

**Minutes of the Regular Meeting of the Board of Managers  
Of the Two Rivers Watershed District  
Held: December 3, 2014 @ 8:00 a.m.**

The Board of Managers of the Two River Watershed District held their regular meeting beginning at 8:00 a.m. on Wednesday, December 3, 2014 at the District Office located in the Kittson County Courthouse in Hallock, Minnesota.

Managers present included President Roger Anderson, Secretary Jon Vold, Treasurer Darrel Johnson, Paul Olsonawski, Allen Brazier, & Daryl Klegstad. Vice President Jim Kukowski was absent.

Others present included District Administrator Dan Money, District Technician Matt Thompson, Engineer Nate Dalager, Engineer Blake Carlson, Attorney Jeff Hane, and Kittson County Highway Engineer Kelly Bengtson.

The meeting was called to order by President Anderson. Anderson called for any additions or corrections to the proposed meeting agenda and also the meeting minutes from November 5, 2014. Today's meeting agenda and the minutes of the November 5, 2014 regular meeting were approved upon a **motion** by Brazier, **second** by Olsonawski, and **unanimous vote** of the Managers.

**Treasurer's Report:**

Money presented the treasurer's report including the fund balances, accounts listing, and checks and deposit detail.

The treasurer's report was then approved upon a **motion** by Vold, a **second** by Johnson, and a **unanimous vote** by the Board.

**Administrator's Report:**

District Administrator Money gave a report on the following and distributed a handout:

*Watershed Restoration & Protection Plans;*

- **Lower Red River WRPP** - There has been no communication of late from the MPCA, and it was considered to set up a meeting with the Joint Powers Board in order to get an update and plan out how to proceed with this project.
- **Two Rivers WRPP** - As with the Lower Red WRAP, there has not been any recent communication from the MPCA. A winter meeting with MPCA should be set up to discuss the work that has been done and how to keep the process moving.

*KCWRP #11:* Discussion was held regarding several facets of the project. These included potential funding sources, land purchases, borrowing authority of the District, loans, permitting, project work team proceedings, and various other items pertaining to the project.

A Big Swamp Project Work Team meeting is scheduled for Wednesday December 10<sup>th</sup>. This meeting will begin the process of project design and looking at specific natural resources enhancements for the project.

CRP contracts on lands being considered for purchase were discussed. A letter has been sent to the Farm Service Agency seeking clarification on several CRP contracts related to these lands, once the land is owned by the District. The District is awaiting a reply on the letter. Money presented information on the existing contracts and various payments.

Money will be working on funding request to the Flood Damage Reduction Work Group, the Minnesota Legislature, and other potential sources.

RRWMB: A report was given regarding a surface drainage study that was done by the 'Basin Technical and Scientific Advisory Committee' that was convened by the RRWMB and the ND Joint Water Resources Board. The study concludes that designs for surface drainage should be both adequate and equitable. The Board of Managers agreed with the information provided and endorsed the proposed guidelines.

Ditches/Projects: Update was given regarding ditch maintenance and surveying. The District performed maintenance activity on JD 10, KCD 10, SD 49, the North Branch Project, the Middle Branch Project, Dewey 5, Ross 7, and Springbrook 10.

Personnel Committee: The Personnel Committee met to review employee performance and recommend salary adjustments for 2015. Upon a **motion** by Brazier, **second** by Johnson, and **unanimous vote** it was approved to award to each employee a cost of living increase of 4% of their current salaries and to adjust the District Technician's calculation of annual leave to be based upon 8 years of service.

Springbrook PL 566 Project #10: A bill has been received from Keith Britten for mowing services on the project. However, the District did not hire him to do the mowing nor did Britten contact the District prior to doing any work. The Board of Managers decided to not pay the bill, and directed the Administrator to inform Britten.

#### **Attorney's Report:**

Attorney Jeff Hane of Brink, Sobolik, Severson, Malm, & Albright, P.A., gave an Attorney's report regarding the following items:

Klondike Clean Water Retention Project #11: Hane reported to the Board on the status of various land acquisitions as follows:

The Scanlon and Christian lands have been purchase and the transactions have been finalized. The Nelson land is part way through the process. Nelson has signed a purchase agreement that requires the TRWD to pay \$100 / acre now, and gives Nelson a 2 year time period to invoke the remainder of the sale for an additional \$900 / acre. In addition, Nelson has signed a CRP agreement to be the CRP caretaker with the District to receive a yet to be determined amount of between 25% and 50% of the the CRP payment. Upon a **motion** by Vold, **second** by Johnson, and a **5 - 0 vote** of the Managers with Olsonawski **abstaining**, it was decided to sign a water impoundment easement and hold it in escrow until such time that Nelson satisfies any and all mortgages on the property, and to enter into the CRP agreement as presented.

The East Farms lands are also under negotiation for purchase. Several CRP details were discussed. Upon a **motion** by Johnson, **second** by Brazier, and **6-0 vote**, Attorney Hane was authorized to proceed with the purchase of 3,808 acres at a price not to exceed \$4,232,000. In addition a CRP and land rental agreement is authorized pending review and approval by the Farm Service Agency.

A scope of work and contract proposal from HDR Engineering has been reviewed, and changes suggested by Hane have been accepted by HDR. Hane recommended to the Board that the document be approved. Upon a **motion** by Brazier, **second** by Johnson, and **unanimous vote**, the proposal, deliverables, cost estimate, and conditions of the agreement were accepted by the Board of Managers, and the President was authorized to sign all related documents on behalf of the District.

**Kittson County:** Kittson County Highway Engineer Kelly Bengtson addressed the Board of Managers regarding proposed work to be done to Kittson County Road #14. He briefly discussed the project and submitted a permit application to be considered by the District.

Bengtson also discussed County Road 56 and work that will be done. A permit was previously approved to do this work.

Bengtson commented on permitting issues with the US Army Corps of Engineers. There are efforts under way by the Association of MN Counties and also county highway engineers to seek that permitting authority under section 404 of the clean water act be assumed by the State of Minnesota, and cease to be implemented by the US Army Corps of Engineers.

**Rules of the TRWD:** Manager Brazier discussed the District's Rules and permitting authority. The rules were last revised and updated 17 years ago in 1997. Several items need to be updated including the fee schedule, after the fact permits, and charges incurred by the District that could be passed on to the applicant. Enforcement was also discussed and this may need to be updated. The Board of Managers scheduled a special meeting for Thursday, January 15, 2015 beginning at 9:00 a.m. to discuss the Rules of the Two Rivers Watershed District.

**Permits:**

Upon a **motion** by Brazier, **second** by Klegstad, and **unanimous vote**, the Board denied the following permits.

<b>App. #</b>	<b>Applicant</b>	<b>Location</b>	<b>Purpose</b>	<b>Action</b>
2014-62	Michael Larson Applicant failed to submit required information	Teien 35	culverts/ditching	Denied
2014-74	JH&H Peterson Ent Inc Application is for a culvert through a township road, therefore the Township must be the applicant	Teien 23	ditching / culvert	Denied

Permits Reviewed by Administrator or by Committee  
For Conditions See Permit

<b>App. #</b>	<b>Applicant</b>	<b>Location</b>	<b>Purpose</b>	<b>Action</b>
2014-58	Davis Twp	Davis 34-35	texas crossing	tabled
2014-60	Deere Farms	Granville 32	culverts to slow water	approve
2014-64	Verizon Wireless	Skagen 7 (Badger)	entrance to cell tower	approve
2014-75	Terry Osowski	SRR9	lower existing 18" cmp	approve
2014-76	Kendall Hunter	Clow 23	new xing w/ 24" cmp	approve
2014-77	BNSF	Davis 18	replace bridge on KCD7	approve

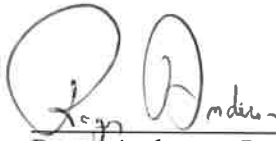
Permit Violations / Enforcement

Several permit / rules violations were discussed. The Board of Managers directed the attorney to write letters to each of the violators to remind them of that they are required by law to comply with the terms of the permits that were issued to them.

With no other matters to come before the Board of Managers, the meeting was adjourned.

Attest:

  
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Jon Vold, Secretary

  
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Roger Anderson, President