

**Minutes of the Regular Meeting of the Board of Managers
Of the Two Rivers Watershed District
Held: April 22, 2020 @ 8:30 a.m.**

The Board of Managers of the Two River Watershed District held their regular meeting beginning at 8:30 a.m. on Wednesday, April 22, 2020 in the upstairs meeting room located in the Kittson County Courthouse in Hallock, Minnesota.

Managers present included President Paul Olsonawski, Secretary Daryl Klegstad, Treasurer Joel Muir, Rick Sikorski, and Scott Klein. Participating via electronic means were Vice President Roger Anderson and Bruce Anderson. None were absent.

Others present at the meeting included District Administrator Dan Money and Head Technician Matt Thompson. Participants via electronic means were Attorney Jeff Hane (Brink, Sobolik, Severson, Malm & Albright, P.A.), Engineers Nate Dalager & Jake Huwe (HDR), Engineer Blake Carlson (Widseth), and Mark Aanenson (HEI).

The meeting was called to order by President Olsonawski. It was noted that due to the current COVID-19 pandemic and the Governor’s various Executive Orders including social distancing that this meeting is being held with the option to attend via phone or internet in accordance with guidance from the State of Minnesota regarding open meeting law, Section 13D.021. This states that meetings can be held via telephone or other electronic means. It was noted that the Two Rivers Watershed District’s presiding officer, chief legal counsel, and chief administrative officer have determined that an in-person meeting is not practical or prudent during the Governor’s stated emergency declaration and executive orders regarding social distancing and staying at home.

A **motion** was made by Manager Sikorski and **seconded** by Manager Klegstad to authorize all meetings of the Two Rivers Watershed District that are held during the state of emergency to be held via telephone or other electronic means in accordance with MN Statute 13D.02. The motion was **approved** upon the following roll call vote:

Manager	Yea	Nay	Abstain
Olsonawski	X		
R. Anderson	X		
Klegstad	X		
Muir	X		
B. Anderson	X		
Sikorski	X		
Klein	X		

Olsonawski called for any additions or corrections to the proposed meeting agenda and the regular meeting minutes from March 4, 2020. A **motion** was made by Manager Klein and **seconded** by Manager Sikorski to approve today’s meeting agenda and the minutes of the March 4, 2020 regular meeting. The motion was **approved** upon the following roll call vote:

Manager	Yea	Nay	Abstain
Olsonawski	X		
R. Anderson	X		
Klegstad	X		
Muir	X		
B. Anderson	X		
Sikorski	X		
Klein	X		

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 9044 through 9077 and electronic funds transfers to PERA, MN Dept. of Revenue, and Electronic Federal Tax Payment System, as reported and contained within the report.

A **motion** was made by Manager Sikorski and **seconded** by Manager Klegstad to approve the treasurer's report. The motion was **approved** upon the following roll call vote.

Manager	Yea	Nay	Abstain
Olsonawski	X		
R. Anderson	X		
Klegstad	X		
Muir	X		
B. Anderson	X		
Sikorski	X		
Klein	X		

It was noted that during the emergency declaration is may not be prudent to hold regular monthly meetings of the District and that the May meeting may also be changed because of Board members doing spring planting. A **motion** was made by Manager Klein and **seconded** by Manager Klegstad to authorize the Treasurer in consultation with the President and the District Administrator to pay all bills as necessary in the ordinary monthly business of the District. The motion was **approved** upon the following roll call vote.

Manager	Yea	Nay	Abstain
Olsonawski	X		
R. Anderson	X		
Klegstad	X		
Muir	X		
B. Anderson	X		
Sikorski	X		
Klein	X		

Manager B. Anderson who was participating via phone left the meeting at 9:00 a.m.

Administrator's Report:

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

Legal Ditch Report: It was noted that surveys will be done on Springbrook #10, Judicial Ditch #3, and Judicial Ditch #10 this summer as a part of the Districts annual and 5 year operation and maintenance program for legal ditches.

Quotes from contractors for equipment and hourly rates have been advertised and received. The District will compile these rates and utilize them when seeking contractors to do any ditch maintenance or repairs. District staff will be hiring a contractor to repair 3 sloughs on JD 10 Branch B, to do minor cleanout of sediment on JD 10 Branch B, and to do a cleanout of the downstream end and outlet of KCD 21.

Another project that could be done is a cleanout and construction of numerous side water inlets along JD 3. The District in the past has applied for funding through the competitive clean water fund grant process but was unsuccessful. The Red River Watershed Management Board has announced a new grant process focused on water quality that they are sponsoring exclusively for member districts, and \$3 million has been set aside. This may help with both water quality monitoring and with water quality construction projects. To access this money a grant proposal needs to be submitted to the RRWMB.

Discussion was held and a **motion** was made by Klein and **seconded** by Sikorski to authorize the District Administrator to prepare and sign necessary grant applications and submit them on behalf of the Two Rivers Watershed District. The motion was **approved** upon the following roll call vote.

Manager	Yea	Nay	Abstain	Absent
Olsonawski	X			
R. Anderson	X			
Klegstad	X			
Muir	X			
B. Anderson				X
Sikorski	X			
Klein	X			

Wetland Permitting for Klondike Clean Water Retention Project #11 – The District solicited for proposals from qualified entities to perform wetland delineation and submission of necessary wetland permit applications to the US Army Corps of Engineers, the State of Minnesota, and other permitting agencies as necessary. Proposals were received from HDR Engineering, Houston Engineering, and Widseth Smith & Nolting. Representatives from each firm were heard from at the meeting and the Managers held discussion. A decision was put off until later in the meeting.

Program Report:

2019 Audit: The auditing firm of Brady-Martz has completed the 2019 audit, and Money handed out and discussed the report. It noted the financial highlights for the year, including the District’s total net cash position increased by \$238,603 between 2018 and 2019 as a result of project funding received in excess of project expenditures. The District’s general fund ended the year with a fund balance of \$294,562. The audit also contained information on the 2019 budget vs actual, administrative and project fund balances, and strengths and weaknesses on the District’s internal controls over financial reporting and compliance.

A **motion** was made by Manager Sikorski and **seconded** by Manager Muir to accept the audit report and submit it to the State of Minnesota as required under Minnesota Statute 103D. The motion was **approved** upon the following roll call vote.

Manager	Yea	Nay	Abstain	Absent
Olsonawski	X			
R. Anderson	X			
Klegstad	X			
Muir	X			
B. Anderson				X
Sikorski	X			
Klein	X			

Meeting with Counties & Roseau River WD: A meeting had been scheduled to discuss Roseau River overflow flooding, State Ditch 69 & State Ditch 72, however due to the COVID-19 pandemic this was postponed indefinitely. It will eventually be rescheduled with 2 members of the TRWD, 2 members of the RRWD, 2 members of Roseau County and 2 members of Kittson County.

2020 Spring Flooding: A report was given regarding the spring runoff and crests that happened throughout the watershed district. The Nereson and the Ross Projects were both operated and will begin drawdowns as soon as conditions on the Red River will

allow in accordance with their operation plans. The Red River crested at Drayton the 4th highest on record and at Pembina the 6th highest.

ATV: The new ATV has been purchased and will be picked up in the near future. As discussed at prior meetings, the old ATV will be sold on bids. This will be advertised and bids will be accepted until June 1, 2020 to be decided on at the June 3, 2020 Board meeting.

Bins: Bids will be accepted for purchase and removal of the bins that are located on Watershed District owned property at the site of the Klondike Clean Water Retention Project. The deadline to submit a bid is June 1, 2020 and the Board of Managers intends to make the award at the June 3, 2020 meeting.

Office Hours: As decided at the December 2019 meeting, staff hours will be changed from the current compressed schedule to the regular Monday through Friday 8:00 am to 4:30 pm schedule for the months of May through October. The compressed schedule will be used from November 2020 through April 2021.

One Watershed One Plan: An update was given regarding the status of the writing of the Two Rivers Plus One Watershed One Plan. This is a collaborative effort between the TRWD, Kittson SWCD, Roseau SWCD and Kittson and Roseau Counties. The group is working on sections 3 and 4 of the plan and is currently developing overall goals for the planning area. The next steps will be to develop goals for each of the 11 individual planning zones/sub-watersheds, and then develop a budget. The Board discussed the timeline and outcomes of this plan, whether it will result in achievable outcomes, and what kind of rules and regulations may be coming in the future from state and federal governments. The plan is scheduled to be completed by the end of 2020.

Project Report:

Klondike Clean Water Retention Prj. #11:

Wetland Permitting – The three proposals were again discussed. The Managers considered the 3 proposals, and it was noted that of the three, the Houston Engineering proposal provided more details and clarity on how the delineation and application process would be completed. It included estimated numbers of data forms that will be completed, suggested strategies for working with the permitting agencies and a detailed permitting approach. The other proposals received included estimates of the necessary steps but were much less clear on the process and steps that will be utilized. After considerable discussion, Manager Klein made **motion** to accept the proposal of Houston Engineering at a cost of \$62,854 and the motion was **seconded** by Manager Sikorski. The motion was **approved** upon the following roll call vote.

Manager	Yea	Nay	Abstain	Absent
Olsonawski	X			
R. Anderson	X			
Klegstad	X			
Muir	X			
B. Anderson				X
Sikorski	X			
Klein	X			

- Funding - It was noted that the Lessard Sams Outdoor Heritage Council is currently taking grant applications until May 28, 2020. There is \$100 million available for projects that restore, protect, and enhance wetlands, prairies,

forests, and habitat for fish, game, and wildlife. Discussion was held that this could be utilized for portions of the KCWRP #11 regarding stream flow augmentation for fish and for efforts to protect and enhance the prairie rich fen that is located adjacent to the project. A motion was made by Manager Muir and seconded by Manager Sikorski to submit an application and to authorize the District Administrator to prepare and sign all necessary application materials on behalf of the District. The motion was approved upon the following roll call vote:

Manager	Yea	Nay	Abstain	Absent
Olsonawski	X			
R. Anderson	X			
Klegstad	X			
Muir	X			
B. Anderson				X
Sikorski	X			
Klein	X			

Permits:

There were no permits at this time for the Board to act on. Three applications are in various stages of review and are waiting for additional information from the applicants.


Permit Enforcement and Issues:

Red River Diking: During the recent flooding, issues came up regarding the existing dike along the Red River west and south of the City of Hallock. The dike apparently was permitted by the DNR in the late 1970's, prior to the time that TRWD permits were needed. Over the years, the dike has been altered allegedly by adding to it, breaching it, or placing additional fill on it. The subject has come up during recent flooding of the legality of making any changes to this dike. Attorney Hane suggested it would seem that the TRWD has permit authority any time any changes are made to the dike beyond the originally permitted as-constructed condition.

Several legal issues, social issues, and operating issues exist with the continued existence and operation of this dike. The Board discussed the situation at length and directed staff to research all relevant permits issued in the past and look into the legality of future alterations to the dike. The matter was tabled until the next meeting.

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

Attest:


 Paul Olsonawski, President


 Daryl Klegstad, Secretary

