

**Minutes of the Regular Meeting of the Board of Managers
Of the Two Rivers Watershed District
Held: Thursday, September 5, 2024 @ 8:00 a.m.**

The Board of Managers of the Two Rivers Watershed District held their annual budget hearing and regular meeting beginning at 8:00 a.m. on Thursday, September 4, 2024. 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 Mark Langehaug. Manager Scott Klein 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), Zach Beaudry, and Ken Chruszch.

BUDGET HEARING

The annual public hearing to consider the 2025 budget, tax levies and ditch levies was called to order by President Sikorski at 8:00 a.m. There were no members of the public present for the hearing. The Board of managers considered the proposed budget, which had been published in newspapers and posted prior to the meeting as required by law. After deliberation a **motion** was made by Olsonawski, **seconded** by B. Anderson and **unanimously approved** to adopt the 2025 budget at \$295,250 and certify the 2025 general levy at \$265,000. The budget is shown below:

Administrative	130,500
Auto Expense	3,500
Capital Outlay	15,000
Conferences & Meetings	7,000
Dues & Subscriptions	4,500
General Engineering	20,000
Information & Education	6,500
Insurance	5,500
Manager's Per Diem & Expense	15,000
Office Supplies & Miscellaneous	3,000
Payroll Expense	34,000
Postage & Delivery	1,000
Printing & Advertising	1,500
Professional & Legal	25,000
Rent	12,250
Stream Gage	3,000
Telephone	3,000
Water Quality	5,000
Totals	295,250

It was noted that the Red River Watershed Management Board previously set their levy, and for the area within the Two Rivers WD, this amounts to \$755,221. One half of this amount is sent to the RRWMB for regional projects, and one half is kept by the TRWD for local projects.

The Board of Mangers next considered ditch and project levies for the year 2025. Future maintenance activities and current fund balances were discussed. Upon a **motion** by R. Anderson, **second** by Klegstad and **unanimous vote**, the following ditch and project levies were approved along with resolution number 2024-02 setting outlet fees \$1,600 to the City of Karlstad to be deposited to KCD #10, of \$5,100 to KCD #10 to be deposited to Springbrook #10, of \$7,800 to Springbrook #10 to be deposited to JD #10.

Kittson County	Levy	
Middle Br	\$ 5,000.00	
North Br	\$ 15,000.00	
KCD 7		
KCD 10	\$ 7,500.00	
KCD13Imp		
KCD 21 & Diversion	\$ 30,000.00	
SD 49	\$ 5,000.00	
SD 50	\$ 1,500.00	
SD 85 Imp		
JD 3 (60%)		
JD 10 (52%)	\$ 7,800.00	
Kennedy6	\$ 5,000.00	
SB 10 PL566	\$ 15,000.00	
Roseau County		
RCD 4 (90.6%)	\$ 22,650.00	Per year in 2025 and 2026
Soler 4		
Dewey 5		
Dewey 5 Imp		
Marshall County		
RCD 4 (9.4%)	\$ 2,350.00	Per year in 2025 and 2026
JD 3 (40%)		
JD 10 (48%)	\$ 7,200.00	
TOTALS	\$124,000.00	

With no further business, the budget hearing was closed at 8:55 a.m.

REGULAR MEETING

The regular meeting was called to order by President Sikorski at 9:00 a.m. Sikorski then called for any additions or corrections to the proposed meeting agenda, which was then approved upon a **motion** by R. Anderson, **second** by B. Anderson and **unanimous vote** of the Managers. The regular meeting minutes from August 1, 2024, were reviewed and approved upon a **motion** by Olsonawski, **second** by Klegstad 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 10214 through 10242 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 B. Anderson, a **second** by Langehaug, and a **unanimous vote** by the Board.

Z. Beaudry:

Beaudry appeared at the Board meeting on behalf of DJB Farms. During a recent rainfall and runoff flooding event, all owners of tile drainage systems had been notified to cease discharging while flooding was occurring. District staff noted that DJB farms continued to operate a tile pump during this time, and therefore were sent a letter of notification they were in violation of the tile agreement condition of their permit.

Beaudry noted he is the renter/operator and was unaware of the tile agreement details. During the event, he was notified by the owners and did shut of 3 out of 4 tile pumps, but missed one. He requested the Board to rescind enforcement of the first notification of violation as it relates to the tile permit conditions.

The Board of Managers heard from staff and considered the appeal request. Upon a **motion** by Langehaug, **second** by R. Anderson and **unanimous vote** of the Board, the first violation relating to the tile agreement was rescinded. The following finding of fact were made regarding the action:

1. A good faith effort was made during the flooding event by the permit holder as 3 of the 4 tile pumps were shut off and a communication error was the reason the 4th pump was not operated.
2. The permit holder made an effort to appear in person before the Board of Managers to discuss what happened and why, apologize for the error, and discuss future operations.
3. The permit holder has communicated to the District and the renter as to what steps are being taken to rectify the communication problem.

Attorney's Report:

Attorney Jeff Hane addressed the Board of Managers regarding permits and tile agreements. He suggested that language be added to all future tile agreements to clarify the lines of communication and prevent future miscommunications. Upon a motion by Langhaug, second by Klegstad and unanimous vote the following language will be added to all future tile agreements: *"Applicant must initially provide and continue to update Applicant's contact information. For Applicants who are not also operators of the land, Applicant's must also provide and continue to update the operator's contact information."*

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>
2024-26	John Grandstrand	Augsburg 2	Ditching	Tabled
	- Awaiting further information requested from applicant			
2024-37	Devan Efta	Soler 28	Ditching & lower 18" cmp	Tabled
	- Awaiting requested information regarding outlet			
2024-38	Devan Efta	Barto 3	New Crossing w/ 18" cmp	Pending
	- Referred to staff for review and decision regarding culvert size			
2024-39	Bruce Goldstrand	Cannon 22	lower spoil/dike – drainage	Approved
	- Motion Langehaug, second Klegstad & unanimous vote			
	- Condition to re-seed area to control erosion			
2024-41	Generations Land LLC	East Park 1	Tile	Denied
	- Motion Langehaug, second R. Anderson & unanimous vote			
	- Does not answer tile reasonable use factors, does not show outlet clearly or outlet capacity, does not show affected landowner opinions. Invite to re-apply with complete information.			
2024-42	Scott Nelson	Hampden 20/21	Erosion Control	Under Review

The following permits were previously approved either by District staff or the Permit Work Group and according to guidelines within the District's Rules. They are listed here for informational purposes.

2024-28	Hallock Township	Hallock 8	Riverbank Stabilization	Approved
2024-30	Waage Farms	Barnett 20	Tile Drainage	Approved
2024-32	Justin Osowski	Thompson 5	Add 24" to in place 30"	Approved
2024-35	Carl Gaukerud	Stokes 3	New field crossing	Approved
2024-36	Joey Shaw	Stokes 11	New field crossing w/ 18" cmp	Approved
2024-40	Brian Hanson	Richardville 25	New Crossing w/ 18"cmp	Approved

Permit Violations – A permit issue located in section 16 of Barnett Township in Roseau County was discussed. A road ditch has been improved cutting through a ridge. Staff have been in contact with the landowner and discussions have taken place, however the position of the District is that a permit was needed but none were applied for nor received prior to the work being done. The Board of Managers directed Attorney Hane to send a violation letter with a deadline to either restore the area to pre-project conditions or apply for an after the fact permit prior to October 3, 2024, otherwise enforcement actions will be considered.

Administrator's Report:

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

Program Report:

Quickbooks: The District's accounting software is aging and the new version is available at a cost of \$650 per year. Other options may be available. Money was directed and authorized to obtain the necessary software at his discretion.

DNR Request – Elk Study: A request has been received from the MN DNR asking permission to enter onto District owned lands for the purposes of conducting an elk study. Upon a motion by B. Anderson, second by Langehaug and unanimous vote, permission was granted to the DNR to access TRWD lands using helicopter, foot, and ATV/snowmobile, however the DNR must notify the TRWD in advance of activities on TRWD owned lands.

SWCD Cost Share: Two proposals for erosion control cost share were reviewed. Kittson SWCD pays 75%, TRWD pays 12.5% and the landowner pays 12.5%. 75% of the TRWD's share is also eligible for reimbursement from the Red River Watershed Management Board. All projects have an approved engineering design provided by Kittson SWCD. Upon a **motion** by Olsonawski, **second** by Klegstad and **unanimous vote** \$1,750 was approved to Hallock Township for work to be done in section 8 of Hallock Township, and \$3,042 was approved to S. Nelson for work to be done in section 20/21 of Hampden Township.

MN Watersheds: It was noted that MN Watersheds will hold their annual convention in Nisswa on the first week of December, 2024. Managers Sikorski and R. Anderson were authorized to attend as well as all District staff. Money will reserve lodging and registration for the meetings. If anyone has resolution ideas they should let Money know as soon as possible.

December Meeting Date: Being the MN Watersheds meeting is the same week as the District's regular December meeting, it was decided upon a **motion** by B. Anderson, **second** by R. Anderson and **unanimous vote** to change the meeting date to be held the following week on Thursday, December 12th, 2024.

DNR Floodplain Culvert Initiative: A fact sheet was handed out regarding this initiative. Discussion was held on how this may or may not fit in with the TRWD's culvert sizing policy. Money will discuss further with Engineer Nordby and if warranted bring discussion points to a future board meeting.

Legal Ditch Report:

North Branch

JD 31: Engineer Nordby presented the final pay estimate to Anderson Brothers Construction in the amount of \$21,369.49. All work has been completed along with a small change to one of the grade control structures. District staff and / or Houston Engineering has completed final inspections.

SD 84: Engineer Nordby presented the final pay estimate to Ralph Twamley Construction in the amount of \$11,193.25. All work has been completed and inspected by TRWD staff and/or Houston Engineering.

Upon a **motion** by Klegstad, **second** by Olsonawski and **unanimous vote** the above two final pay requests were approved.

Project Report:

Klondike Clean Water Retention Prj. #11:

- Engineering: J. Huwe discussed final plans with the Board. He has been holding preliminary meetings with DNR on their required dam safety permit. He also has begun work on a “step 3” application to the Red River Watershed Management Board. Applications for both could be made in the next month or so. The goal is to be able to bid phase 1 (a) in the winter of 2025 and begin construction in the summer of 2025.
- Right of Way:
 - The status of right of way acquisition was discussed. Currently there are 3 landowners left who have not settled. Discussion was held regarding meetings held with them. Attorney Hane reviewed the process and the imminent domain process. The Managers felt that one last effort should be made to meet with the 3 landowners. This should take place on or before Friday, September 13th, 2024.
 - Upon a **motion** by Klegstad, **second** by Olsonawski and **unanimous vote** of the Managers, it was decided to direct Attorney Hane and staff to proceed with beginning the imminent domain process after September 13th if a productive meeting with landowners has not taken place.
- Land Exchange – TRWD is working to provide title insurance to the MN DNR.
- Permitting – 14 out of 18 permits have been approved.
- Funding – The District will continue to apply for funding through the Flood Hazard Mitigation Grant Program, MN Legislature, and other avenues.

K. Chruszch: Mr. Chruszch was in attendance to discuss with the Board of Managers the offer of the TRWD to purchase right of way easement from Chruszch for the Klondike Clean Water Retention project. He asked questions regarding the project design, funding, maintenance, timelines, permits required, operation, and other details. He agreed to set up an on site meeting with District staff, engineering consultants and others to help answer his questions.

With no other matters to come before the Board of Managers, the meeting was adjourned at 12:45 p.m.

Attest:


Daryl Klegstad, Secretary


Rick Sikorski, President