

**Minutes of the Regular Meeting of the Board of Managers  
Of the Two Rivers Watershed District  
Held: Thursday, October 3, 2024 @ 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, October 3, 2024. 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 Secretary Daryl Klegstad, Treasurer Gerald Olsonawski, Bruce Anderson, and Mark Langehaug. President Rick Sikorski, Vice President Roger Anderson, and Scott Klein 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), Mike Walsh (Barnett Township), and Scott Litzau.

The meeting was called to order by Secretary Klegstad. Klegstad then called for any additions or corrections to the proposed meeting agenda, which was then approved upon a **motion** by Langehaug, **second** by Olsonawski and **unanimous vote** of the Managers. The regular meeting minutes from September 5, 2024, were reviewed and approved upon a **motion** by Langehaug, **second** by B. Anderson and **unanimous vote**.

**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 10243 through 10264 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.

**Administrator's Report:**

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

**Program Report:**

*RRWMB:* Information was handed out regarding the last Red River Watershed Management Board Meeting. The RRWMB will host a legislative open house in December in Ada to meet and greet area legislators and discuss project and program funding for the 2025 session.

*MN Watersheds:* The annual conference will be held in Nisswa on December 3 – 6, 2024. Sikorski, R. Anderson, Money and Coffield will be attending.

*Manager Terms:* It was noted that Sikorski, R. Anderson and Langehaug were re-appointed for 3 year terms to the Board of Managers.

*Flood Damage Reduction Workgroup:* The FDRWG recently held their quarterly meeting. Information was handed out and discussed. The next meeting will be held on December 11, 2024 in conjunction with the Prairie Grains Conference in Grand Forks, ND.

*Juneberry Project Work Team:* The next meeting of the group will be in Roseau, MN beginning at 1:00 pm on Thursday, October 10<sup>th</sup>, 2024. Information was handed out and discussed.

*Lake Bronson Sediment Project Work Team:* A meeting was held on September 30<sup>th</sup> at Lake Bronson State Park. Information discussed were lake impairments, management plans and goals, funding availability, involvement of state agencies, permits, and data and information that would be needed to move forward. The PWT will continue to work on formulation of a project and alternatives.

*Kittson County Ditch #7 Improvement:* A status update was given. The Viewers continue to work on their report and also engineer Blake Carlson is working on his final report. Once these are received, hopefully by the November meeting, the Board will need to prepare and send out property owners reports and then hold a final public hearing. No action was taken at this time.

*Kittson County Ditch #13 Improvement:* Similar to KCD #7, Viewers have been hired and also Houston Engineering is working on the engineer's report. These reports are expected to be filed by the summer of 2025. Tony Nordby of HEI submitted a letter of request for payment to the TRWD. He explained that during the preliminary report phase they performed extra work over and above that is being used for the final report. This resulted in expenses that were incurred but were not billed. His letter is asking for payment at this time of \$30,194.00. He noted HEI has an additional bill of \$18,435 that they will not submit until after the final hearing is completed. Upon a **motion** by Olsonawski, **second** by B. Anderson and **unanimous vote**, the Board authorized payment to HEI of \$30,194.00.

*Klondike Clean Water Retention Project – Right of Way:* J. Hane and D. Money presented information regarding the procurement of right of way along the diked inlet of the Klondike Clean Water Retention Project #11. In follow up to last month's meeting on September 5, 2024, Hane, Money and engineer Huwe met with K. Chruszch at the project site to discuss project features and the TRWD's current offer to obtain right of way.

The Board also discussed the current right of way offer to C. Novacek and a proposed counteroffer that was received. Novacek had met with the Board on April 4, 2024.

Lastly, discussion was held regarding the TRWD's right of way offer to the Gyskiewicz family, meetings with them and information that has been exchanged, and the general status of negotiations. They met with staff & consultants on April 22, 2024, but have not scheduled any follow up meetings with the TRWD despite several attempts by Hane and Money to meet.

After considerable Board discussion, a **motion** was made by B. Anderson, **seconded** by Olsonawski and **unanimously approved** to make a final offer to C. Novacek of \$76,100, a final offer to Chruszch of \$68,560, and to begin condemnation

proceedings (eminent domain) with Polonia Farms Ltd and Gryskiewicz Family Living Trust. Hane and Money were directed to proceed with these 3 items.

### **Permit Issues and Enforcement:**

**Scott Litzau:** Mr. Litzau addressed the Board of Managers regarding a permit application from Generations LLC that was denied by the board at the September 5, 2024 meeting. T. Coffield discussed the review of the permit and discussion was held for the reasons for denial including questions about the outlet adequacy and specifically where the water would go. After discussion, it was noted a new application would be accepted and reviewed but it should contain information about the outlet and contact should be made with any affected townships and downstream landowners.

Manager Olsonawski left the meeting at 9:25 am. It was noted that there no longer is a quorum and therefore any further discussion at the meeting is for information only as no voting can take place.

**Mike Walsh:** Mr. Walsh addressed the Board of Managers regarding a permit violation that has been reported regarding ditching and culvert work performed by Waage Farms located in Barnett Township. Walsh is both on the Barnett Township board and is a landowner in the area of the violation. He provided historical and current information regarding the area and the work that was done. He understood the rules violation and the process but stated he is in favor of the work that was done because it improves drainage along the township road, thereby improving public infrastructure.

Staff have followed procedures contained within the Rules of the TRWD and sent Waage a violation notice. He has submitted an after the fact application, but it is not complete because he still needs to submit the permit inspection fee. Once the fee is received the application will be reviewed and acted on in a timely manner considering the end of the construction season is approaching. In the meantime, Waage will need to temporarily restore the site by removing or plugging the culvert, as determined by staff / engineer, that was installed to allow water to flow through a ridge cut.

**Mckinley Township sections 30 fraction, 31 fraction, and 32 fraction:** An affected landowner has reported a potential permit violation along a township road in these sections. Upon investigation, T. Coffield surveyed the area and presented his findings. It appears that some of the work would not have been considered a violation, however some of the work deepened an existing ditch through a ridge by about a foot. It was determined that Coffield can follow the Rules of the TRWD and notify the landowner of the violation with the options of immediately completely restoring the improved ditch to its prior condition or temporarily restoring it and applying for an after the fact permit. If a permit application is received it will be reviewed and acted on in a timely manner considering the end of the construction season is approaching. There may be other permitting authorities involved regarding wetlands and the township road, and the District will coordinate with them to resolve the issue.

Manager Langehaug left the meeting at 10:30 a.m.

### **Project Report:**

*Klondike Clean Water Retention Prj. #11:* Engineer Huwe presented some information regarding proposed phased construction. Info was handed out and

discussed regarding components of Phases 1A, 1B, 2 and 3. Cost estimates were also discussed. Huwe and Money discussed some of the next steps, which will include finalizing the US Army Corps of Engineers wetland permit, obtaining the DNR's dam safety permit, presenting a revised step 2 and a step 3 funding application to the RRWMB, applying to the MN Legislature for funding under the Flood Hazard Mitigation program, and potential other sources of funding. The Board will hold a special meeting on November 21, 2024 with the only topic of discussion about the KCWRP. The Board will consider current funding, permits, potential 2025 construction and if that proceeds, defining what will be constructed, the timeline for letting bids, and awarding a contract.

**DNR Protected Waters:** Information was presented by Money and Hane regarding the update of the protected waters inventory. The MN legislature appropriated \$1 million per year for 8 years to the DNR to do this update. DNR hydrologists will be covering about 12 counties per year to look at the existing maps, make corrections, hold hearings, meet with local governments and finalize each county map.

**Permits:**

The Board discussed 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>
2024-26	John Grandstrand	Augsburg 2	Ditching	Tabled
2024-42	Scott Nelson	Hampden 20/21	Erosion Control	In Review
2024-44	Matt Denault	Skane 24	crossing w/ 24" cmp	In Review
2024-45	S. Red River Twp	S Red River 14	replace 30" & 24" with 49"x33" cmpa	In Review
2026-46	Steve Schriml	Dewey 26	crossing – Texas	In Review


The following permits were previously reviewed and approved by the permit review group following procedures contained within the Rules of the TRWD:

2024-37	Devan Efta	Soler 28	Ditching & lower 18" cmp	Approved
2024-43	Hunter Olsonawski	St. Joseph 33 fra	crossing w/ 18" cmp	Approved

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

Attest:

  
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 Daryl Klegstad, Secretary

  
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 Gerald Olsonawski, Treasurer