

APPROVED (October 7, 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. SEPTEMBER 16, 2013

The meeting was called to order by President Roger Hille. Managers John W Nelson, Alvin Nybladh, David Bakke, Roger Hille, Marvin Hedlund, Ben Kleinwachter and Tom Neibauer were present. Nick Drees, Danny Omdahl, Ron Sorvig, Heidi Hughes, Connie Kujawa, Wallace Diedrich, Jim Johnson, Brian Murphy, Arlyn Stroble, Jarrod Peterson, Ron Adrian and Tony Nordby were also present.

Motion by Mr. David Bakke, seconded by Mr. Ben Kleinwachter that the agenda be accepted, as amended. Motion unanimously carried.

Jim Foltz joined the meeting at approximately 4:02 p.m.

Motion by Mr. Ben Kleinwachter, seconded by Mr. Marvin Hedlund that the minutes of the September 3, 2013 meeting be approved, as corrected. Motion unanimously carried.

Rolland Miller joined the meeting at approximately 4:07 p.m.

The financial report was reviewed and filed for audit purposes.

Eric Johnson, Neil Johnson and Wayne Torgerson joined the meeting at approximately 4:14 p.m.

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 5537-5548 inclusive for a total of \$13,504.25; from the Administrative funds that checks numbered 15889 thru 15918 inclusive, including the service charge, for a total of \$25,798.54; from the Project funds that checks numbered 2299 thru 2310 inclusive for a total of \$22,011.94; from the Ditch funds that checks numbered 2656 thru 2666 inclusive for a total of \$61,578.70. Motion unanimously carried.

No action was taken on Permit (13-084) of JD Anderson Farms, Inc, pending receipt of additional information.

Motion by Mr. Ben Kleinwachter, seconded by Mr. John W Nelson that Permit (13-091) of Andrew Skaar be tabled for further clarification, communication and until the downstream landowners are notified. Motion unanimously carried.

Motion by Mr. John W Nelson, seconded by Mr. Marvin Hedlund that permit (13-073) to Mike Bienek to install 80 acres drain tile, 1/4" coefficient, 70' spacing, connect to 5 HP (900 GPM) pump, in the SE4 of Section 32 McCrea Township be approved, with the change of the pump location. Motion unanimously approved.

Brian Murphy left the meeting at approximately 4:25 p.m.

The following permits were unanimously approved:

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1. Permit (13-092) Tracy Anderson (Administratively Approved) to renew Permit (11-122) to remove a 15" field crossing culvert and install an 18" culvert, same location, SE4 SW4, Section 9, McCrea Township.
2. Permit (13-093) Chad Anvinson to remove an 18" field crossing culvert and install a 24" culvert, NW4 NE4, Section 26, Higdem Township. (Motion David Bakke, seconded Alvin Nybladh, Marvin Hedlund abstained)
3. Permit (13-094) Bill Szczepanski (Administratively Approved) to remove a 18" field crossing culvert and install an 18" culvert, same grade and elevation, SW4, Section 30, Wright Township.
4. Permit (13-095) Lance Woinarowicz to install a crossing with an 18" culvert, North Marshall CSAH #5 road ditch, near West line of SE4 SE4, Section 32, Sinnott Township. (Motion John W Nelson, seconded Ben Kleinwachter)
5. Permit (13-096) Mark Thorstad to install a crossing with a 24" culvert, NE4 NW4, Section 15, Holt Township. (Motion Ben Kleinwachter, seconded Marvin Hedlund)
6. Permit (13-097) Brislet Township (Administratively Approved) to remove a 24" northerly centerline culvert, replace with 24" culvert, same grade, NW4 NW4, Section 16, Brislet Township.
7. Permit (13-098) Brislet Township (Administratively Approved) to remove a 30" westerly centerline culvert, relay it 2' north, SW4 SW4, Section 9, Brislet Township.
8. Permit (13-099) Oak Park Township (Administratively Approved) to remove a 24" southerly centerline pipe, replace with a 24" culvert, same location and grade, draining into JD #20 Branch B, SE4 SW4, Section 2, Oak Park Township. (John W Nelson abstained)
9. Permit (13-100) Richard Nelson to install approximately 12 acres of drain tile in the coulee, NE4 Section 9 and E2 SW4 Section 4 of Esther Township. (Motion John W Nelson, seconded Alvin Nybladh)
10. Permit (13-101) Jarod Peterson (Administratively Approved) to renew Permit (11-098) to remove sediment from the South township road ditch, North line of Section 27, Warrenton Township.
11. Permit (13-103) Eric Johnson to lower (2) 24" and (1) 18" field culverts, N2 Section 21 and (1) 18" culvert NE4 NE4 Section 20, draining North into Judicial Ditch #1, Sandsville Township. (Motion Marvin Hedlund, seconded John W Nelson)

The Board took no action on the Administratively Approved permit (13-012) of Bloomer Township to remove (2) 48" RCP culverts and replace with (1) 57" x 83" RCPA, on Marshall County Ditch #38, Branch 1, NW4 NW4 Section 28 and NE4 NE4 Section 29, Bloomer Township, until the culvert sizing is verified as comparable in size.

Doug Sorenson joined the meeting at approximately 5:30 p.m.

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A discussion was held with Jim Foltz, Eric Johnson, Neil Johnson and Jim Johnson regarding the permit (13-066) of Angus Township to install a 24" high flow culvert thru the crossing in the East township road ditch, NW4 NW4 of Section 6 of Angus Township.

Motion by Mr. Ben Kleinwachter, seconded by Mr. David Bakke that Permit (13-066) of Angus Township be tabled until the District staff determines the size and elevation of the culvert and meetings are held with the township officials. Motion unanimously carried.

Jim Foltz, Eric Johnson, Neil Johnson and Wallace Diedrich left the meeting at approximately 5:50 p.m.

Doug Sorenson was presented a plaque and recognized for his 15 years of service to the Board of Managers.

Arlyn Stroble requested to delay the discussion of the land acquisition for the Agassiz Valley Water Resource Management Project outlet for approximately two weeks.

Arlyn Stroble left the meeting at approximately 6:10 p.m.

There were no data practice requests.

Heidi Hughes stated she requested the grant application with the Northwest Minnesota Foundation be amended to increase the grant an additional \$4,000.00 and that the amended application would need District signatures.

Motion by Mr. Ben Kleinwachter, seconded by Mr. Alvin Nybladh that the District Chairman and Administrator be authorized to sign the amended the grant application with the Northwest Minnesota Foundation, for an additional \$4,000.00. Motion unanimously carried.

Heidi Hughes reported that grant applications will be submitted to Ottertail Power and 1-OK Company to assist with the Birding Trail and Concept Design; and that she will be attending the the Water Festival is scheduled to be held in Warren, next week.

Nick Drees reported:

1. No cost quotes have been received, yet, for the repairing of the sloughing on Judicial Ditch #20. District staff is to cross section sloughing areas.

Mr. Ben Kleinwachter left the meeting at approximately 6:26 p.m.

2. The Viewer's anticipate approximately 2 more months to finalize their reports regarding the redetermination of benefits of Judicial Ditch#14.

Nick Drees reported that bids for the Repair of Judicial Ditch #1 were publically opened on September 16, 2013, at 1:00 p.m.

Motion by Mr. John W Nelson, seconded by Mr. Marvin Hedlund that the District accept the audited, low bid of Zavoral Construction for the Repair of Judicial Ditch #1, in the amount of \$234,186.00. Motion carried, with Mr. Tom Neibauer abstaining.

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Nate Dalager joined the meeting at approximately 6:30 p.m.

Nick Drees reported:

1. Agassiz Valley Water Management Project-the MPCA has amended their letter and the District is awaiting the Corps permit; and discussed the trees in the NW4 of Section 18 of Helgeland Township.
2. Brandt/Angus Project-received notification from the NRCS of a Compatible Use permit for the WRP lands in Section 18 and 19, for the year 2014.

It was announced that the Red River Watershed Management Board meeting is scheduled for September 17, 2013 at the Sand Hill Watershed District, in Ada, Minnesota.

Nate Dalager reported that the wetlands of the Brandt/Angus Project will be monitored for 5 years for water levels, vegetation and other factors and HDR Engineering will prepare the monitoring reports.

Danny Omdahl reported:

That the District has prepared a "Unpermitted Works Form" that will be mailed to those who perform works within the District without an Approved permit; and that Nick and Danny attended a presentation given by Respec depicting the works they do in regards to the Snake River MPCA WRAP.

Attorney Paula Vraa, per conference call, requested the Board close the meeting to discuss legal strategies and issues brought on by 11 landowners regarding 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 meeting 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. Marvin Hedlund that the meeting be closed pursuant to Minnesota Statute 13D.05, subd. 3(b) for the purpose cited by Ms. Vraa. Motion unanimously carried.

The meeting was closed at approximately 7:07 p.m.

Motion by Mr. John W Nelson, seconded by Mr. David Bakke that the meeting be reopened. Motion unanimously carried.

The meeting was reopened at approximately 7:32 p.m.

The next regular meetings are scheduled for October 7 and October 21, 2013, at 4:00 p.m., at the District office.

The meeting was adjourned at approximately 7:33 p.m.

Connie Kujawa
Recording Secretary

Marvin Hedlund
Secretary