

**REGULAR MEETING OF THE BOARD OF MANAGERS OF THE
MIDDLE- SNAKE-TAMARAC RIVERS WATERSHED DISTRICT
HELD AT 453 NORTH MCKINLEY STREET, WARREN, MN**

7:00 P.M.

JULY 21, 2003

7:00 P.M.

JULY 30, 2003

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

Motion by Mr. Jerome Potucek, seconded by Mr. Doug Sorenson that the agenda be accepted as presented. Motion carried.

Motion by Mr. Alvin Nybladh, seconded by Mr. Jerome Potucek that the treasurer's report be accepted as presented and that checks numbered 11735 through 11784 inclusive for a total of \$128,009.05 be paid from the administrative funds, and that checks numbered 2934 through 2946 inclusive for a total \$182.77 be paid from the petty cash funds; and that check number 1988 through 1994 inclusive for a total of \$98,775.75 be paid from the ditch funds. Motion carried.

Correspondence was reviewed from the Board of Water and Soil Resources concerning levy limits; concerning the establishment of the Shell Rock Watershed District; concerning the appointment of the Board of Water and Resources members by the Governor, and concerning public transportation permits; from the Flood Damage Reduction Work Group concerning a meeting scheduled for August 20, 2003, in Crookston.

Wilbur Novacek joined the meeting at approximately 7:30 p.m.

It was reported that the District has received a certification that the well in the southwest quarter of section 18 of Brandt Township has been sealed, that the buildings have been burned and/or buried, and that the building on the farmstead have all been removed.

It was reported that the Department of Natural Resources will apparently be issuing restoration orders for 4 reaches of the agricultural levee system along the Red River of the North, and that these restoration orders are expected to be issued the week of July 21, 2003.

Mark Maruska and Merle Stinar joined the meeting at approximately 7:25 p.m.

It was reported that a landowner along Branch A of Judicial Ditch #20 is requesting that he be paid for crop damage for spreading the spoil from the repair of Judicial Ditch #20.

A discussion was held concerning the Red Lake Watershed District Project #60.

Wilbur Novacek, Mark Maruska, and Merle Stinar discussed with the Board the permit issued for the levee in section 14 of Tabor Township.

Rhonda Larson, Ray Larson and Rhea Larson joined the meeting at approximately 7:35 p.m.

Mr. Adrian reported that based on the culvert size through Polk County State Highway #20, that a 24" corrugated steel pipe or equivalent would be the appropriate size if the capacity of the culverts into Judicial Ditch #75 are to approximate the capacity of the culvert thru Polk County State Highway #20.

Further consideration of the permit was deferred until later in the meeting with the consideration of the permits.

Wilbur Novacek, Mark Maruska, and Merle Stinar left the meeting at approximately 7:40 p.m.

Rhonda Larson, Ray Larson, and Rhea Larson discussed with the Board the petition submitted to be added to the benefited area of Judicial Ditch #75. The petitioners, Rhea Larson and Ray Larson, requested that the first petition filed on June 19, 2003, with the District be withdrawn.

Mr. Adrian was directed to return the original petition in the file to them.

Motion by Mr. Jim Johnson, seconded by Mr. Jerome Potucek, that the petition submitted by Rhea Larson and Ralf Larson, filed on July 18, 2003, be accepted, and that Mr. Ronald J Adrian be appointed Engineer in the matter, and report back to the Board.

Mark Maruska, Eric Johnson, Neil Johnson and Mark Judovsky joined the meeting at approximately 8:00 p.m.

Rhonda Larson, Ray Larson and Rhea Larson left the meeting at approximately 8:05 p.m.

Jim Foltz and others joined the meeting at approximately 8:05 p.m.

A discussion was held concerning the request for a permit by Polk County to rebuild the roadway on the line common to section 6 of Angus Township, and section 1 of Tabor Township.

Philip Omdahl joined the meeting at approximately 8:15 p.m, and Tom Omdahl joined the meeting at approximately 8:40 p.m.

It was reported that at a meeting held by Angus Township to discuss this matter that a number of items were considered and apparently agreed to. However, it was agreed by those present that not all the parties that have an interest in building the township roadway were present at the meeting. It was agreed that the Board meeting would be continued until Wednesday July 30, 2003, at 7:00 p.m. to discuss this matter further. The persons interested in the road are to

contact both town boards of Angus and Tabor Township, and the residents in the immediate vicinity of the roadway to discuss this matter further.

Mark Maruska, Eric Johnson, Neil Johnson, Jim Foltz and others left the meeting at approximately 8:50 p.m.

David Judovsky discussed with the Board the drainage in the vicinity of Polk County Highway #66.

David Judovsky left the meeting at approximately 9:00 p.m.

Tom Omdahl and Philip Omdahl discussed the Agassiz Valley Water Management Project. However it was pointed out that because of the litigation that this would be discussed at a closed session.

Tom Omdahl and Philip Omdahl left the meeting at approximately 9:02 p.m.

The meeting was closed for purposes of discussing a settlement offer, at approximately 9:05 p.m.

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

A discussion was held concerning the dispute in section 32 of West Valley Township. Mr. Adrian reported that it is his understanding that the next step is up to the County and the Townships to request a permit for the work, which has apparently been agreed to by the parties involved. It was agreed that a letter would be forwarded to John Rokke and Earl McGregor stating this.

Motion by Mr. Doug Sorenson, seconded by Mr. Alvin Nybladh, that Mr. Adrian be given the authority to spray the ditches under the jurisdiction of the Middle-Snake-Tamarac Rivers Watershed District for noxious weeds, cattails, and brush. Motion carried.

The outstanding bonds for Watershed Ditch #5, Watershed Ditch #6, and Judicial Ditch #75 were reviewed. Mr. Adrian was directed to investigate the feasibility of refinancing.

It was announced that the Department of Public Safety has looked at our request for reconsideration and we are awaiting word from them concerning our request.

A discussion was held concerning the petition to the Board of Soil and Water Resources concerning the proposed boundary change.

A discussion was held concerning the graveling of the roadway along the east side of Angus Oslo #4.

Motion by Mr. Arlyn Stroble, seconded by Mr. Jim Johnson that the permit (03-31) to John Peterson, H & J Farms, to install an additional 24" pipe to drain

waters into County Ditch #35, in the vicinity of the northwest corner of section 36 of Farley Township, provided that a trap is placed on the north end to prevent waters from leaving County Ditch #35 through the pipe. Motion carried.

Motion by Mr. Jim Johnson, seconded by Mr. Jerome Potucek that

1. permit (03-12) to replace the bridge over Judicial Ditch #75 on the line common to sections 1 and 2 of Northland Township;
2. permit (03-13) to replace bridge over Judicial Ditch #75 on the line common to sections 5 and 4 of Northland Township; and
3. permit (03-14) to replace the bridge over Judicial Ditch #75, on the line common to sections 4 and 3 of Farley Township;

issued to the Polk County Highway Department all be modified to include the requirement that the height of the roadway or spoil along the north side, remain at the present elevation or at the planned elevation whichever is higher, and that the height of the spoil along the south side of the channel be maintained at the present elevation, or the planned elevation, whichever is higher with the elevations to be determined by the Engineer of the District. Motion carried.

Motion by Mr. Doug Sorenson to deny the permit (03-32) request of Oak Park Township to replace the culvert in the coulee on the line common to the southeast quarter of section 1 of Oak Park Strip and the northeast quarter of section 12 of Oak Park Strip, with 1 line of 48" corrugated steel pipe or equivalent. Motion died, for lack of a second.

Motion by Mr. Carl Green seconded by Mr. Jerome Potucek that permit (03-32) of request of Oak Park Township to replace the culvert in the coulee on the line common to the southeast quarter of section 1 of Oak Park Strip and the northeast quarter of section 12 of Oak Park Strip, with 1 line of 48" corrugated steel pipe or equivalent be issued. Motion carried with Doug Sorenson and Arlyn Stroble opposing.

Motion by Mr. Jim Johnson, seconded by Mr. Alvin Nybladh, that the following permits be issued:

- 1) Permit (03-33) to the Marshall County Highway Department to replace the existing 18" CSP culvert draining into the main Branch of Judicial Ditch #20 in the vicinity of the Southwest corner of section 8 of Vega Township, with 1 line of 24" corrugated steel pipe or equivalent, provided that a flap gate is placed on the south end;
- 2) Permit (03-34) to the Marshall County Highway Department to replace the bridge over Marshall County Ditch #13 on the line common to the north half of sections 2 and 1 of Bloomer Township with 2-lines of 72" corrugated steel pipe or equivalent;
- 3) Permit (03-35) to the Marshall County Highway Department to replace the bridge on County State Aid Highway #32, over the Tamarac River, in the

vicinity of the line common to sections 23 and 24 of Tamarac Township, as outlined in the permit application dated June 27, 2003;

- 4) Permit (w03-36) to Kipp Loeslie to install ditch plugs in the northwest quarter of section 21 of Helgeland township as outlined in the permit application dated July 21, 2003;
- 5) Permit (w03-37) to Don Loeslie to install ditch plugs in sections 16, 17, and 21 of Helgeland Township as outlined in the permit application July 18, 2003.
- 6) Permit (03-38) to Wilbur Novacek and Others to install an additional 24" corrugated steel pipe or equivalent to drain waters into the Branch of Judicial Ditch #75, from the north side, in the vicinity of the west County State Aid Highway #20 road ditch, in section 14 of Tabor Township, provided that the existing spoil height and width is maintained, and that a flap gate be placed on the south end of the culverts to prevent waters from leaving the Judicial Ditch #75 through the culverts.
- 7) Permit (03-39) to Ron Sherack to extend the term of permit (01-42) until November 1, 2004

Motion carried.

Motion by Mr. Alvin Nybladh, seconded by Mr. Jerome Potucek that the District sign the construction easement with Mark and Don Yutrzenka and that the District pay the second half of the taxes due on the parcel containing the properties acquired from Mark and Don Yutrzenka. Motion carried.

Motion by Mr. Alvin Nybladh, seconded by Mr. Jerome Potucek, that Mr. Adrian be directed to prepare the proposed budget for the year 2004, and that a public hearing be held on the proposed budget at 7:00 p.m., September 8, 2003. Motion carried.

The next regular meeting was set for 8:00 a.m., on August 18, 2003, at the District Office.

The meeting was continued until 7:00 p.m., July 30, 2003.

The meeting was reconvened at 7:00 p.m., at the District office on July 30, 2003, and called to order by President Ron Osowski. Managers Ron Osowski, Doug Sorenson, Arlyn Stroble, Jerome Potucek, Jim Johnson and Alvin Nybladh were present. Manager Carl Green was not present. Ron Adrian, Mark Judovsky, Neil Johnson, Mark Maruska, Ron Kmecik, Jay Johnston, Allen Maruska, David Judovsky, Eric Johnson, Gerald Larson, and Rich Sanders were also present.

A discussion was held concerning the permit request of Polk County to construct a roadway and to build a bridge on the line common to section 1 of Tabor Township and section 6 of Angus Township.

Jim Foltz joined the meeting at approximately 7:25 p.m.

Motion by Mr. Doug Sorenson, seconded by Mr. Jerome Potucek that a permit (03-40) be issued to the Polk County Highway Department to construct a bridge over Judicial Ditch #75 on the line common to section 6 of Angus Township, and section 1 of Tabor Township, and to construct a roadway on the line common to section 6 and section 1, provided that in the south one-eighth mile that at least a 200' reach along the roadway be maintained at an elevation at or below 853.4' MSL, that a 24" or equivalent arch culvert be installed in the vicinity of the southwest corner of section 6 of Angus Township with a rock structure constructed near the outlet of the culvert to limit flows through the culvert below an elevation of 851.2' MSL. Motion carried, with Jim Johnson abstaining.

Mark Judovsky, Neil Johnson, Mark Maruska, Ron Kmecik, Jay Johnston, Eric Johnson, Allen Maruska, Gerald Larson, David Judovsky, Rich Sanders and Jim Foltz let the meeting at approximately 8:40 p.m.

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

The meeting was adjourned at approximately 9:10 p.m.

Ronald Adrian
Acting Secretary

Doug Sorenson
Secretary