The meeting was called to order by President Ben Kleinwachter. Managers Ben Kleinwachter, Jim Jubie, David Bakke, Roger Mischel and John W Nelson were present. Managers Tom Neibauer and Robert Kovar were not present. Tony Nordby, Connie Kujawa, Christina Slowinski, Brent Silvis, Dean Danielski, Robert Osowski, Randy Huderle and Jared Petersen were also present.

Motion by Mr. Jim Jubie, seconded by Mr. Roger Mischel that the agenda be approved, as amended, with the addition of appointing representatives to the Oslo/Access committee. Motion unanimously carried.

Motion by Mr. David Bakke, seconded by Mr. Roger Mischel that the minutes of the August 15, 2016 meeting be approved, as corrected. Motion unanimously carried.

Dillon Nelson joined the meeting at approximately 4:07 p.m.

A discussion was held concerning postponing the re-organization of the Board to the October 3 board meeting since the Marshall County Commissioners have yet to appoint two individuals to serve on the Watershed Board.

Motion by Mr. Roger Mischel, seconded by Mr. David Bakke that the reorganization of the Board be suspended until the Marshall County Commissioners appoint 2 individuals to serve on the MSTRWD Board of Managers. Motion unanimously carried.

Chairman Kleinwachter presented the Oath of Managers to each manager, in attendance. The oaths were signed by the attending Managers and notarized by Connie Kujawa.

Randy Huderle addressed the Board seeking permission to lower some areas of the road spoil bank, on Judicial Ditch #25-2, in section 8 of Brandt Township. He stated the spoil bank is high in some places and he would like to remove the high areas and use the material to repair some washouts and areas that are sloughing. The Board discussed liability issues and directed Administrator Silvis to seek an opinion from legal counsel on this matter.

LeRoy Vonasek joined the meeting at approximately 4:15 p.m.

Motion by Mr. John W Nelson, seconded by Mr. Jim Jubie that Randy Huderle be allowed to remove dirt from the road spoil bank on Judicial Ditch #25-2, in section 8 of Brandt Township, to fix the sloughing and washout areas, provided the District's legal counsel addresses the Board’s concern regarding the liability issue of Mr. Huderle performing the work. Motion unanimously carried.
The following permits were unanimously approved:

1. Permit (16-031) to Nathan Peterson to install drain tile in 155 acres in the SW4 section 16 McCrea Township, ¼" coefficient, 70' spacing to a 5 HP pump (730 GPM) located in the NW corner of the SW4 section 16. The pump will outlet into County Ditch 34 which drains north to the Melgard Coulee. (Motion by Mr. Roger Mischel, seconded Mr. David Bakke)

2. Permit (16-052) to Robert Wesolowski to lower a 24" CSP CL culvert 1.3' under 180th St in the SW corner of SW4, Section 24, Helgeland Township. (Motion by Mr. John W Nelson, seconded Mr. Roger Mischel)

3. Permit (16-053) to Steve Moen to install (2) crossings with 24" CSP’s, SW corner SW4 and SE corner of SW4, along 180th St NW, Section 23, Higdem Township. (Motion by Mr. John W Nelson, seconded Mr. Jim Jubie)

4. Permit (16-054) to Wendell Sands to install 150 ac drain tile; 3/8" coefficient 40' spacing; 10 HP pump, outletting into 15" pipe, SE4, Section 27, Oak Park Township, provided there is a break in the pipe. (Motion by Mr. John W Nelson, seconded Mr. Jim Jubie)

Jared Peterson left the meeting at approximately 4:35 p.m.

5. Permit (16-055) to Wendell Sands to install 158 ac drain tile; 3/8" coefficient; 40' spacing, 2 gravity outlets; S2 NW4 and N2 SW4, Section 25, Oak Park Township. (Motion by Mr. John W Nelson, seconded Mr. David Bakke)

6. Permit (16-056) to Jared Sands to install 152 ac drain tile; 3/8" coefficient; 40' spacing; gravity outlet; NW4, Section 12, Oak Park (Strip) Township. (Motion by Mr. John W Nelson, seconded Mr. Roger Mischel)

7. Permit (16-059) to R & R Farms to install 124 ac drain tile; 3/8" coefficient; 50' spacing; gravity outlet, outletting into coulee, NW4, Section 28, Farley Township. (Motion by Mr. John W Nelson, seconded Mr. Roger Mischel).

The following permits were unanimously denied:

8. Permit (16-033) Damon Stroble to install a culvert in field crossing, NW4, Section 8, McCrea Township due to neighboring landowner’s objections and the change in flow pattern. (Motion by Mr. David Bakke, seconded Mr. Jim Jubie)

9. Permit (16-050) Arlyn Stroble to remove a 36" culvert on ½ mile line and move it and/or resize it; CSAH #23 road ditch; E2 E2, Section 18, Angus Township, due to changing the flow of the land. (Motion by Mr. John W Nelson, seconded Mr. David Bakke)

The following permit was unanimously tabled and Houston Engineering was directed to review the hydraulics for the bridge at milepost 40.037:
The following permits were Administratively Approved and reviewed:

11. (Permit 16-042) to Field Brothers to install 105 acres of subsurface drain tile; 3/8" coefficient; 40' spacing; 7.5 HP pump, NE4, Section 8, Tamarac Township.

12. (Permit 16-057) to Bloomer Township to remove a failed 57" x 83" CSPA centerline culvert, CD#38 Branch 1, NW4 Section 29 and NE4 Section 28, Bloomer Township.

13. (Permit 16-058) to Vega Township to remove a failed culvert and install equivalent 47" x 72" culvert, section line 34/35 Vega Township, 410th Ave NW.

Administrator Silvis reported neither Earl McGregor or Sandsville Township claim ownership of the failed 48" culvert on the spoil bank of Judicial Ditch #1 and will not participate in the repair. The Board directed Administrator Silvis to research this matter for more data.

Rolland Miller and Joe Pierce joined the meeting at approximately 5:10 p.m.

Robert Osowski addressed the Board to discuss what options may be available to repair the sloughing issue along the road of Judicial Ditch #29. Administrator Silvis reported the District staff has surveyed approximately 1 1/2 miles of Judicial Ditch #29 and the issue with moving the road is some of the land is enrolled in the NRCS WRP program. Administrator Silvis stated he contacted the NRCS Regional Manager regarding using some of the lands enrolled in the WRP program to move the road and was informed that a statement to the NRCS explaining the situation and why the repair is more beneficial than to have the lands enrolled in WRP could be beneficial. The Board directed Tony Nordby to draw up some options to repair the sloughing and to contact the NRCS and the landowners.

Robert Osowski left the meeting at approximately 4:22 p.m.

Administrator Silvis reported:

- that some areas along Judicial Ditch #29 are in need of cleaning.

Motion by Mr. John W Nelson, seconded by Mr. David Bakke that Administrator Silvis solicit for quotes to spot clean areas of Judicial Ditch #29. Motion unanimously carried.

- the District staff has surveyed Judicial Ditch #14, Branch B and the ditch has some high areas that are impeding the flow. He also reported that a high area has been located on Judicial Ditch#14, Branch A.

Motion by Mr. John W Nelson, seconded by Mr. David Bakke that approximately 1900' of Judicial Ditch #14, Branch B be cleaned and the high spot on Judicial Ditch #14, Branch A be removed. Motion unanimously carried.
- The Feasibility Report and Plan of Work Review Point 1, on the JD #19 RCPP project, has been submitted to the NRCS, by Houston Engineering and a Public and Agency Scoping Meeting has been scheduled for September 26, 2016, at 10:00 a.m., at the Strandquist Community Center.

- a landowner adjacent to Judicial Ditch #20 has inquired if the District will be spraying the ditch for weeds. The Board stated the ditch is mowed and no spraying will be done.

- the northerly 1 1/2 miles, on Judicial Ditch #28 in Section 11 of Como Township is overgrown with trees. Administrator Silvis was directed to verify what type of trees need to be removed and to check with a logging company to see if there is interest in removing the trees.

- a culvert in the NE4 NW4 of section 1, Esther Township, on Judicial Ditch #75, has failed and approximately 4 feet is exposed. By consensus of the Board, Administrator Silvis was directed to get the culvert fixed.

- the Jerry Knute driveway, along Judicial Ditch #75 is in need of gravel. He reported it would take approximately 50 yards of gravel.

Motion by Mr. John W Nelson, seconded by Mr. Roger Mischel that Administrator Silvis be directed to have the Knute driveway graveled with 100 yards of gravel per 1/2 mile. Motion unanimously carried.

A discussion was held concerning the sloughing occurring on Judicial Ditch #75. Tony Nordby was directed to draw up some preliminary options to repair the sloughing issues and schedule a meeting, in October, with the landowners in the benefited area and the townships.

- he has had a conversation with Attorney John Kolb regarding the drainage issues of County Ditch #175. He stated Attorney Kolb is willing to attend a meeting, with the landowners, to discuss the options under ditch law to repair the ditch. Administrator Silvis was directed to schedule a meeting with the landowners and Attorney Kolb for October 24th or October 25th.

Joe Pierce left the meeting at approximately 6:10 p.m.

Motion by Mr. John W Nelson, seconded by Mr. Roger Mischel that Administrator Silvis contact Moses Valley Road Maintenance to determine how much gravel is needed on the North inlet ditch road at the Agassiz Valley Water Resources Project, and that Administrator Silvis use his discretion as to how much gravel should be placed. Motion unanimously carried.

- the Middle River Project Work Team meeting is scheduled for September 19, 2016, at 11:00 a.m., at the Newfolden Community Center. He also requested the Board appoint a manager or two to represent the District on the Project Work Team.

Motion by Mr. John W Nelson, seconded by Mr. Jim Jubie that Mr. David Bakke and Mr. Ben Kleinwachter be appointed the District’s representative’s and Mr. Roger Mischel be
appointed the alternate representative, to the Middle River Project Work Team. Motion unanimously carried.

Mr. Ben Kleinwachter and Mr. John W Nelson gave a brief update on the Oslo Access meeting held on September 6, 2016. At the meeting, the attendees decided a steering committee should be formed with representatives from North Dakota, Minnesota, BTAG, DNR and Watershed Board Managers.

Motion by Mr. David Bakke, seconded by Mr. Jim Jubie that Mr. John W Nelson be appointed the District’s representative and Mr. Jim Jubie, the alternate representative on the Oslo Access Steering Committee. Motion unanimously carried.

- the Minnesota Audubon has completed the draft work plan for the Cattail Control Project at the Agassiz Valley Water Resource Management Project and the deadline to submit it to the LCCMR is September 14, 2016.

A discussion was held concerning appointing landowner, township and MSTRWD Board representation on the Swift Coulee Project Work Team.

Motion by Mr. David Bakke, seconded by Mr. John W Nelson that Ken Johnson, Stuart Nordling, Jim Vansickle and Mark Yutrenka be appointed to serve as representatives on the Swift Coulee Project Work Team. Motion unanimously carried.

Motion by Mr. John W Nelson, seconded by Mr. David Bakke that Mr. Roger Mischel be appointed the District representative, with Mr. Jim Jubie, the alternate representative to the Swift Coulee Project Work Team. Motion unanimously carried.

- Randy Huelskamp with the West Polk County NRCS is requesting a resolution authorizing District signatories for funding contracts with the Department of Agriculture.

Motion by Mr. John W Nelson, seconded by Mr. Roger Mischel that the Chairman of the MSTRWD Board of Managers and/or the Administrator of the MSTRWD be authorized to sign contracts and agreements with the United States Department of Agriculture. Motion unanimously carried.

Administrator Silvis reported the recorded deed, on the 40 acres the District received from the Minnesota National Audubon, has been received; the endowment funds should be coming shortly; that he inspected the house and it is his opinion, it should be re-shingled; and that some of the other outbuildings should be removed for safety issues.

The Board stated before any buildings are removed, the Omdahl family should be notified in the event there is something from the buildings they wish to keep.

Administrator Silvis was directed to contact the Omdahl family and get estimates to re-shingle the house.

A discussion was held concerning hunting on District property. The Board directed the Staff to review the District’s current hunting policy, MN DNR hunting rules, and make recommendations back to the Board.
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APPROVED (as corrected Sept 19, 2016)

Administrator Silvis stated the Personnel Committee should schedule a meeting to perform the 6 month probationary period evaluation on Christina Slowinski. A meeting date will be set by the Personnel Committee and notice of said meeting will be posted.

It was announced the MAWD Annual Meeting is scheduled for December 3-5, 2016. The MAWD resolution process and timeline was distributed.

Correspondence from the Minnesota Board of Water and Soil Resources concerning the 2016 BWSR Academy scheduled for October 24-26, 2016 was distributed. The Board left it up to the Staff to determine who would like to attend.

Administrator Silvis reported he received documents from the Marshall County Auditor requiring a signature certifying the tax-exempt properties at the Agassiz Valley Water Resources Management Project.

It was announced the Red River Watershed Management Board meeting is scheduled for September 20, 2016, at the Courtyard by Marriott, in Moorhead, Minnesota.

Administrator Silvis reported Attorney John Kolb will be holding a phone conference with Judge Askegaard regarding the JD 25-1 grass strip issue; and the District Court has ruled in favor of Stroble/Nelson in the 2008 defamation suit of Zutz/Elseth vs Stroble/Nelson, and the District's legal counsel is moving forward with recovering costs in regards to the defamation suit.

Connie Kujawa reported she signed the Letter of Agreement for Wellness Institute Services from the Northwest Service Cooperative. She reported, under the agreement, employees covered under the District's health insurance plan are eligible to participate in wellness programs, at no cost to the District.

The next meetings of the Board of Managers will be held on September 19, 2016 and October 3, 2016, at 4:00 p.m., at the District office.

By unanimous consent, the meeting was adjourned at approximately 7:24 p.m.

__________________________________________
Connie Kujawa
Recording Secretary

__________________________________________
David Bakke
Secretary