

**Minutes of the Regular Meeting of the Board of Managers  
Of the Two Rivers Watershed District  
Held: February 7, 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, February 7, 2018 at the District Office located in the Kittson County Courthouse in Hallock, Minnesota.

Managers present included Vice President Allen Brazier, Secretary Daryl Klegstad, Roger Anderson, Gary Johnson, and Bruce Anderson. President Darrel Johnson and Treasurer Paul Olsonawski were 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), Kittson County Commissioner Theresa Gillie, and Engineer Kelly Bengtson (Kittson Co. Highway Dept.).

The meeting was called to order by Vice President Al Brazier. Brazier called for any additions or corrections to the proposed meeting agenda, the regular meeting minutes of January 3, 2018, and the annual meeting minutes from January 3, 2018. Today's meeting agenda, the annual meeting minutes of January 3, 2018, and the minutes of the January 3, 2018 regular meeting were approved upon a **motion** by R. Anderson, **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 8390 through 8414 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:** Discussion was held on the survey schedule, inspections and maintenance that is planned on each of the District's ditches for 2018. Surveys will be done on State Ditch 49, Dewey 5, and Kennedy #6. Portions of the Middle Branch Project will be cleaned out. Several miles of cattail spraying will be done.

**Program Report:**

*Watershed Restoration & Protection Plans:* information was presented regarding the 'Lower Red' and 'Two Rivers' Watershed Restoration and Protection Plans. Each plan has been submitted to the U.S. EPA and they will review and comment. Maps were handed out showing the river reaches that have been designated as impaired. No action necessary until we hear from the MN Pollution Control Agency.

*RRWMB:* The RRWMB has hired a new executive secretary and will be establishing a new office location in either Ada or Fertile. The RRWMB March Conference will be held on March 21-22 2018 in Moorhead. The Board of Managers authorized up to 3

people to attend. Administrator Money will also attend and will take care of the registrations for managers wishing to attend.

*Computer Network:* The District has for 26 years been connected to the Natural Resources Conservation Service's computer network. This included internet, one phone line, technical services, network services, software, and other hardware and software. NRCS has informed the District that we will no longer be allowed to stay on their network and must be off by January 31, 2018. Therefore, staff has been busy making arrangements to procure IT services, purchase needed equipment and software, and begin the transition. A **motion** was made by R. Anderson, **seconded** by G. Johnson, and **unanimously approved** to authorize 1) A one time equipment cost of \$2,611, 2) annual recurring fees of \$1,406 for IT services, and 3) the purchase of ArcGis mapping software at a one time cost of \$8,286.

*MAWD Legislative Breakfast:* The MN Association of Watershed Districts will host its annual legislative breakfast on March 7-8<sup>th</sup>, 2018 at the Embassy Suites in St. Paul, MN. The Board of Managers authorized expenses for up to 3 people to attend the meetings. R. Anderson, D. Johnson, and D. Money will attend.

*TRWD March Board Meeting:* The next meeting of the Board of Managers of the Two Rivers Watershed District is scheduled for Wednesday, March 7, 2018. Since this coincides with the MAWD Legislative Breakfast, the Board meeting was moved to 8:00 a.m. on Tuesday, March 6<sup>th</sup>, 2018 upon a **motion** by B. Anderson, **second** by Klegstad, and **unanimous vote**.

*Buffers:* The TRWD has accepted enforcement duties for the Buffer law for legal ditches for which it is the ditch authority. The District updated its Rules and added a section detailing buffer law enforcement. The MN Board of Water and Soil Resources is recommending the District work cooperatively with the Soil & Water Conservation District's on developing an agreement to perform duties prescribed in the Rule. Attorney Hane and Administrator Money recommend entering into a Memorandum of Understanding with each of the SWCD's, which was handed out for review. Upon a **motion** by G. Johnson, **second** by Klegstad, and **unanimous vote**, the MOU was approved by the Board of Managers. Money will present it for review and signature to each of the SWCD's.

*Data Practices Act:* The MN Data Practices Act requires government agencies make available to the public certain data. The Two Rivers Watershed District has a policy that details how data will be given out and fees, if any. However, this policy was approved in 2004 and is in need of updating. Attorney Hane and Administrator Money handed out and discussed with the Board a draft updated policy. Upon a **motion** by B. Anderson, **second** by Klegstad, and **unanimous vote**, the updated policy was approved, and Money was directed to make the changes.

*Pay Equity Report:* The State of Minnesota requires local governments to file a pay equity report once every 3 years. The purpose of the report is to correct historic gender-based wage discrimination in public employment in the state. Administrator Money has prepared the report as required. Upon a **motion** by R. Anderson, **second** by G. Johnson, and **unanimous vote** of the Board, the report was accepted and authorization given to submit it to the State.

*2017 Audit:* The Auditing firm of Brady Martz performed the 2016 audit, and has quoted a price of \$6,500 to do the 2017 audit. They would be able to get it done by May 31 so we could submit it to the State of MN in a timely manner. Upon a **motion**

by G. Johnson, second by R. Anderson, and **unanimous vote**, it was approved to hire Brady Martz for the 2017 audit at a price of \$6,500.

*Kittson Co. Ditch 21:* Kittson County has discussed the possibility of turning over Kittson County Ditch #21 to the TRWD. Commissioner Theresa Gillie stated the County will be holding a public hearing on March 6<sup>th</sup>, 2017 to take comments, have discussion, and possibly take action on the matter.

**Project Report:**

*Klondike Clean Water Retention Prj. #11:*

- Fen Plan - Money reported on a fen plan meeting that he, Manager D. Johnson, and Engineer Dalager attended to finalize the plan. Language was added to address the concerns of the Board of Managers the this is not a binding agreement, but rather a plan that all can use in the future in their management activities. Upon a **motion** by B. Anderson, second by G. Johnson, and **unanimous vote**, the Board agreed with the plan and authorized the President to sign it.
- Permits - Work is continuing on the PL 566 Environmental Assessment. The federal and state wetland permitting will begin, and the state Environmental Assessment Worksheet will also begin. As the engineering plans progress, the various permit applications will be able to be submitted.
- Funding – discussion was held regarding the upcoming legislative session, the bonding / flood damage reduction program, and other possible funding sources.
- Timelines – a listing of tasks and timelines was distributed and discussed with the Board.

Engineer's Report: N. Dalager discussed the engineer's report and the next steps. He would like to hold a Big Swamp Project Work Team meeting, and then hold another planning / design meeting with the Board of Managers. Dalager will also be putting together a task list and will provide a cost estimate to the Board for the various tasks necessary to complete the detailed plans.

**Attorney's Report:**

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

Regarding the Ross #7 project, Hane reported at a prior Board meeting that a parcel of land was agreed to be deeded from the TRWD to a private landowner back in 2005 when the project was constructed. The landowner moved away and the deed was never recorded. This mistake was recently discovered, and Hane has completed the transaction and notified the new landowner.

Hane commented on the data practices policy update, the buffer memorandum of understanding with the SWCD's, and the KCD #21 project.

**Permit Application 2018-03:** Kittson County Highway Engineer Kelly Bengtson was in attendance to discuss the permit application of Kittson County to replace several culverts under County Road

#15. Details were discussed, and the Board of Managers tabled the application and sent it to the permit committee for review.

**Permits:**

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>
2018-01	Roseau County	Hereim 26	Bridge replacement	Denied
	<b>MOTION D. Klegstad, SECOND G. Johnson - Unanimous</b>			
2018-02	Myles Efta	Polonia 29	(4) 18" side water inlets	Tabled
2018-03	KCHD	.2mi s of jct Hwy4 & Hwy15	replace 2-30" w/ 1-56" span	Tabled
2018-04	Brach Svoboda	Skagen 5	texas crossing	Approved
	<b>MOTION G. Johnson, SECOND B. Anderson, - Unanimous - ATF fee waived</b>			
2018-05	BNSF	int. KCD 1 & BNSF RR	Bridge replacement	Tabled

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

Attest:

  
Daryl Klegstad, Secretary

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Allen Brazier, Vice President