"BRRWD Dismisses Project"

The Board of Managers, Buffalo-Red River Watershed District (BRRWD), held a hearing on Monday, October 11, 2016, at 6:45 PM to consider the abandonment of Project No. 77, Clay County Ditch (C.D.) No. 51-Proposed Lateral No. 3. The Board made the Final Order to move forward with the project on 09/12/15. Robert Norby, the owner of the land where the lateral would have been constructed, filed an appeal on 10/09/15, and also filed a lawsuit against the BRRWD. The Minch Family LLLP, project petitioner, recently acquired the Norby property and decided to construct a scaled down version of the proposed project via a BRRWD permit, which eliminated the need for the proposed lateral. Norby withdrew his project appeal, but his lawsuit against the BRRWD is still not settled. The Minch Family will reimburse the BRRWD for any remaining project costs. At their regular meeting following the hearing, the Board voted to approve the Abandonment Order to dismiss the proposed lateral. A Minnesota Department of Transportation (MNDOT) representative attended the hearing and indicated that MNDOT was satisfied with the proposed restoration plan and agreed with project abandonment.

Other business included:

- Approved the Treasurer's Report. Cash on hand totals $1,806,798.02. Administrative disbursements for the year totals $298,711.10. Income to date is $6,669,978.85. Accounts Receivable currently totals $6,202,284.77. Receipts since the 09/12/16 meeting include $335,812.09 from the Minnesota Department of Natural Resources (DNR) for Phase 4 of the Oakport Flood Mitigation Project, $16,485.98 from the Red River Watershed Management Board for Mediation Project Team Fiscal Year 16 expenditures, and $32,524.42 from Andrew Noah for an Oakport property sale.

- Approved permits to: James Klein for pattern tiling in the S1/2, Section 15, Nilsen Township, Wilkin County; Evelo, Inc. for random tiling in the N1/2, Section 16, Trondhjem Township, Otter Tail County; Tom Arnhalt to lower a culvert between Sections 34 and 35, Mitchell Township, Wilkin County, and to regrade the road ditch to improve drainage for an existing tile pump; M&J Farms, Inc. to remove a dry approach in the SE1/4, Section 13, Cromwell Township, Clay County; Robert Faulkner to install pattern tiling in the NE1/4, Section 27, Manston Township, Wilkin County; Lynn Brakke to install pattern tiling with control structures in the SE1/4, Section 25, Holy Cross Township, Clay County; Mark Askegaard/Matt Ness to construct a private drainage ditch along the north lines of Sections 1, 5, and 6, Wolverton Township; David Herbranson for a Reinvest In Minnesota wetland restoration near Hay Creek in Sections 22 and 26, Elkton Township, Clay County. Permit approval is subject to the applicable standard tile and utility disclaimers, state/federal agency permitting requirements, and road authorities' permission to work within their road right-of-way.

- Discussed a drainage concern on Lake Fifteen in Parke Township, Clay County, where a homeowner removed a culvert in 180th AVE S, causing water from his neighbor's driveway to flow across the township road into another neighbor's yard. The Township will investigate reinstalling the culvert.

- Discussed a complaint about two tiling projects in Section 3, Callaway Township, Becker County, that outlet directly into adjacent property without the landowner's permission or a BRRWD permit. A field review will be conducted.

- Awarded the Wilkin C.D. No. 7 repairs contract to States Border Construction, Graceville, MN, for their bid of $162,563. The project is located in Sections 22, 27, 28, 29, and 30, Andrea Township. The Engineer's estimated cost was $230,000. The BRRWD will work
with the Wilkin Soil and Water Conservation District on a cost share agreement using their Minnesota Board of Water and Soil Resources Clean Water Funds to cover part of the design/construction costs.

- Discussed the Phase 4 Oakport Township Flood Mitigation Project, and approved Pay Request No. 7 ($1,879,590.35) to R. J. Zavoral & Sons, Inc. for Phase 4 of the. Change Order No. 6 was also submitted for $68,420, which included a proposal to spread the Pierce dirt stockpile on the adjacent farmland and for the installation of an Americans with Disabilities Act (ADA) ramp on Broadway ST NW. The Board approved the ADA ramp ($3,945), but tabled the stockpile proposal pending contact with the property owner. Zavoral has completed the County Road (C.R.) No. 1/Broadway ST NW resurfacing. There are cleanup items that will extend the project contract into the next year. The contractor will also provide a one-year project warranty. The Board also discussed a complaint from an Oakport landowner about access roads off C.R. No. 1/Broadway ST NW. There are currently four approaches in the area. The landowner has requested that the BRRWD install a third approach for his property. The Board agreed to review the area drainage requirements in regards to this request.

- Approved Pay Request No. 1 ($76,368.60) to R. J. Zavoral & Sons, Inc. for the Project No. 14, Clay C.D. No. 10 slump repairs and Change Order No. 1 ($1,170) for additional cellular concrete.

- Discussed repair of the first two miles of Wilkin C.D. No. 13-Lateral in Sections 7 and 18, Manston Township. The Board agreed to delay the repairs until a complete ditch analysis can be conducted.

- Authorized submittal of the Municipal Separate Storm Sewer Systems (MS4) permit application. The MS4 program regulates municipal storm water discharges. The BRRWD recently entered into a Memorandum of Understanding with the Cities of Dilworth, Moorhead, and Clay County regarding the BRRWD’s involvement with the MS4 program.

- Noted that the Wilkin County Highway Department has started the slope work on Wilkin C.D. No. 6A, and Houston Engineering, Inc. (HEI) is updating the ditch benefit maps for the redetermination of benefits.

- Noted that the BRRWD has been recommended for $1.877 million from the Lessard-Sams Outdoor Heritage Council Conservation Partners Legacy Grants Program for the Wolverton Creek Restoration project, which should be available after 07/01/17.

- The Moorhead State University Archaeology Department conducted a Phase I Survey of the Otter Tail River Restoration alignment on 10/02/16 and found no significant artifacts or traces of prehistoric settlements in the area. A mussel survey and possible relocation effort will be conducted in the near future.

- The next Mediation Project Team meeting is scheduled for Thursday, October 13, 2016, at 7:00 PM in the BRRWD Office, Barnesville.

- Approved the payment of bills totaling $2,194,845.03. Albright will work with Midwest Bank to activate our Line of Credit to cover tonight’s bills. The office will prepare pay requests to the DNR and Clay County for the Oakport expenditures.

The next meeting of the Board of Managers, BRRWD, is scheduled for Monday, October 24, 2016, at 7:00 PM in the BRRWD Office, located at 1303 4th AVE NE, Barnesville, MN. All meetings are open to the public. For more information, please visit our website at www.brrwd.org.