

**Minutes of the Regular Meeting of the Board of Managers  
Of the Two Rivers Watershed District  
Held: Thursday, June 3, 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, June 3, 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, Treasurer Joel Muir, Bruce Anderson, Rick Sikorski. Scott Klein was absent.

Others present included District Administrator Dan Money, Attorney Jeff Hane (Brink, Sobolik, Severson, Malm & Albright, P.A.), Engineer Jake Huwe (HDR Engineering), Engineer Blake Carlson (WSN Engineering), Eric Ristad, and Ryan Schwenzefier. Attending electronically were Deb Walchuk (NRCS) and Nate Dalager (HDR Engineering).

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 May 6, 2021. Today’s meeting agenda and the minutes of the May 6, 2021 regular meeting were approved upon a **motion** by B. Anderson, **second** by R. 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 9368 through 9383 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 Sikorski, 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:

**Legal Ditch Report:**

KCD 21: Cleanout of sediment was started by Kraulik Excavating. This will restore the ditch to its legal grade and cross section. The District is working with adjacent landowners regarding the spreading of spoil and establishment of the required buffer strip.

RCD 4: The Viewers have not met in quite some time and they have indicated that they may not complete their work until fall of 2021. They will be encouraged to finish this in a timely manner.

JD 3: This project is along at least 2 miles of the ditch and will install numerous side water inlet structures and get in compliance with the buffer law. Typical plans and drawings have been prepared and a landowner agreement will need to be signed. The ditch will be responsible for installation and maintenance of the side pipe inlets, and the landowner will be responsible for the required grass buffer.

Beavers: several beavers and beaver dams have appeared in District ditch systems and trappers have been hired as needed.

**Program Report:**

*One Watershed One Plan:* Discussion was held regarding the Two Rivers Plus 1W1P. The final draft of the plan has been reviewed by the partnership, reviewed for comments by the Citizen's and Technical Advisory Committees, and the BWSR north region committee. It is on the BWSR board meeting agenda for final approval. The next steps will be for the group to decide to form either a collaboration or an entity and for each local board to formally adopt the plan.

The Board of Managers discussed several issues they have with this plan, and whether or not to adopt this plan. If the Board does not adopt the plan, the District would need to formally pull out of the planning partnership and would need to update its own current Overall Plan. Pros and cons were discussed. Issues that were brought up were the rules and regulations of this planning process required by BWSR create a large administrative burden. Many extra meetings, reporting requirements, and tracking will require extra effort above and beyond current levels. The clean water funding that is available is limited to water quality best management projects, and cannot be used for monitoring, flood control, or drainage projects. In addition, comments that have been received from several state agencies are pushing their agendas over and above the local planning issues. With 5 local entities involved, the focus of the plan is less on specific Watershed District flood control and drainage issues and more on broad based issues. The Board of Managers felt that the extra time, effort, and resources needed to implement this plan outweighs the potential benefits.

After considerable discussion, a **motion** was made by Olsonawski, **seconded** by Sikorski, and **unanimously approved** to opt out of the Two Rivers Plus 1W1P process and to proceed instead to update the Two Rivers Watershed District Overall Plan, following MN Statute 103D. The Board directed Money to notify the 1W1P planning partnership and begin the process to update the District's Overall Plan.

*Citizen's Advisory Committee:* Watershed law states that the District's Citizen's Advisory Committee must meet at least once per year. Discussion was held regarding holding an annual meeting, and it was suggested that this be coordinated with the update of the Overall Plan.

*District Head Technician:* The position is currently vacant and help wanted ads have been advertised for the past month. Only one application has been received. The Board discussed options, including interviewing the one applicant and re-advertising for another month. It was decided the Personnel Committee will do the interview and that applications will continue to be accepted at the discretion of the Committee. The Committee will present its recommendations at the July 1 Board meeting.

*Project Work Teams:* Over the past year, electronic meetings were held with various local and state stakeholders regarding both the Twin Lakes/Twistal Swamp area associated with flooding on the north end of the City of Karlstad, and also with the Skull Lake area associated with the District's North Branch PL566 project. Now that the Covid 19 pandemic is regressing and in person meetings can start to be held, it was decided to schedule in person follow up meetings for both of these areas. Money was directed to work on scheduling these for some time in July.

*Buffers:* One enforcement issue located on JD #10 Branch B needs to be followed up. Attorney Hane was authorized at a prior meeting to begin the administrative penalty order proceeding and he will be contacting the landowner on this matter.

*Surveys:* B. Carlson / WSN discussed logistics of doing several ditch surveys this summer. He offered another option his firm provides, which is lidar surveys with a fixed wing aircraft. Flights would be performed along RCD 4, KCD 10, SB 10, JD 10 main, and Soler 4. Along with the Lidar flight, limited ground survey would also be needed. The Board discussed

this option and asked Carlson to provide a cost estimate and description of the work. Carlson will provide this in the next week or two. The board authorized the Administrator to review the quote and approve the work for these ditches upon a **motion** by R. Anderson, **second** by B. Anderson and **unanimous vote**.

**Project Report:**

*Klondike Clean Water Retention Prj. #11:*

- Right of Way – Attorney Hane updated the Board regarding right of way. A large effort was undertaken to write legal descriptions describing the specific property to be obtained. HDR Engineering prepared maps of these parcels, and a letter will now go out to the landowners with the offer the District is making to purchase right of way.
- Permitting –
  - Houston Engineering will be doing field work in the coming weeks at the proposed mitigation site to document the vegetation and quality wetlands that were restored by the “Quick” project. In addition the US Army Corps of Engineers has asked for any wetland certifications or determinations that have been done, and the process for obtaining this information is underway.
  - Several hearings will be held to alter county and township roads. The first of these is scheduled at the Barto Town Hall on Monday June 7<sup>th</sup>. Staff, Engineer, and Attorney will attend and all board members are encouraged to attend.
  - Ditch petitions have been previously approved by the Board and these still need to be submitted to both Roseau and Kittson Counties for work on State Ditches 50, 72, and 95.
- Funding – Prior, current, and future funding sources were identified. The Board agreed that in the coming months a special meeting should be scheduled to discuss in detail the construction funding and also operation and maintenance funding.

**Ristad Violation – Hazelton Twp Section 17:**

Eric Ristad and Ryan Schwenzefier were in attendance to discuss the permit violation of Ristad Farms. In June 2020 a section of the township road between sections 16 and 17 of Hazelton Township was raised to prevent water from overflowing the road. This action in part caused excess water to thusly flow over the township road to the north, negatively impacting other lands. A handout was distributed cataloging the permit violation, several meetings with the Board, review of various options and solutions, and several Board actions that have been taken.

Ristad has met with various landowners and proposed that the Watershed District undertake a project to improve the south road ditch along MN Hwy 175 to carry and contain the floodwaters. Several pros and cons were discussed and it was noted that it would require the landowners to submit a petition to the Board of Managers in order to improve the ditch. Upon further discussion it was suggested the most practical solution was to focus on the road improvement, but take mitigation measures that would not harm adjacent properties at the benefit of other properties (in other words treat all properties equally).

The preferred alternative that all can live with would be to raise road overflow section on the north end to the same level that the south end was raised to, which is approximately elevation 912 feet. The Board of Managers indicated that since this is a township road that the Hazelton Township Board must be consulted and must sign off on a permit application, since it is their road and within their right of way.

Upon a **motion** by Olsonawski, **second** by Sikorski, and **unanimous vote** of the Managers, all prior decisions of the Board in this matter were rescinded and the following was

approved: An after the fact permit will be approved pending an application be submitted by Hazelton Township and that a \$500 after the fact review and inspection fee be paid. If the application and fee are not submitted enforcement actions may be taken. The Board found that this solution is 1) equitable for all because the road will overflow at the same elevation (912') for all affected properties, 2) the project will not affect an upstream residence because the set elevation is lower than the residence, 3) raising the road will not cause further downstream flooding, 4) pending implementation of the TRWD's Klondike Clean Water Retention Project will eliminate the problem for most events, and 5) all feasible options have been explored to come to the best available solution.

**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>
2021-07	Justin Dagen	Jupiter 27	Tile Drainage	Tabled
2021-20	Dan Dostal	Barnett 2	Tile Drainage	Tabled
2021-22	RRV LLC	Davis 8,16, 17, 18, 20	Tile Drainage	Tabled

The following permits were acted upon previously by the Permit Committee and are listed here for reference:

2021-19	Chad Spilde	Deerwood 2	pond	No Permit Needed
2021-21	Roseau Hwy Dept	Ross 24	residential drainage	Pending
2021-23	Johah Bridger	St. Joseph 30 Fr	crossing 30"	Approved
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:

  
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 Daryl Klegstad, Secretary

  
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 Paul Olsonawski, President