

September5(a)2017.min

APPROVED (September 18, 2017)
**REGULAR MEETING OF THE BOARD OF MANAGERS OF THE
MIDDLE- SNAKE-TAMARAC RIVERS WATERSHED DISTRICT
HELD AT 453 NORTH MCKINLEY STREET, WARREN, MN
8:30 A.M. September 5, 2017**

The meeting was called to order by Vice President John W Nelson. Managers John W Nelson, Roger Mischel, David Bakke, Bill Petersen, Brad Blawat, Eric Johnson and Robert Kovar were present. Connie Kujawa, Tony Nordby, Christina Slowinski, Kyle Schlomann, Danny Omdahl, Dillon Nelson, Nick Pribula, Heidi Hughes, Sheila Hoerner, Joel Praska, Jeff Hane and Dean Peterson were also present.

Motion by Mr. Bill Petersen, seconded by Mr. Robert Kovar that the agenda be approved, as amended, with the addition of JD #20, Branch B. Motion carried, with Mr. Eric Johnson abstaining.

Motion by Mr. David Bakke, seconded by Mr. Roger Mischel that the minutes of the August 21, 2017 meeting be approved, as presented. Motion carried, with Mr. Eric Johnson abstaining.

Administrative Assistant, Connie Kujawa, presented the Oath of Managers to the Managers. The oaths were signed and notarized by Connie Kujawa.

Attorney, Jeff Hane, conducted the reorganization of the Board.

Motion by Mr. Eric Johnson, to appoint Mr. Roger Mischel as Chairman of the Board. Roger Mischel declined the appointment. The motion died for lack of a second.

Motion by Mr. Bill Petersen, seconded by Mr. Roger Mischel that Mr. John W Nelson be appointed Chairman of the Board. There being no other nominations, the motion carried unanimously.

Motion by Mr. Eric Johnson, seconded by Mr. Robert Kovar that Mr. Bill Petersen be appointed Vice Chairman of the Board. There being no other nominations, the motion carried unanimously.

Motion by Mr. Robert Kovar, seconded by Mr. Brad Blawat that Mr. David Bakke be appointed Secretary of the Board. There being no other nominations, the motion carried unanimously.

Motion by Mr. David Bakke, seconded by Mr. John W Nelson that Mr. Robert Kovar be appointed Treasurer of the Board. There being no other nominations, the motion carried unanimously.

Motion by Mr. John W Nelson, seconded by Mr. Brad Blawat that Mr. Roger Mischel be appointed Assistant Secretary/Treasurer. There being no other nominations, the motion carried unanimously.

Sheila Hoerner, Agassiz Audubon Sanctuary, inquired if the District has insurance coverage to cover volunteers and Heidi Hughes while performing works at the Agassiz Audubon Sanctuary. Administrator Joel Praska reported he is checking on this matter with the District's insurance carrier.

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Sheila Hoerner presented a power point presentation of the works that have been performed at the Agassiz Audubon Sanctuary and stated the side door on the garage and on the quonset need to be replaced and inquired if the District would pay for the labor and installation of the doors.

A discussion was held concerning the expenditures of the Agassiz Audubon Sanctuary.

Two individuals joined the meeting at approximately 8:50 a.m.

Motion by Mr. Robert Kovar, seconded by Mr. Roger Mischel that Sheila Hoerner get two estimates for the installation of the side door on the garage and the quonset and submit those to the Board. Motion unanimously carried.

Motion by Mr. Eric Johnson, seconded by Mr. Roger Mischel that Connie Kujawa clarify the expenditures of the Agassiz Audubon Sanctuary and provide them to the Board at the next meeting of the Board. Motion unanimously carried.

Sheila Hoerner and Heidi Hughes left the meeting at approximately 9:06 a.m.

Jared Sands stated there are damaged or missing flap gates on some culverts on Judicial Ditch #1 and inquired who is responsible for replacing or repairing them. Attorney Jeff Hanes stated if they were installed as part of the original ditch plan, they would be the District's responsibility. The Board directed Engineer, Tony Nordby, to review the plans for Judicial Ditch #1 to determine if the culverts were installed as part of the original plan.

The following permits were unanimously approved:

1. Permit (17-076) to Field Brothers to install 297 acres drain tile; ¼" coefficient; 40' spacing; 7.5 HP (825 GPM) VFD pump; outletting into township road ditch and gravity outlet into the Tamarac River, S2, Section 31, Sinnott Township, with the District conditions. (Motion by Mr. Robert Kovar, seconded by Mr. Brad Blawat)
2. Permit (17-083) Jared Sands to install 314 acres drain tile; 15 h (2200 GPM) VFD HP pump; 3/8" coefficient; 50' spacing, outletting into city road ditch and into the Snake River, Section 5, Vega Township, pending approval from the MPCA. (Motion by Robert Kovar, seconded Mr. Roger Mischel)

Jared Sands left the meeting at approximately 9:30 a.m.

3. Permit (17-084) to Dean Peterson to install 300 acres drain tile; 7.5 HP (1,450 GPM) pump; ¼" coefficient; 100' spacing and to install a 18" culvert under the dry crossing on the W.S. of US Hwy 75 to drain the waters into Judicial Ditch #17, NE4 Section 17 and SE4 Section 8, Brislet Township. (Motion by Mr. Eric Johnson, seconded Mr. Bill Petersen)
4. Permit (17-085) to Dean Peterson to install 156 acres drain tile; ¼" coefficient; 100' and 50' spacing; gravity outlet into AGV south inlet ditch, NE4, Section 19, Helgeland Township. (Motion by Mr. David Bakke, seconded Mr. Brad Blawat).

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5. Permit (17-086) to Dean Peterson to install 292 acres drain tile; ¼" coefficient; 80' and 40' spacing; gravity outlet into township road ditch, W2, Section 13, Warrenton Township. (Motion by Mr. Roger Mischel, seconded by Mr. Eric Johnson)

Dean Peterson left the meeting at approximately 9:45 a.m.

6. Permit (17-077) to Michael Hoff to install 72 acres drain tile; 3/8" coefficient; 40' spacing; to tie into existing system, provided works are completed on the drainage outlet as approved in permit (16-085), N2 NW4, Section 21, Oak Park Township. (Motion by Mr. Bill Petersen, seconded by Mr. Roger Mischel)
7. Permit (17-078) to Michael Hoff to install 3 18" CMP side water inlet culverts provided flapgates are installed, N2 NW4, Section 21, Oak Park Township. (Motion by Mr. David Bakke, seconded by Mr. Robert Kovar)
8. Permit (17-079) to Scott Peters to install a field crossing with a 30" CSP, NW4, Section 35, Viking Township. (Motion by Mr. Bill Peterson, seconded by Mr. Roger Mischel)
9. Permit (17-080) to Tony Johnson to replace a 15" CMP under field crossing with a 18" CMP, SW4, Section 10, Vega Township. (Motion by Mr. Eric Johnson, seconded by Mr. Brad Blawat)
10. Permit (17-081) to Mark Judovsky to install 36 acres drain tile; ¼" coefficient; 40' and 80' spacing; gravity outlet into township road ditch, SW4 SW4, Section 36, Sandsville Township. (Motion by Mr. Eric Johnson, seconded by Mr. Brad Blawat)
11. Permit (17-082) to Mark Judovsky to lower 24" x 80' CMP with flap gate, approximately 18", station 495+09, provided Mark Judovsky pays for the expenses, SW4 SW4, Section 36, Sandsville Township. (Motion by Mr. Robert Kovar, seconded by Mr. Eric Johnson)
12. Permit (17-087) to Reynold Nelson to replace a 30" CMP side inlet culvert, install a 30" CMP and lower ~0.6", with Reynold Nelson paying for the backhoe work and the District paying for the culvert, riprap, fabric and trap, SW4, Section 32, Parker Township. (Motion by Mr. Robert Kovar, seconded by Mr. Bill Petersen)
13. Permit (17-088) to Michael Hoff to install 56 acres drain tile; 3/8" coefficient; 40' spacing; gravity outlet into CD 44 L3; S2 SW4, Section 17, Oak Park Township. (Motion by Mr. Brad Blawat, seconded by Mr. David Bakke.)

Jeff Hane left the meeting at approximately 10:15 a.m.

Tony Nordby reported the following quotes were received on August 23, 2017, for the Repair of Judicial Ditch #29 Lateral 1 and 2 and Judicial Ditch #29 Main.

Judicial Ditch #29 Lateral 1 & 2	
Triple D Construction	\$64,922.00
Spruce Valley Corporation	\$46,473.00
Davidson Construction	\$57,930.00
Zavoral Construction	\$47,507.40

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Judicial Ditch #29 Main	
Triple D Construction	\$78,010.50
Spruce Valley Corporation	\$65,483.00
Davidson Construction	\$73,559.00
Zavoral Construction	\$64,307.00
Gowan Construction	\$81,200.00

Motion by Mr. Bill Petersen, seconded by Mr. Roger Mischel that the low bid of Spruce Valley Corporation and Zavoral Construction be accepted; that the Chairman be authorized to execute the respected Agreements, and the Notice to Proceed be issued. Motion unanimously carried.

Tony Nordby reported Gladen Construction has begun construction on the repair of Judicial Ditch #75 are the works are proceeding well.

Nick Pribula, Houston Engineering, addressed the comments received from the Minnesota Board of Soil and Water Resources in regards to the Preliminary Engineers Report for the Repair of Polk County Ditch #175 and distributed the HEC/RAS modeling performed on the affected Petition area. It was announced the hearing on the Preliminary Engineers Report is scheduled for September 18, 2017, at 11:00 a.m., at the District office.

Administrator Praska reported the following quotes have been received to replace the 47" x 71" arch pipe, at station 378+28, on Polk County Ditch #175.

Gowan Construction	\$ 9,100.00
Higher Ground	\$11,710.73
Zavoral Construction	\$ 9,591.00

Motion by Mr. Brad Blawat, seconded by Mr. Robert Kovar that the bid of Gowan Construction be accepted to replace the 47" x 71" arch pipe, at station 378+28, and that Administrator Praska contact Northland Township to see if they wish to replace the culvert, at their expense, at station 355+44. Motion unanimously carried.

Nick Pribula left the meeting at approximately 10:47 a.m.

Tony Nordby reported that he and Danny Omdahl reviewed the eroded area at the outlet of Watershed Ditch #7 improvement, in Section 6 of Oak Park (Strip) Township. He stated the ditch would need to re-shaped and rip rap installed to repair the erosion. He also stated a plan for the repair would need to be submitted to the Marshall County SWCD for funding assistance.

Motion by Mr. Bill Petersen, seconded by Mr. Robert Kovar that Houston Engineering be directed to prepare a preliminary plan and submit the plan to the Marshall County SWCD, to determine if funding assistance is available for the repair of the outlet of Watershed Ditch #7 Improvement. Motion unanimously carried.

Danny Omdahl reported that K & K Trucking cleaned a portion of Judicial Ditch #15, Branch A, in sections 19 and 20 of New Solum Township in December 2016, but stopped at approximate station 89+05 due to wet conditions. He stated with the dry conditions this year, K & K Trucking could clean from approximate station 89+05 to station 126+24 at a

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cost that would relate to approximately \$200 per hour, if the approximate distance can be cleaned.

Motion by Mr. Robert Kovar, seconded by Mr. Bill Petersen that Danny Omdahl be authorized to solicit quotes for the remaining cleaning of Judicial Ditch #15, Branch A, in New Solum Township. Motion unanimously carried.

Tony Nordby reported Houston Engineering performed a profile of Judicial Ditch #20, Branch B, and the plans should be completed in the next few days.

Dillon Nelson, HDR Engineering, reported the plans have been completed for the construction of the Rick Confer ring dike; that Polk County approves of the plans; he is seeking funding through the Red River Watershed Management Board to assist in the costs of the ring dike; and he solicited for quotes and the following quotes were received:

Triple D Construction	\$42,094.50
Olson Construction TRF, Inc	\$33,848.00

Motion by Mr. Roger Mischel, seconded by Mr. Brad Blawat that the bid of Olson Construction TRF, Inc be accepted for the construction of the Rick Confer ring dike. Motion unanimously carried.

Motion by Mr. Robert Kovar, seconded by Mr. Bill Petersen that the District Administrator be authorized to execute the easement agreement with Jeff Steer and Rick Confer for the construction of the Rick Confer ring dike. Motion unanimously carried.

Christina Slowinski reported the changes have incorporated into the draft permit and drainage policy and were forwarded to the Board for review. Christina Slowinski was directed to forward the draft permit and drainage policy to Rinke-Noonan for review.

The Personnel Committee reported they conducted interviews with Travis Seudel and Owen Stenvik for the Engineer Tech position. It was the consensus of the Board, that the Personnel Committee request references of the applicants and report back to the Board.

Manager Mr. Robert Kovar left the meeting at approximately 11:50 a.m.

Danny Omdahl reported that he and Joel met with Kristen Hall, of the Minnesota Audubon, to tour the cattail problem at the Agassiz Valley Water Management Project. He stated the Minnesota Audubon will be hiring a contractor to spray the cattails and the work should be completed by September 15, 2017.

Connie Kujawa reported that Watershed Districts and Counties who accepted jurisdiction of the buffer legislation must have a draft rule/ordinance or official control in effect with BWSR, before November 1 2017. She stated BWSR has a model document for Watershed Districts and Counties to use, however Attorney John Kolb has found inconsistencies in the model documents. She inquired if the Board wished to have Attorney John Kolb prepare the draft rule/ordinance for the District. It was the consensus of the Board, that Attorney John Kolb be instructed to prepare the draft rule/ordinance for District.

Danny Omdahl reported the outlet culvert at the March Impoundment Property is in need of repair.

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Motion by Mr. Brad Blawat, seconded by Mr. Roger Mischel that Danny Omdahl request quotes and proceed with the repair of the outlet culvert at the March Impoundment property. Motion unanimously carried.

Administrator Praska briefly reviewed his works since he began employment. He reported the computer (00357), that was used by the previous Administrator, has not been working and that he found inappropriate files on it. He stated he is bringing this to the Board's attention and is seeking direction from the Board.

Motion by Eric Johnson, seconded by Mr. Bill Petersen that the District take all necessary measures to protect the staff, managers and district and seek direction from Attorney Jeff Hane as to how to proceed with sealing computer #00357 and have it removed from the District office, and that Administrator Praska be authorized to purchase a new computer. Motion unanimously carried.

Motion by Mr. David Bakke, seconded by Mr. Bill Petersen that Manager Mr. Eric Johnson be listed as an authorized signatory on the District's Checking accounts at Bremer Bank and Frandsen Bank, in Warren, Minnesota and Ben Kleinwachter be removed as a signatory. Motion carried, with Mr. Eric Johnson abstaining.

Motion by Mr. Roger Mischel, seconded by Mr. Brad Blawat that Administrator Praska be authorized as signatory on the District's Petty Cash Fund and Money Market Accounts at Bremer Bank and on the Money Market Accounts at Frandsen Bank in Warren, and that he be authorized to apply for a card under the District's Debit Card account. Motion unanimously carried.

Motion by Mr. Bill Petersen, seconded by Mr. Eric Johnson that Administrator Praska be appointed the District's Data Practice Responsible Authority and Connie Kujawa be the designated Designee. Motion unanimously carried.

The Board reviewed the Committees held by the Managers.

Motion by Mr. Roger Mischel, seconded by Mr. David Bakke that Mr. Bill Peterson replace Ben Kleinwachter as the District's representative on the Newfolden/Middle River Project team and Mr. Roger Mischel be the alternate; that Mr. Eric Johnson be the alternate representative on the Swift Coulee Project team; and Mr. Roger Mischel replace Ben Kleinwachter as the District's representative to the Red River Watershed Management Board with Mr. John W Nelson, the alternate. Motion unanimously carried.

Connie Kujawa reported the District received notice that the Pay Equity Report submitted in January does not meet compliance. She stated she contacted the Office of Management and Budget on how to proceed and they informed her to submit a revised pay equity report using the current positions and salaries. Connie Kujawa and Administrator Praska stated they have prepared a revised pay equity report. The revised report was distributed for the boards review.

Motion by Mr. Roger Mischel, seconded by Mr. David Bakke that Connie Kujawa submit the revised Pay Equity Report to the Office of Management and Budget. Motion unanimously carried.

Tony Nordby reported BWSR has received \$500,000 in Drainage Modernization Match Grant funds to assist counties and watershed districts in preserving and upgrading their

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records in an electronic GIS database. The application deadline is October 2, 2017. It was the consensus of the Board that Administrator Praska and Tony Nordby apply for the BWSR Drainage Modernization Grant Funds, on behalf of the District.

Correspondence from the North American Robotics regarding drone services; from the Minnesota Association of Watershed Districts regarding the Annual Meeting resolution process; from BWSR regarding alternative buffer practices and a memo in regards to the change in location of Governor Dayton's listening session in Crookston, Minnesota were distributed.

Manager Mr. David Bakke stated he will be attending the BWSR Buffer meeting scheduled for September 6, 2017, in Detroit Lakes.

The following meetings were announced:

- September 18, 2017-Regular Meeting, 8:30 a.m., District Office
- September 18, 2017-CD #175 Hearing, 11:00 a.m., District Office
- October 2, 2017-Regular Meeting, 8:30 a.m., District Office

By unanimous consent the meeting was adjourned at approximately 1:04 pm.

Connie Kujawa
Recording Secretary

David Bakke
Secretary