

Minutes of the Regular Meeting of the Board of Managers Of the Two Rivers Watershed District

Held: Thursday, February 3, 2022 @ 8:00 a.m.

The Board of Managers of the Two Rivers Watershed District held their monthly meeting beginning at 8:00 a.m. on Thursday, February 3, 2022. The meeting was held in the District office in the Kittson County Courthouse, 410 S. 5th Street, Hallock, MN.

Managers present included President Rick Sikorski, Secretary Daryl Klegstad, Treasurer Gerald Olsonawski, Bruce Anderson, Scott Klein and Paul Johnson. Vice President Roger Anderson was absent.

Others present included District Administrator Dan Money, District Technician Tyler Coffield, Attorney Jeff Hane (Brink Lawyers), Engineers Jake Huwe & Nate Dalager (HDR Engineering), Engineer Blake Carlson (Widseth), Justin Muller (Kittson SWCD), Kurt Kraulik, and Aaron Kirkeby.

Judicial Ditch #10: A Public Hearing regarding the petition of Brian Dahl to add the North ½ of section 25, Davis Township (T159N, R48W) in Kittson County, MN was held beginning at 8:05 am. Information was presented regarding the petition. The parcel of land, which has recently been tiled, will outlet tile water to Judicial Ditch #10. The surface water for this parcel currently drains to Kittson County Ditch #7. The request is to continue to drain surface water to KCD 7 but send the sub surface tiled water to JD 10.

Discussion was held and the District Engineer, Blake Carlson indicated that JD 10 has sufficient capacity to carry the additional tiled water however it does not have sufficient capacity to carry additional surface water. Therefore, the request seems to be acceptable, as long as provisions are made to ensure that the surface water from this half section continues to drain to KCD 7 and not JD 10. Two members of the public appeared at the meeting for informational purposes, but neither spoke for or against the petition.

Upon a **motion** by Klein, **second** by Klegstad, and **unanimous vote** of the Managers, the Board decided to grant the request to add the north ½ of section 25 to the benefitted area of JD 10 but only for subsurface tiled water. Surface water is currently excluded from the north ½ of section 25 and will continue to be excluded from the JD 10 system. An outlet fee was not assessed. The benefit amount was deliberated and set by the Board for each of the 40 acre tracts at \$20. The District Attorney and District Administrator were directed to draft and file the appropriate findings of fact and order and all other documents required by statute.

Upon a **motion** by Klegstad, **second** by Olsonawski and **unanimous vote** of the Board, the hearing was closed at 8:45 am.

Regular Meeting: The regular monthly meeting was called to order by President Sikorski at 8:45 am. Sikorski then called for any additions or corrections to the proposed meeting agenda and the regular meeting minutes from January 6, 2022. Today's meeting agenda and the minutes of the January 6, 2022 regular meeting were approved upon a **motion** by Olsonawski, **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 9537 through 9559 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 B. Anderson, a **second** by Olsonawski, and a **unanimous vote** by the Board.

A certificate of deposit from Border State Bank is expiring. Discussion was held regarding the funds, and upon a **motion** by Olsonawski, **second** by Klegstad and **unanimous vote** of the Managers, it was decided to renew the cd for 1 year with Border State Bank.

Kittson SWCD Request for Cost Share: Justin Muller of the Kittson SWCD attended the meeting to present to the Board a request for cost share funding regarding gully erosion on private lands and within a township road right of way. Through the 'Two Rivers Plus' comprehensive watershed management plan, the SWCD is offering 75% cost share to assist earthwork and installing structures associated with the repair of eroded areas along private and public watercourses. A recent project construction cost was estimated at \$112,629. The local share of this would amount to \$28,157 and the SWCD is looking for local partners to help defray the cost to the landowner. They indicated the landowner/operator would be willing to contribute up to \$10,000 for this project.

The Board of Managers discussed the request and noted that there are many of these types of problems on the landscape. Therefore, there is a need to fix them to reduce erosion, improve water quality, and address safety concerns. It was noted that statutory powers of watershed districts include controlling and alleviating soil erosion and to protect or enhance water quality. Potential cost share contributions from the Watershed District were discussed, and it was noted that additional funding is potentially available from the Red River Watershed Management Board.

Upon a **motion** by Olsonawski, **second** by Klegstad and **unanimous vote** of the Managers, approval was given to cost share on erosion control project with the Two Rivers Plus planning group. The maximum contribution from the TRWD for projects of this type will be \$15,000 per year and is contingent upon receiving grant funding from the RRWMB. The TRWD contribution per project was capped at 12.5% of the estimated project costs.

Project Report:

Klondike Clean Water Retention Prj. #11: Several items with regard to the project were discussed as listed below.

- **Project Management:** The District has received email communications from DNR inquiring about wetland mitigation, environmental permitting, and natural resource components of the project. A meeting has been set up between 4 DNR personnel, J. Huwe, M. Aanenson, and D. Money. Topics will include the Beaches Lake Area Fen, status and timelines for permits and environmental review, proposed land exchange, and funding.
- **Permitting:** Mark Aanenson of Houston Engineering participated by phone. He has been working with Money and Huwe regarding and agency personnel for the required

Federal and State wetland permits. The TRWD has been notified that the “Quick” wetland reserve program site will not be eligible to use for mitigation, as previously indicated. Therefore, a new mitigation site is needed and as per prior discussion with the Board, it is feasible to use either section 10 of Klondike Township or section 31 of Juneberry Township. After discussion a **motion** was made by B. Anderson, **seconded** by Klegstad **and unanimously approved** to remove section 31 Juneberry Township from the impoundment and develop a wetland mitigation plan for the section. Houston Engineering will prepare the appropriate wetland application paperwork and work with HDR Engineering on the appropriate plans. The Administrator was authorized to sign and submit the appropriate wetland applications on behalf of the TRWD.

- Road permits and ditch permits have been submitted to the appropriate authorities and are being reviewed. Approvals have been received from Kittson County, Barto Township and Polonia Township. Public hearings in Roseau County are pending.
- Funding: The Red River Watershed Management Board is planning to utilize their lobbyist during the 2022 legislative session to apply for \$47 million for bonding dollars to fund projects that are at step 2 or step 3 on the RRWMB list of projects. The TRWD’s portion of this would be just over \$13 million. Board members may be called on to contact legislators or provide testimony.
 - The Lessard Sams Outdoor Heritage Council is recommending \$964,000 to be funded by the Legislature. This is in addition to the \$1.9 million approved last year.
- Native Prairie Tax Exemption: Information was provided to the Board and discussed regarding a tax exemption available for native prairie. This could potentially lower the cost of owning and maintaining the land. The matter was tabled and Money was directed to investigate the program further and how it would affect the county, school district, township, and other taxing authorities.
- Right of Way: The right of way along the diked inlet was discussed. A few parcels have been secured by options, however most of the needed right of way has not been secured. The Board referred the matter to the Impoundment Committee to meet, discuss, and recommend a course of action over the coming months.

Administrator’s Report:

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

Legal Ditch Report:

Engineer Blake Carlson reported on surveys that were completed in 2021 on the following projects:

- Soler #4 Project – in the upper reaches there is some sediment that has accumulated in the ditch and could be cleaned out. The remaining portions of the ditch are in good shape. Manager Sikorski mentioned that during runoff events he has noticed that the upper reach seems to handle flows adequately and really doesn’t need to be cleaned. It was the opinion of the Board to not remove the sediment at this time and monitor the situation.
- Roseau County Ditch #4 – most of the upper and lower ends of the ditch are either at or below the legal grade and cross section. However, there is a 7,400 foot long section in the middle reaches that could be cleaned. Upon a **motion** by Klein, **second** by B. Anderson and **unanimous vote** of the Managers, the Engineer and Staff were directed to proceed in 2022 with the repair of this section of the ditch.

Money will obtain contractor rates and provide information at upcoming Board meetings.

Administrator Money updated the Board on other upcoming and ongoing activities:

JD 3 – side water inlet project was substantially completed in 2021. One culvert still needs to be installed between sections 30 and 31 of Svea Township. A contractor will be contacted and hired for this as soon as conditions allow in 2022.

JD 10 – one side water inlet was designed and funding appropriated late in 2021, but the construction was not completed in the fall because of weather. This is slated for 2022 and will be done when conditions are acceptable.

North Branch Project – The side walls of a cement grade stabilization structure have been observed to be leaning inward, and a repair plan was developed by B. Carlson. In 2021 Hanson Mfg. had stated they would do the work but after repeated inquiries to them they still have not gotten to it. This will be addressed and completed in 2022.

Maintenance – normal ditch spraying, beaver removal and maintenance activities will be undertaken as needed.

Program Report:

Overall Plan: The District's Overall Plan will expire at the end of 2022 and is required by statute that it must be updated every 10 years. Discussion was held on the process and the need to hold public input meetings, citizen advisory committee meetings, and technical advisory committee meetings. Money will re-write and update all sections of the current plan. It may be prudent to hire a GIS specialist to update several of the District's GIS layers as a part of the process. Upon a **motion** by Sikorski, **second** by Olsonawski, and **unanimous vote** of the Managers, a resolution to begin the process of updating the Overall Plan was approved.

Survey Program: District Technician T. Coffield will be taking over the District's survey program. He is in need of survey training, and would like to attend both a MNDOT conference and also technical training sponsored by Frontier Precision. Upon a motion by Klein, second by B. Anderson and unanimous vote of the Managers, authorization for Coffield attend training was approved.

Discussion was held regarding the current survey equipment. It was purchased in 2008 and is getting to be aged. New technology allows for more efficient data collection and for greater precision. The Board directed staff to obtain quotes to upgrade the survey equipment.

2021 Audit: The accounting firm of Brady Martz was hired to perform the annual audit and will be at the office on February 23.

Personnel Committee: District staff requested a meeting of the personnel committee to discuss potential participation in the MN State Retirement System. Specifically, they offer a Health Care Savings Plan and a Deferred Compensation Plan for employees. A representative of the MSRS is available to meet and cover the plan details. The Personnel Committee scheduled a meeting for February 14th at 3:00 pm.

2022 Legislature: The RRWMB and the MAWD legislative platforms were discussed. The RRWMB will be asking for significant bonding money including funding for the TRWD's Klondike Clean Water Retention Project. MAWD will be

holding a legislative update and briefing in March and this will be an opportunity to meet with legislators.

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 and 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>
2022-01	Kittson Co Hwy Dept.	Co. Rd. 1 – 6 miles	Culverts/Bituminous	Tabled
2022-02	BNSF Railway	Skane 24	Bridge Replacement	Approved

Motion Klegstad, **second** Klein; **unanimous**

2021-37 Brian Dahl Davis 25 Tile Drainage - After the Fact

Administrator Money and Attorney Hane will send a letter to Dahl with regard to the public hearing that was held and also with regard to the after the fact permit, permit fees, potential permit conditions, and other items.


2021-32 Kittson County Ditch #13 - This has been reported on in recent meetings and an update was given on the status of this matter. Attorney Hane, Engineer Carlson, and Administrator Money met with Kittson County Engineer Weleski, County Administrator Buhmann, and Attorney Kolb. A follow up email from them was received, and it was reviewed and discussed. No action was taken as this was for information.

With no other matters to come before the Board of Managers, the meeting was adjourned at 12:45 pm.

Attest:



Daryl Klegstad, Secretary



Rick Sikorski, President

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