

BUFFALO-RED RIVER WATERSHED DISTRICT

BARNESVILLE, MINNESOTA 56514

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MINUTES FOR MANAGERS' MEETING November 25, 2013

The Board of Managers, Buffalo-Red River Watershed District (BRRWD), held a regular meeting on Monday, November 25, 2013, at 7:00 PM in the Barnesville office. BRRWD Managers present were Gerald L. Van Amburg, Curtis M. Nelson, Catherine L. Affield, John E. Hanson, Troy E. Larson, and Peter V. Fjestad. BRRWD Staff attending included: Erik S. Jones, Engineer and Wade Opsahl, Technician, Houston Engineering, Inc. (H.E.); and Julie Jerger, Resident Secretary; and representing the River Keepers: Bob Backman, Executive Director and Christine Laney, Project Coordinator.

River Keepers Presentation. Backman and Laney gave a presentation on the history and current projects of the River Keepers organization, including the local area Dam Retrofit projects. He also provided handouts for the Board's review. River Keepers recently moved to a new office with the Red River Basin Commission (RRBC) and the International Water Institute (IWI) in Fargo. Following the presentation, the Managers and Backman had a discussion regarding the River Keeper activities and funding. The BRRWD contributes \$45,000 per year to River Keepers, and the Southeast Cass Water Resource District (SCWRD) provides \$55,000 per year. Backman added that River Keepers is working with the Cities of Fargo and Moorhead on a uniform setback ordinance to limit development along the Red River to prevent slumping.

Secretary's Report. The Board reviewed the 10/15/13 BRRWD meeting minutes. **Motion** by Fjestad to approve the minutes. **Seconded** by Affield. **Approved.**

Treasurer's Report. The Board reviewed the BRRWD's financial status. Jerger reported that cash on hand currently is \$399,015.70.

Business brought before the Board included:

Open House. Jerger reported on plans for floral Christmas decorations for the BRRWD's open house to be held on December 13, 2013. The quote from Thompson's Greenery totaled \$385.25. **Motion** by Hanson to approve the quote for the decorations. **Seconded** by Fjestad. **Approved.**

Automated Permit Suite. Jones and Opsahl presented draft permit conditions to be included in the automated application program. The Board had an extended discussion regarding this issue. H.E. is currently working on the de-bugging phase of the permit suite. It is anticipated that the site will be operational on 01/01/14.

Permit No. 12-96, Jerry Wetterlin. Applicant proposes to replace his driveway culvert on the east end of the NW¼, Section 19, Spring Prairie Township, Clay County. **Motion** by Hanson to approve Permit No. 12-96 with the condition that the culvert may be longer, but must remain the same diameter as the existing structure. **Seconded** by Nelson. **Approved.**

Permit No. 13-159, Chad Jetvig. Applicant requests the repair of a culvert on Clay County Ditch (C.D.) No. 65 in the northwest corner of the NW¼, Section 2, Moland Township, and to increase the size of a culvert in the northwest corner of Section 11, Moland Township, or add a second inlet pipe in this same location on C.D. No. 65. Jetvig claims the existing culverts are too small and does not provide proper

drainage. At their 10/15/13 meeting, the Board tabled this permit application subject to investigation and recommendations from Opsahl. **Tabled.**

Permit No. 13-161, Chad Jetvig. Applicant proposes to install a 24" dia. culvert in an approach in the southwest corner of the W $\frac{1}{2}$, Section 11, Moland Township, Clay County, to drain a portion of the quarter to the south. At their 10/15/13 meeting, the Board tabled this permit application subject to investigation and recommendations from Opsahl. **Tabled.**

Permit No. 13-163, Aaron Carr. Applicant proposes to install a culvert from the NW $\frac{1}{4}$, Section 30, Prairie View Township, to Section 24, Atherton Township, with a screw type gate. Project No. 31, Deerhorn Creek Levees, adds to the amount of water getting backed up on Carr's land. The Board discussed the possibility of making the necessary installations and/or repairs within the project's budget. **Motion** by Hanson to approve a pipe through the township road as a project expense. **Seconded** by Fjestad. **Approved.**

Permit No. 13-171, Ryan and Michael Hough. Applicant proposes to install 20 acres of pattern tiling in Section 13, Barnesville Township, Clay County, outletting via gravity flow through 140th AVE S to Stoney Creek. The neighboring landowner has given approval. **Motion** by Fjestad to approve Permit No. 13-171, subject to road authority approval and the BRRWD's standard tiling disclaimer. **Seconded** by Affield. **Approved.**

Permit No. 13-172, Ryan and Michael Hough. Applicant proposes to install 130 acres of pattern tiling in the N $\frac{1}{2}$, east of County State Aid Highway (CSAH) No. 52, Section 18, Prairie View Township, Wilkin County, outletting via a lift station to the 120th ST road ditch, eventually to Wilkin C.D. No. 41 and to install an outlet in 120th ST. The property in question is not assessed to drain into the requested ditch system. **Motion** by Nelson to deny Permit No. 13-172 and inform the applicant that a petition to add the property to C.D. No. 41 would be required before approval. **Seconded** by Fjestad. **Denied.**

Permit No. 13-173, Spring Prairie Colony. Applicant proposes to install 720 acres of pattern tiling in the NE $\frac{1}{4}$, Section 34, and Section 27, less the W $\frac{1}{2}$ SW $\frac{1}{4}$, Alliance Township, Clay County, outletting via lift stations: one in the northeast corner of the NE $\frac{1}{4}$, Section 34; and two along CSAH No. 2 to the South Branch of the Buffalo River. Applicant also proposes to install one 24" dia. corrugated metal pipe (CMP) through 170th AVE S. **Motion** by Nelson to table. **Seconded** by Hanson. **Tabled,** pending further investigation.

Project No. 75, Wilkin County Ditch No. 31-Lateral. Jones reported Julie Aadland, Minnesota Department of Natural Resources (DNR), gave tentative verbal approval of the plan discussed at the 11/12/13 meeting to clean a portion of Whiskey Creek. He suggested that a meeting with the landowners in the project area and working with the County on a plan would be steps to complete before beginning the permit application with DNR.

Project No. 74, Clay County Ditch No. 51, Lateral No. 3. The Viewers, Ron Ringquist, Minnesota Viewers' Association, Rod Knutson, and Rick Battles, have signed their oaths, which now requires BRRWD's Secretary John Hanson's signature. **Motion** by Fjestad to authorize Hanson to sign the oath on the Board's behalf. **Seconded** by Affield. **Approved.** Jones reported he is working on a response to the request for information submitted by Attorney Zenas Baer, Zenas Baer Law Office.

Project No. 49, Oakport Township Flood Mitigation. The Fischer Family's attorney, Ken Norman, has been contacted to see if his clients are interested in discussing a resolution to their concerns about a spoil pile lease on their property. We have received no response from Norman or the Fischers.

Project No. 39, Georgetown. Construction has ceased until after spring thaw. The levees on the east side of T.H. No. 75 have been completed. Streets have also been cleaned and graveled. Clean up and seeding is scheduled to be completed in the spring.

Mediation Project Team (PT). The next meeting is scheduled for December 19, 2013, at 1:30 PM in the Barnesville office.

Watershed District Enlargement. Albright will prepare the Revised Watershed Management Plan (RWMP) authorization notice for the Board's review and signature, which will be filed with the Minnesota Board of Water and Soil Resources (BWSR). To date, the newly added area still needs to be filed with the Secretary of State.

Army Corps of Engineers (COE) Fargo-Moorhead Diversion. Van Amburg reported on the RRBC's modeling efforts to identify retention sites upstream of Halstad, as part of their plan to reduce peak flows by 20% on the Red River in Fargo-Moorhead. He provided a handout for the Board's review listing the amount of acre-feet of storage each watershed district will need to identify. Van Amburg also provided a handout regarding crop insurance plans regarding flood impacts on agricultural lands under storage easements.

Clay C.D. Nos. 9, 32, 33. The contractors are completing the final stages of their work. C.D. No. 33 is complete and seeded. C.D. No. 32 is complete, except for seeding, which will be completed in the spring. Right-of-way (r-o-w) posts have been put up. C.D. No. 9 is complete, except for some pipe clean up and seeding, which will be completed in the spring.

Redetermination of Benefits for Becker C.D. Nos. 10/19. A summary of the hearing comments will be compiled so the Viewers can investigate and provide a list of recommendations to the Board. A hearing continuation will be held sometime this winter.

Minnesota Agricultural Water Quality Certification Program (MAWQCP). Wilkin County has completed a preliminary review of Gerald Nordick's application. Nordick scored 87%, which is above the 85% passing cut off. Larson plans to meet with Don Bajumpaa, District Manager, Wilkin County Soil and Water Conservation District (SWCD) to discuss Nordick's plan.

Wolverton Creek/Comstock Coulee Clean Water Fund (CWF) Restoration. BWSR has sent the grant agreement with the requested two-year extension for signatures. **Motion** by Hanson to authorize Van Amburg to sign the agreement. **Seconded** by Fjestad. **Approved.** The Environmental Assessment Worksheet (EAW) is out for the required review. It was published in the EQB Monitor on November 11, 2013. The comment period will be open for 30 days, until December 11, 2013, and the Board will have an additional 30 days to respond to any comments before moving forward with the process.

BWSR PRAP Grant/Consultant Applications. Jones reported that he prepared the grant application (\$4,000) and presented it to Van Amburg for signing. Van Amburg also reported that Board members should arrive by 10:00 AM on December 12, 2013 for the first interview with Donna Rae Scheffert. The second interview with Joe Newberg and Rebecca Baumann is scheduled for 1:30 PM. Van Amburg suggested that if any board members have any questions they feel would be pertinent in the interviews to please send them to himself and Manager Paradeis-Kobiela, as she is drafting a questionnaire to be used for the interviews. The Board discussed the goals we hope to achieve through the use of the consultant process to review office operations and strategic planning. BWSR is interested in receiving a copy of the consultant's final report.

New Office. The Open House is scheduled for Friday December 13, 2013, from 2:00-5:00 PM.

Minnesota Association of Watershed Districts (MAWD) Annual Meeting. The Board discussed attendance at the annual meeting.

BWSR Grant Opportunities. Grant applications are due December 13, 2013. Jones is completing the preparation for the grants in question. He will submit them for the Board's review at the 12/09/13 meeting before submitting them to BWSR.

Pay Request. Jones submitted Pay Request No. 3 for Reiner Construction for demolitions on Project No. 39, Georgetown (\$21,628.81) and Pay Request No. 4 for William Nichol Excavating, Inc. for C.D. No. 9 CWF Project (\$19,490.20). **Motion** by Hanson to approve payment of both pay requests. **Seconded** by Fjestad. **Approved.**

The following bills were presented for approval:

| Accounts Payable | Description | Account | Amount |
|------------------------------|---------------------------------------|-----------------------------|---------------------|
| Braun Intertec Corporation | #328191, thru 11/01/13 | Pj. 71, Moorhead/50th AVE S | \$4,102.75 |
| Carmen's Commercial Cleaning | November office cleaning (2) | Admin | \$130.00 |
| Eve Jerger | 11/25/13 Invoice-Mtg minutes | Admin | \$216.00 |
| Gladen Construction, Inc. | Pay Request No. 1 | Pj. 56, Manston | \$81,115.61 |
| Haugen's Landscaping, Inc. | #747, Seeding/install R/W posts | Varies | \$4,100.00 |
| JBX LLC | #360, repairs | Pj. 34, Clay 41 | \$16,800.00 |
| Joel Carlson, Inc. | December Lobbyist fees | Admin | \$850.00 |
| LTP Enterprises, Inc. | #M0817DB-Well Sealing | Pj. 39, Georgetown | \$627.66 |
| Mid States Storage | December rent | Admin | \$74.00 |
| Midwest Testing Lab, Inc. | #T468840, Testing/Analysis | Pj. 49, Oakport | \$120.00 |
| Rachel Contracting, Inc. | Pay Request No. 7-Final, Phase 3C | Pj. 49, Oakport | \$31,037.77 |
| Reiner Contracting, Inc. | Pay Request No. 3-Demolitions | Pj. 39, Georgetown | \$21,628.81 |
| Rick Halvorson Const., Inc. | #2139, 1st partial payment-Basements | Pj. 39, Georgetown | \$30,000.00 |
| RRVCPA | 10/10/13-11/10/13 service (3) | Pj. 49, Oakport | \$275.55 |
| TRN Abstract & Title R-W | #6411399, Stuehrenberg abstract | Pj. 56, Manston | \$86.00 |
| TRN Abstract & Title R-W | #6412171, Stuehrenberg abstract | Pj. 56, Manston | \$99.00 |
| TRN Abstract & Title R-W | #6412314, Hulne abstract | Pj. 56, Manston | \$153.00 |
| TRN Abstract & Title R-W | #6412642, Hulne abstract | Pj. 56, Manston | \$156.00 |
| UEI | #40880, Phase 1 thru 10/31/13 | Pj. 49, Oakport | \$196.00 |
| UEI | #40880, Phase 2 thru 10/31/13 | Pj. 49, Oakport | \$374.07 |
| UEI | #40881, Phase 3 thru 10/31/13 | Pj. 49, Oakport | \$1,181.54 |
| UEI | #40951, Wetlands thru 10/31/13 | Pj. 49, Oakport | \$516.00 |
| Wm. Nichol Excavating, Inc. | Pay Req. No. 4, conservation drainage | Clay C.D. No. 9 | \$19,490.20 |
| | | | \$213,329.96 |

Motion by Nelson to approve payment of the bills. **Seconded** by Hanson. **Approved.**

Repair Recommendations – Clay C.D. No. 11S. A landowner has requested a review of sediment levels in C.D. No. 11S through the E½SW¼, Section 32, Kurtz Township, Clay County. H.E. reviewed the request and found 1' to 2' of sediment in that area and recommended removing this sediment. There is also an old ditch crossing in this location that is no longer used and the landowners felt that it should be removed. The opinion of probable cost is \$6,000 - \$7,000 for materials and labor to complete this repair. **Motion** by Larson to approve the repairs. **Seconded** by Affield. **Approved.**

Repair Recommendations – Project No. 30, Clay/Wilkin Judicial Ditch (J.D.) No. 1. A landowner has requested repairs to several inlet culverts along Clay/Wilkin J.D. No. 1, in Section 1, Wolverton Township,

Wilkin County. This repair work will require replacement of failing culverts to include an 18" dia. x 40' long culvert, an 18" dia. x 60' long culvert, a 24" dia. x 70' long culvert, a 24" dia. x 20' long culvert, and a 48" dia. x 50' long culvert along with new flapgates and resetting several other inlet culverts to better match the incoming field ditch elevations. H.E. has reviewed this request and recommended the referenced repairs. The opinion of probable cost is \$13,000 - \$15,000 for materials and labor to complete this repair. **Motion** by Fjestad to approve the repairs. **Seconded** by Hanson. **Approved.**

Next Meeting. The next regular meeting date will be Monday, December 9, 2013, at 7:00 PM in our Barnesville office.

Adjournment. Chairman Van Amburg adjourned the meeting at 9:35 PM.

Respectfully submitted,

John E. Hanson, Secretary