

**Minutes of the Regular Meeting of the Board of Managers
Of the Two Rivers Watershed District
Held: Thursday, July 1, 2021 @ 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 Thursday, July 1, 2021. The meeting was held in the District office in the Kittson County Courthouse in Hallock, MN. The meeting was also held via “GoTo Meeting” to allow for the public to attend electronically either by phone or by computer.

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

Others present included District Administrator Dan Money, Attorney Jeff Hane (Brink, Sobolik, Severson, Malm & Albright, P.A.), Engineers Nate Dalager & Jake Huwe (HDR Engineering), Engineer Blake Carlson (WSN Engineering), Matt Fischer (BWSR), Jeremy Benson (Kittson SWCD), Landon Olson (Roseau SWCD), Darrel Johnson (Kittson Co. Commissioner), and landowner Brad Blawat. Attending via phone was Roger Ellingson. Attending via GoTo meeting was Deb Walchuk (NRCS).

The meeting was called to order by President Olsonawski. Olsonawski then called for any additions or corrections to the proposed meeting agenda and the regular meeting minutes from June 3, 2021 and the special meeting minutes of June 25, 2021. Today’s meeting agenda and the minutes of the June 3 and June 25, 2021 meetings were approved upon a **motion** by Sikorski, **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 9382 through 9404 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 Daryl Klegstad, and a **unanimous vote** by the Board.

One Watershed One Plan:

Jeremy Benson, Landon Olson, and Matt Fischer were in attendance to discuss with Board the recent decision of the TRWD to withdraw from the “Two Rivers Plus” planning group. The Policy Committee had asked they attend to ask specifically the reasons for this action. The Board of Managers indicated several reasons including the central focus on water quality as opposed to flood control/drainage, funding only for water quality, the increased meetings and administrative work load, burdensome reporting and administration, and technical issues with PTMapp. In the process it became apparent to the TRWD that the 1W1P process was not in the best interest of the watershed district.

Overall Plan:

M. Fischer noted that the District’s current overall plan is good through 2022, and by then the plan must be updated. He described the process that the District will need to follow to update the plan,

including a resolution of intent to update the plan, outline of the planning process, public hearing, and approval by the BWSR Board. Fischer also commented on current BWSR clean water fund grant opportunities and other BWSR initiatives.

Administrator's Report:

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

Legal Ditch Report:

- RCD #4 – the Viewers continue to work on the re-determination of benefits, however the process has been delayed as 2 of them have been working on spring planting and field work. They have indicated they should finish by this fall.
- KCD #21 – Kraulik Excavating has completed the 3 miles of cleanout and one culvert installation. The dirt was piled adjacent to the ditch and will be leveled after the adjacent crops have been harvested.
- JD #3 – B. Carlson is working on the design of the side water inlets that will need to be installed. This will prevent sediment from entering the ditch and achieve compliance with the buffer law. Administrator Money is working with the landowners and renters along the project to procure the necessary agreements. The ditch will install and maintain the side pipe inlets, and the landowners will be responsible for the grass buffers.
- Beavers – numerous beavers have been trapped and many beaver dams have been removed, most notably on the SB #10 project and on SD #49. Ditch inspections will be completed in the coming month.

Program Report:

District Technician: The job was offered to Tyler Coffield and he has accepted the position. His first day on the job will be July 15th, 2021. Money will file the necessary paperwork and begin the training process. Several training opportunities are available, with one being a stream geomorphology and ecology workshop offered by the DNR. The Board authorized Coffield to attend the training at a cost of \$1,000 upon a **motion** by Olsonawski, **second** by B. Anderson and **unanimous vote** of the Managers. Other training is available and will be considered on a case by case basis.

Ross #7 – Rental Property: The District was approached by Mark Yager concerning 80 acres of District land he would like to rent for haying. Upon a motion by Sikorski, second by Klein and unanimous vote it was approved to rent the land at a price of \$20 per acre. Money was directed to write up a farm lease agreement for 1 year for this rental.

Buffer Law Enforcement: An administrative penalty order against Agassiz Acres for land owned along Branch B of Judicial Ditch #10 was previously authorized by the Board. Attorney Hane described the details of this action, timelines, and fine amounts that will be assessed. The Board indicated that it may be good to discuss the situation with the renters as well in order to achieve compliance. Hane will contact the renters and proceed with the process.

Project Work Teams:

- Twistal Swamp / Twin Lakes: A meeting has been scheduled for July 19th at 9:00 a.m. This meeting will follow up to an electronic meeting that was held with the

City of Karlstad, DNR, and TRWD last winter/spring. Topics will include the flooding along the north side of the City of Karlstad, operation of the gate at the outlet of Twin Lakes, historical issues, and other items.

- Skull Lake: A meeting has been scheduled for July 21, 2021 at 9:00 a.m. This meeting will follow up to an electronic/in-person meeting that was held with St. Joseph Township, MN DNR, and TRWD last spring. Topics will include maintenance of the outlet structure, the outlet channel to Skull Lake, and operation and maintenance of the project.

Tax Abatement / Enbridge: It has come to the District's attention that Enbridge has filed in tax court an appeal of taxes paid in 2012 through 2016. They have claimed that property was valued too high, and therefore they overpaid taxes in these years. It appears they will win the case. Preliminary numbers for the TRWD and RRWMB appear to be between \$65,000 and \$100,000. More information will be forthcoming on this issue.

2021 Legislature: The 2021 session wrapped up yesterday. TRWD was approved for \$1.9 million in Lessard Sams Outdoor Heritage Funding. Also the Flood Damage Reduction Work Group was funded at \$264,000/year for 2 years, and river watch funding was awarded. Many bills concerning watershed districts were introduced but not passed, and the list is available. There was no bonding bill this session and therefore the Klondike Clean Water Retention Project will go back for funding next year. Information regarding new issues and the Subcommittee on Water Policy was provided to the Board and discussed. The RRWMB and MAWD will be working on these issues.

Project Report:

Klondike Clean Water Retention Prj. #11:

- Right of Way – Letters have been sent by the attorney's office to landowners regarding the purchase of right of way. A few have contacted the District with questions. Meetings will be set up and call – backs will be done as the process moves along.
- Land Exchange – information has been provided to DNR and they are reviewing the application.
- Permitting
 - Houston Engineering continues to work with staff to develop and submit the wetland applications to the US Army Corps of Engineers and the MN BWSR. Information has been requested by these agencies and it is taking some time to collect the data and submit it.
 - Road petitions have been submitted to both counties and 3 townships. To date one hearing has been held and the petition to Barto Township was approved.
 - Ditch petitions are being prepared to alter and impound waters on SD 72 and SD 95, and to turn over SD 50 to the TRWD.
- Funding – Of the \$13 million that is needed to construct phase 1, approximately \$5.3 million has been procured, leaving \$7.7 million still needed. Applications will be submitted to LSOHC, the DNR's Flood Hazard Mitigation Grant, and other sources. Permitting will take about another year to complete, and after that if funding is available construction can be initiated.
- Big Swamp Project Work Team – It has been over a year since the BSPWT has met, however several items have been completed, including the operating plan,

development of detailed plans, natural resources enhancement plans, and permits. A meeting has been scheduled at 1:00 p.m. on July 27th to provide updates and information and answer questions that the BSPWT may have.

Permit application 2021-32 Kittson Co. Ditch #13: Kittson Co. Commissioner Daryl Johnson attended the meeting regarding a permit application he has submitted on behalf of the ditch to install two separate culverts on the system. The County would like to grade the ditch to a .023% grade. Upon review of the ditch plans, it appears the proposed work will change the ditch grade. Discussion was held regarding the ditch law which states that repairs need to conform to the established grade and cross section. The District may not be able to issue a permit if the County has not gone through the proper procedures under ditch law. Input was given by Engineer Carlson, Attorney Hane, and Engineer Money, who all expressed caution in allowing the permit without gathering further information. It was decided that Widseth Smith & Nolting will perform survey work and determine whether the proposal will significantly alter the ditch, and consequently whether the County would need to hold the required public hearing under ditch law. It was noted the County could simply clean out the ditch to the grade and cross section established in 1951 without a permit, since that would be viewed as maintenance. The matter was tabled pending further information to be provided by WSN and further review of the permit committee.

Permit Applications 2021-22/30/31: Roger Ellingson participated by phone regarding these permit applications located in Davis Township, sections 8, 16, 17, 18, and 20. The proposals are to install tile drainage, alter and straighten an existing watercourse, and re-grade and lower a culvert in an existing township road. The applications have been submitted, however the proposals have changed and the plans have gone through several iterations. Ellingson indicated they would like to proceed this summer while the conditions are good, however the District noted the submitted plans are incomplete and more information is needed on the proposals in order to be able to make a determination on the effects of the project, the adequacy of the outlet, and capacities of the current channels. It was decided that Engineer Carlson and Administrator Money will prepare a list of needed information and provide it to Ellingson. Upon a **motion** by Muir, **second** by Klegstad and **unanimous vote** the matter was tabled.

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 filed with the permit documentation in the District office. 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>
2021-07	Justin Dagen	Jupiter 27	Tile Drainage	Tabled
2021-20	Dan Dostal	Barnett 2	Tile Drainage	Approved
Motion: R. Anderson, second Muir – unanimous ; Condition – no discharges during downstream flooding				
2021-22	RRV LLC	Davis 8,16, 17, 18, 20	Tile Drainage	Tabled
2021-26	Blawat Farms	Soler 15	lower culvert clean to grade	Approved
Motion: Klegstad, second Sikorski – unanimous ; Condition – pending approval to add to ditch benefit area				
Findings of Fact: 1) culvert size complies with district policy, 2) outlet is adequate, 3) no other issues identified				
2021-27	Mark Melby	Dewey 13	Tile Drainage	Tabled
2021-28	Steve Porter	Jupiter 26	Crossing with 30"	Approved
Motion: Klegstad, second Klein – unanimous ; Findings of Fact: 1) conforms to TRWD culvert policy, 2) KCHD has reviewed and approved				
2021-29	Deerwood Twp	Deerwood 16	Clean to grade lower 2 cmp	Tabled
2021-30	RRV LLC / LandX	Davis 17, 18, 20	straighten & grade coulee	Tabled

2021-31 Land X Davis 20, 21 Improve road ditch lower cmp Tabled

 The following permit applications were previously acted on by the Permit Committee.

2021-21	Roseau Hwy Dept	Ross 24	residential drainage	Pending Approval
2021-24	Thompson Twp	Thompson 32	18" cmp & trap	Approved
2021-25	Thompson Twp	Thompson 28/33	18" center line clvt	Approved

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

Attest:


Daryl Klegstad, Secretary



Roger Anderson, Vice President

