

(APPROVED MAY 17, 2004)
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. APRIL 19, 2004

The meeting was called to order by President Doug Sorenson. Managers Jim Johnson, Arlyn Stroble, Doug Sorenson, Tracy Anderson, David Bakke and Carl Green were present. Ron Adrian and Blake Sobolik were also present. Manager Alvin Nybladh was not present. Also present were James Vansickle, Jim Stengrim and Loren Zutz.

Motion by Mr. Tracy Anderson, seconded by Mr. David Bakke that Mr. Ronald Adrian be appointed the recording secretary for purposes of keeping the minutes of the meeting. Motion carried.

Motion by Mr. Arlyn Stroble, seconded by Mr. Jim Johnson to approve the agenda as presented. Motion carried.

Motion by Mr. Jim Johnson, seconded by Mr. Carl Green to approve the Minutes of the regular meeting held on March 15, 2004, as corrected. Motion carried.

Motion by Mr. Arlyn Stroble, seconded by Mr. Carl Green to approve the Minutes of the special meeting held on March 23, 2004, as presented. Motion carried.

Motion by Mr. Arlyn Stroble, seconded by Mr. Tracy Anderson to approve the Treasurer's report, subject to audit. Motion carried.

Motion by Mr. Jim Johnson, seconded by Mr. David Bakke that the bills be paid including the following: from the Administrative funds; checks numbered 3961 through 3971 inclusive for a total of \$12,863.18; checks numbered 12136 through 12141 inclusive for a total of \$8,644.55; and checks numbered 12135 and 12142 through 12165 inclusive, and checks 12181 through 12188 inclusive, including the service charge and box rent for a total of \$56,127.59 and check number 12189 for \$2,668.57 be paid; from the Ditch funds; checks numbered 2022 through 2023 inclusive for a total of \$1,001.21 be paid. Motion carried.

Randy Huderle joined the meeting at approximately 3:55 p.m.

Mark Judovsky joined the meeting at approximately 4:10 p.m.

Motion by Mr. Tracy Anderson, seconded by Mr. Arlyn Stroble that the following permits be issued:

1. Permit (04-06) be issued to Marshall County Highway Department to rebuild County State Aid Highway #32, as proposed in the permit application dated April 2003, with the exception that at station 343+82, that an 18" culvert or equivalent be installed at this location;
2. Permit (04-07) to Justin Gerszewski to install a crossing in Marshall County Ditch #43 with the culvert size and the alignment and grade to be determined by the Engineer for the District;
3. Permit (04-08) to Roger Hille to replace the culvert in the east township road ditch immediately across from St. Peter and Paul's Catholic Church with a culvert size to be determined by the Engineer for the District;
4. Permit (04-09) to Bruce Hammnes to clean the east Trunk Highway #75 road ditch along the southwest quarter of section 29 of Sinnott Township.

Motion carried.

Motion by Mr. Tracy Anderson, seconded by Mr. Carl Green that the permit (04-10) be issued to the Polk County Highway Department to replace the bridge over the Snake River on the line common to sections 11 and 12 of Sandsville Township, as requested in the permit application dated March 11, 2004, be granted. Motion carried, with Mr. Arlyn Stroble opposing and Mr. Jim Johnson abstaining.

James Vansickle discussed with the Board the drainage in the vicinity of the northwest quarter of section 35 of Middle River Township and the drainage along the east side of Trunk Highway #75, in the vicinity of Sections 35, 34, 27 and 22 of Middle River Township. It was agreed that the District would survey the drainage ditch along the east side in an effort to determine what improvements, if any, could be made to the drainage in this vicinity.

Randy Huderle discussed with the Board the properties acquired by the District for Phase 1 and Phase 3a of the Snake River PL-566 project. He stated that it was his understanding that last fall when the seeding was done, that he had an agreement to rent the properties in section 2 for haying.

Motion by Mr. Tracy Anderson, seconded by Mr. Arlyn Stroble that the District rent to Randy Huderle the properties along the floodway in section 2 of Boxville Township for an annual rental of \$35.00 per acre, through the year 2007. Motion carried.

Motion by Mr. Jim Johnson, seconded by Mr. Arlyn Stroble that the District advertise for bids, the properties acquired for phase 3A, to rent the tillable acres, not seeded to grass, and the rest of the property, which maybe harvested for grass, through 2008, with the Watershed District paying the cost of seeding, with the rent to start in 2005. Motion carried, with David Bakke and Tracy Anderson abstaining.

James Vansickle and Randy Huderle left the meeting at approximately 5:55 p.m.

Mark Judovsky discussed the drainage in the vicinity of section 2 of Tabor Township. He stated that with the spring breakup and Judicial Ditch #75 being blocked with snow, that the water has left Judicial Ditch #75 in many areas, reducing the heights of the levees along the south side of the channel. He requested that these be repaired.

Motion by Mr. Jim Johnson, seconded by Mr. Arlyn Stroble that Mr. Adrian be given the authority to restore the height of the spoil along the south side of Judicial Ditch #75 to its pre-flood elevation. Motion carried.

Mark Judovsky also discussed the drainage in the vicinity of sections 1 and 2 of Northland Township.

Motion by Mr. Arlyn Stroble, seconded by Mr. Jim Johnson that the permit (03-12) granted to the Polk County Highway Department to replace the bridge over Judicial Ditch #75, on the line common to sections 1 and 2 of Northland Township be modified to add the installation of an additional 36" corrugated steel pipe with a flap gate on the north end, to drain waters into Judicial Ditch #75, from the northwest quarter of section 1 of Northland Township. Motion carried.

A discussion was held concerning the height of the roadway and the drainage through the township road, on the line common to sections 1 and 2. It was agreed that a letter would be sent to the Township Board inviting them to the next meeting to discuss this issue.

A discussion was held concerning the addition of laterals to Judicial Ditch #1.

Mark Judovsky left the meeting at approximately 6:23 p.m.

Jim Stengrim presented to the Board a copy of a printout from the internet describing the "Agassiz Valley Water Resource Management Area".

Loren Zutz discussed a letter received by him concerning the data practices act.

A discussion was held concerning the request of Bruce Ranstrom concerning the culvert sizing on Judicial Ditch #20. It was agreed that the culvert sizing used for Judicial Ditch #20 would be reviewed at the next regular meeting.

The results of the Department of Natural Resources survey of the Agricultural Levees along the Red River of the North were briefly reviewed.

A letter from the Informational Policy and Analysis Division concerning the Data Practices Act and letters to Jim Stengrim and to Loren Zutz concerning the data practices were reviewed.

Correspondence was reviewed from Michael Novacek concerning the growing of organic crops; several items concerning the Conservation Reserve Enhancement Program were reviewed, and a letter from the Red River Basin Commission was reviewed.

Motion by Mr. David Bakke, seconded by Mr. Arlyn Stroble that a hearing be scheduled at the Stephen Community Center, to be held in Stephen, Minnesota, regarding the adoption of the proposed rules of the District, and that publication of said hearing be published in the Roseau Times, Kittson County Enterprise, Stephen Messenger, Thief River Times, Crookston Times, the Middle River paper, and the Warren Sheaf. Motion carried.

It was announced that the gate on Angus Oslo Site #4 was closed on March 25, 2004, and partially opened on April 8 and April 9, 2004.

Motion by Mr. Jim Johnson, seconded by Mr. Tracy Anderson that the District retain Charlie Anderson to prepare the "as-built" plan and to determine the works necessary to complete the Angus Oslo Site #4. Motion carried.

It was announced that a hearing concerning the appeal, to the Court of Appeals, has been scheduled for April 22, 2004, in Moorhead, Minnesota.

It was announced that the planning of 3 additional ring dikes has begun, and it appears that additional ring dike monies have been approved for the upcoming year.

It was announced that the bids had been received for Trunk Highway #75, and that the low bidder is Midwest Contracting of Marshall, Minnesota.

The responsibilities and duties of the Contracting Officer for the PL-566 project were briefly reviewed.

It was announced that bids have been received for Phase 3b of the Snake River PL-566 project, and that the apparent low bidder is Spruce Valley Construction of Middle River, Minnesota.

Mr. Adrian reported that the Natural Resources Conservation Service will develop a monitoring plan to monitor flows into the Off Channel Floodwater Storage Site which will apparently include entering into agreements with the US Geological Survey to do the flow monitoring.

Correspondence was reviewed from Mr. Kurt Deter to Eldon Elseth concerning requests for information and from Ron Adrian to the Marshall County Commissioners concerning the Snake River PL-566 project.

Eldon Elseth joined the meeting at approximately 7:50 p.m.

Motion by Mr. Jim Johnson, seconded by Mr. David Bakke that Mr. Adrian be authorized to retain the Minnesota Department of Transportation to provide inspection and technical services for both Trunk Highway #1 and Trunk Highway #75 structures on the Snake River PL-566 Flood Control Project. Motion carried.

A discussion was held concerning the payment in lieu of taxes on the properties acquired for the Snake River PL-566 project.

A letter from the State Auditor concerning adding an agreed upon procedure to the audit for 2003 was reviewed.

It was agreed that a copy of this letter would be sent to the 7 townships which provided funds for the Agassiz Valley Water Management Project.

A petition to the Marshall County Board of Commissioners concerning audits of the District's financial records was reviewed.

Motion by Mr. Arlyn Stroble, seconded by Mr. David Bakke that the firm of Conrad Dahl and Associates be retained to audit the District's financial records from February 1, 1997 through January 31, 2003, to the same standards as done for the Two Rivers Watershed District and for the Red Lake Watershed District, to be conducted immediately following the receipt of the audit for 2003. Motion carried.

Eldon Elseth and Jim Stengrim left the meeting at approximately 8:05 p.m.

A discussion was held concerning the CRP contract on lands owned by the District, in section 18 of Brandt Township.

Bids which were solicited for the sale of the 40 acres of property owned by the District in section 33 of Como Township were reviewed.

Motion by Mr. Jim Johnson, seconded by Mr. Carl Green that the District accept the highest bid for this property. Motion carried.

Loren Zutz left the meeting at approximately 8:15 p.m.

Motion by Mr. Tracy Anderson, seconded by Mr. Arlyn Stroble that the Administrative Agreement providing for the Issuance of Permits that affect properties within the boundaries of both the Red Lake Watershed District and the Middle Snake Tamarac Rivers Watershed District and the Administrative Agreement providing for the repair and maintenance of public drainage systems lying within the boundaries of the Red Lake Watershed District and the Middle-Snake-Tamarac Rivers Watershed District be signed. Motion carried.

Motion by Mr. Arlyn Stroble, seconded by Mr. Tracy Anderson that the District solicit proposals for equipment rental for the 2004 construction season. Motion carried.

It was announced that the Red River Watershed Management Board meeting is scheduled for 9:30 a.m., April 20, 2004, at the Watershed District office in Ada, Minnesota.

It was also announced that Don Donarski and Mike Drees have been hired for summer help.

A discussion was held concerning the repair of traps on judicial ditch systems under the jurisdiction of the District. It was agreed that the policy would remain the same; for those traps for which it is clear that the District is responsible for the repair and maintenance of, that the Engineer for the District has the authority to have these repaired as soon as possible.

A discussion was held concerning the continuing education units required by the State for registration as a Professional Engineer.

Motion by Mr. Arlyn Stroble, seconded by Mr. Carl Green that Mr. Adrian be given the authority to provide spoil for the rebuilding of the roadway and bridge on township road over the Snake River, on the line common to section 11 and 12 of Sandsville Township, with the location of the spoil area and unit rate to be

charged to be determined by the Engineer for the District. Motion carried, with Mr. Jim Johnson abstaining.

Motion by Mr. Tracy Anderson, seconded by Mr. Arlyn Stroble that the motion granting the permit (04-06) to the Marshall County Highway Department to rebuild County State Aid Highway #32, be amended to grant the permit as proposed in the permit application dated April 2003. Motion carried.

A discussion was held concerning the petition to be added to the benefited area of Judicial Ditch #75.

The meeting was closed at 8:55 p.m., for purposes of discussing current litigation pending for the Agassiz Valley Water Resource Management Project and for the Snake River PL-566 Flood Control Project.

The meeting was reopened at approximately 9:12 p.m.

The next regular meeting was scheduled for 6:30 p.m., May 17, 2004, at the District office, with the June regular meeting to be scheduled for 6:30 p.m., on June 21, 2004, at the District Office.

Motion by Mr. Arlyn Stroble, seconded by Mr. Tracy Anderson that the meeting be adjourned. Motion carried.

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

Ronald Adrian
Recording Secretary

Carl Green
Secretary