

**MARSHALL COUNTY BOARD OF COMMISSIONERS**

**WARREN, MN**

**PUBLIC HEARING**

**MARCH 2, 2017 1:00 P.M.**

**OLD COURTROOM – 3<sup>RD</sup> FLOOR OF COURTHOUSE**

The pledge of allegiance was given.

The meeting was called to order by Chairperson Rolland Miller.

Chairperson Miller read the public notice announcement and explained that this was an open forum meeting allowing the public to express concerns and grievances concerning the Middle Snake Tamarac Rivers Watershed District (MSTRWD). This was not a meeting on the upcoming buffer law, but on the existing buffer practices, laws and procedures.

Chairperson Miller read a letter from Brent Silvis, Administrator of MSTRWD, addressed to the Board of Commissioners. Chairperson Miller also addressed a possible conflict of interest regarding his signing the petition against the MSTRWD. Following a consult with the Marshall County Attorney, Don Aandal, it was determined that there was no conflict of interest.

Commissioner Miller read an anonymous letter from a Marshall County taxpayer. This taxpayer addressed the following concerns:

- The restrictive use the MSTRWD is putting on the buffer ditches for a law not currently in effect, and the infringement of property rights.
- The concern that the MSTRWD is restricting the stipulations of the Water Quality Buffer Initiative Law.
- The variation in buffer strip boundaries from one property to the next.

Commissioner Miller opened the meeting to the public for comment.

Jim Stengrim approached the podium, provided the Board of Commissioners with documentation, Mr. Stengrim addressed the following concerns:

- The MSTRWD obtaining land through eminent domain instead of the use of flood easements.
- The dollar amount charged to each property owner for the MSTRWD to maintain the ditch systems, and the lack of documentation of profit and loss.
- The MSTRWD now managing the Audubon Wildlife Sanctuary and the funds being used to pay those expenses.
- A current legislative bill that would allow the MSTRWD and Red Board to use the general fund money to pay in lieu of taxes when a large project is being done.
- The accountability of the MSTRWD Managers.

Jim Johnson approached the podium and provided the Board of Commissioners with documentation. Mr. Johnson addressed the following concerns:

- The original purpose behind the establishment of the MSTRWD and how the ditch benefits were determined.

- The appointing of an administrator without an environmentally related degree.

Tad Tureson approached the podium on behalf of an area individual. Mr. Tureson addressed the following concern:

- The representation of the property owners on behalf of the Marshall County Board.

Neil Johnson approached the podium and provided the Board of Commissioners with documentation. Mr. Johnson addressed the following concerns:

- The permit approval process.
- The property tax payments towards the MSTRWD levy.
- The payment of expenses for the Audubon Wildlife Sanctuary.
- The actions the MSTRWD is taking to enforce of the previous buffer strip law and the results of those actions.
- The accountability of the MSTRWD Managers.

Eldon Elseth approached the podium and provided the Board of Commissioners with documentation. Mr. Elseth addressed the following concerns:

- To allow for written comments to be provided to the County Board of Commissioners until 4:30 on Monday, March 6, 2017.
- The proposed buffer zone set to be in effect in 2018.
- The past and present financial practices of the MSTRWD.
- The accountability of the County Board of Commissioners and the MSTRWD Managers.

Loren Zutz approached the podium and provided the Board of Commissioners with documentation. Mr. Zutz addressed the following concerns:

- The past and present financial practices of the MSTRWD.
- Ownership of the ditch systems.

Brian Jadeke approached the podium. Mr. Jadeke addressed the following concern:

- The dollar amount the MSTRWD has spent in legal fees during the past year.

Don Diedrich approached the podium. Mr. Diedrich noted that he was speaking on his own behalf and not on behalf of Polk County or the Polk County Commissioners. Mr. Diedrich addressed the following concerns:

- The past and present financial practices of the MSTRWD.

Eric Johnson approached the podium. Mr. Johnson addressed the following concerns:

- The actions the MSTRWD is taking to enforce of the previous buffer strip law and the results of those actions.
- The accountability of the County Board of Commissioners and the MSTRWD Managers.
- The property tax payments towards the MSTRWD levy.

Wendall Sands approached the podium. Mr. Sands addressed the following concerns:

- The original purpose behind the establishment of the MSTRWD.

Richard Kuzel approached the podium. Mr. Kuzel addressed the following concerns:

- The permit approval process and safety concerns as a result of that approval.
- The MSTRWD levies associated with each parcel.
- The accountability of the MSTRWD.

Brent Silvis, Administrator for the MSTRWD, approached the podium. Mr. Silvis addressed the concerns brought forth by property owners. He urged those individuals to communicate with him on both past and present issues with the MSTRWD so together, a solution could be found.

Tammy Hanson approached the podium. Ms. Hanson addressed the following concern:

- The possibility of a restructuring or dissolving of the MSTRWD. Ms. Hanson expressed gratitude and appreciation towards the MSTRWD in helping with the Flood Plain Mitigation Project for the City of Newfolden.

Betty Knoll approached the podium. Ms. Knoll addressed the following concern:

- The need for a resolution to the concerns of property owners.

Lavern Rogalla approached the podium. Mr. Rogalla addressed the following concern:

- The accountability of the MSTRWD Managers.

Loren Zutz approached the podium. Mr. Zutz addressed the following concern:

- The appointing of an administrator without prior watershed experience.
- The past and present financial practices of the MSTRWD.

Neil Johnson approached the podium. Mr. Johnson addressed the following concern:

- The property owners have been too patient in resolving past issues.

Jim Stengrim approached the podium. Mr. Stengrim addressed the following concern:

- The possible recording of MSTRWD meetings to be made available to the public.

Commissioner Miller thanked Mr. Silvis for his time.

Eric Johnson approached the podium. Mr. Johnson addressed the following concern:

- The actions the MSTRWD will be taking from here to resolve issues.

By request of Eric Johnson, Chairperson Miller asked for a show of hands of those in favor of the MSTRWD being restructured vs not. By show of hands, majority of the crowd voted in favor of the restructure. Mr. Silvis suggested that if a public hearing was held to express the positive aspects of the watershed district the show of hands may be a different outcome.

Dale Price approached the podium. Mr. Price addressed the following concern:

- The need to explore resolutions based on the information received today.

Commissioner Miller adjourned the meeting at 3:45 pm.

