

**Minutes of the Regular Meeting of the Board of Managers  
Of the Two Rivers Watershed District  
Held: December 7, 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, December 7, 2016 at the District Office located in the Kittson County Courthouse in Hallock, Minnesota.

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

Others present included District Administrator Dan Money, Head Technician Matt Thompson, Attorney Jeff Hane (BSSMA Law Office), Engineer Blake Carlson (WSN Engineering), Engineer Nate Dalager & Jake Huwe (HDR Engineering), and landowner Myles Efta.

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 November 2, 2016. Today's meeting agenda and the minutes of the November 2, 2016 regular meeting were approved upon a **motion** by Olsonawski, **second** by G. Johnson, and **unanimous vote** of the Managers.

**Treasurer's Report:**

Administrator D. 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 8034 through 8059 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 Olsonawski, and a **unanimous vote** by the Board.

**Administrator's Report:**

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

**BWSR Clean Water Fund Grant:** The Kittson SWCD is administering a grant from the MN Board of Water & Soil Resources to the Two Rivers Watershed District in the amount of \$200,000 to install buffers on waterways that are located upstream of Lake Bronson. The grant is set to expire at the end of 2016 but the funds have not yet all been spent. Upon a **motion** by G. Johnson, **second** by Brazier, and **unanimous vote**, it was decided to ask BWSR for a one year extension on the grant. The President was authorized to sign the necessary grant documentation on behalf of the District.

**Buffer Law Update:** The MN DNR has completed the second update of the buffer maps. This is available on the DNR website. The Kittson SWCD has been analyzing what watercourses will be required to have buffers. The TRWD can accept enforcement duties if it so chooses, and the decision to enforce will need to be made by the end of March, 2017. No decision was made at this time.

**2016 Audit:** The firm of Brady Martz has been hired to perform the District's 2016 audit. The cost of the audit has been quoted at \$6040.

**MAWD:** Managers Anderson and Brazier and Administrator Money attended the MN Association of Watershed Districts annual meetings. They reported on several items including resolutions, 1 watershed 1 plan, MAWD strategic planning, drainage manual update, and many other topics.

**Ross #7:** A landowner adjacent to the Ross #7 Impoundment project made a request regarding the District's hunting policy. Currently the District allows public hunting on lands owned by the District within the impoundment area. The landowner has had issues with members of the public on his land that is immediately adjacent to the District's property, and requests that the District not allow hunting within a small wooded area of about 10 acres.

The Board of Managers discussed the request, and decided to offer to lease the 10 acres to the adjacent landowner. If he accepts then he would be able to post the property. Money will prepare a lease agreement and discuss with the adjacent landowner.

**Overall Plan / 1W1P:** The TRWD Overall Plan needs to be updated once every 10 years, and the current plan expires in October of 2017. Therefore the District will need to begin the process of plan update. However, the State of MN is recommending going to the One Watershed One Plan, which would involve a cooperative effort between Kittson, Marshall & Roseau Counties, Kittson, Marshall & Roseau SWCD's, and the TRWD. Inquiries will be made with all potential partners and a decision will be made in the next few months.

#### **Program Report:**

##### *Watershed Restoration & Protection Plans;*

- **Lower Red River WRAPS** - The MPCA will be letting the TRWD know when a public meeting will need to be held. The project is near completion and is now being driven by the US EPA and the MPCA.
- **Two Rivers WRAPS** – Final reports and documentation is being completed and once that is done the information will be submitted to the US EPA.

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

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

**Permit Issues:** A letter has been received from an attorney working for Bryce Minske. The TRWD alleges that Minske violated the District's Rules because he improved a township road ditch and did not get a permit. Minske is of the opinion he did not need a permit. Hane suggested the TRWD make findings of fact regarding the matter. Upon a motion by Brazier, second by G. Johnson, and unanimous vote, Hane was directed to prepare findings of fact based upon technical information gathered during the review of the issue and to contact Minske's attorney.

**KCWRP:** Hane has been in contact with Doug Nelson regarding the purchase agreement between him and the TRWD. Nelson and Cindy Sobolik have notified the District they want to sell under the terms of the agreement. The District has 90 days to pay the final closing costs. Discussion was held on a number of items, and upon a motion by Olsonawski, second by G. Johnson, and unanimous vote Hane was directed to prepare the deed, set a closing date prior to the end of 2016, and notify Nelson and Sobolik.

Administrator Money was directed to research funds available and prepare the checks necessary to complete the transactions.

#### **Project Reports:**

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

N. Dalager and J. Huwe of HDR Engineering were present to discuss the KCWRP#11 and to answer questions. Detailed discussion was held regarding the various facets of the project, including the diked inlet, modelling of the pre and post project conditions, and other items. A meeting with DNR to discuss the fen, moist soils, land exchange, and other natural resources issues will be held in Thief River Falls on 12/8/16.

At some point the District should hold a special meeting to discuss the range of alternatives for each of the project components and to decide on preferred alternatives. Money also mentioned

that discussion should be held regarding the Environmental Assessment Worksheet, PL 566 plan, US Army Corps of Engineers wetland permitting, and other processes that will need to be addressed. A Special Meeting of the Board of Managers was scheduled for 9:00 am on Wednesday, December 15, 2016 to discuss these issues.

Kittson County Ditch 21 Improvement:

Engineer Blake Carlson discussed the project with the Board of Managers. He indicated due to some design considerations, he has not yet completed the Engineer's report. Discussion was held regarding the proposed ditch dimensions, including the grade, bottom width, depth, side slopes, right of way needed, and designs to handle the 10 year, 24 hour storm event. Carlson will complete the engineers report and submit to the District in the near future.

**Myles Efta:**

Mr. Efta appeared before the Board regarding a permit after the fact fee for a culvert that he had installed. He had received a letter from the TRWD indicating he needed a permit for a project he performed that replaced an 18" culvert with a 24" culvert and also a \$585 inspection fee. Efta admitted he did not get a permit but stated other have done similar projects and did not get a permit. Discussion was held regarding the situation, and upon a motion by Olsonawski, second by Brazier and unanimous vote, the work was approved and the fee was reduced from \$500 to \$85.

**Permits:**

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> |
|---------------|--|-----------------|--------------------------------|---------------|
| 2016-69       | B Svoboda  | Skagen 1 & 12   | tile drainage                  | Denied        |
|               | Motion Brazier, Second G. Johnson & carried to deny – lack of information supplied   |                 |                                |               |
| 2016-71       | B Svoboda  | Barnett 23-24   | unknown                        | Denied        |
|               | Motion Brazier, Second G. Johnson & carried to deny – lack of information supplied   |                 |                                |               |
| 2016-74       | J Dagen  | Springbrook 23  | tile drainage                  | Approved      |
|               | Motion Brazier, Second G. Johnson & carried to approve. Conditions no discharges during times of downstream flooding, no structures allowed within 25' of the dike associated with the Springbrook #10 PL 566 project, and no tile lines allowed within 50' of the dike. The dike shall not be breached and no tile lines shall pass under the dike. |                 |                                |               |
| 2016-76       | MNDOT  | Hwy 11-59       | mill-overlay-sidewalk-stmsewer | Approved      |
|               | Motion G. Johnson, Second Brazier & carried.   |                 |                                |               |
| 2016-82       | Roseau Hwy Dept.   | Dewey 36        | Crossing w/30" cmp             | Approved      |
|               | Motion Olsonawski, Second Brazier & carried.   |                 |                                |               |
| 2016-83       | Kittson Hwy Dept.  | Davis 8         | Replace 18"&24" w/36"          | Approved      |
|               | Motion Brazier, Second G. Johnson & carried.   |                 |                                |               |
| 2016-84       | Deven Efta   | Polonia 31      | Replace 18"/trap with 24"/trap | Approved      |
|               | Motion Olsonawski, Second Brazier & carried. \$85 inspection fee.  |                 |                                |               |

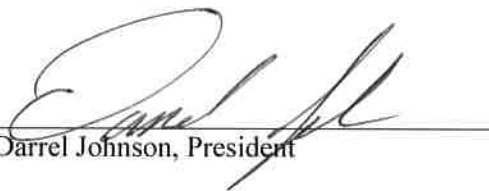
The following permits were previously approved either by the Permit Committee or by the District Administrator.

| <u>App. #</u> | <u>Applicant</u> | <u>Location</u> | <u>Purpose</u>     | <u>Action</u> |
|---------------|------------------|-----------------|--------------------|---------------|
| 2016-78       | Mark Hanson      | Richardville 25 | replace 12" w/36"  | approved      |
| 2016-79       | Rodney Sikorski  | Juneberry 9     | replace 48" w/60"  | approved      |
| 2016-80       | Rick Sikorski    | Moose 31        | Lower 18" to grade | approved      |
| 2016-81       | CHS Hallock LLC  | Skane 12        | install drain tile | 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