

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

Held: Thursday, February 2, 2023 @ 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, February 2, 2023. 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, Vice President Roger Anderson, Secretary Daryl Klegstad, Treasurer Gerald Olsonawski, Bruce Anderson, and Scott Klein. None were absent.

Others present included District Administrator Dan Money, District Technician Tyler Coffield, Attorney Jeff Hane (Brink Lawyers), Engineer Jake Huwe (HDR Engineering), Engineer Tony Nordby (HEI Engineering), Engineer Chad Engels (Moore Engineering), Kurt Kraulik, Brian Anderson, and Kevin Klein. Engineer Blake Carlson (Widseth) attended a portion of the meeting electronically via Microsoft Teams.

The meeting was called to order by President Sikorski. Sikorski then called for any additions or corrections to the proposed meeting agenda. The agenda, the minutes of the January 5th, 2023 Annual Meeting, the minutes of the January 5th, 2023 Regular Meeting, and the minutes of the January 18th, 2023 Special Meeting were approved upon a **motion** by B. Anderson, **second** by Olsonawski 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 9804 through 9826 and electronic funds transfers to PERA, MN Dept. of Revenue, Electronic Federal Tax Payment System, and MN State Retirement System as reported and contained within the report.

Treasurer Olsonawski reported that two new certificates of deposit were opened up at United Valley Bank in Hallock MN. This was discussed at last month's meeting and direction was given to the Treasurer at that time. One cd is an 11 month term at 3.9% interest and the other is a 6 month term at 3.5% interest. An existing 12 month cd at Border State Bank in Badger MN has renewed at an interest rate of 3.9%

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:

Vacant Board Position: Money reported that he discussed the current vacant board position with Kittson County Commissioner L. Olson. Olson discussed the position with landowner Mark Langehaug, and he has agreed to fill out the remainder of the term until

October 31, 2024. The County Board's next meeting is February 7, 2023 and they will consider this appointment at that meeting. Langehaug's first meeting would be on the March 2, 2023.

Staff Training: The MN Department of Transportation will be holding a survey conference in Brainerd, MN March 27-30, 2023. This is a good opportunity for Technician T. Coffield to attend and get some training on the latest surveying information and techniques. Registration cost is \$125 and lodging/meals is \$693. Upon a **motion** by Olsonawski, **second** by Klegstad, and **unanimous vote** of the Board, Coffield was authorized to attend the conference.

Engineering Services: As noted earlier, the District is in need of a new engineer, as Blake Carlson is retiring. Information has been provided by three firms, Houston Engineering, HDR Engineering, and Moore Engineering and all three firms are represented at today's meeting. It was noted that a decision is not needed today, but should be made prior to late spring, when permit applications tend to start being submitted. The Board of Managers held some discussion, and **tabled** the matter until the March 2, 2023 meeting.

Program Report:

Watershed Management Plan: Discussion was held regarding public input for the planning process. It was noted that the annual township meetings will be held in March, and this is an opportunity to have the township boards provide information about flooding, erosion, drainage and water quality issues within their townships. Money will send each township a letter, a map of their township, and a survey asking them to identify locations of problems and describe the magnitude of the problems. This information will be incorporated into the update of the District's plan.

Ring Dikes: Currently 50% cost share funding from the State of Minnesota is available for the construction of farmstead ring dikes. Typically the Red River Watershed Management Board, the local watershed district, and the landowner share the local 50%. One landowner within the District has inquired about the program, however it is a seasonal cabin and not a farmstead. The Board discussed its prior participation in the program and the criteria it would use in ranking and prioritizing applications. It was determined upon a **motion** by Klegstad, **second** by B. Anderson and **unanimous** vote of the Managers that the TRWD would only participate in farmstead dikes to protect properties with a permanent residence and / or farm structures that are currently being used for agricultural purposes.

Annual Audit: The firm of Brady Martz has provided a quote to perform the 2022 audit at a price of \$8,400. Upon a **motion** by Klein, **second** by R. Anderson and **unanimous vote** of the Board, it was decided to hire Brady Martz at the quoted price. Money will coordinate to schedule the audit.

Kittson County Ditch #7 Improvement:

Engineer Blake Carlson presented his Engineer's Preliminary Survey Report to the Board of Managers. He discussed the petition, the location of the ditch, watershed size, current constructed dimensions, and other general information. He noted that his design for an improvement would be to carry a 5 year, 24 hour event.

One of the issues encountered was the existence of several oil and gas pipelines crossing underneath the current ditch. Lowering the ditch is not acceptable in one location because it would be too close to the pipeline, causing a potential hazard if the ditch were to erode and expose the line. Carlson has been working with Enbridge pipeline to work out a solution. A wider, flatter ditch for about 2,000 feet would be one acceptable design that would work for an improvement in this location.

Carlson next discussed the adequacy of the outlet, which flows into Judicial Ditch #10 and then into an unnamed coulee, then to the Red River of the North. The new project would increase flows downstream for 3 miles but after that the outlet was determined to be adequate. Alternatives looked at to address the outlet were set back levies, an upstream impoundment, culvert sizing in the upstream watershed, and purchase of flood storage easements along the 3 mile impacted area. Carlson noted the preferred most feasible alternative would be to purchase flood easements along the outlet channel to compensate landowners for increased water levels.

Design considerations were also discussed. The legal cross sections from the 1905 design were a variable bottom width of 4' to 6'. Recent surveys were considered and guidance from the Red River Retention Authority Basin Technical & Scientific Advisory Committee's "Technical Paper #3" were used in preparing designs for the improvement. Carlson also compared information from the Two Rivers Watershed District's stream gaging program for a stream gage located in Kennedy, MN. The improved ditch is proposed to have a 15' wide bottom and be 1' to 2' deeper than the existing ditch. In the area of the pipeline, the improved ditch would have a 40' wide bottom and a relatively flat grade for about 2,000 feet. The upstream 2 miles of ditch would not be changed. 200' wide overflow sections would be installed in the existing spoil banks at various locations on the north and south sides of the ditch to allow for events that exceed the design flows to spill out of the ditch to prevent excessive flooding downstream.

The cost estimate for the improvement is estimated to be \$1.1 million. This includes the earthwork, 18 side water inlet structures, associated rip rap, seeding, fertilizing, mulching, temporary and permanent right of way, purchase of downstream flood easements, viewing, legal, engineering, staff and contingencies.

The Board of Managers heard comments from several petitioners who were present. Comments included questions regarding the 2,000-foot pipeline stretch and issues with the pipeline and the proposed design, questions regarding the cuts in the existing spoil banks, and questions about the costs and benefits.

Next steps to move the project forward are to officially accept the preliminary survey report and send it to the MN DNR and MN BWSR for review and comments. Once comments are received a public hearing can be scheduled. One important item that also must be addressed is that the original bond amount has been used. According to statute, if the project is to move forward the petitioners must submit another bond. Upon a **motion** by Klein, **second** by Olsonawski and **unanimous vote** of the Managers, the Preliminary Survey Report was accepted, the Administrator was directed to send it to the BWSR and the DNR for comments, and the project was then **put on hold** until such time that the TRWD receives an additional \$25,000 bond from the petitioners.

Project Report:

Klondike Clean Water Retention Prj. #11:

- Engineering – Jake Huwe presented information to the board in follow up from last month's meeting regarding two additional side inlets along the diked inlet between laterals 6 and 8 of SD 72 in sections 35 and 36 of Juneberry Township. The purpose of these would be to increase the capacity to take in an additional

20,000 acre feet of storage from SD 72. If these were added to the project it could reduce the duration of flooding by approximately 3 days. After discussion, the Board of Managers **tabled** the matter in order to discuss further with landowners and to get a firm cost estimate from Huwe.

- Permitting – Money informed the Board that the Environmental Assessment Worksheet has been completed and submitted to the Environmental Quality Board for publication. The public will have until February 23rd to submit comments regarding the EAW. At their March 2, 2023 board meeting, the Managers will need to review comments and make a determination on the need for an Environmental Impact Statement. The matter is tabled until the March 2nd, 2023 meeting.
 - The status of wetland permits were discussed. The application has been submitted to the USACE and will be put out for their public notice sometime, we have been told, in February. The state WCA permit application is being clarified and a meeting with the BWSR will take place in order to get a complete application submitted.
- Process – Attorney Jeff Hane briefed the Board regarding the legal steps that must be taken and the appropriate subdivisions to follow under statute 103D. Items discussed included funding, plans and specifications and their approval process, viewers and viewing, assessments for construction, hearings needed, project establishment, land acquisition, and how to navigate all facets of the project. It was suggested that in the next few months, the Board will need to make official decisions on the method of assessment and what assessments will be made. The matter was **tabled** and will be discussed further at the next meeting.

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>
2022-39	MNDOT	Hwy 32	overlay; culverts	Tabled
2022-45	Kittson Co. Hwy Dept Motion B. Anderson, second Klein;	CSAH 10 (5 mi)	ditching; culverts; paving	Approved
	materials		table of conditions listed in application	
2023-01	Mark Melby Motion Klein, second Klegstad;	Dewey 13	tile drainage	Approved
	conditions listed in application		materials	
2023-02	Luke Novacek Motion Klegstad, second Olsonawski;	Soler 30	24" cmp w/ gate	Approved
	conforms to culvert sizing policy			
2023-03	Luke Novacek Motion Klegstad, second Olsonawski;	Soler 20	18" cmp w/gate	Approved
	conforms to culvert sizing policy			

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

Attest:



Daryl Klegstad, Secretary



Rick Sikorski, President

