

**Minutes of the Regular Meeting of the Board of Managers  
Of the Two Rivers Watershed District  
Held: Thursday, June 16, 2022 @ 8:00 a.m.**

The Board of Managers of the Two Rivers Watershed District held their regular meeting beginning at 8:00 a.m. on Thursday, June 16, 2022. The meeting was held in the District office in the Kittson County Courthouse, 410 S. 5<sup>th</sup> Street, Hallock, MN.

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

Others present included District Administrator Dan Money, District Technician Tyler Coffield, Attorney Jeff Hane (Brink Lawyers), Engineer Blake Carlson (Widseth), Tom Meisner, and Kurt Kraulik.

The meeting was called to order by President Sikorski. Sikorski then called for any additions or corrections to the proposed meeting agenda and the regular meeting minutes from May 5, 2022. Today's meeting agenda was approved upon a **motion** by R. Anderson, **second** by Klein and **unanimous vote**. The minutes of the May 5, 2022 regular meeting were approved upon a **motion** by Olsonawski, **second** by Klein, 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 9627 through 9651 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 Klein, and a **unanimous vote** by the Board.

**T. Meisner:**

Tom Meisner was in attendance to discuss with the board permit #1936 that was issued to Jonah Bridger in 2021. The permit was to install a crossing with a 30" culvert. Meisner questioned the size of the culvert that was approved and provided information to the board that there is a very large drainage area. It was noted that when the District reviewed the application a much smaller drainage area was used. Meisner described the flooding problem in the area and cautioned the approved culvert it too small and will cause water to backup and cause flooding.

Several alternatives were discussed. The District will contact Mr. Bridger to discuss and will re-review the permit application. The Board directed District staff and the permit review group to look at the permit application and make recommendations.

**K. Kraulik:**

Kraulik inquired about any new information regarding the petition for improvement of Kittson County Ditch #7. Engineer Carlson gave an update on the status of the Engineer's report and timeline. Kraulik inquired about the process for Viewer's and a discussion was held on benefits and damages to lands and typically who would pay for the works of improvement. No action was taken on the matter and the Board will wait for the Engineer's Report to be filed.

## **Administrator's Report:**

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

### **Program Report:**

*Overall Plan:* The District's current plan will expire at the end of 2022 and statute requires that it be updated once every 10 years. As discussed in the past the Board has approved a resolution to begin the process and work to update the plan will be getting underway. Money provided a draft questionnaire to distribute to the Citizen's and Technical Advisory Committees to seek input on the various planning items. Money suggested a few news releases be submitted to local papers at the same time that the questionnaire is distributed. This information collected will be used in the updating of the plan. Statute will be followed closely during this update and once it is drafted the District is required to submit it to the Board of Water and Soil Resources. A tentative timeline is to submit it to BWSR by the end of the year.

*Flood Damage Reduction Work Group:* The FDRWG, of which the Red River Watershed Management Board is a member, will apply for a grant to the Legislative and Citizen's Commission on MN Resources to do water quality monitoring on projects that have been constructed and are proposed. The FDRWG would like to include 2-3 projects of the District and is seeking approval from the District to work with them on grant activities. Upon a **motion** by R. Anderson **seconded** by Olsonawski and **unanimous vote**, approval was given by the District to be included in the grant application and potentially participate in water quality monitoring activities of the Flood Damage Reduction Work Group.

*Land Rent:* The following farm lease agreements regarding rental of District owned land were discussed.

- *K. Folland* – the contract does not expire until the end of 2023, however Folland has inquired about renewing it. The Board discussed the rental rate and length of contract. Upon a **motion** by Klein, **second** by Klegstad, and **unanimous vote** of the Managers, a renewal will be offered to Folland for a 3 year term at \$10 per acre.
- *S. Larson* – Larson has indicated to the District that he believes the Ross Impoundment has contributed to flooding on lands that the District neither owns nor holds a flood storage easement. Upon investigation, staff found the parcel in question does in fact have flood storage easement which has been recorded. Money will contact Larson and inform him of the findings.
- *Dagnault* - Dagnault has contacted the District regarding available land to rent. Money provided a map and information regarding the lease agreement. Since the available land has not been worked in quite some time and is very susceptible to prolonged inundation, it was considered to offer a 3 year contract with the first year rent free. Upon a **motion** by B. Anderson **seconded** by Johnson and **unanimous vote** of the Managers, Money was directed to negotiate with the potential renter to enter into a 3 year agreement with the first year free, or another acceptable agreement would be to charge the renter for only those acres that are harvested.

### Permit Issues:

- Permit #1795 was issued to Matt Kuznia in 2018 to install a tile drainage system. Certain conditions were placed upon the outlet pump, including that an air gap be installed between the pump and the outlet pipe, among other items. It has come to the attention of the TRWD that the structure has been installed but does not conform to the conditions of the permit. Kuznia has been notified of this several times, appeared at a prior Board meeting, and discussions have been held with the contactor, however the permit remains out of compliance. A deadline was given to Kuznia to comply by June 15<sup>th</sup>, however the deadline was not met. The Board discussed the permit violation, and upon a **motion** by Klein, **second** by Klegstad, and **unanimous vote** the Board revoked the permit. Staff was directed to notify Kuznia that the pump must be disabled and no discharges are allowed. The Board may re-consider the permit if a new application is submitted and all conditions are met.

- Permit #1954 was issued to Roger Ellingson/Land X in 2021 to install a tile drainage system. Conditions regarding the pump installation and pumping were placed upon the permit. The Managers inquired about the specifics of certain pump installations, and directed staff to double check the permit conditions with the installation of the pumps to ensure permit compliance.

Manager Klein left the meeting at 10:50 a.m.

*Employment Policy – clarification:* The current employment policy states the District will follow all federal holidays. In the past year June 19<sup>th</sup> was added by the Federal Government as a new holiday. Upon **motion** by B. Anderson, **seconded** by Olsonawski and a **unanimous vote** of the Managers, June 19 was approved to be added to employee holidays and the employment policy was amended to permanently include it as it is an employee holiday.

*Red River Watershed Management Board:* Money and R. Anderson indicated the annual budget and levy discussions will be coming up at the July RRWMB meeting. Information regarding the RRWMB 2023 budget and spending plan was provided. Anderson indicated that the RRWMB budget and finance committee will be meeting and discussion will be held whether to raise the levy amount. The RRWMB currently has been levying only 75% of the maximum, but with a number of projects coming up consideration is needed on the topic. More information will be brought to the Board at the July 7<sup>th</sup>, 2022 meeting.

### Legal Ditch Report:

JD #10: Engineer Carlson discussed the detailed survey that was done in 2021 and his recommendations. The survey indicates several sections of the ditch that have filled in with sediments and blocking least 10% of the design grade and cross section area. He estimated the cost to do the maintenance he suggests would be between \$70,000 and \$100,000. Discussion was held on the cost, the current ditch fund balance, and what landowner opinions of the proposal would be. It was decided that an informational meeting with the landowners adjacent to the ditch would be beneficial, and Money was directed to schedule this meeting for either late July or early August.

Carlson also mentioned a 2 mile stretch of JD 10 that was previously discussed by the Board. The ditch record shows the ditch was altered in 1926 and therefore the original design grade is much deeper than what is necessary. It is not feasible nor practical to

maintain the ditch at the design grade, and in fact the ditch has been maintained to a different elevation than is shown in the record. A public hearing will be held on July 7, 2022, to re-establish the ditch record to clarify its grade and cross section.

**Project Report:**

*Klondike Clean Water Retention Prj. #11:*

- Right of Way – As reported previously, meetings with landowners will be scheduled to discuss the project plans and the needed right of way.
- Permitting
  - Status – Information was provided regarding the status of permits for federal and state wetlands, legal ditches, local road alterations, State Historic Preservation Office, Environmental Assessment Worksheet, and others.
  - State Ditch #50: Discussion was held that the Two Rivers Watershed District is the Ditch Authority for State Ditch #50 and this ditch will be affected by the Project. Under Statute 103E, a project that will impound waters on a ditch system must petition the ditch system for permission to do so. In this case the TRWD is both the petitioner and the petitioned. It was noted a third party engineer should be considered to review the petition. Upon a **motion** by Johnson, **second** by B. Anderson, and **unanimous vote**, resolution 2022-03 was approved. The resolution, attached to these minutes, directs the District Administrator to prepare and enter the ditch petition into the official State Ditch #50 ditch record, and authorizes the District Administrator to hire a qualified engineer to perform the review of the petition on behalf of State Ditch 50.
- Funding – The Lessard Sams Outdoor Heritage Council and the MN Legislature approved a grant to the TRWD in the amount of \$988,000. This is in addition to the \$1.7 million grant that was approved last year. Total available committed funds from all sources for the project are \$5.17 million, not counting TRWD contributions. Phase 1 construction is estimated at \$13 million.

**Permits:**

The Board acted on the following permits. The review and comments of the permit review group (PRG) were carefully considered and taken into consideration. Any comments provided by members of the PRG, 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>
2022-09	David Lind	Klondike 21	Crossing w/18” cmp	Approved
2022-10	Poplar Grove Twp	Poplar Grove 3	Drainage	Tabled
2022-11	Justin Peterson	St. Joseph 6	crossing w/24”	Approved
2022-12	Ryan Swenson	Clow 23	crossing w/?	Tabled
2022-13	DJB Farms	Svea 33	Tile	Tabled
2022-14	DJB Farms	Davis 32	Tile	Tabled
2022-15	DJB Farms	Davis 29	Tile	Tabled
2022-16	DJB Farms	Svea 34	Tile	Tabled
2022-17	Todd Sorenson	Granville 33	Crossing w/24” cmp	Approved

**Other Permit Issues**

Potential Conflict of Interest: Carlson mentioned to the Board of Managers a potential conflict of interest. He has been approached by a possible client to design a construction plan for a project that would need a permit from the TRWD. Since he has been the primary engineer the TRWD uses for permit review, this could be perceived as a conflict of interest. The Board decided that if Carlson is hired to design a project, then the District would need to utilize a different engineer for the review of that particular project.


Lind Township sections 25-26: Manager B. Anderson noted an issue that was brought to him by a constituent in the vicinity of sections 25 and 26 of Lind Township. The issue has to do with flooding and a question came up regarding culvert sizes. The constituent will contact the watershed district office.

St. Joseph Township sections 8-9: Manager Olsonawski noted an issue with drainage and diking in sections 8 and 9 of St. Joseph Township. A dike was apparently constructed several years ago and is potentially causing water flowage issues. Olsonawski will discuss the dike with the landowners.

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

Attest:

  
Daryl Klegstad, Secretary

  
Rick Sikorski, President



# *Two Rivers Watershed District*

## *In Roseau, Kittson, & Marshall Counties*



*Board of Managers: President- Rick Sikorski, V.P.- Roger Anderson, Secretary-Daryl Klegstad, Treasurer-Gerald Olsonawski, Manager-Bruce Anderson, Manager-Scott Klein, Manager-Paul Johnson  
Staff: Dan Money, District Administrator; Tyler Coffield, District Technician*

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June 16, 2022

Managers Present: Sikorski, R. Anderson, Klegstad, Olsonawski, B. Anderson, Johnson

Managers Absent: Klein

Motioned by Manager Johnson, seconded by Manager B. Anderson, the following resolution, numbered 2022-03, passed upon a 6-0 vote of the Board of Managers of the Two Rivers Watershed District.

### **RESOLUTION OF THE BOARD OF MANAGERS OF THE TWO RIVERS WATERSHED DISTRICT**

#### **Entering Petition into SD 50 Record and Authorizing Administrator to Hire Engineer**

**WHEREAS**, the Two Rivers Watershed District is a legally organized watershed district under MN Statute §103D and was established in 1957; and

**WHEREAS**, MN Statute §103E allows for Watershed Districts to serve as the ditch authority for certain legal ditches. The Two Rivers Watershed District serves as the ditch authority for State Ditch #50; and

**WHEREAS**, the Two Rivers Watershed District is working towards the planning, design, and construction of its “Klondike Clean Water Retention Project”, which will have multipurpose flood damage reduction and natural resources enhancement benefits; and,

**WHEREAS**, as a part of the project several permits are necessary in order to proceed, among them is permission to impound waters on a legal ditch system; and,

**WHEREAS**, as the project proposer under statute §103D the Two Rivers Watershed District is required to provide detailed project plans and specifications and submit a petition to impound waters on State Ditch 50; and

**WHEREAS**, as the ditch authority under statute §103E the Two Rivers Watershed District is required to appoint a qualified engineer to review the plans and specifications relative to the project's effect on SD 50 and to hold a public hearing on the matter.

**NOW THEREFORE, BE IT RESOLVED** that the Board of Managers of the Two Rivers Watershed District hereby directs its Administrator to prepare and file the proper petition in the State Ditch 50 records in accordance with MN Statute §103E.227.

**BE IT FURTHER RESOLVED** that the District Administrator is hereby authorized and directed to seek a qualified and impartial engineer to review the project plans and specifications and submit the findings of the review to the Two Rivers Watershed District to be reviewed at a public hearing. The public hearing will be scheduled upon acceptance of the Engineer's findings and report.

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CERTIFICATION

State of Minnesota  
Office of Watershed District Administrator  
Two Rivers Watershed District

I do hereby certify that the foregoing resolution is a true and correct copy of a resolution presented to and adopted by the Two Rivers Watershed District at a duly authorized meeting thereof held on June 16, 2022.



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Dan Money  
District Administrator