

**Minutes of the Regular Meeting of the Board of Managers
Of the Two Rivers Watershed District
Held: Thursday, September 7, 2023 @ 8:00 a.m.**

The Board of Managers of the Two Rivers Watershed District held meetings beginning at 8:00 a.m. on Thursday, September 7, 2023. The meetings were held in the District's 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. Mark Langehaug was 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) and landowner Chris Swenson.

The annual budget hearing was convened at 8:00 a.m. by President Rick Sikorski. It was noted that the draft annual budget of \$279,624 had been posted in local newspapers and in the District office along with a hearing notice for two consecutive weeks as required by statute. No members of the public attended the public hearing.

Administrator Money presented the proposed budget, and the Board discussed each line item. There were no proposed changes to the draft budget. It was noted that the Red River Watershed Management Board previously approved their 2024 levy at 75% of the maximum and this amounts to \$709,247. It was also noted that for 2024 the MN Legislature raised the maximum general levy amount that a watershed district can levy from the prior amount of \$250,000 to the new maximum of \$500,000. Upon a motion by Olsonawski, second by Klegstad and unanimous vote of the managers, the draft budget was approved, and the 2024 Two Rivers Watershed District General levy was certified at \$250,000.

Levy amounts for 2024 for watershed district ditches were discussed. The Board of Managers reaffirmed their general goal for ditch levies is to establish a minimum target balance for each ditch fund to be \$5,000 per mile of ditch. Administrator Money provided information regarding each ditch, its current fund balance, the target balance for the ditch, and any expected maintenance on the ditch for 2024. Current existing ditch liens and outlet fees were discussed. Upon a motion by B. Anderson, second by Klegstad and unanimous vote of the Board, ditch levies and outlet fees were certified as follows for the ditches listed below:

Levies:

North Branch Project	\$10,000
Kittson CD 10	\$ 5,000
KCD 21	\$40,000
SD 50	\$ 1,500
JD 10 (Kittson)	\$ 7,500
JD 10 (Marshall)	\$ 2,000
Kennedy 6	\$ 5,000
Springbrook 10	\$15,000
Roseau CD 4	\$ 5,000
Soler 4	\$ 2,500

Outlet Fees:

- The City of Karlstad is charged a \$1,500 fee to be deposited to Kittson CD 10
- Kittson CD 10 is charged a \$5,100 fee to be deposited to Springbrook 10
- Springbrook 10 is charged a 7,800 fee to be deposited to JD 10

President Sikorski closed the public hearing at 8:40 a.m.

The regular monthly meeting was called to order by President Sikorski at 8:45 a.m. Sikorski then called for any additions or corrections to today's proposed meeting agenda and the regular meeting minutes from August 3, 2023. The agenda and minutes were approved upon a **motion** by Olsonawski, **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 9947 through 9965 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 R. Anderson, a **second** by B. Anderson, and a **unanimous vote** by the Board.

Chris Swenson:

Mr. Swenson addressed the Board of Managers with questions he has regarding permit number 2071 that was issued to Svea Township. The permit granted the township to replace two existing 24" center line culverts through a township road with one 30". Swenson has concerns that the new culvert capacity is smaller than the existing culvert capacity. It was explained that the TRWD follows a culvert sizing policy that was established in the mid 1990's which takes into account considerations like drainage area, road overtopping, and adjacent land use. Swenson asked if the policy is applied equally over the entire watershed, and gave an example of another road location. It was noted that the 30 day appeal period for permit 2071 has expired. No action was taken on the matter.

Administrator's Report:

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

Program Report:

MN Watersheds: A request for resolutions has been made by MN Watersheds. Money handed out and discussed a potential resolution to submit regarding scoring and ranking of the state's Flood Hazard Mitigation program. Suggested wording is as follows:

***BE IT RESOLVED** that the Minnesota Association of Watershed Districts pass a resolution asking the MN Legislature and DNR to establish a scoring, ranking, and funding criteria for the Flood Hazard Mitigation Program. The funding criteria should consider fully funding the State's share of eligible projects that are on the DNR's list within 3 to 5 years.*

Upon a **motion** by R. Anderson, **second** by Olsonawski and **unanimous vote**, the resolution was approved and Money was directed to submit it to MN Watersheds for review at their annual meeting.

Computer Server: The District recently updated two laptop computers, and during that process staff realized that the server is in need of more storage space. Money has discussed options with Wikstrom Telecom, who provides IT services. Staff recommends adding a "NASS" to the current server, which will provide an additional 12 terabytes of storage. Estimated cost is \$1,195. Upon a **motion** by Olsonawski, **second** by Klegstad and **unanimous vote**, the purchase was approved.

Legal Ditch & Projects Report:

North Branch Project: Two separable portions of the project have suffered severe erosion as a result of extreme runoff and flooding. These have been surveyed and engineer Nordby has put together cost estimates and plans for repair. Funding for these

projects was discussed, and potential sources include the project fund, FEMA (2023 disaster declaration), RRWMB water quality funds, and potentially 1W1P funding. Details for repairs are as follows:

Group 1 / JD 31 – Nordby’s estimate to repair is \$36,924 and includes reshaping the ditch cross section and grade and installing 4 rock drops in the ditch to help prevent future erosion. Upon a **motion** by Klegstad, **second** by Klein, and **unanimous vote**, approval was given to seek quotes from contractors and proceed with repair this summer/fall. The Board directed staff & consultants to apply for FEMA funding and RRWMB funding, with matching funds to come from the project fund.

Group 2 / SD 85 – Nordby presented repair plans and his estimate of \$142,991. This is a larger damage area and will require more rock rip rap and a larger amount of earth work to shape, fill and re-establish the grade and cross section. Because of the time of year and length of time it will take to complete the work, it was decided by the Board to wait until spring 2024 to undertake the repair work. Therefore contractors will be contacted in January or February 2024 for quotes. This project will also be submitted to FEMA and the RRWMB as possible funding sources.

Manager Anderson left the meeting at 10:00 a.m.

Kittson County Ditch #7 Improvement: Money reviewed the project and provided a status update. The public hearing was held last month and the Board ordered the project to proceed, Engineer Carlson to provide a final engineer’s report, and directed Money to look for 3 Viewers to provide a Viewer’s report. Money indicated 3 experienced viewers are available – Rob Wagner, Roger Beiswenger, and Mike Baumgartner. Upon a **motion** by Olsonawski, **second** by B. Anderson and **unanimous vote** of the Board, it was approved to hire the viewers at a rate of \$50 per hour. Money was directed to meet with the viewers and coordinate their work.

Kittson SWCD / Erosion Cost Share: Two applications for cost share assistance have been received. Under this program, Kittson SWCD pays 75% of the cost, TRWD 12.5%, and the landowner 12.5%. Engineering plans and cost estimates were provide by Kittson SWCD. Upon a **motion** by Klein, **second** by Klegstad and **unanimous vote** of the Board, it was approved to provide \$2,073.48 to the Muir project and \$10,69970 to the Younggren project. Money was directed to possibly seek RRWMB water quality funding to help supplement this cost share program.

Judicial Ditch #10 Branch B: Sloughing from spring flooding has been a problem on this ditch system. Staff have located another slough, and the estimate to repair it is \$12,000. Upon a motion by Olsonawski, second by Klein, approval was made to hire a contractor and repair the slough. Funding will be sought through FEMA for this project.

Horseshoe Lake Outlet Replacement: Engineer Jake Huwe presented a revised scope and cost estimate for this project. The cost estimate has increased from \$90,600 to \$212,489. The increase is attributed to increasing costs of materials, the remote location of the project, and more specific information due to the development of construction plans. It was noted that prior approved FEMA funding will not be adequate, and a request to FEMA will need to be made for additional funds and also to extend the project deadline. Upon a **motion** by B. Anderson, **second** by Klein, and **unanimous vote** approval was given to apply for the time extension and the funding extension and Money was directed and authorized to prepare and sign documentation on behalf the District. Huwe will continue to complete detailed plans and specifications, with the intent to bid the project over the coming winter and construct the project in 2024.

Manager Klein left the meeting at 10:20 a.m.

Klondike Clean Water Retention Prj. #11:

- Engineering – Huwe presented to the Board Task Order #4. This request is to complete the final plans and specifications for an additional cost of \$146,325. Upon **motion** by Klegstad, **second** by Olsonawski and **unanimous vote** the task order and expenditure was approved.
- Right of Way – updates were given regarding the status of right of way that has been obtained. It was noted that for the agreements that have been signed, prices need to be updated to 2023 rates. A **motion** was made by B. Anderson, **seconded** by Klegstad and **unanimously approved** to update the prices and write checks to landowners who have signed easements. Attorney Hane and Money were directed to perform the updates and present the information at the next Board meeting for final review and approval of payments. Attorney Hane discussed the process of eminent domain and what steps would need to be taken in the event this would ever be needed. A **motion** was made by Olsonawski, **seconded** by Klegstad and **unanimously approved** to order appraisals for lands owned by the three entities who have not signed right of way agreements. These appraisals will be used in negotiating right of way agreements.
- Land Exchange – DNR is currently working on review of the application. Money will be in contact with them regarding status updates.
- Permitting – Federal and State wetland permits continue to be processed. Wetland Specialist M. Aanenson continues to work with staff and agency personnel to provide requested information.
- Funding - \$250,000 was approved by the DNR under the Flood Hazard Mitigation Grant Program. Upon a **motion** by Klegstad, **second** by B. Anderson and **unanimous vote**, a resolution was approved accepting the funding and authorizing the District Administrator to process the necessary paperwork on behalf of the District.

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>
2023-29	Virgil Gryskiewicz	Juneberry 32-33	center line culverts	Tabled
2023-34	North Red River Twp	N. Red River Twp	breach/lower/remove dike	Tabled
2023-35	Justin Dagen	Springbrook 29	tile drainage	Denied
	No further permits will be issued to applicant until all current violation is rectified			
2023-36	Rick Gustafson	Granville 18	tile drainage	Approved
	Condition: no discharges while downstream flooding is occurring			
2023-37	Mark Hanson	Richardville 24	tile drainage	Approved
	Condition: no discharges while downstream flooding is occurring			
2023-38	Barto Township	Barto 36	center line culvert	Tabled
2023-39	Joe Wilebski	St Joseph 8	crossing w/ 18"	Approved

2023-40	Paul Gillie	Thompson 35	rock drop structure	Approved
2023-41	Erik Younggren	Hill 33	rock drop & chute	Approved

Upon a **motion** by Klegstad, **second** by B. Anderson and **unanimous vote** of the Board, the action listed above was taken with regard to the above permit applications.

The following permit applications were approved prior to the meeting by action of the Permit Review Group:

2023-27	A.J. Lundeen	Tegner 21	Field crossing	Approved
2023-28	Bob/Jim Boychuk	N Red River 1	Tile Drainage	Approved
2023-32	Logan Johnson	Granville 31	Field crossing	Approved

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

Attest:



 Daryl Klegstad, Secretary



 Rick Sikorski, President

