

# Minutes of the Regular Meeting of the Board of Managers Of the Two Rivers Watershed District Held: Thursday, August 5, 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, August 5, 2021. The meeting was held at the District office in the Kittson County Courthouse, 410 S. 5<sup>th</sup> Street, Hallock, MN.

Managers present included 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, District Technician Tyler Coffield, Attorney Jeff Hane (Brink, Sobolik, Severson, Malm & Albright, P.A.), Engineer Jake Huwe (HDR Engineering), Engineer Blake Carlson (WSN Engineering), Kittson County Engineer Andrea Weleski, Kurt Kraulik, and Roger Ellingson and Levi Otis of Ellingson Companies.

The meeting was called to order by Vice President Anderson. Anderson then called for any additions or corrections to the proposed meeting agenda and the regular meeting minutes from July 1, 2021. Today's meeting agenda and the minutes of the July 1, 2021, regular meeting were approved upon a **motion** by B. Anderson, **second** by Sikorski, and **unanimous vote** of the Managers.

The Managers discussed the vacancy of President of the board created by the sudden passing of Paul Olsonawski. It was noted that it is not required to fill the vacancy immediately, and the Kittson County Commission will advertise for candidates and would like to make an appointment to fill the opening at their September 7<sup>th</sup> meeting. Vice President Roger Anderson discussed his preference to remain as Vice President but would like another Board member to handle the President's duties. Discussion was held amongst the Board and a **motion** was made by B. Anderson to nominate Sikorski for President until the election of officers at the annual meeting in January 2022. The motion was **seconded** by Klein, and there were no further nominations. The motion **carried unanimously**.

Manager R. Anderson mentioned permit numbers 2021-22, 20201-30, and 2021-31 from RRV LLC and Land X, managed by Ellingson Companies. The District has received letter from the applicant's attorney indicating they believe the permit review is past the 60 day time limit for watershed district review and their belief they can move ahead with the project. D. Money presented information to the contrary, and under the District's permit file timeline, a final decision is not due until August 17<sup>th</sup>, 2021. Ellingson has begun installing tile structures, and it is the District's opinion that they are now in violation of the District's Rules. Information was reviewed from the District Engineer, District Attorney, and District Administrator. It was noted that Roger Ellingson will be at today's meeting at 9:30 a.m., and discussion on the matter will continue at that time.

## **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 9403 through 9424 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.

### **Administrator's Report:**

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

#### **Program Report:**

*New Staff:* A new technician has been hired and Tyler Coffield was introduced to the Board. The Managers welcomed him aboard and introductions were made. Coffield's first day was July 15<sup>th</sup>.

*MAWD:* The MN Association of Watershed Districts will hold its annual meeting in person in Alexandria on December 1-4, 2021. They are asking for resolutions from member districts and the deadline to submit them is August 31<sup>st</sup>. The Board will consider this and let Money know before the next meeting if they have any ideas for resolutions.

*Annual Budget:* Each year the District must consider its annual budget for the following year and hold a budget hearing. The District must also consider and certify its tax levies to the Counties before September 15<sup>th</sup> of each year. Money handed out a proposed 2022 draft budget for consideration by the Board. The Board set its 2022 budget hearing for 8:00 a.m. on Thursday, September 2, 2021 at the District office. Money was directed to advertise the hearing as required by law.

#### **Legal Ditch Report:**

- Roseau County Ditch #4 redetermination of benefits: The Viewers have not met in several months and it is not known if they have scheduled another meeting. They previously indicated that they should be able to finish by the end of the year. Money will continue to coordinate with them.
- Judicial Ditch #3: Engineer Carlson is working on the design of the side water inlets. Money has sent the landowner agreement out and is waiting for the landowner and the operators to sign and return the documents. Once these are returned and the plans are complete a contractor can be hired to clean sediment out of the ditch and to install the side water inlets.

#### **Project Report:**

*Ross #7:* The project was inspected and minor damages to two culverts were discovered. These will be repaired as soon as possible.

*Nereson:* The annual inspection was held and no major structural problems were discovered. A few beaver dams were noticed, and the District will continue to coordinate closely with the DNR and Roseau County on the operations and maintenance.

*Skull Lake:* A project team meeting regarding this project was held on July 21, 2021 between the TRWD, DNR, Kittson County, and St. Joseph Township. The meeting notes were provided and discussed. The two main issues needing attention are the repair/replacement of the main outlet structure and the repair of the north dike. Both items will need funding, repair plans, and research and development. All parties will continue to gather information needed in order to complete the work contemplated. Another meeting will be needed and will be scheduled at a later date.

*Twistal Swamp:* A project team meeting was held on July 19, 2021 between the TRWD, DNR, City of Karlstad, and Kittson County. Operation, maintenance, and future potential projects were discussed regarding the Twin Lakes outlet structure on State Ditch #90, beaver maintenance, ditch maintenance, and a potential outlet. A smaller meeting between TRWD, DNR, and the City will be scheduled to further discuss alternatives.

*Klondike Clean Water Retention Prj. #11:*

A “Big Swamp Project Work Team” meeting was recently held and the group was updated on the natural resource enhancements, engineering and phased plan, operating plan, and other project features. Status reports and updates were given regarding permits that have been obtained, applied for and in progress, and will be needed.

Manager Sikorski mentioned the overflows that come from the Roseau River and State Ditch #69. It was agreed that these flows affect the area, but the current project is largely designed to handle the flows from the SD 95 system. Although this project will be able to have a positive effect by accepting some of the overflows at certain times, the overflows from SD 69 would likely need to be addressed by a different project.

Engineering plans are continuing, and J. Huwe noted that he will provide updated plans regarding the State Ditch #72 structures at laterals 6 and 8. These will be provided to the Project Work Team and others who have expressed interest in the details. The operating plan is being reviewed by the team and another meeting will be convened in September to approve and finalize it.

**Andrea Weleski – Kittson County Highway Dept.**

Weleski introduced herself as the new Kittson County Highway Engineer. As part of her duties, she has been appointed by the Kittson County Commission to serve as the ditch inspector for county ditches. The Board of Managers welcomed her and look forward to working with her on various water related projects. Ditch policy, permit requirements, and collaboration between the TRWD and the Highway Department were discussed.

**Roger Ellingson – Permit Applications 2021-22, 2021-30, and 2021-31:**

Roger Ellingson and Levi Otis were in attendance to discuss with the Board three permit applications regarding a tile drainage project located north of Donaldson, MN. As noted earlier in the meeting, Ellingson has begun the installation of tile pumps and main lines, and it is the opinion of the District that they are in violation of the Rules of the TRWD. Application 2021-22 is to install the tile and pumps, application 2021-30 is to straighten and improve an existing coulee, and application 2021-31 is to lower a culvert through a township road and improve the grade of the road ditch.

Ellingson stated the value he sees in tile and that it has helped improve farmland where he lives in Dodge County, MN. Discussion was held regarding tiling in the Red River Valley and the positive and negative impacts that have been observed. One issue is the effect on downstream lands, especially when pumps are running during times of flooding. The Board stated that all tile permits issued have a condition that there are no discharges when it is flooding. The issue of adequate outlet was discussed and in this case, the downstream county ditches (KCD 7 and KCD 19) are known to have capacity and erosion problems. Design of the pump outlets was discussed. Where a pump shows the outlet pipe passing through a berm or road, there will be a requirement of an air gap to prevent pressurized flow. Diagrams of this design were displayed and discussed.

It was noted that for application 2021-30 requests have been made to the applicant for more information about the proposed grade and cross section and where the spoil would be placed, but sufficient information has not been provided. It was also noted the outlet, KCD 7, is not adequate to handle increased flows that would occur from straightening the coulee. Ellingson stated a new idea that he would like to put a small holding area in. Specific details would need to be provided to the District in order to include this. In order to process the application further, Ellingson would also need to provide specific information to the District about the location of where the spoil would be placed.

Application 2021-31 was discussed, which involves lowering a culvert and re-grading a township road ditch. Roger Ellingson stated that their plans have changed and they no longer are going to do the work indicated on the application. They instead would like to eliminate 2 gravity tile outlets on application 2021-22 and replace them with a pump. This was new information to the Board of Managers and this will need to be taken into account in the review of 2021-22. Roger Ellingson withdrew permit application 202-31.

Upon a **motion** by Klein, **second** by Muir and **unanimous vote** of the Managers, permit application 2021-30 was denied. The following findings of fact were made: 1) review by the District Engineer indicates the proposed straightening of the coulee will potentially increase flows discharging to Kittson County Ditch #7. 2) Kittson County Ditch #7 has already been shown to have limited capacity and undergoes frequent out of bank flooding, therefore it is ill advised to allow a project that would increase downstream flows. 3) A petition to improve Kittson County Ditch #7 is pending, and should the project go through to improve the ditch, the District would entertain a new permit application for this coulee.

Upon a **motion** by Klein, **second** by B. Anderson, and **unanimous** vote of the Managers, permit application 2021-22 was denied. The following findings of fact were made: 1) The applicant continually is making changes to the proposed work and not relaying the changes to the District in a timely manner. Changes have come in as recently as yesterday, and Ellingson made statements at today's meeting about new project components. The applicant must submit a final plan with all project components clearly stated so that a proper review can be done and a recommendation can be made.

### **Permits:**

Upon a **motion** by Klein, **second** by Klegstad, and **unanimous vote**, 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. Findings of fact are contained within the permit application materials and are on file with the Two Rivers Watershed District.

<i>App. #</i>	<i>Applicant</i>	<i>Location</i>	<i>Purpose</i>	<i>Action</i>
2021-07	Justin Dagen	Jupiter 27	Tile Drainage	Approve
2021-22	RRV LLC	Davis 8,16, 17, 18, 20	Tile Drainage	Deny
2021-27	Mark Melby	Dewey 13	Tile Drainage	Approve
2021-29	Deerwood Township	Deerwood 16	Clean to grade lower 2 cmp	Approve
2021-30	RRV LLC / LandX	Davis 17, 18, 20	straighten & grade coulee	Deny
2021-31	Land X	Davis 20, 21	Improve road ditch lower cmp	Withdrawn
2021-32	Kittson County	Hampden 7, 18, 19	Improve KCD 13; lower culverts	Deny
2021-33	Halfmann Farms	Augsburg 4	Tile Drainage	Approve
2021-35	Jim Younggren	Hampden 34	Tile Drainage	Approve
2021-37	Brian Dahl	Davis 25	Tile Drainage	Tabled
2021-41	Kittson Co. Hwy Dept	Granville 13	Bridge replacement CSAH 6	Tabled
2021-34	Brian/Alex Anderson	Svea 26	replace 18" w/24"; lower grade	Tabled
2021-36	Roy Stewart	Clow 13	Field Crossing size TBD	Approve
2021-38	Merle Schwenzefier	Hampden 2	two 18" side water inlets	Approve
2021-39	Ryan Schwenzefier	Hampden 2	24" side water inlet	Approve
2021-40	David Stusynski	Deerwood 18	18" side water inlet	Approve

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

Attest:

  
 Daryl Klegstad, Secretary

  
 Rick Sikorski, President

