

**Minutes of the Regular Meeting of the Board of Managers
Of the Two Rivers Watershed District
Held: October 3, 2018 @ 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 3, 2018 at the District Office located in the Kittson County Courthouse in Hallock, Minnesota.

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

Others present included District Administrator Dan Money, Head Technician Matt Thompson, Todd Erickson, Attorney Jeff Hane (Brink, Sobolik, Severson, Malm & Albright, P.A.), Engineer Nate Dalager (HDR Engineering), Engineer Blake Carlson (WSN Engineering) and surveyor Dan Fischer.

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 annual meeting minutes from September 5, 2018. Today's meeting agenda and the minutes of the September 5, 2018 regular meeting were approved upon a **motion** by Klegstad, **second** by B. Anderson, 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 8576 through 8600 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 G. Johnson, 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:

Ross #7 Land Rent:

Renter Todd Erickson was in attendance to discuss land rental. Mark Haugen currently has a farm lease agreement with the District for a 176.36 acre parcel located in section 27, Ross Township, Roseau County. Haugen recently contacted the District and would like to opt out of the remainder of the contract. Haugen contacted Erickson and Erickson agreed to take over renting the parcel. The Board of Managers discussed the issue, and upon a **motion** by Klegstad, **second** by G. Johnson, and **unanimous vote** it was decided to 1) allow Mark Haugen to opt out of his current Farm Lease Agreement, 2) rent the parcel to Todd Erickson for 2019 (1 year), and 3) at the end of 2019 the parcel will be opened up to all current renters to bid on the parcel for at least a 3 year term beginning January 1, 2020.

Legal Ditch Report:

- **Outlet fees** for the City of Karlstad, Kittson County Ditch #10, and Springbrook #10 were discussed. Upon a **motion** by Klegstad, **second** by B. Anderson and **unanimous vote** of the Managers, an order for outlet fees was approved, charging the City of Karlstad \$1,500 to outlet to Kittson Co. Ditch #10, charging Kittson County Ditch #10 \$5,100 to outlet to Springbrook #10, and charging Springbrook #10 \$7,800 to outlet to Judicial Ditch #10 for the year 2019.
- A slough on Kittson County Ditch #10 was reported and it has been repaired by Kraulik Excavating.

- The Kittson County Ditch #21 redetermination of benefits is progressing. R. Langaas, J. Vold, and W. Ruud have agreed to serve as Viewers for the project. A map was distributed and discussed regarding the project details. It was the opinion of the Board of Managers that the direction to the Viewers will be to remove certain lands that do not drain to the ditch, add certain lands that drain to the ditch but currently do not pay benefits, update the benefit amounts, and combine the recently completed Kittson County Ditch 21 Diversion 1 Improvement benefitted area with the updated Kittson County Ditch 21 benefitted area. A viewer's meeting will be scheduled for some time in October to begin work on the project.
- Sediment removal was completed on the Middle Branch Project by Anderson Brothers Construction.

Program Report:

Watershed Restoration & Protection Plans;

The MN Pollution Control Agency was accepting comments on both the Lower Red River Watershed Restoration and Protection Strategy and the Total Maximum Daily Load reports. Money provided comments, and the MPCA is currently reviewing all comments received. It is unknown when the final reports will be completed. These will be utilized in the One Watershed One Plan process.

November Meeting:

The Board of Managers discussed the scheduled November 7, 2018 regular meeting date. Several members may have a conflict on this date and will not be able to attend. The Board decided to move the meeting date to Wednesday, October 31, 2018 beginning at 8:00 a.m.

One Watershed One Plan:

The Board of Water & Soil Resources has awarded grant funding to proceed. It is anticipated the planning process will take about 1.5 years to complete. This is a joint effort between Two Rivers WD, Roseau County, Kittson County, Roseau SWCD, Kittson SWCD, and Kittson Co. Planning & Zoning. The planning area will include the area within the Two Rivers WD. The Joe River WD overall plan will be considered as well. A steering committee has been assembled and a policy committee will need to be formed. Also a Citizen's Advisory Committee and a Technical Advisory Committee will need to be named.

The Steering committee, made up of staff from each partner agency, is meeting to organize the process. The TRWD Board of Managers indicated that local staff should write the plan, and consultants should be used sparingly on an as needed basis. The Board discussed the process and the options to use to meet the prioritization, targeting, and measuring principals that the BWSR is requiring for the plan.

MAWD:

The MN Association of Watershed Districts will hold its annual meeting in Alexandria on November 29 through December 1, 2018.

TRWD Board Appointments:

The terms for Al Brazier, Gary Johnson, and Roger Anderson are up at the end of October. Anderson was reappointed by the Kittson County Commission, but Johnson and Brazier did not submit to be reappointed. Rick Sikorski was appointed by Roseau County to replace Brazier, and Joel Muir was appointed by Kittson County to replace Johnson. Brazier and Johnson were thanked for their years of dedicated service on the Board.

Red River Watershed Management Board:

The Sand Hill WD has voted to leave the RRWMB. The RRWMB is asking member districts to provide resolutions regarding any legislative issues that they would like to see brought to the MN legislature.

The TRWD would like to see the RRWMB work on federal funding sources for projects, and also work to streamline wetland permitting so that federal agencies use the same criteria and adhere to the same rules.

Project Report:

Klondike Clean Water Retention Prj. #11:

- Public meeting – It has been a while since a Big Swamp Project Work team has met or since an official public meeting has been held to provide information and get feedback. The Board discussed scheduling a meeting to provide updates. A presentation followed by an open house format from 3:00 – 5:00 pm was planned, to be held either at Lake Bronson State Park or in Greenbush. Potential dates suggested were either November 14 or 15, 2018. Money will make the arrangements.
- Tasks & Timeline - D. Money presented a draft task list for phase 1 that shows funding that is needed, items that need to be completed, and a proposed timeline. This document is intended to be used by the Board, District Staff, and consultants to refer to as the project moves forward as a reminder and communication tool to help focus each project task. It will be updated and utilized on a monthly basis.
- Wetland Permitting – a meeting was held with the US Army Corps of Engineers, Kittson SWCD, and the Board of Water & Soil Resources. It is apparent that although much of the project area is classified as prior converted or non wetland by the Natural Resources Conservation Service, it is considered wetland by BWSR and / or by the USACE. The TRWD Board is frustrated by the inconsistency between federal and state agency wetland determinations. It appears that wetland permits, including wetland mitigation, will be necessary. D. Money will begin working on identifying potential wetland impacts and permitting.
- Funding – D. Money has discussed with the MN DNR a potential flood damage reduction grant. The DNR wants to see a phased approach and has asked for a project breakdown of tasks and costs. Money will utilize the task and timeline document and will provide information to DNR with a request for funding in 2018-2019.
- Land Exchange – work continues on identifying parcels and preparing an application for the MN DNR.
- Natural Resources Enhancements – In order to achieve 75% funding from the State, and also to address water quality and habitat concerns that have been identified and agreed to by the Big Swamp Project Work Team, the TRWD will need to begin identifying and planning specific structural and non structural components of the project. The MPCA has agreed to run a computer model that will help identify how to improve water quality impairments to the river and to Lake Bronson. In the coming months we will need to hone the project plans to include specific items.

Quick WRP: This wetland reserve program project, located in Polonia Township in Roseau County is being constructed by the Natural Resources Conservation Service with cost share from the TRWD. The TRWD share is 25% of which the Board of Managers had authorized \$50,000 in funds. The NRCS has let bids, and the low bid came in higher than anticipated, which increases the TRWD share by \$1,048.74. Upon a **motion** by Klegstad, **second** by G. Johnson, and **unanimous vote**, the Board authorized cost sharing with the NRCS up to a total of \$51,048.74.

Attorney's Report:

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

KCD #21 Diversion 1 Improvement ditch lien: This project has recently been constructed, the final hearing was held, and it has now been determined that the cost will not exceed \$125,000. Ditch law provides a means to pay for the costs by creating a ditch lien levied against the benefitted properties. This method while efficient for larger projects, is cumbersome and not efficient for a smaller project like this one. Discussions between the Kittson Co. Treasurer's office, TRWD staff, and Hane have resulted in a recommendation that the Board simply resolve to levy \$25,000 per year for 5 years in lieu of a ditch lien. Upon a **motion** by G. Johnson, **second** by Klegstad, and **unanimous vote**, resolution number 2018-03 was approved and is attached to these minutes and incorporated into the official KCD 21 Diversion 1 Improvement file.

Jorgenson appeal / Solberg violations: An update on this issue was provided to the Board. M. Jorgenson is appealing the denial of his permit application, and in the discussions he agreed to submit a revised application to the TRWD. The district is currently waiting for this information and will review and act on it once it is received. In the proceedings three permit violations were discovered on property owned by R. Solberg. Solberg has been contacted and mitigation / restoration is being pursued.

Engineer's Report:

Klondike Clean Water Retention Project: Nate Dalager reported on his design activities. Surveyor Dan Fischer was in attendance to present a proposal to locate and identify 44 section corners within the project area. Dalager recommended the Board accept the proposal and hire Fischer at a cost not to exceed \$55,000 as detailed by the proposal that was submitted. A **motion** was made by G. Johnson, **seconded** by B. Anderson, and **unanimously approved** to hire Fischer under the terms presented with the quote and authorize the District Administrator to sign any contract documents related to the survey work.

Permits:

The Board acted on the following permits. The review and comments of the permit committee were carefully considered and taken into consideration. Any comments provided by members of the committee, road authorities, or affected landowners have been recorded and filed with the permit documentation in the District office. 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>
2018-38	Roger Schwenzefier	Hampden 1&12	re-route tile outlet	Approved
	Motion Anderson, second Klegstad – unanimous - Notify applicant of pending permit applications utilizing coulee for outlet			
2018-43	Matt Kuznia	Tegner 7	tile outlet	Approved
	Motion Klegstad, second G. Johnson – unanimous Condition; riser pipe must be set at elevation 824.0' according to design by Dist. Engineer			
2018-45	Scott Nelson	Granville 6	Tile drainage	Tabled - incomplete app
2018-46	Dean Carlson	Tegner 30	Diking	Approved
	Motion G. Johnson, second Klegstad – unanimous Condition: top of dike no higher than elevation 824.5 <u>Findings of Fact:</u> There will be no significant downstream impacts because 1) the proposed dikes will utilize existing culverts (no new or size increases or decreases will occur) and 2) in extreme events, the project allows for backwater into the adjacent field, thereby storing water.			

2018-51	Dewey Twp	Dewey 1	Crossing w/culverts	Approved
	Motion Klegstad, second Anderson - unanimous			
2018-53	Jim Dvergsteen	Hereim 24	Crossing	Tabled

The following permit applications were previously acted upon by the permit committee. Any comments provided by members of the committee, road authorities, or affected landowners have been recorded and filed with the permit documentation in the District office. Conditions, if any, are listed on the permit sent to the individual.

2018-41	DK Farms	Polonia 24	18" culvert	Approved
2018-42	Lonnie Hendrickson	Barnett 28	24" culvert crossing	Approved
2018-44	Theresa Gillie	Granville 26	crossing with culvert	Approved
2018-47	Sander Dagen	Springbrook 10	Tile drainage	Approved
2018-48	Pete Beito	Juneberry	Crossing 18" cmp	Approved
2018-49	Deerwood Twp	Deerwood 33	Replace arch with 36"	Approved
2018-50	Arveson Twp	Arveson 1	Crossing 18' cmp	Approved
2018-52	Ben Diamond	Hampden 21	Tile Drainage	Approved

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

Attest:



 Daryl Klegstad, Secretary



 Darrel Johnson, President

