

**REGULAR MEETING OF THE BOARD OF MANAGERS OF THE  
MIDDLE- SNAKE-TAMARAC RIVERS WATERSHED DISTRICT  
HELD AT 453 NORTH MCKINLEY STREET, WARREN, MN  
3:30 P.M. DECEMBER 16, 2002**

The meeting was called to order by President Ron Osowski. Managers Jerome Potucek, Carl Green, Alvin Nybladh, Ron Osowski, Doug Sorenson, Richard Kuzel and Jim Johnson were present. Blake Sobolik and Ron Adrian were also present.

Motion by Mr. Richard Kuzel, seconded by Mr. Jim Johnson that the agenda be accepted as presented. Motion carried.

The two managers, Carl Green and Alvin Nybladh, appointed by the Marshall County Board of Commissioners, as a result of the expansion of the District were welcomed.

Mr. Adrian announced that the District insurance coverages have been modified so that the required bond for each manager has been in effect since Monday, December 9, 2002.

The oath of office was taken by both Carl Green and Alvin Nybladh.

Motion by Mr. Jerome Potucek, seconded by Mr. Jim Johnson that the minutes of the Advisory Committee meeting held on November 25, 2002, and the regular meeting held on November 25, 2002, be accepted as presented. Motion carried.

Motion by Mr. Doug Sorenson, seconded by Mr. Richard Kuzel that the treasurers report be accepted as presented, and that checks numbered 11458 through 11497 inclusive for a total of \$265,905.37 be paid from the administrative funds; that checks numbered 2846 through 2849 inclusive, and the service charge, for a total of \$86.36 be paid from the petty cash funds; and that checks numbered 1967 through 1970 inclusive for a total of \$5,800.00 be paid from the ditch funds. Motion carried.

Correspondence was reviewed from the Minnesota Pollution Control Agency concerning the revised storm water management permits and from the Department of Natural Resources concerning proposed rules for the determination of benefits on Con-Con lands in drainage proceedings.

A discussion was held concerning the request of Craig Jones to paid for the work done to seal the gate on Watershed Ditch #7. Mr. Adrian was directed to advise him that the District will not pay for the work because it was not previously authorized.

Motion by Mr. Jim Johnson, seconded by Mr. Doug Sorenson, that Mr. Adrian be given the authority to have the culvert moved and/or replaced from Judicial Ditch

#68, in the vicinity of the northwest quarter of section 33 of Higdem Township.  
Motion carried.

It was announced that the appeal of Jay Backstrom concerning Judicial Ditch #16 has been dismissed with prejudice.

A discussion was held concerning the comparable worth report required to be filed by the District. It was agreed that the Board would review the proposal and consider it at the next regular meeting.

Billings for publication by the Marshall County Board of Commissions, for the appointment of managers were reviewed. Mr. Adrian was directed to return these billings to the County, and inform them that it is our opinion that these are the responsibility of the County.

It was announced that the buildings, the Quonset, and the grain bin were offered to Darrell Novacek providing that the buildings be removed from the property before February 1, 2003.

It was announced that the National Emergency Grant, which is administered by the Minnesota Work Force Center, for flood control works, in Marshall and Pennington County, is in the process of hiring people to remove dead falls and debris from the Middle River, Snake River and Tamarac River in Marshall County.

Mr. Adrian reported that they request the District furnish them equipment.

Motion by Mr. Jerome Potucek, seconded by Mr. Richard Kuzel that the District at the discretion of Mr. Adrian furnish to the Minnesota Work Force Center chainsaws and equipment up to a cost of \$8,000.00. Motion carried.

Jon Slusar, Ralph Larson, Rhonda Larson, Jim Novak, Ron Sherack, Ernie Slusar, Robert Bren, David Judovsky, and John Rehder joined the meeting at approximately 5:00 p.m.

A discussion was held concerning the gates placed on the culverts on County Road #66 road ditches, on the line common to sections 12 and 7 of Northland Township, and sections 1 and 6 of Tabor Township. It was questioned why the Board issued a permit to the County for the installation of these gates.

It was reported that when the benefits were redetermined for County Ditch #175 and Judicial Ditch #75, that the properties to the south were determined not to be benefited by Judicial Ditch #75, and that any improvements to drainage from these properties can not be allowed to go into Judicial Ditch #75, unless the properties are added to the benefited area for the system.

After considerable discussion it was agreed that the District would furnish a copy of a similar petition that was used to add properties to the benefited area of a ditch system to those concerned.

John Slusar, Ralph Larson, Rhonda Larson, Jim Novak, Ron Sherack, Ernie Slusar, Robert Bren, David Judovsky, and John Rehder left the meeting at approximately 5:50 p.m.

A discussion was held concerning the Angus Oslo #4 impoundment.

Motion by Mr. Jim Johnson, seconded by Mr. Alvin Nybladh, that the ring dike program be extended by sending out letters to persons in the westerly part of the Tamarac Watershed, advising them of the existence of the ring dike program, and that upon receipt of the applications received, that these applications along with all the previous applications, that were determined to be eligible, be re-prioritized for for the ring dike cost share program. Motion carried.

A discussion was held concerning the appeals concerning the Agassiz Valley Water Management Project.

Blake Sobolik left the meeting at approximately 7:25 p.m.

The claim of Carl Gornowicz, Jr., for crop damages as a result of the drainage channel being blocked during construction of Phase 2 of the PL-566 project was reviewed.

Motion by Mr. Jim Johnson, seconded by Mr. Doug Sorenson, that the District pay Carl Gornowicz, as payment in full, for crop damage as a result of the channel in the northwest quarter of section 22 being blocked during the construction of Phase 2 of the PL-566 project, the amount of \$1,394.00. Motion carried, with Jerome Potucek abstaining.

The insurance policies in place were reviewed.

Motion by Mr. Jim Johnson, seconded by Mr. Jerome Potucek, that the firm of Conrad, Dahl and Associates be retained to perform the annual audit of the District's financial records and the audit required under the NRCS for the construction of the PL-566 project. Motion carried.

Motion by Mr. Jim Johnson, seconded by Mr. Jerome Potucek, that the Secretary cause to be prepared an Annual Report for 2002 of the Districts activities. Motion carried.

Motion by Mr. Richard Kuzel, seconded by Mr. Jerome Potucek that the following permits be issued:

- 1) Permit (02-57)-to Farley Township to replace the 36" concrete culvert with a 48" concrete pipe through County Road #67, on the west side of the line

common to sections 20 and 29 with the grade and elevation to be determined by the Engineer for the District;

- 2) Permit (02-58) to Virgil Olson to construct a dike along the west side of the southwest quarter of the northeast quarter and the south and west side of the southeast quarter, all in section 17, south of the Snake River, with the elevation to be determined by the Engineer for the District.

Motion carried.

Motion by Mr. Jim Johnson, seconded by Mr. Doug Sorenson, that the employee compensation be adjusted as follows:

Engineer	\$234/mo
Eng Technician	164/mo
Eng Technician II	171/mo
Secretary	110/mo
Eng Technician III	105/mo
Eng Technician IV	93/mo

And that the District assume ½ of the increase in hospitalization insurance provided by Blue Cross and Blue Shield effective April 1, 2003. Motion carried.

The next regular meeting was scheduled for 3:30 p.m., January 27, 2003, and the February meeting was set for 3:30 p.m., on February 24, 2003. Both of these meetings have been set back by 1 week due to the Federal holidays.

The meeting was adjourned at approximately 9:15 p.m.

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Richard Kuzel  
Secretary