

**Minutes of the Regular Meeting of the Board of Managers  
Of the Two Rivers Watershed District  
Held: Thursday, June 29, 2023 @ 9:45 a.m.**

The Board of Managers of the Two Rivers Watershed District held their regular meeting beginning at 9:45 a.m. on Thursday, June 29, 2023. 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 Mark Langehaug. None were absent.

Others present included District Administrator Dan Money, District Technician Tyler Coffield, Engineer Blake Carlson (Widseth), Engineer Erik Jones (HEI Engineering), Justin Dagen, Kurt Aakre, and Carter Novacek.

The meeting was called to order by President Sikorski. Sikorski then called for any additions or corrections to today's proposed meeting agenda and the minutes of the June 1, 2023 meeting, which were then approved upon a **motion** by R. Anderson, **second** by Klein and **unanimous vote** of the Managers.

**Treasurer's Report:**

Administrator 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 9907 through 9923 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.

The treasurer's report was then approved upon a **motion** by Langehaug, a **second** by Olsonawski, and a **unanimous vote** by the Board.

**Justin Dagen:** Justin Dagen and Kurt Aakre attended the meeting to discuss with the Board their permit violation along the District's "Springbrook #10" project. Permit number 2043 was issued to them in October 2022 for a tile drainage system. The proposed outlet was through the dike of the SB #10 project, and certain conditions were placed upon the construction of the project, one being that TRWD staff were to be on site during construction to ensure the specifications were followed. The TRWD was not notified, and the project was done without prior knowledge. The dike washed out in the 2023 spring runoff and therefore this is a violation of the permit. Dagen and District staff have met to rectify the situation, and Dagen noted that he will be working to repair the dike and correct the problem.

Dagen indicated that he will follow the conditions of the permit and will notify TRWD staff when the contractor is on site. This is a permit violation because he did not follow the conditions of the permit. The Board discussed permit inspection fees, and upon a **motion** by Klegstad, **second** by Langehaug and **unanimous vote**, the initial \$500 fee as defined in the Rules of the Two Rivers Watershed District was waived, however field inspection fees will be charged according to the fee schedule. In making this decision, the Board of Managers took into account leniency due to no malicious intent by the permittee and a prior history of good collaboration with the District on other projects.

## Administrator's Report:

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

**Red River Watershed Management Board:** Manager R. Anderson and Administrator Money handed out and discussed the RRWMB proposed budget for 2024. The RRWMB finance committee is recommending to levy 75% of the levy for 2024. The Board of Managers agreed with this recommendation.

Membership on the RRWMB's Technical Advisory Committee was discussed. Blake Carlson of Widseth has represented the Two Rivers Watershed District on the TAC for over 20 years, and he is now retiring. The TRWD has hired Tony Nordby of HEI to take Blake's place in performing duties for the TRWD, and the Board of Managers recommend to the RRWMB that Tony also serve on the TAC representing the TRWD.

### **Legal Ditch Report:**

**KCD #7 Improvement:** The Board discussed the public hearing that was held prior to today's board meeting. The report of the Engineer was considered, and all comments submitted at the hearing were also discussed. The Board made findings that the project as contained within the Engineer's Preliminary Survey Report is feasible, the outlet is adequate, and the public benefit is greater than any adverse environmental impacts considered under MN Statute 103E.015. Upon a **motion** by Olsonawski, **second** by B. Anderson **and unanimous vote**, a resolution to approve the attached findings of fact and order was approved. Manager Klein abstained from voting.

**KCD #13 Improvement:** Eric Jones of Houston Engineering discussed with the Board the process to be followed and timeline. Technician Tyler Coffield will be collecting additional survey data that will be provided to HEI. HEI will then begin working on the Preliminary Survey Report that is required by statute. An engineering services proposal was submitted to and reviewed by the Board of Managers. Upon a **motion** by Klein, **second** by Olsonawski, and **unanimous vote**, the document was approved and authorization was given hire HEI. Administrator Money was authorized to sign the document on behalf of the District. It was noted that no expenses will be paid over and above the amount of the bond that was submitted with the project petition.

**JD #3:** Information from 2022 was reviewed regarding an existing culvert on the ditch. Many years ago a cement box culvert was installed on the ditch through a township road, but was installed higher than the legal ditch grade, which at times causes water to back up on the upstream side of the culvert. An area landowner requested a small culvert be installed alongside the box culvert at the legal ditch elevation to drain out the ponded water. An engineering opinion was done in 2022 by Blake Carlson of Widseth, and this indicated that the effort necessary to adequately install a new culvert would be of questionable technical worth. Extra care would be needed to ensure proper compaction, the existing ditch width at the location is not adequate, and the cost may be higher than the actual benefits. The Board of Managers discussed the project and alternatives and decided not to install the additional pipe. If cattails become a problem then ditch spraying will be done.

**JD 10 B:** Twamley Construction has been hired to repair on slough at the outlet end of the ditch that occurred in the 2022 flood. FEMA funding will be used for this project and it will consist of shaping, excavating, fabric and rip rap. Twamley will also be repairing a slope failure from this spring/2023. This will be repaired by excavating the slough and rebuilding the slope utilizing fabric and earth fill.

**Program Report:**

*Juneberry Project Work Team:* An update was given regarding this effort. The next meeting will be held on July 13, 2023 and agenda items will include the adoption of a memorandum of understanding to determine how the group will accept grant money, hire contractors, and disburse funds. Also the Project Team would like to hire a facilitator, and proceed with the review and development of goals and objectives for the SD 69, SD 72, and road overflow areas.

*MNDOT:* A meeting was held between TRWD staff and engineering consultants and the MN Dept. of Transportation regarding watershed district permits and procedures. MNDOT will keep the TRWD informed when they are looking at maintenance efforts to replace or repair existing culverts. The District's culvert sizing policy and its application was discussed with MNDOT.

**Project Report:**

*North Branch #2 PL 566:*

*Horseshoe Lake*

As reported at prior Board meetings, the outlet structure at this impoundment is over 50 years old, and there is a problem with damage to the outlet pipe and water is piping alongside the outside of pipe. This situation will eventually result in failure of the dam, and preliminary engineering analysis by B. Carlson / Widseth recommended replacement of the structure at an estimated cost of around \$90,000. \$82,000 in FEMA funding was procured by the TRWD. Carlson has since retired and the Board hired J. Huwe / HDR Engineering to proceed. Preliminary information from HDR is that the cost will be almost double what Widseth had estimated. With a shortage in funding noted, the Board directed HDR to develop detailed plans and a decision will need to be made later this summer on how to move forward once the plans and a better cost estimate are available.

*SD 84 & JD 31*

Severe downcutting and slope failures have been identified, and Houston Engineering is in the process of preparing plans and specifications to recommend maintenance and repair of these problems. This detailed information will be presented at the August meeting.

*Klondike Clean Water Retention Prj. #11:*

- Right of Way – Landowner Carter Novacek was in attendance to discuss with the Board of Managers the offer he received from the TRWD. The TRWD is offering to purchase a right of way easement from Novacek at a rate of \$1551.86 per acre. Novacek counter offered \$2,563.41 per acre. The Board of Managers tabled the matter and will consider further action at a future meeting.
- Permitting – State Ditch #50 petition to impound water: Erik Jones of Houston Engineering provided a draft of his engineering review. He discussed the process he used to review the project plans and determined that there would be no adverse impacts to SD #50. He noted there will likely be water quality improvements, that the project does not adversely affect drainage, and will maintain drainage benefits currently provided by SD #50. The Board of Managers accepted the report, and set the public hearing on the petition to impound waters on SD #50 for 8:00 a.m. on Thursday August 3, 2023 in the Kittson County Courthouse in Hallock MN. The District Administrator was directed to advertise the hearing notice as required by MN Statute 103E.

- Wetland permitting activity continues regarding both federal and state permits. Applications for both have been submitted and are under review. Monitoring equipment will be installed on the mitigation site and data will be collected to inform the federal permit process. A DNR permit will also be needed and an application is being prepared.

**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>
2023-04	Brad Hemmes Awaiting information from Kittson Hwy Dept.	Hill 32	ring dike regarding county road alteration	Tabled
2023-19	Land X	Davis 16	Tile Drainage	Approved
2023-20	Lynn Hammer Prior Approved by PRG	Grimstad 6	Crossing w/18"	Approved
2023-21	Tom Grzadzileleski Prior Approved by PRG After the Fact Fees – This permit is approved pending payment of fees as listed in the Rules of the TRWD	Eagle Point 1	ditches & culverts	Approved
2023-22	John Grandstrand Motion Klein, Second Olsonawski – unanimously approved comments Conditions: no discharges during downstream flooding; must include erosion control at the outlet of the pump; must sign tile agreement	Augsburg 2	Tile Drainage	Approved
2023-23	Svea Township	Svea 7	Center line culvert	Tabled
2022-26	Roseau Co. Hwy Dept	Hereim 19-20	Construct road overflow section	Tabled

**Other Permit Issues / Enforcement**

**Permit #1438/Larson:**

This is a permit that was issued for tile drainage and has a condition of no pumping allowed during times of downstream flooding. During June, 2023 during severe rainfall of over 5 inches, downstream ditches were full and flooding was occurring into adjacent fields. The pumps were observed to be on and discharging water. The Board of Managers directed staff to send a letter to Larson and inform him of the violation. He is to be put on notice that any future violation of the terms and conditions of the permit may result in the revocation of the permit.

Permit #1454/Dahl:

This is also a tile permit. It was noted that during the spring runoff tile water was discharging during times of flooding. Upon further research on this permit, it was discovered that the permit issued was for a gravity tile system, not one with a pump. Discussion was held regarding the tile and it was noted that if the applicant had applied for a pumped outlet, it more than likely would have been permitted. The Board ruled that the permit holder will need to re-apply for the permit, document what was installed with as built plans, and sign the District's standard tile agreement.

With no other matters to come before the Board of Managers, the meeting was adjourned at 2:10 p.m.

Attest:

  
Daryl Klegstad, Secretary

  
Rick Sikorski, President

RESOLUTION  
FINDINGS OF FACT / ORDER KCD #7 IMPROVEMENT

