

**Minutes of the Regular Meeting of the Board of Managers
Of the Two Rivers Watershed District
Held: Thursday, April 4, 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, April 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, Scott Klein and Mark Langehaug. 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), landowner Carter Novacek, and Viewer Jon Vold.

The meeting was called to order by President Sikorski. 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 Olsonawski and **unanimous vote** of the Managers. The regular meeting minutes from February 29, 2024, were reviewed and approved upon a **motion** by Klegstad, **second** by Klein 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 10099 through 10120 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.

Administrator's Report:

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

Program Report:

Office Rent: Kittson County has presented a new lease agreement to the TRWD. The proposed lease agreement is for 10 years and the rent charged is proposed to be \$11,192.34 per year. This is an increase of \$1 per square foot over and above the previous 10 year lease. Upon a **motion** by Olsonawski, **second** by R. Anderson and **unanimous vote**, the lease agreement was approved.

Courthouse Remodel – An update was given that it appears the remodel and updates of the courthouse / office space have been postponed to 2025. Therefore there will not be a need to temporarily move out of the office during this calendar year, but preparation should be considered for 2025.

Rental of TRWD owned land: Discussion was held regarding TRWD owned pasture land in sections 27 and 35 of Klondike Township, Kittson County. The prior renter has decided not to continue renting, and the TRWD advertised with no one being interested. The prior renter has indicated he would like to remove his fence from the land. The Board directed the Administrator to inform him that it should be removed on or before July 1, 2024 otherwise it will become the property of the District.

Discussion was held regarding renting this vacant property. The Board of Managers considered the use could continue to be pasture, or it could be rented for hunting. Upon a **motion** by Langehaug, **second** by Klegstad and **unanimous** vote, the Administrator was directed to advertise the vacant land for bids to be utilized either as pasture or as hunting.

USDA Animal Control: It was reported that the current renter of TRWD lands located in section 16 of Klondike Township has photos of a wild or feral hog. The renter reported this to the DNR and a USDA animal control agent has contacted the District for permission to enter onto TRWD lands to investigate and remove the animal(s). The Board approved the request and authorized the Administrator to sign the permission forms.

FEMA 2023: As noted at prior meetings, FEMA has denied \$195,500 in funding from the 2023 disaster related to damages on JD 10 B and the North Branch Project. Money has submitted an official appeal of this decision to FEMA and MN Homeland Security Emergency Management. Those agencies now have a 60 day time period to review the appeal and reply to the TRWD. More information will be presented as it becomes available.

Red River Watershed Management Board:

- It was noted that the new LIDAR data is available to the public. Technician Coffield demonstrated the tools available on the IWI website.
- Two promotional videos have been created by the RRWMB and are available on their website. These relate to general RRWMB projects and also the water quality program.
- 2024 Legislature – The RRWMB submitted a request for \$57 million and bills were introduced in both the Senate and the House. It remains to be seen what the fate of this request will be. Any new information will be presented at the next meeting.

Buffer Law Enforcement: The TRWD has been informed by the Marshall SWCD and the MN Board of Water & Soil Resources that several parcels along JD 10 Br. B are in violation of the Buffer Law. Enforcement letters will be sent out and the landowners will have eleven months from the date of the letters to come into compliance.

Legal Ditch Reports:

Kittson County Ditch #7: The Viewers for the project are continuing work on their report. They will meet with staff next week to review new Lidar maps and parcel information. Engineer Blake Carlson is working on the revised Engineer's report and will let the TRWD know when this is completed.

Kittson County Ditch #13 Improvement: The petition was discussed, and Erik Jones of HEI Engineering has prepared and submitted the preliminary engineer's report. This was submitted to DNR and BWSR and their comments have been received. The next step is to schedule and hold a public hearing. The Board of Managers scheduled this hearing for 8:00 a.m. on Thursday, May 2, 2024. Money was directed to prepare, post and mail meeting notices as required by law.

Kittson County Ditch #21: The ditch was cleaned 2-3 years ago, and was inundated during flooding in 2022 and 2023. This resulted in the ditch side slopes in areas not being able to be seeded, causing bare slopes that are susceptible to erosion. T. Coffield discussed a process to re-seed the slopes and establish turf. The Kittson SWCD has a seeder for hire that is used to establish buffer strips. They could seed the 1 rod buffer with the seeder and also broadcast seed on the ditch slopes and ditch bottom. Cost estimate for this work is \$1,000. Upon a **motion** by Olsonawski, **second** by Klein, and **unanimous vote**, it was decided to hire KSWCD for this work.

Project Reports:

Project Work Teams:

Lake Bronson Sediment – the Lake Bronson cabin owners, TRWD, DNR and MPCA continue to meet every other week to discuss the problem and the options. At this point we are awaiting information from DNR parks as to whether they are interested in facilitating the project and their level of participation, including necessary permits, potential funding, sediment removal and disposal, and project management. If the DNR is not a willing participant, it seems the project may not move forward.

Juneberry – a meeting was held on March 14th in Roseau. At this meeting HDR and HEI Engineering firms presented results of a modelling effort they performed to look at areas of the Big Swamp, including the Roseau River, SD 69, SD 72 and the areas of RCD Hwy 7 that experience overflow flooding. Jake Huwe presented this information to the Board. The next steps will be to fine tune the model to look closer at the various areas. The next meeting will be held on May 9th, 2024.

Skull / Horseshoe Lake: Discussion was held with regard to the replacement of the water control structure. This was a TRWD project built on DNR managed land in 1968 through the federally funded PL 566 program. Through the years it has been jointly inspected and maintained by the DNR, TRWD, and Kittson County. As previously discussed and approved, the structure is failing and a decision was made to replace it. Funding is being provided by FEMA, DNR, and TRWD. TRWD hired HDR Engineering and plans and specs have been drawn up. Recently the DNR has delayed the project because they are now insisting TRWD provide proof of insurance, which has never before been a requirement. Also, they are requiring that TRWD and DNR enter into a Joint Powers Agreement. However, they have not yet supplied a final version of this agreement. Because of the delays and the length of time necessary to advertise for bids, there is a chance this project may not be fully constructed this year. There is a deadline to spend the FEMA funding by the end of 2024. Money will be discussing these issues further with DNR and will report back at next month's meeting.

Jake Huwe, HDR Engineering, noted that the current contract agreement for engineering design and plans is nearly run out. He noted to continue the estimated

engineering costs will be \$42,788. The Board of Managers tabled the matter for further information in light of the issues with DNR and will review at a future meeting.

Klondike Clean Water Retention Prj. #11:

- Engineering – J. Huwe is finalizing construction plans and revising the cost estimates. He noted that the phase 1 plans and new cost estimate will be completed by the May 2, 2024 meeting.
- Right of Way – meetings with two landowners are being scheduled. Four more landowners have accepted right of way offers. Several DNR owned parcels are needed and this will be the next undertaking.
- Land Exchange – this item is progressing. The TRWD is providing title insurance which is required by DNR. DNR is reviewing this and will respond, hopefully by next month's meeting.
- Permitting – M. Aanenson had submitted a wetland permit status report which was reviewed. A public hearing has been scheduled on April 23, 2024 in Roseau for both the alteration of public ditches and the alteration of roads in Juneberry township and Roseau County.
- Funding - \$16 million is included in the RRWMB's request for which bills have been introduced in both the House and Senate. Most likely these will be taken up at the very end of session in late May.

Carter Novacek: Novacek attended the meeting to discuss the TRWD's offer to purchase right of way from him for the Klondike Clean Water Retention Project. The TRWD had the parcel appraised and made an offer of \$61,100. Novacek made a counter offer of \$15,000 more, for a grand total of \$76,100. He indicated this would be so that he could slope and re-shape the existing dike that encircles his property. The Board tabled the matter indefinitely.

The Regular Meeting was recessed at 11:00 a.m. and the Public Hearing on the Redetermination of Benefits for Roseau County Ditch #4 was called to order.

Public Hearing – Roseau County Ditch #4 Redetermination of Benefits:

President Sikorski called the meeting to order. Jon Vold, a Viewer for the project was in attendance and described further work that the Viewers have done. Some parcels were removed from the benefitted area, however other parcels were added. The revised Viewer's Report was submitted to the TRWD office. Money noted that there was not enough time to prepare and send the Property Owners Report and notice of hearing, so it was recommended that the hearing be recessed and continued at a later date. The Board of Managers recessed the meeting at 11:20 a.m. and scheduled to re-convene at 8:30 a.m. on Thursday, May 2, 2024 in the Kittson County Courthouse. Money was directed to prepare all notices, post and mail them as required by law.

The regular meeting was re-convened at 11:25 a.m.

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>
2023-56	Greg Mlodzik	Juneberry 33	Texas Crossing	Denied
	Motion Klein, second Klegstad, Unanimous vote – did not supply required information			
2024-03	BNSF Railroad	Davis 18	Replace bridge	Tabled
	Permit Work Group met with applicant – further information is pending			
2024-04	MN DNR – LBSP	Percy 32	Replace dam	Tabled
	Requested more information for review – awaiting response			
2024-06	Keith Britten	Springbrook 31	Tile Drainage	Tabled
2024-08	Brian Jensen	N. Red River 11	Tile Drainage	Tabled

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.

2024-05	Mark Melby	Dewey 33	Tile Drainage	Approved
2024-07	Juhl Farms	Dewey 33	Tile Drainage	Approved
2024-09	Lee Pemberton	Richardville 15	Crossing w/24”	Approved
2024-10	Greg Hoyer	Deer 27	Crossing w/24”	Approved
2024-11	Timothy Anderson	Arveson 25	Crossing w/18”	Approved


Tile Drainage Permits:

For all future tile permit applications, the board clarified that to be approved they will be conditional upon having a signed tile agreement, must not encroach upon any existing rights of ways, and must incorporate erosion control measures at their outlets.

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

Attest:

Daryl Klegstad, Secretary



Rick Sikorski, President

