

**Minutes of the Regular Meeting of the Board of Managers  
Of the Two Rivers Watershed District  
Held: Thursday, May 6, 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, May 6, 2021. Due to the ongoing COVID-19 pandemic the meeting was held in the upstairs meeting room of the Kittson County Courthouse in Hallock, MN with social distancing guidelines in place. 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, Bruce Anderson, and Scott Klein. Treasurer Joel Muir and Rick Sikorski were absent.

Others present included District Administrator Dan Money, Attorney Jeff Hane (Brink, Sobolik, Severson, Malm & Albright, P.A.), Jeremy Benson (Kittson SWCD), Engineer Jake Huwe (HDR Engineering), and Engineer Blake Carlson (WSN Engineering).

Others attending on line were Engineer Nate Dalager (HDR Engineering), Deb Walchuk (NRCS) and Daryle Dahl (Roseau County Highway Department).

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 April 1, 2021. Today’s meeting agenda and the minutes of the April 1, 2021 regular meeting were approved upon a **motion** by Klein, **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 9342 through 9367 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:**

*One Watershed One Plan:* A status update was given regarding the plan. A public hearing was held to receive comments. Comments were received from citizens, state agencies, and others and all comments were addressed. The next step is for each partner organization to approve sending the plan to the Board of Water & Soil Resources for their review and approval. This is a 2 step process as a committee will review it and then the full BWSR Board will vote on it. Upon a **motion** by Klein, **second** by B. Anderson and **unanimous vote**, the Board approved sending the plan to BWSR for their review and approval.

The Board of Managers discussed the plan and next steps. Money indicated there are 2 steps left. For one, the plan participants will each need to consider adopting/approving the plan once BWSR has approved it. Second, in order to accept and distribute grant funds the planning group will need to form either a Joint Powers Entity or a Collaboration. These have both been discussed in the past and the TRWD has indicate preference for a Collaboration. Jeremy

Benson was in attendance representing the Kittson SWCD. He stated that of the 5 participants, 2 would like an Entity and 3 would like a Collaboration. The Board discussed the pros and cons of proceeding with the 1W1P process, or potentially dropping out and just doing an update of its existing watershed district Overall Plan. No action was taken at this time. It was noted that once BWSR approves the plan then local decisions on these 2 items will need to be made.

*2021 Surveys Needed:* With the resignation of the District Head Technician, several surveys that were planned for 2021 may not happen. Money recommended hiring one or more engineering firms to perform survey work for the District for the 2021 construction season. Both Widseth and HDR submitted their rate sheets for this work. The proposals were reviewed and upon a **motion** by Olsonawski, **second** by B. Anderson and **unanimous vote** the Board decided to use Widseth first for surveys and if necessary HDR second.

*District Head Technician:* The position is currently vacant, and has been advertised in newspapers, on the world wide web, and at area technical institutes, colleges, and universities. The Board noted it should also be advertised on the radio and directed Money to do so. The want ad and job description was discussed and the salary range of \$45,000 to \$65,000 commensurate upon knowledge, skills and ability was generally approved by the Board. Applications are due by May 31, 2021 and Personnel Committee and District Administrator will screen candidates, conduct interviews, and provide a recommendation to the full Board at the July 1, 2021 meeting.

*Buffer Law:* Review of non compliant properties reported to the District by SWCD's was held. Only one property remains on the list, as all others have contacted either the TRWD or one of the SWCD's with their intent to comply. Upon a **motion** by B. Anderson, **second** by Klegstad and **unanimous vote** of the Managers, it was decided to direct Attorney Hane to proceed with the Administrative Penalty Order against Agassiz Acres LLC, following procedures in section 7 of the Rules of the Two Rivers Watershed District.

#### Legal Ditch Report:

Kittson County Ditch #21: The ditch was surveyed in 2018 by the District and the data showed the entire ditch has accumulated sediment and is in need of cleanout. In 2020 the District cleaned the outlet and 8,000 feet of ditch. For 2021 the remaining 3 miles is planned. A quote from Kraulik Excavating was received in 2020 for \$55,000 for the 3 miles. Since that time additional work has been identified to install a culvert. Kraulik submitted an updated quote for the work, including the addition of the culvert installation, of \$59,800. The Board of Managers deliberated on the matter, and approved the quote upon a **motion** by Klegstad, **second** by B. Anderson, and **unanimous vote**. Money was directed to coordinate the project to begin as soon as possible.

Judicial Ditch #3: B. Carlson has been directed to prepare design plans for up to 20 side water inlets on this ditch. The project will be implemented to reduce sedimentation in the ditch and to come into compliance with the buffer law. Once the designs are completed, Money will coordinate with the landowners and hire a contractor to complete the work. Cost share funding is available from the Kittson SWCD through the clean water fund, the Red River Watershed Management Board, and ditch funds.

Planned Surveys: Ditch surveys to be completed in 2021 include Judicial Ditch #10 main, Springbrook 10, Roseau County Ditch #4, Kittson County Ditch #10, and Soler #4. Money will coordinate these with Widseth in addition to the two construction jobs.

#### Project Report:

*North Branch – Skull Lake:* As reported at prior Board meetings, the MN DNR has identified a need to replace the outlet structure at Skull Lake, as it is over 50 years old. They have provided an updated engineer's plan for the project. TRWD engineer Blake Carlson provided a memo regarding the proposal and pointing out potential deficiencies with the

proposal. Upon review and discussion, the Board of Managers directed staff to forward Carlson's memo to the DNR. With regard to the on going Covid 19 pandemic, it is hoped that in – person meetings will be able to be resumed later this summer. Once meetings can be resumed one will be scheduled with all parties to discuss and recommend a course of action.

*Ross #7:* Manager B. Anderson discussed possible maintenance and land management activities at the Ross Project. Staff was directed to inspect the project area for beaver infestations, as a report of water backing up and standing in areas was received. Anderson also contacted the Badger and Greenbush fire departments to potentially do a controlled burn. He said the fire chiefs would be calling the office to discuss.

*Klondike Clean Water Retention Prj. #11:*

- Engineering – J. Huwe provided general discussion and updates on proposed project designs in and around Juneberry section 31. Discussion of the Board of Managers was held and it was the consensus of the Board to utilize the entire section by construction a dike around it as planned. Further information should be provided to board members, residents in the area, and the general public. Huwe will provide updates at the next board meeting as needed.
- Right of Way: Attorney Hane, Engineer Huwe, and Administrator Money have been working on letters, maps, and project information that will be sent out to all landowners along the project the District will need to procure right of way from. Once all of the information is compiled, a packet will be sent out to begin this process.
- Land Exchange: MN DNR has not replied back to the District regarding information that will be needed. Money is contacting them weekly to hopefully procure a reply.
- Permitting:
  - The US Army Corps of Engineers and the MN BWSR need more information regarding using the “Quick” wetland restoration/WRP site as mitigation. Houston Engineering provided a cost estimate of \$10,568 to review crop history and USDA program documentation as requested by the USCOE and to perform a site assessment on the wetland mitigation site. The quote was approved upon a **motion** by Klegstad, **second** by B. Anderson and **unanimous vote** of the Managers.
    - Information was provided to the Board regarding other potential wetland mitigation options that may be needed to meet the permitting requirements. No action was taken at this time.
  - Road Petitions: Attorney Hane updated the Board on the process to petition road authorities and the progress made since last month. He is working with both Kittson and Roseau Counties on the matter. Petitions have been submitted to both Counties, Soler, Barto, and Polonia Townships. We are waiting for replies and hearing dates.
  - Ditch petitions will to the SD 72, SD 95, and SD 50 ditch authorities are in the works and will be submitted in the next month.
- Funding: Information from the MN DNR regarding the approved Flood Hazard Mitigation Grant in the amount of \$250,000 was reviewed. A resolution was approved at last month's meeting for submittal, however the DNR has asked that it be amended with some minor wording changes. A \$250,000 match from the TRWD is required and DNR is asking for proof of this match. Upon a **motion** by Klein, **second** by R. Anderson and **unanimous**

**vote**, the resolution was adopted with the changes that were suggested. Copies of the resolution will be kept on file and also forwarded to DNR.

**Kittson County Ditch #7 Petition:** A petition for improvement of 4.7 miles of Kittson County Ditch #7 was submitted by a group of landowners. In following MN Statute 103E, the District must have an attorney review the petition to ensure it meets the legal requirements. If the attorney concurs, then a project engineer must be appointed to review the project, make a determination that the outlet is adequate, and generally review the project. Upon a **motion** by B. Anderson, **second** by Klegstad, and **4-0 vote** the Board of Managers accepted the petition, appointed attorney Jeff Hane to review the petition and make legal recommendations, and upon his approval of the petition appointed Blake Carlson as the project engineer. Manager **Klein abstained** from voting.

**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.

<u>App. #</u>	<u>Applicant</u>	<u>Location</u>	<u>Purpose</u>	<u>Action</u>
2020-79	Blawat Farms	Soler 15	lower existing 24" cmp	Denied
	Findings of Fact: Area is not in the benefit area and must first be added by ditch proceedings			
2021-07	Justin Dagen	Jupiter 27	Tile Drainage	Tabled
2021-11	Roseau Co Hwy Dept	Huss 6	Replace 2 – 60" w/larger	Approved
	<b>Motion</b> B. Anderson; <b>Second</b> R. Anderson – <b>Approved</b>			
	Condition: Culvert capacity through the township road located ½ mile upstream of this location must never be increased.			
	Findings of Fact: 1) Farmstead road overtops during flooding, causing peril to residence			
	2) Engineer's review determined proposed activity will not increase downstream flows.			
	3) To properly solve problem at this site, RCHD should consider downsizing culvert through county road located 1.5 mi upstream.			
2021-12	Dennis Klopp	Arveson 18	Drainage – gravel pit	Approved
	<b>Motion</b> Klein; <b>Second</b> R. Anderson – <b>approved</b>			
	Condition: 1) Cannot connect to gravel pit – pumping only. 2) no pumping during times of downstream flooding.			
	Findings of Fact: 1) Project has potential to transfer water from Twistal Swamp to downstream locations, which can increase erosion and volume. 2) The purpose of the permit is to only allow drainage of the pit for temporary gravel extraction. 3) Permanent increases in downstream flow are not desirable.			
2021-16	Jason Sobolik	Eagle Point 2	side water inlets	Approved
	<b>Motion</b> R. Anderson; <b>Second</b> Klein – <b>unanimous</b>			
	Condition: if flap gate attached, must be 18" cmp; if no flap gate then 24"			
2021-18	Peter Jones	Percy 10	road w/30" cmp	Approved
	<b>Motion</b> Klein; <b>Second</b> Klegstad – <b>unanimous</b>			
	\$150 after the fact fee enforced			
2021-19	Chad Spilde	Deerwood 2	pond	Tabled

Approved by Committee prior to meeting:


2020-76	Jamie Isane	Grimstad 17	install culvert in dry crossing	Approved
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2021-03	Terry Osowski	N Red River 36	Tile Drainage	Approved
2021-08	KC Hwy Dept	S. Red River 3	increase culvert size	Approved
2021-09	Bill Moore	Hampden 31	Tile Drainage	Approved
2021-10	Robert Sys	Stafford 32	Crossing/18" cmp	Approved
2021-13	Merle Schwenzefier	Thompson 14	texas crossing / 24" cmp	Approved
2021-14	Brian Dick	Deer 31	crossing / 18" cmp	Approved
2021-15	Waage Farms	Hereim 25	Crossing w/42" cmp	Approved
2021-17	Rick Neushwander	Poppleton 1	culvert w/trap	Approved

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

Attest:

  
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 Daryl Klegstad, Secretary

  
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 Paul Olsonawski, President

