

## APPROVED (as corrected Aug 21, 2006)

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**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 17, 2006**

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

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

Motion by Mr. Arlyn Stroble, seconded by Mr. Tracy Anderson to approve the agenda as presented. Motion unanimously carried.

Motion by Mr. Tracy Anderson, seconded by Mr. David Bakke to approve the minutes of the June 19, 2006 regular meeting as presented. Motion unanimously carried.

Motion by Mr. Arlyn Stroble, seconded by Mr. John W Nelson to approve the Treasurers Report, subject to audit. Motion unanimously carried.

Motion by Mr. Alvin Nybladh, seconded by Mr. David Bakke that the bills be paid including the following: from the Administrative Funds, that payroll checks numbered 4379 through 4394 inclusive for a total of \$16,046.23; that checks 13073 through 13077 inclusive for a total of \$9,856.34; and checks numbered 13078 through 13098 inclusive and check 13099, and the bank service charges for a total of \$5,832.79 be paid; from the Administrative Project Funds that checks numbered 1211 through 1226 inclusive for a total of \$1,814,442.56 be paid; from the RRWMB Funds that check number 109 for a total of \$17,189.35 be paid and from the Ditch Funds that checks numbered 2152 through 2156 inclusive for a total of \$21,027.50 be paid. Motion unanimously carried.

The District offered for the sale the property in the SW4 of section 18 of Brandt Township, with bids to be received by 3:30 p.m., July 13, 2006 at the District office, with the bids to be publicly opened at the regular meeting of the Board of Managers on July 17, 2006. No bids were received.

LeRoy Vonasek left the meeting at approximately 7:10 p.m.

A discussion was held concerning the District's issuing permits after the fact. It was stated that the policy of the District is that they do not issue permits for works already completed.

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Marvin Hedlund joined the meeting at approximately 7:20 p.m.

James Larson joined the meeting at approximately 7:25 p.m.

Luther Omdahl joined the meeting at approximately 8:05 p.m.

Motion by Mr. Ben Kleinwachter, seconded by Mr. Tracy Anderson to approve or deny the following permits:

1. Permit (06-026) be issued to Jim Potucek to install an 18" culvert through the field crossing, to drain south into the Melgaard Coulee, on the ½ mile line between the SE4 NE4 and the NE4 SE4 of section 18 of McCrea township, which the conditions that (1) the ditch to the South be cleaned, and (2) that the downstream landowner sign the permit application;
2. Permit (06-027) be issued to Norman Lindemoen to raise the crossing 2 feet on the private driveway in the NE4 of section 9 of Newfolden Township;
3. Permit (06-029) be issued to the Canadian Pacific Railway to replace the (2) existing 36" x 32' CSP with (2) 36" x 32' CSP or equivalent, in the NW4 of section 29 of New Maine Township, with the elevation of the culverts to be set by the District;
4. Permit (06-030) be issued to the Canadian Pacific Railway to replace the existing 24" x 30' CSP with a 24" x 30' CSP or equivalent, in the NW4 of section 16 of Newfolden Township, with the elevation of the culvert to be set by the District;
5. Permit (06-031) be issued to the Canadian Pacific Railway to replace the existing 24" x 28' CSP with a 24" x 28' CSP, in the NW4 of section 31 of Excel Township, with the elevation of the culvert to be set by the District;
6. Permit (06-032) be issued Angus Township to replace (2) 36" and (1) 30" culvert with (2) 42" culverts and to realign the coulee, in the SW4 of section 24 and the NW 4 of section 25 of Angus Township, provided Angus Township receives permission from the Minnesota Department of Natural Resources to realign the coulee;
7. Permit (06-035) be issued to Helgeland Township to replace the existing 30" x 40' culvert with a 30" x 40' culvert or equivalent, in the SE4 of section 9 and the NE4 of section 16 of Helgeland township;

Marvin Hedlund, discussed the permit applications of Higdem Township to build up the township road up for approximately ¼ mile, on sectionline 21/28 of Higdem Township, and to build up the township road from Polk County #22 east

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for approximately 4 miles along the south side of sections 9, 10, 11 and 12 of Higdem Township.

After discussion, it was agreed that the Board does not have authority and referred Marvin Hedlund to contact the Polk County Zoning office.

8. Permit (06-037) of Higdem Township to build up the township road for approximately ¼ mile between sections 21 and 28 of Higdem Township be denied;
9. Permit (06-038) of Higdem Township to build up the township road, east of Polk County #22 for approximately 4 miles, on the south side of sections 9, 10, 11, and 12 of Higdem Township be denied.

Motion unanimously carried.

Motion by Mr. Tracy Anderson, seconded by Mr. Ben Kleinwachter that the following permits be issued:

1. Permit (06-033) be issued to the Marshall County Highway Department to remove the existing 73" span RCPA and to install a 73" span RCPA, and to remove the existing 24" RCP, on Marshall County Road #9, in the NE4 of section 5 and the NW4 of section 4 of Oak Park (Strip) Township;
2. Permit (06-034) be issued to the Marshall County Highway Department to remove the existing 73" span RCPA and to install a 73" span RCPA, and remove the existing 24" RCP, on Marshall County Road #9, at the section corner of Section 8 and section 9 of Oak Park (Strip) Township.
3. Permit (06-036) be issued to Oak Park Township to replace the existing 84" x 56" CMPA, with 1-line of 84" x 57" CSPA, in the NE4 of section 6 and the NW4 of section 5 of Oak Park (Strip) Township;
4. Permit (06-039) be issued to Oak Park Township to replace the existing 84" x 56" CMP with 1-line of 83" x 57" CMP, in the NE4 of section 7 and the NW4 of section 8 of Oak Park (Strip) Township.

Motion carried, with Mr. John W Nelson abstaining.

Motion by Mr. Ben Kleinwachter, seconded by Mr. Arlyn Stroble that due to previously unknown 2006 spring flood events and FEMA regulations, that the Board will issue, this one time only, the following after the fact permits:

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1. Permit (06-040) be issued to Brislet Township to replace (2) 36" culverts, fill in washouts, and install aprons on the culvert inlet, in the SE4 of section 11 and the NE4 of section 14 of Brislet Township;
2. Permit (06-041) be issued to Brislet Township to excavate and repack (2) 24" culverts under the township road, in the SE4 of section 33 and the SW4 of section 34 of Brislet Township;
3. Permit (06-042) be issued to Brislet Township to level the slope on the west end of the culvert, place fabric on the slope and on the end of the culvert, and place riprap on the culvert through the township road, in the NE4 of section 33 and the NW4 of section 34 of Brislet Township;
4. Permit (06-043) be issued to Brislet Township to excavate and repack the existing culvert in the SW4 of section 17 and the SE4 of section 18, under the township road, in Brislet Township;
5. Permit (06-044) be issued to Vega Township to replace the existing 24" culvert, through the township road, on the south side of the railroad tracks, with a 24" CMP or equivalent, with the elevation of the culvert to remain the same, in the NW4 of section 3 of Vega (Strip) Township;
6. Permit (06-045) be issued to Vega Township to replace the existing 24" culvert, through the township road, with (1) 24" culvert or equivalent, at the existing elevation, in the NW4 of section 6 and the SW4 of section 31 of Vega Township.

Motion unanimously carried.

Luther Omdahl left the meeting at approximately 8:20 p.m.

Marvin Hedlund left the meeting at approximately 8:40 p.m.

James Larson discussed with the Board the damage his property sustained during the 2006 spring flood, and the blockage on the Swift coulee in SE4 of section 2, of Warrenton Township.

Nick Drees reported that the District has installed one additional culvert through the Larson ring dike, built up the township road and lowered a portion of the road, north of his ring dike.

James Larson left the meeting at approximately 9:00 p.m.

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Nick Drees reported that he hired a contractor to seal the well on the property owned by the District in the NW4 of section 7 of Comstock Township, at a cost of \$1500.00, of which \$500 was paid by the Marshall County Land & Water Office.

Nick Drees reported on the status of the Army Corps of Engineers wetland permit; and the activation of the Project Work Team for the Agassiz Valley Water Resource Management Project.

Nick Drees was directed to provide the Board, at the next regular meeting, with a list of the Project Work Team members.

Correspondence from Warrenton Township regarding the Swift Coulee; the News of Views of the Red River Watershed Management Board; from AgriMax regarding the CRP Landowner Update; from the Office of the Legislative Auditor regarding a request to evaluate watershed management in Minnesota ; and from the Marshall County Water & Land Planning Office regarding the WRAC meeting scheduled for July 19, 2006, was distributed and reviewed.

A data request from Jim Stengrim was distributed and reviewed. Nick Drees stated that Mr. Stengrim would be reviewing the documents on July 19, 2006, at 9:00 a.m., at the District office.

Motion by Mr. John W Nelson, seconded by Mr. David Bakke to close the meeting for puposes of discussing strategies and theories on the PL-566 project, and the Agassiz Valley Water Management Project. Motion unanimously carried.

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

Kelly Nelson left the meeting at approximately 9:15 p.m.

Motion by Mr. Tracy Anderson, seconded by Mr. Ben Kleinwachter that the meeting be reopened. Motion unanimously carried.

The meeting was reopened at 9:56 p.m.

Nick Drees stated that as part of Phase 1, of the PL-566 project the District agreed to provide an easement for ingress and egress along the Diversion Ditch, in section 2 of Boxville Township, to the property owners to access the balance of their property.

Motion by Mr. David Bakke, seconded by Mr. John W Nelson that the District sign the Resolution Approving Easement and the Easement for Ingress and Egress, for the properties along the Diversion Ditch in section 2 of Boxville Township. Motion unanimously carried.

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A discussion was held concerning the rental of lands on Phase 3 of the PL-566 project.

Nick Drees reported that 3 ring dikes have been completed, with the hopes to construct more this fall.

Nick Drees reported that he is working with a contractor to remove the trees on Judicial Ditch #15, Branch B, and that there appears to be interest in cleaning more laterals; that he met with FEMA representatives on July 17, 2006, regarding the damages sustained on State Ditch #3 from the spring flood of 2006; that he and a representative of FEMA toured Judicial Ditch #75 and viewed the additional damage to the system and that the approval from FEMA on plans to repair damage to Judicial Ditch #75 is continuing; and that the survey of County Ditch #175 has been completed.

Ron Adrian stated that plans and specifications for the repair of Judicial Ditch #75, for the 2002 FEMA disaster would need to be prepared.

Motion by Mr. John W Nelson, seconded by Arlyn Stroble that Houston Engineering prepare the specifications for the repair of Judicial Ditch #75 for the 2002 FEMA damages, pending the approval of the Department of Public Safety. Motion unanimously carried.

Nick Drees reported that a landowner along Watershed Ditch #5 is inquiring if the Watershed District would pay for the removal of sediment at the ends of the field inlet culverts. The Board directed Nick to inform the landowner that the ditch system does not pay for the removal of sediment from the ends of culverts.

Nick Drees reported on the pending lawsuit filed by Drewes, Inc, regarding the Angus Oslo #4 impoundment. He stated that Drewes, Inc contends that the repair of Angus Oslo #4 was not completed within the specified time. He also reported that the wetland monitoring plan with the Army Corps of Engineers is continuing.

It was announced that the terms of Tracy Anderson and David Bakke expire in August, and that the Marshall County Commissioners are currently taking applications for the managers positions.

It was announced that the Red River Watershed Management Board meeting is scheduled for July 18, 2006 at the Wild Rice Watershed District, in Ada, Minnesota. The Districts activity report was distributed.

A discussion was held concerning a project in section 19 of Brandt Township. Nick Drees stated that he has been contacted by a landowner who is willing to sell his land for a project to improve the drainage along the Angus/Brandt Coulee.

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Nick Drees reported that he is working with the parties on a drainage dispute in Brandt/Bray Townships and it appears close to an agreement.

Connie Kalinowski stated that Tony Dorns of Thief River Falls will be bringing over a color copier/printer for the District to try out for a few weeks. Connie Kalinowski was directed to compute the costs per copy for a new printer versus the costs per copy on the printer the District currently owns.

Connie Kalinowski reported that Mark Hatton has not completed the audit for fiscal year 2005.

Connie Kalinowski reported that the District's budget for 2007 needs to be certified with the County Auditors by September 15, 2006.

Motion by Mr. Ben Kleinwachter, seconded by Mr. John W Nelson that Nick Drees and Connie Kalinowski prepare the District's proposed budget for 2007. Motion carried.

A discussion was held concerning the Engineer-in Training position. It was noted that when Kelly Nelson was hired as an Engineer-in Training that he would be under the supervision of a registered Engineer, and since the retirement of Ron Adrian that the District does not have the staff to meet the job requirements needed for the Engineer in Training position.

Motion by Mr. David Bakke, seconded by Mr. John W Nelson to eliminate the Engineer-In Training position effective November 30, 2006. Motion unanimously carried.

It was announced that the City of Warren has inquired if the Watershed District is interested in selling the property where the District's shed is located. Nick Drees was directed to find out more specifics on this matter.

The next regular meeting of the Board of Managers of the Middle Snake Tamarac Rivers Watershed District will be held on Monday, August 7, 2006, at 7:00 p.m., at the District office.

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

The meeting was adjourned at approximately 11:31 p.m.