

**Minutes of the Regular Meeting of the Board of Managers  
Of the Two Rivers Watershed District  
Held: June 1, 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, June 1, 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, and Engineer Nate Dalager.

The meeting was called to order by President D. Johnson at 8:00 a.m. Johnson called for any additions or corrections to the proposed meeting agenda and also the meeting minutes from April 28, 2016. Today's meeting agenda and the minutes of the April 28, 2016 regular meeting were approved upon a **motion** by Kukowski, **second** by Klegstad, and **unanimous vote** of the Managers.

Manager Brazier discussed procedures used by the District when reviewing permits and permit violations.

Manager Olsonawski left the meeting at 8:10 a.m.

**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 7869 through 7912 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 Klegstad, a **second** by Anderson, and a **unanimous vote** by the Board.

**2015 audit:** The 2015 audit has been drafted by Brady Martz and the draft was discussed. The Board pointed out a few minor corrections, and the audit was approved with corrections upon a **motion** by Kukowski, **second** by G. Johnson, and a **unanimous vote** of the Managers.

**Administrator's Report:**

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

**Legal Ditch Report:** Surveys are in progress on Kittson County Ditch #10, and will be done on Roseau Co. Ditch #4 and Soler #4. These will be used to determine if any sediment will need to be removed from the ditches. Brush and cattail spraying was discussed. Head

Technician Thompson was directed to research what and where to spray and get some quotes from area contractors.

**Program Report:**

*Watershed Restoration & Protection Plans;*

- **Lower Red River WRAPS** - The process is nearing the end. Most reports have been drafted, including a Stressor ID, Wind Erosion Potential, runoff modelling and nutrient loading estimates, Total Maximum Daily Loads report, and Watershed Restoration and Protection Strategy report. A Technical Advisory Committee and Joint Powers Board Meeting have been scheduled for June 9<sup>th</sup> to review and comment, and move the process along. The WRAPS process should be completed near the end of June 2016.
- **Two Rivers WRAPS** - Many of the same reports have been drafted for the Two Rivers as well. The MPCA would like to hold a Technical Advisory Committee meeting some time during the month of July 2016.

*Stream Flow Monitoring:* With significant amounts of rainfall over the past 5 days, rivers have risen to minor flood stage at Hallock and around the District. The Ross Impoundment was closed down to 8" and will be totally closed today. Staff have been measuring stream flows and monitoring staff gages.

**Project Report:**

*Klondike Clean Water Retention Prj. #11:*

- NRCS/PL566 - The EAW plan has six NRCS review points and each one has several tasks to be completed. Money has been working on review point 1, and has completed a planning structure document, letters of invitation, and a plan of work. Remaining items include a public participation plan and a feasibility report. Once these are completed and approved review point 2 can begin.
- Land Management - Several parcels owned by the TRWD are currently idle and have been offered to the public for rent. Discussion was held regarding bids received. Upon a motion by Anderson, second by Klegstad, and unanimous vote of the Board, the SE ¼ Klondike 16 and the SE ¼ Klondike 21 were rented out on a 5 year hunting lease. Money and Hane were directed to prepare a lease agreement.
- Remaining unleased lands were discussed. Money will work with any interested parties to rent these parcels out. Other options to consider are enrollment in USDA conservation or other programs.
- Big Swamp Project Work Team - The Board of Managers scheduled a BSPWT meeting to be held beginning at 10:00 a.m. on Monday, June 27, 2016 in the Badger, MN community center. This meeting will also double as a public meeting as required under the NRCS - PL566 process.

*Ross #7:* A current renter has indicated he would like to cancel a lease agreement he currently has on 96 acres. There are 2 years remaining on the lease. The board directed Money to counter offer a reduced rental agreement or look for a conservation program it could be enrolled into.

**Legislature:** The DNR land exchange bill pertaining to KCWRP #11 was passed and signed by the Governor. Provisions in the bill also establish the TRWD and DNR must work together to establish a rich fen management plan. To that end, a 'fen team' has been meeting to determine monitoring that is needed in order to provide data that will be used to come up with the plan.

**Upcoming Meetings:**

- The Kittson SWCD will be holding an informational buffer meeting on June 9<sup>th</sup>. Discussion will be held regarding the buffer law, map review, duties of LGU's, enforcement, financial assistance, and the like.
- The MN Association of Watershed Districts will be holding their Summer Tour in Winona on June 22-24.

**Attorney's Report:**

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

*Permit Procedures:* Hane submitted a letter to the Board of Managers regarding procedures and criteria to use in permitting and deciding what is maintenance (not needing a permit) and what is improvement (needing a permit). He suggested 6 criteria to be analyzed: 1. Pre work hydrologic/hydraulic data, 2. Ratio of topsoil / subsoil in spoil from ditch excavation, 3. Alteration of existing culverts, 4. Nature and extent of the work done, 5. Disturbance of vegetation, 6. Soil type and soil erodibility.

D. Money mentioned the large number of permit violation currently under review, and he has developed a 'permit violation report' form that can be used to document the above criteria and also things like location and nature of the violation, impacts, photos, and other pertinent information. The Board of Managers decided to utilize both Hane's criteria and Money's checklist to help investigate and analyze potential permit violations in the future. Further, it was decided that the permit committee will meet, discuss, and provide a recommendation to the Board of Managers prior to official decisions or actions being taken against perpetrators.

**Polonia #12 (Quick) WR:**

Engineer Blake Carlson of Widseth, Smith, & Nolting gave a report regarding the project.

Being this is a project under the Federal Wetland Reserve Program, the NRCS is designing most of the structures for the project. However, they have asked that the TRWD design the two outlet structures, and Carlson has been working with NRCS on this. Plans are in the works, and NRCS is hoping to get permits and possibly bid the project yet this year, with construction substantially done in 2017.

It was noted that at some point a landowner meeting should be held to inform local people regarding the project plans and timelines, and discuss options that could improve their drainage.

### **Klondike Clean Water Retention Project #11:**

Engineer Nate Dalager of HDR Engineering reported on recent activity on this project. Meetings, field inspection, and design considerations have been discussed recently regarding the diked inlet alignment. Current thinking is to locate the diked inlet along current alignment of existing SD 95 lateral 1, then move lateral 1 south to be adjacent and parallel to the diked inlet. Various configurations were discussed.

The need for soil borings was discussed. It was noted these could be included in the NRCS PL566 EAW process, and that these should be conducted within the next few months. Quotes received indicate the cost would be approximately \$30,000. More information will be provided at the July meeting.

General discussion was held on the processes that need to be done and the timelines to complete. The goal is to have the engineer's report and the EA work completed by the end of 2017.

### **Permits:**

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

<b>App. #</b>	<b>Applicant</b>	<b>Location</b>	<b>Purpose</b>	<b>Action</b>
2016-19	Lance Hapka <b>Motion</b> Kukowski, <b>Second</b>	Norway 7 G. Johnson &	ditching, culverts <b>approved</b> ; condition ditch side slopes must	Approved
		be 2.5:1 to control erosion.		
2016-20	Larry Wilebski <b>Motion</b> Kukowski, <b>Second</b>	Richardville 15 Anderson &	road <b>approved on 5-0 vote</b> with Brazier abstaining;	Approved
		After the Fact fee waived		
2016-21	Norway Twp <b>Motion</b> Kukowski, <b>Second</b>	Norway 14 G. Johnson &	crossing/swi <b>Approved</b> ; 36" culvert	Approved
2016-23	Lance Hapka	Norway 8	crossing/ 48"	Tabled
2016-24	Arvin Sundby	Deerwood 31	Tile	Tabled
2016-26	Scott Nelson	Richardville 20	sub irrigation	Tabled

The following permits were previously approved either by the Permit Committee, or by the District Administrator according to permit procedures of the Two Rivers Watershed District.

<b>App. #</b>	<b>Applicant</b>	<b>Location</b>	<b>Purpose</b>	<b>Action</b>
2016-12	RCHD	Greenbush	crossing for bldg.	approved
2016-13	Sander Dagen	Deerwood 19	tile drainage	approved
2016-14	KCHD	Klondike 19	center line clvrt	approved
2016-15	DNR	SD 72	crossing	withdrawn
2016-16	Phil/Joel Muir	Tegner 6/ KCD 8	Side Water Inlets	approved
2016-17	Chris Beito	Hereim 1-2/ SD 91	Side Water Inlets	approved
2016-18	Mike Jorgenson	Moose 19 & 30	tile drainage	approved
2016-22	Lance Hapka	Norway 9	xing	pending
2016-25	Blake Nelson	Richardville 30	xing	pending

Manger Anderson left the meeting at 12:45 p.m.

**Issues/Enforcement**

Investigations of issues, complaints and permit violations are listed below. The Board took action as listed:

- Deerwood Sect. 4: Nelson vs Green – field investigated – Contact will be made with gravel mining operation. Evidence indicates that over time the operation has closed off a drainageway causing water to back up on adjacent lands. Gravel company will be asked to restore drainage.
- Richardville 5-8: TRWD asked to investigate potential project alternatives – Found boundary issue with JRWD; Discussions will be held with the Joe River Watershed District regarding the boundary issue.
- Granville 24: ridge cut for drainage – permit committee reviewed – permit app pending
- St. Joseph 6: ditching and crossing no permit – permit committee reviewed & letter sent
- Barto 2 NE: culvert size changed and culvert lowered – perpetrator has stated he will restore to prior condition – letter will be sent with deadline of July 1. The after the fact fee does not apply as long as the site is restored to its pre-project condition and function. Action **approved** upon a **motion** by Kukowski, **second** by Klegstad, and a **4-1 vote**.
- Barto 2 NW: trap for culvert permitted, however method of installation effectively reduces the size of culvert – Board ruled trap must be reconfigured to not change the size of the opening. Letter will be sent with deadline of July 1. After the fact fee does not apply as long as the trap does not significantly reduce the size of the culvert. Action **approved** upon a **motion** by Kukowski, **second** by **Klegstad**, and a **4-1 vote**.

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

