

**Minutes of the Regular Meeting of the Board of Managers
Of the Two Rivers Watershed District
Held: April 4, 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, April 4, 2018 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, Roger Anderson, Gary Johnson, and Bruce Anderson. Vice President Allen Brazier was absent.

Others present included District Administrator Dan Money, Head Technician Matt Thompson, Attorney Jeff Hane (Brink, Sobolik, Severson, Malm & Albright, P.A.), Engineer Nate Dalager (HDR Engineering), Jake Huwe (HDR Engineering), Engineer Blake Carlson (WSN) 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 the annual meeting minutes from March 14, 2018. Today's meeting agenda was approved upon a **motion** by R. Anderson, **second** by G. Johnson, and **unanimous vote** of the Managers. The minutes of the March 14, 2018 regular meeting were approved upon a **motion** by R. Anderson, **second** by Klegstad, 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 8441 through 8454 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 B. Anderson, 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:

The State HSEM has authorized a payment to the District in the amount of \$37,191.88 for 75% of the cost to repair damages to ditches that occurred during the spring 2017 runoff. Five sites were repaired. Two sites could not be done in 2017, and they will be repaired in 2018 as soon as conditions permit. In addition, a log jam has been identified on the south branch of the Two Rivers that needs to be removed.

A spreadsheet was reviewed, showing what ditches will need to be sprayed to remove cattails. All ditch inspections will be done in June or July.

Construction work on the Kittson County Ditch #21 Diversion 1 Improvement project will commence when conditions allow after spring thaw

Program Report:

Watershed Restoration & Protection Plans;

There has been no activity on either the 'Lower Red' or the 'Two Rivers' WRAPS. The U.S. Environmental Protection Agency and the MN Pollution Control Agency are reviewing the plans.

2017 Audit / Annual Report: The accounting firm of Brady Martz will be performing the audit on April 9-10. Upon a **motion** by R. Anderson, **second** by G. Johnson, and a **unanimous vote**, the Administrator was directed to complete both the 2017 audit and the 2017 annual report and submit them to the State of Minnesota as required by law.

MAWD Legislative Meeting: The MN Association of Watershed Districts held its annual Legislative Breakfast in St. Paul on March 7-8. Manager D. Johnson and Money attended. A report was given regarding legislative bills and activities pertinent to watershed districts.

MAWD would like watershed districts to provide input regarding MAWD operations. They would like Districts to provide a list of the top 3 things for MAWD to work on in the coming year. The Board of Managers decided the top items should be 1) funding for watershed operations and projects, 2) Streamlining federal, local, and state permitting procedures for projects, and 3) Advocate for WD's (lobbying, information/education).

RRWMB: The Red River Watershed Management Board report was distributed for review and comment. Their office will be established in Ada, MN and co-located with the Wild Rice Watershed District.

Buffer Law Enforcement: The TRWD was notified by the MN Board of Water & Soil Resources that we must amend our current Overall Plan to include the listing of 'Other Waters' as submitted by the Soil & Water Conservation Districts. Discussion was held regarding the resolutions provided by the SWCD's, and the fact that they did not consult with the TRWD, as required by the buffer law. The listing includes almost any ditch, creek or waterway within the District. The Board of Managers does not agree with the other waters descriptions provided, but will put will consider inclusion into the Overall Plan with descriptive language stating the District's position. The item was tabled, the Administrator was directed to draft the language for the Overall Plan and present it at the May Board meeting.

Memorandum of Understanding: A draft MOU between the District and SWCD's was handed out and discussed. The intent of the MOU is to define roles and responsibilities for coordination of efforts to provide buffers under the buffer law. The draft is a work in progress and is being reviewed by all parties. Suggested changes were reviewed, and final draft will be presented at a future board meeting.

Project Report:

Ross #7: One renter has not yet paid 2017 rent, and his agreement expired at the end of 2017 and is up for renewal. A letter has been sent asking for payment and intent to renew with a deadline of 4/13/18. If payment is not received the matter will be turned over to the District Attorney for collection.

Klondike Clean Water Retention Prj. #11:

- 2017 rent has not been received from one renter on this project. Discussions have been ongoing, and a bill has been sent. If a response is not received in a timely manner, the matter will be turned over to the District Attorney.
- A 'Big Swamp Project Work Team' meeting is scheduled for April 11th in Greenbush, MN. The meeting will be to discuss natural resource enhancement aspects, permitting issues, and the PL566 environmental assessment.

"Quick" Wetland Reserve Program: The Natural Resources Conservation Service has provided program documents regarding this project. A conservation plan has been written regarding the control of noxious weeds, planting native grasses, burning, and general maintenance of the site. Upon a **motion** by B. Anderson, **second** by G. Johnson, and **unanimous vote**, the District Administrator was authorized to sign and execute all documents regarding the "Quick" WRP contracts and agreements.

Engineer's Report – KCWRP #11:

Engineer Nate Dalager presented information regarding the design and process to continue with the project. Work to date has been at the 'concept stage', and now it is time to begin the process of developing detailed plans and specifications. Dalager suggests breaking the project into 3 phases. Discussion was held on phasing, funding, permitting, and other drivers of the project. It was noted that because of the cost and availability of funding, it may be prudent to break it into more phases. The Board would like to hold a special meeting to discuss in further detail, and scheduled the meeting for April 18th at 9:00 am. The outcome of the meeting will be to develop a Board preferred 'site and phasing plan' in order to proceed with plans and specifications. It was noted that at some point while the spring runoff is occurring it may be wise to hold a site tour as well.

Manager R. Anderson left the meeting at 11:45.

Permit Appeal Hearing:

At 11:45 a permit hearing was held to hear the appeal of Myles Efta regarding permit number 1759. Attorney Jeff Hane opened the meeting by discussing purpose of the meeting and the procedure that will be followed in taking testimony.

Head Technician Matt Thompson stated for the record the #1751 was issued to Myles Efta to construct a dike, install four side pipe inlets, and do other work necessary to complete the project. The permit was entered into the hearing record, along with supporting documents, including permit application 2018-02, an Engineer's permit review, a permit application checklist, A drainage area map, and site plans for the proposed construction.

It was noted that the permit had been approved with a condition that the dike be set back from an existing ditch a distance of between 50 feet and 75 feet. Efta is appealing this set back distance, and would like to see a setback of 20 feet instead.

Discussion was held regarding the appeal, and several options were proposed. It was noted that more data and study may help to assess the potential impacts to upstream and downstream lands, and whether the proposed project would accomplish the goal of preventing flooding of ag land.

The Board tabled any decision on the appeal, and the meeting will be continued on May 2, 2018 at 11:00 p.m. Engineer Blake Carlson was directed to determine the specific effects of a 20' set back to determine the elevation and duration of potential ponding of water on adjacent lands. In addition, the Engineer will analyze the elevation of dike overflow sections and report at the continued hearing.

Permits:

Upon a **motion** by Olsonawski, **second** by G. Johnson, 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>
2018-03	KCHD	.2mi s of jct Hwy4 & Hwy15	replace 2-30" w/1-56" span	Approved
2018-05	BNSF	int. KCD 1 & BNSF RR	Bridge Replacement	Tabled
	- Requested additional information from applicant			
2018-06	D Carlson	Tegner 27	Tile	Approved
2018-08	Roseau County	Hereim 26	Bridge Replacement	Approved
	- CONDITION: Channel Cross Section must not be enlarged			
2018-09	KCHD	City of Lancaster	Culverts	Approved
2018-10	Mike Jorgenson	Moose 19 & 30	Diking; Ditch Plug	Denied
2018-11	Enbridge Energy	Svea 23	Dewatering/pumping	Approved

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

Attest:



 Daryl Klegstad, Secretary



 Darrel Johnson, President