"BRRWD Amends Subdivision Permit Conditions"

At their April 24, 2017, meeting held in Barnesville, the Board of Managers, Buffalo-Red River Watershed District (BRRWD), heard concerns from The City of Glyndon and developer Kelly Richards regarding conditions the BRRWD placed on Richards' permit ( Permit No. 17-008) for the new Southview Addition Subdivision. At their 4/10/17 meeting, the Board approved the permit with the conditions that the lowest structure opening had to be built at or above elevation 925 and that any basements would need to be floodproofed. Richards objected to the "floodproofed" language. He was concerned it would discourage new home sales. During discussions, it was established that when constructed, the new subdivision will not be in the Federal Emergency Management Agency (FEMA) floodplain. The Board approved an amendment to remove the "floodproofing" condition with the stipulation that the record show the request to change the conditions was made by the developer, contrary to the permit recommendation of the BRRWD's Engineer, Erik S. Jones, Houston Engineering, Inc. (HEI).

The Board also noted that several of the smaller communities in the Fargo-Moorhead area do not have a FEMA floodplain exemption for basements. In the 1970s, when Moorhead, Dilworth, and Clay County, applied for FEMA basement exemptions, Hawley, Glyndon, Comstock, Georgetown, and Barnesville decided to administer their own floodplains and didn't file for the exemption. Jones noted that while it might be difficult for those cities to get an exemption now, it might not be impossible. Chairman Gerald L. Van Amburg suggested that cities without the exemption could contact a Congressman for help to apply to FEMA as a group.

The Board reviewed HEI's preliminary drainage study results for a potential ditch along 220th ST, one mile south of Wilkin County Road (C.R.) No. 26, starting in Section 32, Mitchell Township, Wilkin County, running west to the Red River. Jones expects to have the final survey report ready for the next Board meeting. This study was prompted by drainage concerns regarding an ongoing tiling project issue in Section 28, Mitchell Township. The Board sent a letter to the project landowners directing them to cease operation of their tile pump until they can identify an adequate outlet and then apply for a new BRRWD permit. The neighboring landowners consider both potential outlets (Wolverton Creek and Whiskey Creek) for the tile project to be inadequate and feel that the ditch proposal will not address their concerns about the tile installation. The Board approved a motion to give the tile project landowners until the next BRRWD meeting to provide a plan to address the tile pump location, and authorized Albright to contact BRRWD Attorney Tami Norgard, Vogel Law Firm, regarding possible options.

The Board also discussed the results of Jones's investigation to find a temporary solution to breakouts from the South Branch of the Buffalo River entering Wilkin County Ditch (C.D.) No. 13-Lateral and to help control the erosion damage on property in Section 6, Manston Township. Jones presented three alternatives: a limited channel cleanout, a larger cleanout with a two-stage channel restoration, and a comprehensive project to clean the South Branch from upstream of Trunk Highway (T.H.) No. 9 downstream to north of C.R. No. 30 in Section 29, Atherton Township, Wilkin County. All three alternatives would require a Minnesota Department of Natural Resources (DNR) permit to work in protected waters, and a possible Environmental Assessment Worksheet.

Harold J. Rotunda, CPA, presented the draft BRRWD 2016 audit. Bruce E. Albright, BRRWD Administrator, will forward the draft audit to the Managers for their review and subsequent approval.
Other business included:

- Reviewed the BRRWD's financial status. Cash on hand is $1,613,030.97. No income was received since the 4/10/17 meeting, and the total for the year is $349,064.48. Albright has scheduled meetings with Wells Fargo Bank and First National Bank to review our financial needs.

- Approved permits to Rob Jordahl to install an approach with an 18” dia. corrugated metal pipe to access his property near Ness Lake in the N½NE¼, Section 1, Parke Township, Clay County, subject to Township approval to work within their road right-of-way (R/W); and Colten Tangen to install a driveway with an 18” dia. culvert to his property near the City of Hawley off from C.R. No. 12 in the SE¼, Section 22, Hawley Township, Clay County, subject to County approval to work within their road R/W.

- Received a complaint from the landowners in Nordick Township, Wilkin County, regarding needed Conservation Reserve Program (CRP) buffer maintenance in the SW1/4, Section 8, Nordick Township. Trapped sediment in the CRP is backing water on the upstream property. Albright will investigate.

- Discussed a drainage concern regarding the downstream areas of Lein Lake in Otter Tail County. A landowner made a channel to drain pumped water to Oscar Lake. Manager Fjestad is working with the Fergus Falls DNR office and the neighboring landowners to size a pipe for the excavated channel.

- Discussed a drainage complaint about an approach allegedly installed near Rustad in Section 28, Kurtz Township, Clay County. HEI investigated and found that the approach is not new and is not causing the area water problems. Jones recommended that the entire mile of ditch along the Section 28 east of the railroad tracks should be cleaned to improve area drainage. Manager Anderson will conduct a field review and report to the Board at the next meeting.

- Received a complaint about work done by a landowner to alter/remove drain tile outlets in the W1/2NE1/4, Section 13, Audubon Township, Becker County, on his neighbor's cropland adjacent to a farmstead he recently purchased. The Board authorized Albright to notify the individual that he will need to a plan to restore the tiling/driveway culvert, or the BRRWD will turn the matter over to the Becker County Attorney to be prosecuted as a Rule violation.

- Approved a motion to contribute 50% of the landowner's costs for a Natural Resources Conservation Service (NRCS) designed grade stabilization project in Section 16, Hawley Township, Clay County, west of Maria Lake. The Clay County Soil and Water Conservation District and the NRCS contributed 75% of the project expenses.

- Discussed a large borrow pit that the Minnesota Department of Transportation (MNDOT) created along T.H. No. 75 upstream of Whiskey Creek near Kent, MN. The pit is full and there are concerns about potential impacts to the Creek and surrounding cropland if the pit should breach. Jones will contact MNDOT regarding this issue.

- Approved the acquisition of temporary construction R/W along Wilkin C.D. No. 13 and C.D. No. 13-Lateral. The Board agreed to offer the ditch system landowners $250/acre for the additional temporary R/W for the proposed channel cleanout project. The temporary easement will only be needed for the 2017 construction season.

- Noting that the Fischer family might be interested in selling the farmhouse located on their property within the Oakport project area. During the buyout phase for the Oakport project, the Fischers were not interested in selling this property. The buyout would have to take place while the project's DNR grant is still in effect.
• Approved Pay Request No. 1 to States Border Construction for $70,031.07 with 5% retainage. The contractor has completed about 50% of the Wilkin C.D. No. 7 repair construction.

• Noting that Minnesota Board of Water and Soil Resources is holding public informational meeting/workshop regarding the updated Minnesota Public Drainage Manual on May 22, 2017, from 9:30 AM to 3:30 PM at the Moorhead State Community and Technical College.

• Noting that the Minnesota Association of Watershed Districts (MAWD) will hold their 2017 Summer Tour on June 21-23 in Bemidji. Attendees will tour the Leech Lake area. Managers Fjestad, Van Amburg, and Hanson plan to attend. MAWD will be voting on their By-Laws and needs a quorum of the member Watershed Districts to be able to hold the vote.

• Approved the 2017 International Water Institute water quality monitoring contract for $15,800.

• Authorized hiring a contractor to open an ice block and to repair the Project No. 65, County Line Outlet structure cover. The outlet pipe through the township road is frozen shut, and water is encroaching on Adrian Haugrud’s barn.

• Authorized Albright to sign the 2017 fertilizer and weed control contract for the BRRWD’s office with Chris Hoppe Lawn Care Service.

• Approved repairs to a road used by the BRRWD’s beaver trapper to access beaver dams on Becker C.D. No. 19 on the Buffalo Lake outlet structure near Richwood.

• Discussed scheduling a strategic planning session after planting season to set BRRWD goals and priorities for the coming year.

• Approved payment of bills totaling $129,007.46.

The Board of Managers, BRRWD, will hold their next regular meeting on Monday, May 8, 2017, 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 about the BRRWD, please visit our website at www.brrwd.org.