

**Minutes of the Regular Meeting of the Board of Managers
Of the Two Rivers Watershed District
Held: January 11, 2016 @ 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 Monday, January 11, 2016 at the District Office located in the Kittson County Courthouse in Hallock, Minnesota.

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

Others present included District Administrator Dan Money, Head Technician Matt Thompson, Attorney Jeff Hane, Engineer Blake Carlson, Engineer Nate Dalager, Ed Walsh, Jon Vold, and C.J. Peterson.

The meeting was called to order by President D. Johnson. Johnson called for any additions or corrections to the proposed meeting agenda and also the meeting minutes from both the December 1, 2015 and the December 16, 2015 meetings. Today's meeting agenda, the 12/1/15 minutes and the 12/16/15 minutes were approved upon a **motion** by Brazier, **second** by Klegstad, and **unanimous vote** of the Managers.

Treasurer's Report:

Money presented the treasurer's report including the fund balances, accounts listing, and deposit detail. It was noted that checks written for the month include check numbers 7749 through 7784 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 Brazier, a **second** by Gary Johnson, and a **unanimous vote** by the Board.

Administrator's Report:

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

Legal Ditch Report:

JD #10: A survey was completed on JD #10 by M. Thompson, and it has been entered into a database and plotted out. Minor sedimentation has occurred, and in many places the ditch is slightly lower than its legal design grade. Thompson does not recommend any work be done to the ditch at this time and that it continue to be monitored annually for signs of erosion or sedimentation.

RCD #4: Two private crossings on Roseau County Ditch 4 that had washed out have been repaired by the landowners.

Project Report:

SB #10: Right of way easements have all been recorded for the Springbrook #10 project. These easements utilize lands that were signed into the State of Minnesota's Reinvest in Minnesota Program. Therefore, the District will enter into an agreement with the MN Board of Water and Soil Resources recognizing that the District is allowed by the State to use these RIM lands for right of way.

Klondike Clean Water Retention Prj #11: Application has been made to NRCS for project planning funding through the RCPP/PL566 program. NRCS is reviewing the project eligibility and will be getting back to the District, but it is not known when.

A 121.5 acre area has been identified by the Farm Service Agency as having excessive brush, trees, and woody vegetation. The woody vegetation from this area must be removed in order to be in

compliance with CRP. The other option is to remove the area from the CRP program, which could be done with no penalty, and leave the brush as is. Contractor C. J. Peterson was present and indicated that the job could be done for about \$15,000. President Johnson will talk with the renters regarding the issue.

Program Report:

Watershed Restoration & Protection Plans;

- **Lower Red River WRAPS** - the MPCA has completed its 'Stressor ID' report, and a meeting was held in Warren to provide updates on where the process is at and what is left to be done. The next steps are for Houston Engineering to write the draft Watershed Restoration and Protection Strategy and the draft Total Maximum Daily Load reports. Also, Houston Engineering will prepare several GIS products as outlined in the project work plan. Once these are done there will be a meeting of the technical advisory committee, and sometime after that there will be a public hearing to finalize everything. The process is scheduled to be completed on or before June 30, 2016.
- **Two Rivers WRAPS** – This WRAPS is scheduled to be completed by June 30, 2017. A technical advisory committee meeting will be held in March 2016 to review data that has been gathered, explain where we are at in the process, and to go over what the next steps will be and who will be doing them. A stressor ID report will need to be done by the MPCA, and following that Houston Engineering will be working on the various reports and products.

Job Descriptions: As directed at the last meeting, District staff have prepared draft job descriptions for both the Administrator and the Head Technician. The Board took no action at this time and tabled the matter.

Insurance Quotes: As directed by the Board, D. Money obtained two quotes for District liability and workman's compensation insurance. The Board accepted the low quote of \$4,772 from Minnesota Counties Intergovernmental Trust.

Website: The District's website is now live and can be found on the world wide web at www.tworiverswd.com. Managers were encouraged to take a look at the website and provide review and comment.

Campaign Finance & Disclosure: A letter was received from MN Campaign & Finance Disclosure Board reminding the Managers of their reporting requirements under Minnesota law.

Red River Watershed Management Board: Reports and information from the 12/15/15 RRWMB meeting were handed out and discussed. Long time financial coordinator Ron Harnack will be retiring in about a year, and the RRWMB is considering Chuck Fritz as his replacement.

Attorney's Report:

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

SB #10: Hane reported on and updated the Board regarding the right of way proceedings. He is working on an agreement allowing the District to utilize the state reinvest in Minnesota easement for a right of way easement as well. This will need to be signed by both the District and the Board of Water & Soil Resources.

State Ditch #91: A letter was received from Roseau County in reply to Hane's letter requesting information on proceedings from 2012 that Roseau County undertook to add a lateral to State Ditch #91. Hane was directed by the Board to continue to obtain ditch documents from Roseau County.

B. Carlson: Engineer Carlson discussed with the Board the following items:

- 1) A potential permit application may be pending for a project in section 30 of Moose Township. A landowner contacted Carlson to do some project planning work, however due to a possible conflict of interest, Carlson will not be doing the work for the landowner because he serves on the District permit committee.
- 2) Quick / Polonia project – NRCS is currently designing the project, however they will only be designing for a project on the easement are proper. If the District wants to bring in water from an upstream drainage area, the District will need to pursue some sort of an inlet. Administrator Money was directed to contact NRCS and coordinate with them on the issue.

N. Dalager: Engineer Dalager discussed the Klondike Clean Water Retention Project #11. He has completed a technical memo, and discussed some of the potential alternatives and project features. Discussion was held regarding Lateral 1 of State Ditch #95 and how it could be reconfigured to achieve project goals. The Board of Managers decided to hold a special meeting in February for the sole purpose of discussing the project.

C.J. Peterson: Peterson is a local contractor that is equipped to do brush removal. He had been asked about the brush that is present on land owned by the District that is in the CRP program and needs some brush removed. Peterson indicated that he could perform the work for under \$15,000. The Board tabled the matter and will discuss the matter with the renter of the land.

J. Vold: Vold discussed with the Board of Managers permits and permit fees. He provided comments regarding permit violations. The Board thanked him for his input and will take the matter under consideration.

Meeting Change: The Board discussed the February regular meeting normally would be held on Wednesday, February 3, 2016, however a few Board members have scheduling conflicts with that day. It was decided to change the meeting from February 3, 2016 to 8:00 a.m. on Monday, February 8, 2016 beginning at 8:00 a.m. Further, a Special Meeting to discuss the Klondike Clean Water Retention Project #11 was scheduled to immediately follow the February 8th Regular Meeting.

Permits:

The Board acted on the following permits. Conditions, if any, are listed on the permit sent to the individual.

<i>App. #</i>	<i>Applicant</i>	<i>Location</i>	<i>Purpose</i>	<i>Action</i>
2015-45	Mike & Amy Jorgenson	Moose 19 & 30	Dike - incomplete app.	Needs more info
2015-48	MNDOT Motion Klegstad, Second Kukowski & Approved	Hwy 59	culverts / bituminous	approved
2015-51	Hugh Hunt Motion Olsonawski, Second Klegstad & Approved	Thompson	lower culvert	approved
	Consideration – applicant knew permit was required and went ahead with project anyway			
2015-56	Bill Erickson Motion Kukowski, Second Olsonawski & Approved	Ross 25	culvert / xing	approved
	– After the fact fee waived			

Consideration – 12” culvert installed would have been instantly approved & applicant claimed he did not know a permit was needed. No prior permits issued to him nor prior violations.

- 2015-61 Mark Foldesi Skagen 31 (2) SWI / 12” culverts approved
Motion Olsonawski **died** for lack of a second to charge \$725 fee
Motion Brazier **second** Klegstad & **Approved** with \$725 fee but stayed for a 5 year period. If any new permit violations happen in the 5 years then the fee will be charged but if none then the fee will be waived.
Consideration – what was done would have been approved anyway, applicant claimed he did not know a permit was needed even though prior permits have been issued to applicant for other projects.
- 2015-62 Michael Johnson Davis 6 18” culvert / trap approved
Motion Olsonawski, **Second** G. Johnson & **Approved**
- 2016-01 Kittson Co. Hwy Dept Svea 23 Culvert – KCD #7 Tabled
Referred to the Permit Committee

Other Permit Matters:

Discussion was held with consideration to permit violations and fees that have been charged since the District’s Rules were updated on June 3, 2015. Consideration was also made with regard to today’s Annual Meeting and the action taken by the Board regarding the revision to Exhibit A of the Rules pertaining to after the fact fees. Manager D. Johnson brought up fees that were charged to Randy Emanuelson regarding permit number 1569. Consideration was made that Emanuelson had applied for and received a permit from Kittson County Highway Department, and he claimed he thought he had all the permits that he needed. No prior permits have been issued to him nor has he had any prior violations. Therefore, the Board considered that leniency could be used in this case, in light of decisions just made at today’s meeting regarding other permit fees, and the decision at the Annual Meeting to make the fee schedule changes retroactive to June 3, 2015. A **motion** was made by Kukowski, **seconded** by Brazier, and **approved** to reimburse Emanuelson the \$810 that he had paid for a permit fee.

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

Attest:



Daryl Klegstad, Secretary



Darrel Johnson, President