

**Minutes of the Regular Meeting of the Board of Managers  
Of the Two Rivers Watershed District  
Held: November 2, 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, November 2, 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, Attorney Jeff Hane, Engineer Blake Carlson, Engineer Nate Dalager, RRWMB Administrator Naomi Goral, Claire Kjersten, Roseau County Commissioner Mark Foldesi, and Doug Nelson.

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 October 5, 2016. Today's meeting agenda and the minutes of the October 5, 2016 regular meeting were approved upon a **motion** by Brazier, **second** by Kukowski, 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 8007 through 8033 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.

**Administrator's Report:**

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

**Legal Ditch Report:** Beaver problems are being taken care of on SD 49. A survey has been completed on RCD #4, and it was determined that no maintenance work is needed at this time. Another survey has been completed on Soler #4 and is being drawn up and analyzed. All stoplogs have been removed for fall drawdown at Horseshoe Lake. The gate at the Ross #7 project has been set to its normal operating position.

**Program Report:**

*Watershed Restoration & Protection Plans;*

- **Lower Red River WRAPS** - The draft WRAPS Report and TMDL Report are being finalized. Once that is done, the MPCA will submit the reports to the US EPA for review, comment, and approval. After they are approved, a public meeting will be held locally to discuss and present the information. Final approval after the public meeting will then be done and the process will be completed.
- **Two Rivers WRAPS** - A Technical Advisory Committee meeting was held regarding the draft WRAPS Report and the TMDL Report. Technical comments have been submitted and Houston Engineering will be incorporating the comments. Once that is done the same process that will be followed as is being done on the LRRWRAPS.

*Other Programs:*

**2016 Audit:** Discussion was held with Brady Martz, who has done the District audit the past several years. A quote of \$6,040 was submitted, up from the 2015 cost of \$5,920. The Board instructed President Johnson and Administrator Money to research if other auditors are available, what comparable quotes would be, and make a decision on the 2016 audit.

**Salary Committee:** Annual employee performance and wage reviews need to be completed prior to the end of the year. The Salary Committee, consisting of Managers Olsonawski, Brazier, and D. Johnson, will meet with employees prior to the December Board meeting.

**MAWD Annual Meeting:** The MN Association of Watershed Districts will hold its' Annual Meeting in Alexandria, MN on December 1-3. Managers Anderson, Brazier and possibly one other Manager and Administrator Money were authorized to attend. Money will secure room reservations and get everyone registered. Managers Anderson and Brazier were designated as delegates, and either Manager D. Johnson or Manager Kukowski the alternate, depending on which attends.

**Overall Plan Update:** The District's 10 year Overall Plan is required by law to be updated in 2017. This process generally takes some time in order to analyze the old plan, hold public input meetings, do the revisions, seek comment, and submit to BWSR for approval. Discussion was held regarding the option of doing the 'One Watershed, One Plan'. This is dependent upon the SWCD's and Counties agreeing to cooperate. No action was taken and this time, and the Administrator was directed to contact the other local governments for their opinions and perspectives.

**Lake Bronson State Park:** The District was contacted by DNR Park Manager to discuss the stream gages upstream of the Park that measure inflows to the lake. They have a reduced staff and would like the ability to remotely collect data from these gages in order to help determine when and if they need to operate the gates at the dam. A meeting was held with the USGS, NWS, and DNR. Discussion was held on participating in funding and/or providing technical assistance in an effort to improve data collection at these 2-3 sites. Further information will be provided at a later date.

**KCD 21 Improvement:** Discussion was held on this pending project. The District will proceed according to MN Statute. Once the Engineer's report is submitted, comments will be solicited from DNR, and a public hearing will be held. After that Viewers will be appointed to determine benefits and damages, and a final engineer's report will be developed. Once all the reports are complete, a final hearing will be held and modification to the ditch can be completed. If all goes well, the ditch could be completed sometime in 2017.

Project Engineer Blake Carlson stated that his Engineer's report will be completed and submitted at the December 7<sup>th</sup>, 2016 regular Board meeting.

**Red River Watershed Management Board:**

Naomi Goral of the RRWMB was in attendance to meet with the Board and provide information regarding the RRWMB activities. She is making visits with each member watershed district to provide information to inform and coordinate more closely with the members. She discussed recent public information activities, web site updates, and recent and forthcoming personnel changes. General discussion was held and the Board of Managers thanked her for attending and presenting information.

### **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: Hane reported on land acquisition regarding sections 10 and 11 in Klondike Township, Kittson County. A current purchase agreement is in effect between the District and two other landowners. The entities would like to renegotiate the purchase agreement, with a portion of the land to be obtained by the District now and then up to 2 years to complete the transaction on the rest of the land. The Board of Managers directed Attorney Hane and Administrator Money to facilitate the process.

Doug Nelson addressed the Board of Managers regarding his plans and potential land transactions. A deal may be pending, but he is unsure if it will go through at this point. Upon a **motion** by Kukowski, **second** by Klegstad, and **unanimous vote**, authorization was given to purchase lands in section 10 of Klondike Township, Kittson County, MN, from Doug Nelson Incorporated and Cynthia Sobolik at a total cost of \$408,000. A new purchase agreement will be drafted for lands located in section 11, Klondike Township.

### **Kjersten / Foldesi:**

Landowner Claire Kjersten and Roseau Co. Commissioner Mark Foldesi attended the meeting to discuss permit application 2016-58 that has been received for a ditching project in section 31 of Moose Township, Roseau County. Kjersten stated he is not in favor of the project because it would re-route water. He indicated that the existing drainage is good, and that this could negatively affect a farmstead. Foldesi informed the Board of the county policy regarding roads.

Upon a **motion** by Brazier, **second** by G. Johnson and **unanimous vote**, permit application 2016-58 was denied for the following reasons:

- Conflicting information was received with the permit application, causing confusion as to the proposed grade and cross section.
- The proposal has the potential to divert flow away from ag land and direct it toward a farmstead residence, which is not desirable.
- There is local opposition from at least 2 neighboring landowners to the project.

Kjersten also discussed with the Board his observations of water flowage in and around sections 20 and 29 of Moose Township, Roseau County. He noted that it seems more water goes west in this area now that what used to.

Foldesi discussed a potential project to establish a lateral ditch to the existing "Whitney" ditch. This would potentially allow water from Moose 20 & 29 to flow north, leaving the Two Rivers WD and entering the Roseau River WD. It was noted that a petition for a lateral would need to be submitted to the two Watershed Districts by a percentage of landowners along the course of the proposed ditch. Engineer B. Carlson noted that it appears according to Lidar information that there may not be enough grade to carry the water, and so it would be wise to do a preliminary survey.

**Project Report:**

*Klondike Clean Water Retention Prj. #11:*

- The District has received a request from the current renter in section 27/35 Klondike Township to extend his rental agreement. His lease agreement ends in 2018, however due to USDA farm program signup rules, he needs to have an agreement through 2023. After consideration, a **motion** was made by Kukowski, **seconded** by Anderson, and **unanimously voted** to extend the lease agreement through the year 2022 at a rental rate of \$3,545/year.
- Engineer Nate Dalager presented information on the progress of the Engineer's report. Work is in progress on the hydraulic and hydrologic modelling, and analysis of soil borings is being done. Because of the wet conditions this summer only about ½ of the borings were completed, and the rest will be attempted once the ground freezes.
- Work continues on the PL 566 environmental analysis, the US Army Corps of Engineer's concurrence point process, and the State of MN environmental analysis worksheet. A fen management plan is also being crafted jointly with the MN DNR to determine the extent of the fen and how best management activities to protect and enhance it.
- Regarding funding, information was handed out on the State bonding process. Last year a bonding bill was not approved, but if it had there only would have been around \$17 million appropriated state wide for flood damage reduction project. The KCWRP is estimated to cost \$35 million, and so a phasing plan will be needed over the next 5-7 years in order to fully fund planning, permitting, and construction activities.

**Permits:**

Upon a **motion** by Kukowski, **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.

<i>App. #</i>	<i>Applicant</i>	<i>Location</i>	<i>Purpose</i>	<i>Action</i>
2016-58	R Solberg	Moose 31	ditching	Denied
2016-60	D Carlson	Tegner 27	diking	Approved
2016-62	M Jorgenson	Moose 19&30	diking	Denied
2016-69	B Svoboda	Skagen 1 & 12	tile drainage	Tabled
2016-71	B Svoboda	Barnett 23-24	unknown	Tabled
2016-74	J Dagen	Springbrook 23	tile drainage	Tabled
2016-75	L Scharmer	Tein 29	tile	Approved
2016-76	MNDOT	Hwy 11-59	mill-overlay-sidewalk-stmsewer	Tabled

**Other Permit Issues:**

The following items were brought before the Board of Managers for review.

- Deerwood Section 4 – installation of road and culverts without a permit. A permit application is forthcoming with the required fee.
- Richardville 5-8 – Drainage and flowage issues in an area bordering Two Rivers and Joe River Watershed Districts. Discussion has been held with landowners, the county highway department, and both watershed districts.
- Arveson 4 & Pelan 33 – permit violation whereby a township road ditch was widened. Perpetrator has been notified but has not submitted a permit application or a permit fee. Recommendation to have District Attorney send a letter.
- Miscellaneous other possible violations and violation follow ups were discussed.

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

