

**Minutes of the Regular Meeting of the Board of Managers
Of the Two Rivers Watershed District
Held: Thursday, June 6, 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, June 6, 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, Secretary Daryl Klegstad, Treasurer Gerald Olsonawski, Bruce Anderson, Scott Klein and Mark Langehaug. Vice President Roger Anderson was absent.

Others present included District Administrator Dan Money, District Technician Tyler Coffield, Jeff Hane & Dawson Lindahl (Brink Lawyers), Engineer Jake Huwe (HDR Engineering), Engineer Tony Nordby (HEI Engineering) and Dan Younggren (Greenwood Cemetery Association).

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 Olsonawski, **second** by B. Anderson and **unanimous vote** of the Managers. The regular meeting minutes from May 2, 2024, were reviewed and approved upon a **motion** by Klein, **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 10140 through 10165 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.

Manager B. Anderson noted a correction should be made to the deposit made on 5/15/24. The report does not show the amount paid to the District from S. Stanislawski for the first half land rent. D. Money will research the deposit and make the correction.

It was noted that a certificate of deposit in the amount of \$459,664.35 will mature on June 13th at American Federal Bank. The Board authorized Treasurer Olsonawski and Administrator Money to research CD rates and reinvest as they see fit.

It was noted that the 'KCWRP Maintenance' fund balance has fallen into a negative amount. This is the main fund used for expenses and deposits for the development engineering plans, procurement of right of way, permitting, and all other activity for the Klondike Clean Water Retention Project. Upon a **motion** by B. Anderson, **second** by Langehaug and **unanimous vote**, authorization was made to transfer \$250,000 from the 'Flood Control General' account into the KCWRP Maintenance account.

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

Greenwood Cemetery:

Dan Younggren from the Greenwood Cemetery Association attended the meeting to discuss a major erosion problem along the South Branch Two Rivers in the City of Hallock which is affecting the cemetery. He noted the problem has existed for the past 20 years when several graves had to be moved. He stated that the problem recently has worsened, and it appears that several more graves will need to be moved. The Cemetery is looking for both technical and financial assistance to analyze the problem and come up with a solution to prevent erosion. T. Nordby suggested to really determine the extent and cause of the sloughing a geotechnical soils study should be done. D. Money noted that with that information a feasibility report could be written with the analysis and a recommended range of alternatives.

The Board discussed this project and determined that there is a definite problem and a need to take action. The project could potentially end up being a partnership between the TRWD, City of Hallock, Greenwood Cemetery Association and possibly the Kittson SWCD. However, a geotechnical review of the soils and slough is needed to be able to consider how to move forward. Upon a **motion** by Olsonawski, **second** by Klegstad, and **unanimous vote** of the Board, Nordby and Money were directed to contact two or more companies to get an estimate of the cost to do a geotechnical study. The matter was tabled until a future meeting where the estimate can be discussed. Younggren thanked the board and staff for their consideration.

Administrator's Report:

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

Program Report:

Erosion Control Cost Share – Kittson SWCD: Several cost share applications for this continuing program have been received for 2024. Under the agreements, KSWD provides the engineering design and 75% cost share, the landowner provides 12.5% cost share, and the TRWD provides 12.5% cost share. It was noted that the TRWD share could be supplemented by a water quality grant from the Red River Watershed Management Board. Four projects were presented for approval, with a total cost of \$168,736. The TRWD/RRWMB share comes to \$21,092. Upon a **motion** by B. Anderson, **second** by Langehaug and **unanimous vote** of the Board, the four cost share projects were approved. Manager Klein **abstained** from voting.

Land Rent: Several inquiries have been received about the rental of watershed district land. The latest is regarding rental of hunting land. Money presented maps of District lands that are currently idle and could be rented out for this purpose. Approximately 2,240 acres could be available. The Board discussed a policy on these lands, and after discussion suggested that moving forward from this date, hunting land rentals should be at a minimum rate of \$15/acre. Agreements will not be offered for a term longer than 3 years. Money will provide this information to prospective renters.

10 Year Floodplain Mapping: The Red River Flood Damage Reduction Work Group has undertaken a study to develop a model that would be able to map areas susceptible to flooding during a 10 year runoff event. The FDRWG may be able to obtain grant funding to use the tool to develop actual map of some areas and they are asking watershed districts if they would like priority areas mapped. T. Nordby presented information about the modelling tool, the information it can provide, and how

it could be used. Upon discussion, feedback from the Board was provided and the TRWD will ask that areas within the SD 91, SD 95, and KCD 7 watersheds be mapped.

Legal Ditch Report:

Roseau County Ditch #4: A redetermination of benefits was recently completed on this ditch and the final hearing was held on May 2, 2024. The final Board ‘finding of fact and order’ was discussed. Attorney Jeff Hane provided language for this document and discussion was held. It was noted that damages as described in the Viewers Report will need to be paid for areas adjacent to the ditch where the required grass buffer will be maintained. D. Money reported that a levy in the suggested amount of \$50,000 will be needed to pay for the cost of the project. The Board of Managers **unanimously voted** to approve the Order and Findings upon a **motion** by Olsonawski, **second** by Klein. The levy will be discussed and recommended at the annual budget hearing to be held in September for taxes proposed to be levied in 2025. Administrator Money was directed to prepare and file the proper documentation with Roseau and Marshall Counties.

Kittson County Ditch #13: A public hearing was held regarding the preliminary engineer’s report on May 2, 2024. Attorney Hane presented the final proposed Findings of Fact and Order regarding the hearing. It was noted the engineer is directed to proceed with the final engineer’s report, viewers will need to be hired to prepare and submit a viewers report, and then a final hearing will need to be scheduled. Prior to further expenses being incurred, a new bond will need to be submitted by the petitioners in an amount that is enough to cover the engineering and viewing expenses. The findings and order were approved upon a **motion** by Klein, **second** by Olsonawski and **unanimous vote** of the Board.

2024 Construction:

- JD #10 Branch B – Twamley Construction has completed a repair of a slough that occurred during the 2023 spring flood. This project was submitted to FEMA, was denied, and has been appealed. The appeal is pending.
- Kennedy #6 – Twamley Construction is currently working on the installation of two side water inlets. These will prevent future erosion and sedimentation within the channel, reducing maintenance costs and improving water quality.
- North Branch / JD 31 – Anderson Brothers Construction has been hired to install erosion control consisting of four rock drops for grade stabilization. This will begin in June. The project is also a part of the appeal to FEMA.
- North Branch / SD 84 – Twamley Construction will begin in June on the installation of rock rip rap and grade control to fix current erosion and prevent future damage to the ditch side slopes and bottom. This project is also a part of the FEMA appeal.

Manager Olsonawski left the meeting at 9:40 a.m.

Project Report:

Horseshoe Lake Dam:

- As noted at previous meetings, the TRWD has been working with the MN DNR to replace the aged and failing outlet structure that is in place. All agreements and funding have been approved and are in place, and the project

can now be advertised for bids. Engineer Huwe discussed the construction project and the process to be followed for bids. Upon a motion by Klein, second by Klegstad and unanimous vote of the Board a bid opening was set for June 26th at 3:00 pm in the District office. Huwe and Money were directed to prepare documents and advertise as required by law. All bids submitted will be reviewed by the Board at their June 27, 2024 meeting.

Klondike Clean Water Retention Prj. #11:

- Engineering – Huwe continues to work on the final plans and is nearing completion of these.
- Right of Way
 - The TRWD will need 11.41 acres of right of way that is on lands owned by the DNR along the diked inlet. A formal application will need to be made to the DNR. There is a \$2,000 fee and the TRWD will need to submit an application along with a board resolution showing authority for the application and the easement. Upon a **motion** by B. Anderson, **second** by Langehaug and **unanimous vote**, a resolution, numbered 2024-01, was approved and the \$2,000 application fee was also approved.
 - Follow up meetings with 2 of the 3 landowners who have not yet agreed to right of way will need to be scheduled. Additional information will be provided to them and logical timeline would be to complete negotiations by August. Hane, Huwe, and Money will continue with this process.
- Permitting – Money handed out a report and provided an update from Houston Engineering. Of the 12 or so permits that are needed, all but 3 have now been approved. Work is continuing on the US Army Corps of Engineers wetland permit and also the MN DNR's dam safety permit. Once these are approved, a step 3 funding proposal can be submitted to the RRWMB.
- Funding – Unfortunately the MN Legislature did not approve a bonding bill and therefore funding through the flood hazard mitigation grant program will not be available until at least the 2025 legislative session. Huwe and Money have proposed a construction project that would use funding that has already been approved to begin in 2025. This could store up to 4,000 acre feet of the total proposed 35,000 acre feet of storage. More details will be developed and presented at each future monthly board meeting.
- Public Information – Discussion was held regarding the potential need to hold a public meeting to present updated information about the project and provide details and timelines and opportunity for feedback. The board noted that a good time to do this would be in late July, and D. Money will look for a date and meeting location.

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.

<u>App. #</u>	<u>Applicant</u>	<u>Location</u>	<u>Purpose</u>	<u>Action</u>
4-04	MN DNR – LBSP Motion B. Anderson, second Klein – Unanimously Approved	Percy 32	Replace high hazard dam	Approved
The Board directed staff to write letter to DNR seeking future early coordination on these types of projects				
2024-08	Brian Jensen	N. Red River 11	Tile Drainage	Tabled
2024-20				
2024-23	Garner Eeg Motion B. Anderson, second Langehaug – Unanimously Approved	Barnett 17	ditching & 18" cmp	Approved
2024-24	Louise Money	S. Red River 15	Erosion Control grade stab.	Approved
2024-25	Louise Money	S. Red River 15	Erosion Control grade stab.	Approved
For both 24 and 25: Motion Klegstad, second B. Anderson – Unanimously Approved ; Klein Abstained				

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.

2024-13	Poppleton Twp/D. Anderson	Poppleton 24	Crossing/36" cmp	Approved
2024-14	Poppleton Twp/D. Anderson	Poppleton 14	Crossing / 24" cmp	Approved
2024-15	Poppleton Twp/D. Anderson	Poppleton 15	Crossing / 18" cmp	Approved
2024-17	Jim Kukowski	Huss 8 & 17	Crossing w/18"	Approved
2024-18	CHS Inc.	Skane 12	Driveway/culverts/stormwater	Approved
2024-19	Jeff Rickenberg	Jupiter 26	Crossing / 30" cmp	Approved
2024-20	Austin Anderson	Pelan 32	Lower existing culvert	Approved
2024-21	Jon Langen	Skane 25	Crossing / culverts	Approved
2024-22	Deerwood Twp	Deerwood 10/15	Center line 18" cmp	Approved

Permit Violation:

It was reported to the TRWD that a township road ditch was improved, a ditch block was removed, and a ridge was cut. This was confirmed upon investigation by the District Technician T. Coffield. The Board of Managers directed staff to notify the perpetrator to cease and desist all activity. To avoid enforcement, an after the fact permit must be submitted along with a \$750 inspection fee. Coffield was directed to follow up on this matter and report back at a future board meeting.

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

Attest:


Daryl Klegstad, Secretary



Rick Sikorski, President

