

**Minutes of the Regular Meeting of the Board of Managers  
Of the Two Rivers Watershed District  
Held: October 5, 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 Wednesday, October 5, 2016 at the District Office located in the Kittson County Courthouse in Hallock, Minnesota.

Managers present included President Darrel Johnson, Secretary Daryl Klegstad, Treasurer Paul Olsonawski, Allen Brazier, & Gary Johnson. Vice President Jim Kukowski and Roger Anderson were absent.

Others present included District Administrator Dan Money, Head Technician Matt Thompson, Attorney Jeff Hane, Blake Carlson (WSN), Jake Huwe (HDR), Rick Solberg, Brach Svoboda, Dick Novacek, Luke Novacek, and Brad Blawat.

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 September 7, 2016. Today's meeting agenda and the minutes of the September 7, 2016 regular meeting were approved upon a **motion** by G. Johnson, **second** by Brazier, 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 7989 through 8005 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 Klegstad, 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:** Head Technician Thompson reported that several ditches have been sprayed for cattails, as reported at last month's meeting. It appears there was varying degrees of success with some very good cattail and brush kills, and some a bit spotty. Beaver trapping is needed for SD 49 and at the KCWRP #11. Once the beavers have been removed a backhoe will be sent in to remove the dams. Upon a **motion** by Brazier, **second** by Klegstad and **unanimous vote** authorization was given to hire the work done.

**FEMA Mapping:** Notification has been received from FEMA regarding the update of the Kittson County Flood Insurance Rate Maps. They have addressed concerns raised by the Two Rivers WD and have made appropriate revisions. The District has 30 days to provide further comments if they so choose. Upon a **motion** by Brazier, **second** by G. Johnson, and **unanimous vote** Blake Carlson of WSN was hired to consult with District Administrator Money to review the revised maps and make comments on behalf of the TRWD.

**MAWD:** The Minnesota Association of Watershed Districts will hold its Annual Meeting on December 1-3, 2016. They are asking for any resolutions from member districts. After discussion on potential resolutions, the Board of Managers directed D. Money to prepare and submit a resolution to MAWD asking to increase the Managers' per diem from \$75 per day to \$100 per day.

**Stream Gaging:** The District was contacted by J. Eastvold, the new manager at Lake Bronson State Park inquiring about automation of the District staff gages upstream of the Lake. The DNR would like to be able to assess rainfall and subsequent river levels remotely. A meeting was held between TRWD, DNR,

NOAA, and USGS to discuss the situation and potential available options. Future meetings will be held to further discuss monitoring.

**Overall Plan Update:** The District's current Overall Plan was written in 2004 but will not expire until 2017 because of an extension that was received. The District should begin the process of holding Citizen Advisory Committee and Technical Advisory Meetings in order to gather input to begin the process of updating the plan. The Board indicated this could be started this coming winter.

**Program Report:**

*Watershed Restoration & Protection Plans;*

- **Lower Red River WRAPS** - The 'Total Maximum Daily Loads' and 'Watershed Restoration and Protection Strategy' have been finalized and will be sent to the EPA for review and comment. Within the next 3-6 months a public meeting will be held, and then the WRAPS process can be completed.
- **Two Rivers WRAPS** – A Technical Advisory Committee meeting was held to review the 'Stressor ID Report', 'TMDL Report', and WRAPS document. The MPCA would like to get any comments on TMDL by October 15<sup>th</sup> and the WRAPS by October 30<sup>th</sup>. These reports when finalized will be submitted to the EPA, and the process is expected to be completed within about 9 months.

**Attorney's Report:**

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

**Permit Enforcement:** Enforcement letters have been sent as directed by the Board regarding several permit violations and enforcement issues.

**Kittson Co. Ditch 21 Improvement:** Hane discussed the process that needs to be followed under MN Statute 103D. Once a preliminary engineer's report is filed, several things will ensue, including DNR comments, a public hearing, hiring of viewers, and numerous other items.

**Klondike Land Purchase:** Hane reviewed a purchase agreement for lands in sections 10 and 11 of Klondike Township, Kittson County. Under the agreement, the current owner has until December 2016 to notify the District of his intent to sell. Hane has received the notice of intent, and under the agreement the District now has 90 days to close. Payment will need to be made within this time, unless other arrangements can be made. Administrator Money was directed to respond to the sellers with a written letter to explore options for purchase and payment, including a possible contract for deed.

**B. Svoboda:** Svoboda addressed the Board of Managers regarding an after the fact permit and corresponding \$650 fee that has been assessed. He explained that he was under the assumption that moving a crossing and using the same culvert did not need a permit. Discussion followed and upon a **motion** by Brazier, **second** by Klegstad, the permit application was approved and the after the fact permit inspection fee was reduced from \$650 to \$150. The motion **carried unanimously**. Svoboda discussed other projects he has planned, and submitted permit applications for each.

**Rick Solberg:** Solberg brought forth a potential small water impoundment project to discuss with the Board of Managers. He owns land in Moose Township, section 29, and proposes to put an impoundment in to address flooding on his cropland. He requested assistance from the TRWD with the design, and / or engineering. The Board discussed the project and directed Head Technician Thompson do perform a survey to collect information to use in preliminary design and discussion.

Solberg also discussed two permit violations that he has received letters from the District's attorney. One, located in the NW corner of Barto section 2 is in progress. He stated he has removed the trap and has ordered the correctly sized trap. It will be installed once he receives it. The other violation, in the NE corner of section 2 of Barto Twp, has been restored. Manager Brazier challenged this and stated that the ditch that was lowered has not been raised back to its original level. Upon further discussion, a **motion** was made by Olsonawski, **seconded** by G. Johnson, and **approved upon a 4-1** vote to approve the restoration work that was done.

**B. Blawat, L. Novacek, D. Novacek:** Several landowners were in to discuss a permit that was issued by the District to Soler Township in July, regarding opening of a culvert that had previously been ordered blocked. The permit for the "Mel Wang Pipe" allows water to drain from the State Ditch 72 system into the State Ditch 95 system. Landowners in attendance stated that this is OK during times when there are lower flows in lateral 1 of SD 95 but it can damage their lands by taking away drainage capacity when there is flooding or high water levels in the ditch. They questioned why this was allowed. The affected landowners inquired as to why they were not notified of the change to the culvert. They stated that past agreements and discussions appear to have been ignored when the District made their latest decision.

Managers D. Johnson and A. Brazier explained that it was agreed that the culvert is to have a gate attached, and the operating plan would be to close the gate during times when SD 95 cannot handle the extra flows. The gate has not been installed and needs to be in order to bring the permit into compliance.

**Engineering Reports:**

Klondike Clean Water Retention Prj #11: Jake Huewe of HDR Engineering reported to the Board of Managers regarding the soil sampling, geotechnical analysis, hydrologic and hydraulic modeling, engineer's report, and various alternatives and options being considered.

D. Money reported regarding the funding, environmental review, fen management research, and natural resources review and reporting.

Discussion was held on the dewatering and ditch cleaning that was completed on a portion of the project. Further discussion was held regarding next year's maintenance. A suggestion was to possibly begin removal of some of the cattails that have encroached and taken over in sections 1, 2, 11 & 12 of Klondike Twp. These could potentially be sprayed in 2017.

Polonia Clean Water Retention Prj. #12: Blake Carlson of WSN reported that he has not heard anything from the NRCS since he submitted the outlet structure plans and designs. It is not known what their schedule is regarding the project.

Kittson County Ditch 21 Improvement: Carlson discussed work that he has completed on the ditch petition project. He presented modeling that he has done, and concluded that if only the work that was petitioned is done, it will not be enough to reduce or eliminate the flooding problems along the ditch. He indicated that widening the ditch would most likely be needed. Manager Johnson will discuss with the petitioners, and depending on their response, a meeting could be set up to look at various options.

**Permits:**

Upon a **motion** by Klegstad, **second** by Brazier, and **unanimous vote**, the Board acted on the following permits. Conditions, if any, are listed on the permit sent to the individual.

<u>App. #</u>	<u>Applicant</u>	<u>Location</u>	<u>Purpose</u>	<u>Action</u>
2016-53	M Ratzlaff	Jupiter 11	tile drainage	approved
	Condition: no pumping during downstream flooding			
2016-58	R Solberg	Moose 31	ditching	to committee
2016-60	D Carlson	Tegner 27	diking	to committee

2016-61	T Chwialkowski Condition: 30"	Pelan 22	culverts	approved
2016-62	M Jorgenson	Moose 19&30	diking	tabled
2016-65	A Sundby Condition: 18" culvert	Deerwood 31	culvert / crossing	approved
2016-66	C Strand Condition: no discharges during downstream flooding	Deer 7	tile	approved
2016-67	C Strand Condition: no discharge during downstream flooding	Lind 12	tile	approved
	L Scharmer	Tein 29	tile	to committee
2016-69	C Swenson	Tegner 19	diking	approved

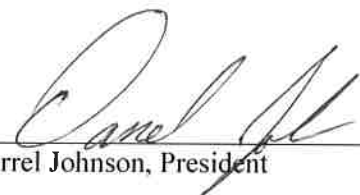
The following permits were previously approved by the Permit Committee

<u>App. #</u>	<u>Applicant</u>	<u>Location</u>	<u>Purpose</u>	<u>Action</u>
2016-50	B Dahl	Davis 13	tile	approved
2016-56	M Walsh	Barnett 2	replace 18" w/30"	approved
2016-59	T Osowski	N Red Riv 36	culvert / ditch	approved
2016-63	Deerwood Twp	Deerwood 33	culvert / trap	approved
2016-64	G Klegstad	Pelan 32	replace 18" w/ 24"	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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 Darrel Johnson, President