

**Minutes of the Regular Meeting of the Board of Managers
Of the Two Rivers Watershed District
Held: August 8, 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, August 8, 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 Blake Carlson (Widseth, Smith, & Nolting), Jake Huwe (HDR Engineering), and landowner Ron Anderson.

The meeting was called to order by President D. Johnson. Johnson called for any additions or corrections to the proposed meeting agenda and the meeting minutes from July 11, 2018. Today's meeting agenda and the minutes of the July 11, 2018 regular meeting were approved upon a **motion** by B. Anderson, **second** by Olsonawski, 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 8531 through 8553 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 R. Anderson, a **second** by Klegstad, and a **unanimous vote** by the Board.

Budget Hearing – the annual budget hearing was discussed by the Board, and Money handed out a draft budget for 2019. Upon a **motion** by Olsonawski, **second** by Klegstad, and **unanimous vote** of the Managers, the hearing date was set for Wednesday, September 5, 2018 beginning at 8:00 a.m.

Administrator's Report:

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

Legal Ditch Report:

Surveys have either been completed, are in progress, or planned on Dewey #5 Improvement, State Ditch #49, Kennedy #6, and Kittson County Ditch #21 main. Ditch inspections for 2018 have been completed and all cattail and brush spraying has been completed. Several beavers and beaver dams have been removed on State Ditch #49, Kittson County Ditch #10, and Springbrook Prj. #10.

The process is underway to find and hire Viewers for the redetermination of benefits on Kittson County Ditch #21. So far 9 people have been contacted but only 1 has agreed to do the job. The search will continue and if willing people are not found, we may need to look to consulting firms for this service.

Program Report:

Clean Water Fund Grants: The MN Board of Water and Soil Resources has announced they are taking applications for fiscal year 2019 Clean Water Fund Grants until August 31st. The Board discussed potential projects that could be done. It was noted that there are sediment problems on Judicial Ditch #3, and a project could be designed to prevent sediment loading to the ditch and downstream waters. Upon a **motion** by R. Anderson, **second** by G. Johnson, and **unanimous vote** of the Managers, the District Administrator was authorized to write, sign and submit a grant proposal to the BWSR on behalf of the TRWD for a sediment control project on Judicial Ditch #3.

Pay Equity: The MN Management and Budget office has notified the District that the pay equity report that was submitted complies with state statute. This report is required to be filed every 3 years.

Project Report:

Skull Lake / North Branch Prj. #2: The annual inspection of the project was completed jointly by representatives of the DNR, Kittson County Highway Dept., and TRWD. One issue that was noted was that the main outlet pipe through the dike has heaved up on its downstream end by about 1 foot. The pipe is still lower on the outlet end than on the inlet end, however at a minimum the situation should be monitored very closely. Water was observed draining through the pipe and it is functioning. Members of the DNR and Kittson Co. Highway would like to see some work done to repair the pipe, and a request has been made for each of the three entities to contribute \$5,000 toward repair of the project. After careful consideration and input from Engineer B. Carlson, the Board of Managers decided not to contribute any funds at this time but rather monitor the situation.

Ross Prj. #7: There is a 160-acre parcel that is available to rent for haying, however there has been no interest for about 2 years. A potential renter is interested, however the parcel is in the lower end of the impoundment and prone to severe wetness. In addition, some maintenance of field ditches and beaver removal is needed. The renter would like to attempt haying, and make rental payments based on the number of acres harvested. Money suggested a 3-year rental agreement, with the first year rent free. The Board of Managers authorized a 3-year agreement, the first year being rent free, and payment made on a per acre harvested basis. Money will prepare the agreement for signatures.

Springbrook Prj. #10: Mowing has been completed in areas of thistle infestation, and several beavers and beaver dams have been removed. A sprayer for the atv has been purchased, and Technician Thompson will need to obtain a chemical applicator certification to spray noxious weeds, brush, and cattail.

Public Hearing KCD #21 Diversion 1 Improvement:

The hearing on the final acceptance of contract, pursuant to MN Statute 103E.555 was called to order at 8:39 a.m. by President D. Johnson. Landowner Ron Anderson was in attendance for the hearing.

Attorney Jeff Hane gave a briefing on the purpose of the hearing, the process to be followed at the hearing, and other details.

Engineer Blake Carlson presented information regarding the construction contract, line item construction quantities, change orders, and payments that have been made. Once all paperwork has been filed and a final construction inspection and as-built drawings are done, a final payment will be due to the contractor of \$3,010.65. Total project costs are estimated at \$121,717.29. A few bills are yet to be submitted.

Ron Anderson had a question regarding the construction, and why in the upper reaches of the ditch the design grade was slightly below an existing culvert, resulting in water standing. Engineer Carlson responded that the ditch grade there is very flat, and it was intended to be a cost saving measure. It was decided that an additional culvert will be installed to drain out the approximately 0.4' of standing water at the existing crossing.

Upon a **motion** by Klegstad, **second** by G. Johnson, and **unanimous vote** of the Managers, an 'Order for Acceptance of Contract' was approved and filed within the official ditch file. The hearing was then closed by the Board of Managers.

Public Hearing on Petition to Abandon Kittson County Ditch #21 Diversion 1:

The hearing was called to order at 9:00 a.m. by President D. Johnson. There were no members of the public in attendance to speak to the petition. Attorney Jeff Hane reviewed the purpose of the hearing and the petition that was received. It was noted that the ditch is no longer needed because the newly constructed Kittson County Ditch #21 Diversion 1 Improvement will take its place. Upon a motion by Klegstad, second by G. Johnson, and unanimous vote of the Managers, an 'Order for Partial Abandonment of Drainage System' was approved and filed within the official ditch file. The hearing was then closed by the Board of Managers.

Attorney's Report:

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

Klondike Clean Water Retention Prj. #11: Hane is working with HDR Engineering and D. Money on right of way options that will be needed for the diked inlet and diversions.

Engineer's Report:

Klondike Clean Water Retention Prj. #11: Jake Huwe of HDR Engineering updated the Board on engineering plans for the project. He presented and discussed a preliminary drawing of the embankment. Options for the construction were discussed. It was noted that one or more meetings should be scheduled to update the public on the project, provide an opportunity for review and comment, and begin the process of obtaining right of way. A meeting will be scheduled for this purpose in the fall after harvest around the end of November.

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 filed at the District office and sent to the applicant.

App. #	Applicant	Location	Purpose	Action
2018-34	Curt Hauger - Approved by committee	Skagen 2	Culverts	Approved
2018-36	Mike Kukowski - Approved by committee	Skagen 27	move bridge	Approved
2018-37	Davis Township - Approved by committee	Davis 2	remove 30" install 36"	Approved
2018-38	Roger Schwenzefier	Hampden 1&12	re-route tile outlet	Tabled

2018-39 Enbridge multiple locations ditch crossings Approved

- Motion R. Anderson, second Olsonawski and unanimously approved.
- Findings of Fact:
 - o Enbridge has been issued many permits in the past and in all instances the project site has been satisfactorily maintained and operated.
 - o Enbridge has been conscientious and meticulous in performing the work that has been previously permitted.
 - o A complete 'environmental protection plan' was submitted with the permit application and the Board of Managers of the TRWD finds that there will be insignificant risk to water quality.

With no other matters to come before the Board of Managers, the meeting was adjourned at 10:06 a.m.

Attest:



Daryl Klegstad, Secretary



Darrel Johnson, President