

APPROVED (May 15, 2006)

06-04.min

**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 17, 2006**

The meeting was called to order by President Doug Sorenson. Managers Doug Sorenson, Arlyn Stroble, Alvin Nybladh, John W Nelson, Tracy Anderson, Ben Kleinwachter and David Bakke were present. Attorney Jeff Hane, Ronald J Adrian, Nick Drees, Connie Kalinowski, LeRoy Vonasek, Jerry VonKorff were also present.

Motion by Mr. Ben Kleinwachter, seconded by Mr. Tracy Anderson, that Connie Kalinowski be appointed the recording secretary for purposes of keeping the minutes of the meeting. Motion unanimously carried.

Manager Mr. David Bakke requested that the addition of "Bill Audits" be added to agenda item number 21 (Other).

Motion by Mr. Arlyn Stroble, seconded by Mr. John W Nelson to approve the agenda, with the addition. Motion unanimously carried.

Motion by Mr. David Bakke, seconded by Mr. Alvin Nybladh to approve the minutes of the March 20, 2006 meeting as corrected. Motion unanimously carried.

Motion by Mr. Tracy Anderson, seconded by Mr. Arlyn Stroble to approve the Treasurers Report, subject to audit. Motion unanimously carried.

Nick Drees reported that as part of the stream maintenance that beavers were removed from the Snake River in sections 8 and 17 of Marsh Grove Township.

Ronald J Adrian provided a breakdown of costs on the billings of Houston Engineering.

Motion by Mr. Tracy Anderson, seconded by Mr. Alvin Nybladh, that the bills be paid including the following: from the Administrative Funds, that payroll checks numbered 4336 through 4347 inclusive for a total of \$13,999.52; that check numbered 12994, and checks 13011 through 13014 inclusive for a total of \$9,933.01; and checks numbered 12995 through 13009 inclusive and checks numbered 13011, 13015 including the bank service charges for a total of \$8,913.83 be paid; from the Administrative Project Funds that checks numbered 1178 through 1190 inclusive for a total of \$30,378.43 be paid; and from the Ditch Funds that checks numbered 2136 through 2138 inclusive for a total of \$646.00 be paid. Motion unanimously carried.

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Jerry VonKorff, attorney with Rinke Noonan, wished to address the Board on strategies and theories regarding the Agassiz Valley Water Management Project.

Motion by Mr. Ben Kleinwachter, seconded by Mr. John W Nelson to close the meeting, until 5:00 p.m., for purposes of discussing with legal council strategies and theories regarding the Agassiz Valley Water Resource Management Project.

The meeting was closed at 3:50 p.m.

LeRoy Vonasek left the meeting at approximately 3:50 p.m.

Motion by Mr. Arlyn Stoble, seconded by Mr. John W Nelson to extend the closed meeting until 6:00 p.m., to continue discussion with legal council on strategies and theories regarding the Agassiz Valley Water Resource Management Project. Motion unanimously carried.

Motion by Mr. Arlyn Stroble, seconded by Mr. Ben Kleinwachter to reopen the meeting at approximately 6:04 p.m.

After a 5 minute recess, the meeting reconvened.

LeRoy Vonasek, Loren Zutz, Wallace Diedrich, Brian Jadeke, Earl McGregor, Darrell Novacek, Jim Stengrim, Randy Swanson and Pam Wockenfuss joined the meeting at approximately 6:05 p.m.

A resolution of support from the City of Warren regarding the Agassiz Valley Water Resource Management Project was distributed.

Manager Mr. David Bakke distributed a letter from Dennis Hjelle regarding the drainage in section 32 of West Valley Township.

Earl McGregor and Randy Swanson discussed the drainage in sections 31 and 32 of West Valley Township.

Motion by Mr. John W Nelson, seconded by Mr. Alvin Nybladh to approve the following permits:

1. Permit (06-006) be issued to the Polk County Highway Department to replace the existing bridge with (2) lines of 10'x8' box culverts on Judicial Ditch #75 Branch on sectionline 9/10 of Tabor Township;
2. Permit (06-009) be issued to Justin Gajeski to install a field crossing with a 48" culvert, on Marshall County Ditch #43, in the N ½ of section 19 of Donnelly Township, dependent upon Marshall County approval;

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3. Permit (06-008) of Pete Hapka to remove sediment and flatten slopes on the north side of the county road ditch, and to build a dike at ground level from the east end of the yard to the east end of section 22 of Brislet Township;

And to deny the following permits:

1. Permit (06-005) of Polk County Highway Department to replace the existing culvert on Polk County Ditch #43, on sectionline 11/12 of Angus Township, with a 12'x6' box culvert;
2. Permit (06-010) of John Rokke to remove the 24" culvert and install a 36"x22" arch through Marshall County Road #115, in sections 31 and 32 of West Valley Township.
3. Permit (06-011) of William Field to clean the township road ditch along the east side of section 7 and the N ½ of the West Side of section 8 of Tamarac Township, and to install new culverts on sectionline 7/8 and 6/7 of Tamarac Township.

Motion unanimously carried.

Nick Drees was directed to contact John Rokke and the Marshall County Highway Department regarding the feasibility of realigning the culvert on sectionline 31 and 32 of West Valley Township.

Earl McGregor and Randy Swanson left the meeting at approximately 6:40 p.m.

Darrell Novacek discussed with the Board the drainage in sections 23 and 24 of Angus Township. He requested removal of the existing 24" culvert in the field crossing on the half mile line on the east side of the township road and to create a dry crossing to prevent waters from flowing north.

After discussion, it was agreed that more information was needed and that Nick Drees contact the adjacent landowners.

Darrell Novacek left the meeting at approximately 7:00 p.m.

Jeff Hane left the meeting at approximately 7:05 p.m.

Pam Wockenfuss, Agassiz Audubon Manager, discussed the Agassiz Valley Water Resource Management Project with the Board.

Jim Stengrim, Loren Zutz, Wally Diedrich, and Brian Jadeke also discussed the Agassiz Valley Water Resource Management Project.

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Jeff Hane re-joined the meeting at approximately 7:58 p.m.

Pam Wockenfuss left the meeting at approximately 7:58 p.m.

Correspondence was distributed from the Minnesota Board of Soil and Water Resources regarding the Notice of Intent to 1) Adopt Rules Without a Public Hearing, 2) Minnesota Rules Chapter 84115, and 3) Appeals of Watershed District Rules and Permit Decisions; from Helgeland Township regarding their Policy Statement; from Minnesota Department of Natural Resources regarding Working Lands Initiative Focus Area Meetings; and from the Red River Basin Commission regarding a Water Management Workshop on April 19, 2006 in Grand Forks.

Nick Drees reported that the data practice requests of Jim Stengrim, Eldon Elseth and Wallace Diedrich are on hold.

It was reported that the Office Policy and Procedures for obtaining Public Data has not been completed at this time.

Nick Drees reported that there is no progress in finalizing Phase 2 of the PL-566 project; that a meeting was held with the Contractor and the NRCS regarding the construction schedule for Phase 3B; and that once it dries up soil borings will be taken for Phase 4 of the PL-566 flood control project.

Ronald J Adrian briefly discussed the ring dike cost share program. A listing of property owners requesting ring dikes in 2006 was distributed.

Manager Mr. Arlyn Stroble inquired if Marshall County has a buyout program.

LeRoy Vonasek, Marshall County Commissioner, informed the Board that Marshall County does not have a buyout program at this time, but the County has filed for disaster assistance for the spring flood of 2006 and this may include a buyout program.

Nick Drees reported that the spoil on Judicial Ditch #29 washed out, and inquired on the Board's position to fix the spoil. The Board directed Nick Drees to assess the situation and to provide cost estimates for the repair.

A discussion was held concerning the mowing and spraying of the ditch systems under the jurisdiction of the District. The Board directed Nick Drees to have an employee of the District certified in chemical application.

Motion by Mr. John W Nelson, seconded by Mr. Alvin Nybladh that the mowing and spraying of the ditch systems under the jurisdiction of the Watershed District

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be done as needed, with the condition that the spraying is done earlier in the season. Motion unanimously carried.

Nick Drees reported that he has been contacted by landowners along the outlet of Angus Oslo Site #1. They requested to meet with the Board to discuss what improvements could be made to the downstream channel.

It was agreed that Nick Drees, Tracy Anderson and Arlyn Stroble would meet with the landowners.

Motion by Mr. Tracy Anderson, seconded by Mr. Arlyn Stroble that the secretary be directed to publish in the Crookston Times, Roseau Times, Stephen Messenger, Warren Sheaf, Thief River Times and the Kittson County Enterprise, for 3 consecutive weeks, the notice for bids of equipment rental for the 2006 construction season. Motion unanimously carried.

It was announced that the Red River Watershed Management Board meeting is scheduled for April 18, 2006 at Fertile, Minnesota. No activity report for the District was distributed.

Nick Drees briefly reported on the Legislative Breakfast held in St. Paul on March 22, 2006 and on the RRWMB/Red River Basin meeting held in Crookston on March 30, 2006.

Manager Mr. Ben Kleinwachter reported on the meeting held with Donovan Pietruszewski, Minnesota Department of Natural Resources, Mr. Alvin Nybladh, Ronald J Adrian and Nick Drees on March 29, 2006, at the District office regarding the Nelson Slough.

Connie Kalinowski reported that she filed the application with ICS Agency for the managers bonds.

The draft 2005 Annual Report was distributed.

Connie Kalinowski reported that she has contacted an insurance agent who is checking into Health Reimbursement Arrangement plans and it is planned to present this material to the Board at the May 2006 regular meeting.

A discussion was held regarding the State Standard Per Diem Expense allowances of employees performing District business.

After discussion, the District decided to table the State Standard Per Diem Expense allowance until the next regular meeting.

It was announced that there has been no contact with the 2005 summer help returning for the 2006 construction season.

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Manager Mr. David Bakke discussed with the Board the auditing of bills of the District. It was agreed that Mr. David Bakke and Mr. Alvin Nybladh would meet 1 hour prior to the regular board meeting and audit the bills of the District.

Nick Drees inquired if the District wished to rent the District land in section 10 of Comstock Strip which consists of approximately 14 acres. The Board decided not to rent the strip, but directed Nick Drees to have the area sprayed and mowed.

Chairman Doug Sorenson announced that there could potentially be a need for a Special Meeting of the Board on April 27, 2006, at 7:00 p.m., at the District office.

A discussion was held whether there was a need of the District to hold 2 board meetings during the months of May through November.

Motion by Mr. Ben Kleinwachter, seconded by Mr. David Bakke to hold two regular Board meeting a month beginning May 2006 through November 2006, at 7:00 p.m., at the District meeting. Motion unanimously carried.

The next regular meeting of the Board is scheduled for May 1, 2006, at 7:00 p.m., at the District office.

Motion by Mr. Tracy Anderson, seconded by Mr. David Bakke to adjourn the meeting. Motion unanimously carried.

The meeting was adjourned at approximately 8:58 p.m.

Connie Kalinowski
Recording Secretary

Ben Kleinwachter
Secretary