

**Minutes of the Regular Meeting of the Board of Managers  
Of the Two Rivers Watershed District  
Held: November 4, 2015 @ 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, November 4, 2015 at the District Office located in the Kittson County Courthouse in Hallock, Minnesota.

Managers present included President Roger Anderson, Vice President Jim Kukowski, Treasurer Darrel Johnson, Paul Olsonawski, Allen Brazier, Daryl Klegstad, and Gary Johnson. None were absent.

Others present included District Administrator Dan Money, Engineer Blake Carlson, Attorney Jeff Hane, Engineer Nate Dalager, Jake Huwe, Jon Vold, Dean Stromgren, Bill Erickson, Ed Walsh, Joel Deere, and Keith Weston.

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 September 2, 2015. Today's meeting agenda and the minutes of the September 2, 2015 regular meeting were approved upon a **motion** by Brazier, **second** by Johnson, and **unanimous vote** of the Managers.

The Board of Managers welcomed new Manager Gary Johnson, who has been appointed to fill the vacancy left when Jon Vold did not seek re-appointment.

**Treasurer's Report:**

Money presented the treasurer's report including the fund balances, accounts listing, and deposit detail. It was noted that checks written from September 3 through November 4, 2015 include check numbers 7681 through 7732 and electronic funds transfers to PERA, MN Dept. of Revenue, and Electronic Federal Tax Payment System, as reported and contained within the report.

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

**Dean Stromgren:**

Mr. Stromgren addressed the Board regarding the issuance of a permit approved for Bob Blomquist to divert water from the north side of a township road in section 34 of Hazelton Township to the south side of the road in section 4 of Jupiter Township. He submitted photos and indicated that he believes the project will exacerbate flooding issues on the south side of the road. The Board reviewed evidence submitted and examined the information that was used in the permit review. The Board decided upon a **motion** by Kukowski, **second** by Johnson, and **unanimous vote** that the permit will stand as granted and Stromgren's **appeal is denied**.

**Bill Erickson:**

Mr. Erickson addressed the Board regarding an after the fact permit fee that has been charged to him. He indicated that he was not aware that he needed a permit to install a field crossing off of a private driveway. He also indicated that the work that was done has an insignificant effect on the flow of water, and requested that the fee be waived. The Board of Managers deliberated the issue and the matter was **tabled**. The Board will hold a special meeting in January to take up the matter of after the fact permits and fees, and to discuss potential amendments to the *Rules of the Two Rivers Watershed District*.

**Jon Vold:**

Mr. Vold spoke to the Board regarding an after the fact permit fee that has been assessed to Hugh Hunt. Vold was on the Board at the time the project was done, but is no longer on the Board. At the time of the infraction, Vold had discussed the project with Hunt, however Hunt never followed through with a permit application, and now has asked that the permit fee be waived. The Board **tabled** the matter and will take it up at a January special meeting.

**Joel Deere:**

Mr. Deere addressed the Board of Managers regarding his permit application, number 2015-31. The application has been approved by the permit committee to install a 42" culvert in a waterway to allow for crossing with farm equipment from one side to the other. Deere stated that he never needed this crossing in the past because the waterway would dry up enough to just drive through it. However, since the District approved a permit for tile drainage upstream of this site, the watercourse now does not dry up enough for him to cross. He requested that the District pay for the culvert and he would pay to do the work to install it. President Anderson entertained a motion on the request, and none was made.

Attorney Jeff Hane was consulted regarding expenditures of public money. Hane discussed the matter and indicated that if the Board were to act on the request, it would be wise to enter into a settlement agreement with Deere and /or the landowner so that the matter does not come up again in the future. Various other options for the crossing were also discussed, using a combination of smaller culverts to reduce cost.

A **motion** was made by Johnson and **seconded** by Olsonawski to authorize the District to pay for two 24" culverts not to exceed \$2,500 and enter into a settlement agreement with the landowner, Sonja Erickson, and the current tenant, Joel Deere, as drafted by Attorney Jeff Hane. The motion **carried upon a 4-3 vote** of the Managers.

A **motion** was made by Johnson, **seconded** by Olsonawski, and **unanimously was approved** to rescind the previous permit action that had approved a 42" culvert and authorize the installation of two 24" culverts in a low head crossing with rock rip rap to prevent erosion.

**Administrator's Report:**

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

Watershed Restoration & Protection Plans;

- **Lower Red River WRAPS** - The MPCA has completed a draft 'Stressor ID' report, and Houston Engineering can now proceed with development of GIS tools to help identify sources of impairments. A Snake-Two-Joe Joint Powers Board meeting is scheduled for November 19<sup>th</sup> to discuss the project and the next steps.
- **Two Rivers WRAPS** - The MN DNR has been doing several site visits to classify the various river reaches according to geomorphology. The MPCA is working on a 'Stressor ID' report. Once the report is done, Houston Engineering can begin on the GIS work, similar to what is being done on the LRRWRAPS.

Drainage Ditches:

SD #49: A report was received that there are numerous rocks along the right of way of the ditch. Manager Klegstad and Technician Thompson will meet with the contractor who leveled spoil from the last cleanout to see what the source of the rocks were and what could be done.

KCD #10: A semi truck oil tanker has tipped over and spilled approximately 3,000 gallons into Kittson County Ditch #10. A company has been on the site skimming oil and digging out the impacted soil. Staff have been in contact with the contractor and measures have been taken to prevent erosion and protect the integrity of the ditch.s

Website: The development of the District website is progressing, and the draft version was displayed. Comments from the Board will be forwarded to the website designer for inclusion into the new site.

MN Association of WD's: The MAWD annual meeting will be held in Alexandria MN on December 3-5. The Board authorized Managers Anderson, Brazier, and G. Johnson and Administrator Money to attend. Brazier and Anderson were appointed as delegates, and Johnson was appointed as alternate.

Personnel Committee: Annual salary and employee reviews are due to be held in November, prior to the December Board meeting. Manager D. Johnson was appointed to the Committee to fill the spot left vacant by former Manager Vold. A meeting of the Committee will be scheduled sometime in November.

Officers: The office of Secretary has been left vacant by the departure of former Manager Vold. Upon a **motion** by Kukowski, **second** by Johnson, and **unanimous vote**, Manager Klegstad was appointed to the position of Secretary.

Snagging and Clearing: A report was received from a local citizen that there is getting to be a blockage of logs and log jams on the South Branch of the Two Rivers near Pelan, between Roseau County Ditch #4 and State Ditch #95. In the past the District has hired contractors to remove problem log jams. District staff were directed to investigate the magnitude of the problem and get price quotes from various contractors.

Springbrook 10 Phase 2: The contractor has completed most of the work, however seeding and mulching cannot be completed because the site is very wet. This will be done in 2016 when conditions are acceptable.

KCWRP#11 – grain bin removal: Two bids were received regarding the Districts advertisement to sell them to be removed from the site. One bid was submitted by Manager Klegstad, and the Board discussed whether there would be a conflict of interest. Attorney J. Hane and upon a **motion** by Olsonawski, **second** by Kiukowski, and **unanimous vote**, the Board decided to reject the two bids that were received and ask the two bidders to re-submit sealed bids. Manager Klegstad **abstained** from voting. The new bids must be received by 4:30 p.m. on Monday, November 9<sup>th</sup>.

#### **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 Prj. #11: Rental agreements and information regarding the CRP program was discussed. Hane is in the process of drafting and getting signatures on the CRP agreements with two renters.

Springbrook 10: All right of way agreements have been signed by landowners, and these now need to be recorded. Once they are recorded, an agreement with the MN Board of Water & Soil Resources will need to be signed to allow the District to assume and utilize the Reinvest in Minnesota easements as a right of way easement.

SD 91: A letter was sent to and a reply was received from Roseau Co. Highway Department regarding the 2012 proceedings of Roseau County to adopt existing private ditches as laterals to the State Ditch #91 system. The reply indicates that the survey and design information is on file with the Roseau County Auditor-Treasurer office.

**Quick Project:**

Engineer Blake Carlson reported on the Quick WRP project. A letter has been received from NRCS authorizing the District to continue with an optimized project. The Board of Managers now needs to make a decision on what level of project and participation to move forward with. Three options include a maximized storage project holding around 7,000 acre feet at a cost of about \$15 million or the NRCS version of a smaller dike around the project area holding about 1,000 acre feet, or a simple project that would plug existing ditches and provide little or no storage.

The Board of Managers discussed in detail all of the three options and the ramifications of each. Keith Weston of the NRCS provided input as well. Upon a **motion** by Brazier, **second** by G. Johnson, and a 5-2 vote, it was **approved** and decided to ask NRCS to continue with option 2 to provide 1,100 acre feet of storage by constructing a small dike around the perimeter. It was noted that in order to get water into the site, the TRWD would need to construct an inlet. Also, the District will need to request a compatible use agreement if an inlet is constructed off of the easement site. Under this agreement, the estimated cost to the District will be \$330,000 and the NRCS cost will be \$990,000.

**Klondike Clean Water Retention Prj. #11:**

Engineer Nate Dalager presented a range of alternatives for each of the project features, including various diversion ditches, the diked inlet ditch, alignment and re-alignment of State Ditch #95 lateral 1, various gate control structures, emergency spillways, and outlet structures. Dalager indicated that he is ready to submit a preliminary engineer’s report on the project. The next steps will be to follow the process required under the NRCS PL566 program. This will include alternative analysis, benefit cost analysis, selection of a preferred alternative, and the beginning of permit applications.

Administrator Money will be preparing and submitting the required application documents to NRCS. Once NRCS processes and accepts the applications, funding in the amount of \$500,000 federal will be available, to be matched by the TRWD in the amount of \$214,286.

**December Board Meeting:**

Manager Kukowski indicated he has a scheduling conflict with the regularly scheduled December Board meeting. The Board of Managers changed the December meeting date from Wednesday, December 2, 2015 to 8:00 a.m. on Tuesday, December 1, 2015.

**Permits:**

The following permit applications were reviewed by the Board, and actions taken are listed.

<i>App. #</i>	<i>Applicant</i>	<i>Location</i>	<i>Purpose</i>	<i>Action</i>
2015-45	Mike & Amy Jorgenson	Moose 19 & 30	Dike	Tabled
2015-48	MNDOT	Hwy 59	culverts / bituminous	under review
2015-51	Hugh Hunt	Thompson	lower culvert	needs permit fee
2015-55	Nick Anderson	Arveson 25	lower culvert	under review
2015-56	Bill Erickson	Ross 25	culvert / xing	needs permit fee

Permits Reviewed by Administrator or by Committee  
For Conditions See Individual Permit


<i>App. #</i>	<i>Applicant</i>	<i>Location</i>	<i>Purpose</i>	<i>Action</i>
2015-31	Joel Deere	Granville 17	culvert / xing	Approved
Condition: Two 24” culverts low head crossing with rock rip rap				
2015-40	Deer Township	Deer 36	culvert	Denied
2015-41	Jeff Mortenson	Skane 29	ditching/culvert	Approved
2015-42	Solberg / Christianson	Barto 2	trap on culvert	Approved

2015-43	Rick Solberg	Barto 2	trap on culvert	Approved
2015-44	Lloyd Johnson Farms	Springbrook 35	Tile	Approved
2015-46	Ralph Mckeever	Lind 25	Ditching	Approved
2015-47	Vince Meyer	Juneberry 23	18" culvert	Approved
2015-49	Brett Sobolik		24" xing	Approved
	Condition: 42" culvert or equivalent			
2015-50	Rick Solberg	Moose	cuvert / xing / traps	Approved
	Condition: No Traps			
2015-52	Russ Anderson	Dewey 28	culvert / xing	Approved
	Note: approved 24"			
2015-53	Justin Dagen	Springbrook 26	xing / 18"	Approved
2015-54	Jason Sobolik	Percy 20	lower culvert	Approved
2015-58	Bill Erickson	Ross 25	xing / rqst size	Approved
2015-59	Muir Farms	Thompson 17	xing / 18"	Approved

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

Attest:

  
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 Daryl Klegstad, Secretary

  
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 Roger Anderson, President

