00 A.M. at the Viking Diner where he will go over Concurrence Point #3, which reviews project alternatives carried forward meeting the purpose and need for further analysis of direct, indirect, and cumulative effects on aquatic ecosystems. In anticipation of USACE approval of Concurrence Point #2, HEI has drafted Concurrence Point #3 for the PWT meeting. HEI also plans to begin field work for wetland delineation on the preferred alternative project location pending the outcome of the PWT meeting.

Engineer Nordby updated the Board on Terracon performing soil borings and providing the geotechnical report on their findings at the East Park WMA and the JD #19 RCPP project. Nordby reported the findings identified good materials are present for the proposed levy height

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raise of the East Park WMA. A wetland delineation report has been completed and a project design report and conceptual plan should be completed this fall.

Bill Petersen reported that the personnel committee interviewed prospective applicants for the Administrative Assistant position. Based on applicant experience and skill, Mr. Petersen stated the personnel committee recommend offering the position to Michelle Brekken.

Motion by Mr. Bill Petersen, seconded by Mr. Robert Kovar the District offer the Administrative Assistant position to Michelle Brekken. Motion unanimously carried.

Motion by Mr. Bill Petersen, seconded by Mr. Robert Kovar the District set the starting salary for the Administrative Assistant at \$34,000. Motion unanimously carried.

Administrator Praska reported the West Polk SWCD has requested the MSTRWD enter a Memorandum of Agreement stating the District will be responsible for inspection, corrective actions and enforcement of Minn. Stat. Chapter 103F.48 on ditch systems within the District's jurisdiction in Polk County. Administrator Praska stated he has sent the Memorandum of Agreement to legal counsel for review.

Administrator Praska updated the Board on unpermitted work performed in Section 4 of Viking Strip Township. A notice was sent to the individual responsible for the work issuing an order to restore the area to the preconstruction state. Administrator Praska informed the Board the area has be restored. The Board directed Staff to perform a survey of the area to determine if in fact the work is acceptable.

Administrator Praska informed the Board of unpermitted work performed in Section 31 of Brislet Township. A field dike located in the NW4 running adjacent to 330th Ave NW has been erected without receiving a permit from the MSTRWD. The landowner has requested to file for an After-the-Fact permit. The Board of Managers directed Staff to survey the elevation of 330th Ave NW, the dike and the field elevation to ensure the dike is 1' below 330th Ave NW prior to reviewing an After-the-Fact permit application. It was the consensus of the Board the landowner pay for Staff time spent on surveying and preparing reports.

A discussion was held by the Board of Managers on future unpermitted works being ordered to be restored to their original state prior to the MSTRWD accepting an After-the-Fact permit application to encourage individuals from performing works without a permit granted by the MSTRWD.

Administrator Praska informed the Board the rental agreement for the approximate 200 acres of alfalfa grass hay located in section 7 of Comstock Strip Township stipulates Lessee shall not cut alfalfa grass hay after September 15th of each year without approval from the MSTRWD Board. The Lessee has requested to extend the September 15th deadline in order to take a second cutting in 2020. It was the consensus of the Board to direct Administrator Praska to contact Lessee with the following stipulations: 8' to 10' wind rows must be established, Lessee will sign a one-year extension to the rental agreement and no haying to be performed past September 29, 2020.

The following meetings were announced:

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September 29, 2020-PWT Meeting-JD #14 RCPP-10:00 a.m., Viking Diner
October 5, 2020-Regular Meeting 8:30 a.m., District Office
October 19, 2020-Regular Meeting 8:30 a.m., District Office

Motion by Mr. Robert Kovar, seconded by Mr. David Bakke the meeting be adjourned. Motion unanimously carried.

The meeting was adjourned at approximately 11:02 a.m.

Joel Praska
Recording Secretary

Brad Blawat
Asst. Secretary/Treasurer