

# ***BUFFALO-RED RIVER WATERSHED DISTRICT***

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## MINUTES FOR MANAGERS' MEETING

August 26, 2019

The Board of Managers, Buffalo-Red River Watershed District (BRRWD), held their regular meeting and annual budget hearing on Monday, August 26, 2019, at 7:00 PM in the Barnesville office. BRRWD Managers present were Jay A. Leitch, Mark T. Anderson, John E. Hanson, Peter V. Fjestad, Troy E. Larson, Catherine L. Affield, and Gerald L. Van Amburg. BRRWD staff attending included: Bruce E. Albright, BRRWD Administrator, Kathleen K. Fenger, Assistant Administrator, RaeAnn E. Berg, Administrative Assistant, and Erik S. Jones, Engineer, Houston Engineering, Inc. (HEI). Others attending included Kathryn DelZoppo, Ohnstad Twitchell; and landowners Andy Beyer, Jay Nord, Don Nelson, and Kevin Ehlert.

BRRWD President Leitch called the meeting to order at 7:01 PM and announced that the proceedings were being video recorded to aid in the preparation of the minutes.

**Agenda.** President Leitch asked for comments or additions to the meeting agenda. Anderson had one item to add regarding Clay County Ditch (C.D.) No. 11. With that change, **motion** by Anderson to approve the agenda. **Seconded** by Hanson. **Approved.**

**Secretary's Report.** The Board reviewed draft minutes for the 8/12/19 regular meeting. Jones noted changes to the discussion regarding the Wilkin C.D. No. 27 retrofit. **Motion** by Van Amburg to approve the minutes, subject to the referenced corrections. **Seconded** by Fjestad. **Approved.**

**Treasurer's Report.** The Board reviewed the BRRWD's financial status. Cash on hand is \$2,331,106.59. Income since the 8/12/19 meeting totals \$410,838.09, including \$405,705.80 from Clay County for their 1<sup>st</sup> half ditch/project 2019 tax proceeds, \$1,305.00 from Ohnstad Twitchell for costs related to the Diversion Authority's (DA) Data Practices Act request, \$2,327.05 from landowner payments for the Section 27, Manston Township, waterway repair, and \$1,500.24 from the Red River Watershed Management Board (RRWMB) for Mediation Project Team (PT) expenses. Albright noted that the \$600,000 Midwest Bank line of credit documents are available for signature, and the annual budget hearing is scheduled to convene at 8:00 PM tonight. Albright added that he contacted the Clay County Auditor regarding the status of the \$1.6 million bond sale proceeds for the Clay/Wilkin Judicial Ditch (J.D.) No. 1 improvement project, which should have been available around June 1. The County has not yet responded.

Leitch introduced the BRRWD's new Administrative Assistant, RaeAnn Berg, who started work on 8/19/19.

### **Citizens to be heard.**

**Permit No. 19-086, Richard Yaggie.** Downstream landowners Andy Beyer and Kevin Ehlert discussed several concerns about the tiling project that Allen and Richard Yaggie are planning in Section 17, Nordick Township, Wilkin County. Beyer explained that he just heard about the proposal this afternoon and questioned why he hadn't been notified sooner. Albright explained that when Yaggie submitted the permit application, the office provided notification forms for him to use to obtain signatures from the downstream landowners whose property could be affected by his tile drainage. In response to Beyer and Ehlert's concerns about the potential effects of the tile drainage on a farmstead and field approach, Albright explained that an approved tiling permit includes conditions restricting tile operation during high water events and added that the Board would not approve/process Yaggie's permit until we received the signed downstream landowner

forms. Beyer also noted that there was erosion this spring in his field east of the approach across from Ehlert's farmstead on the east side of County Road (C.R.) No. 3. The County was not able to repair the washout due to Federal Emergency Management Agency (FEMA) funding policy prohibiting flood repair work on private lands. Albright noted that he and representatives from the Wilkin Soil and Water Conservation District (SWCD) viewed this site recently, and the SWCD decided to add the site to their repair list. The SWCD should contact Beyer regarding this work. In view of the earlier discussion with the downstream landowners, Albright recommended permit approval.

**Other Business brought before the Board included:**

**Fargo-Moorhead (FM) DA Revised Permit.** Albright reported that Attorney Joel Fremstad, Fremstad Law, filed the BRRWD's brief in response to the DA's complaint regarding their permit denial. Currently, there is nothing new regarding the status of the DA's lawsuit or the Minnesota Department of Natural Resources (DNR) permit contested case. Leitch noted that the Minnesota Land Committee has met twice since the BRRWD's 8/12/19 meeting. The first was just a procedural meeting, and at the second meeting, the group decided on appraisal consultants and other standard actions. He noted that the Land Committee voted on landowner contact with specific landowners. Leitch explained that he abstained from voting due to conflict concerns regarding the DA/BRRWD lawsuit. The Land Committee will meet again on 9/26/19.

**Permit No. 19-014, Prairie View Township.** Albright has not had time to meet with Humboldt Township Supervisor Darrel Thomas to discuss Prairie View Township's proposal to install drain tile in the centerline of 100<sup>th</sup> ST for 0.5 miles in Sections 5/6, Prairie View Township, Wilkin County, along the Wilkin/Clay County line and in 200<sup>th</sup> ST S also along Sections 32/33, Humboldt Township, Clay County, to address road instability due to excess groundwater. **Action Postponed.**

**Permit No. 19-018, Duane Hanson/DBA Aces and Up.** Albright reported that Hanson recently cut through 145<sup>th</sup> ST S and lowered the existing culvert. He also installed a new field approach with a culvert off 12<sup>th</sup> AVE S. The Board reviewed photographs of the permit violation. Riverton Township has contacted the Clay County Sheriff's Department since the cut was made in the Township's road. The Sheriff's Department has advised the BRRWD to work with their office to address this violation. The Board had postponed action pending further investigation and final plans for Hanson's application to lower a culvert in 145<sup>th</sup> ST S. Albright was going to work with the downstream landowners to develop a plan to address their concerns about Hanson's proposed work. The Township felt that water from Hanson's property should have been routed north along the east side of 145<sup>th</sup> ST S. The BRRWD will need to determine how to address the violations. **Action Postponed.**

**Permit No. 19-070, Trevor Sorby.** The Board postponed action on this application on 7/22/19, pending a field review. The applicant proposes the installation of five 12" dia. gated field inlets into the south ditch of Clay C.R. No. 26 (90<sup>th</sup> AVE N) about 0.5 miles east of Trunk Highway (T.H.) No. 75 in the NW<sup>1</sup>/<sub>4</sub>, Section 3, Oakport Township, Clay County, to keep the water in the road ditch during high water events. Wade S. Opsahl, Technician, HEI, conducted the field review. Jones explained that the proposed flapgates might create an increased flood risk for the upstream rural residence along C.R. No. 26. He was also concerned that the pipes wouldn't function as Sorby expects because the separation between the field elevation and the ditch bottom is limited and the ditch grade is flat. Jones added that the 12" dia. inlet pipes are more likely to plug with field debris, holding water on the field and creating worse drainage. Albright suggested that he could contact Sorby to explain the Board's concerns about his proposal. Jones thought that there are other alternatives Sorby could consider that would actually improve drainage on his property. **Action postponed,** until Albright can discuss the proposal with the landowner.

**Permit No. 19-073, Steve Thompson.** The Board postponed action on this permit at their 8/12/19 meeting, pending a field review, which Opsahl conducted. Thompson proposes to widen a field approach off 100<sup>th</sup> ST

S (C.R. No. 15) in the NE $\frac{1}{4}$ , Section 3, Alliance Township, Clay County, and to add a new 22' long culvert to lengthen the existing 16' long approach culvert. The structure size and elevation won't change, but Thompson also plans to add a flapgate on one end. Jones thought the approach/culvert extension could be approved, but he didn't find any apparent benefit to the proposed flapgate installation. Clay County has already issued a permit for the approach/culvert extension, but the flapgate wasn't discussed. **Action postponed**, until Albright can discuss the proposed flapgate with the landowner. Thompson could do the approach/culvert work as maintenance without a BRRWD permit.

**Permit No. 19-090, Terry Kohler.** Applicant proposes the installation of water and sediment control basins with surface intakes and an underground outlet in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 9, Audubon Township, Becker County. Jones recommended permit approval.

**Permit No. 19-092, Kevin Lunde.** Applicant proposes the installation of water and sediment control basins with surface intakes and an underground outlet in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 18, Lake Park Township, Becker County. Jones recommended permit approval.

**Permit No. 19-093, Kevin Lunde.** Applicant proposes the installation of water and sediment control basins with surface intakes and an underground outlet in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 33, Cuba Township, Becker County. Jones recommended permit approval.

**Permit No. 19-094, Richard Steffl.** Applicant proposes the installation of water and sediment control basins with surface intakes and an underground outlet in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 2, Callaway Township, Becker County. Jones recommended permit approval.

**Permit No. 19-095, Joel Crabtree.** Applicant proposes the installation of water and sediment control basins with surface intakes and an underground outlet in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ , Section 30, Lake Park Township, Becker County. Jones recommended permit approval.

**Permit No. 19-096, Charles Wentz.** Applicant proposes the installation of water and sediment control basins with surface intakes and an underground outlet in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 27, Cuba Township, Becker County. Jones recommended permit approval.

**Permit No. 19-098, Curtis Nelson.** Applicant proposes the installation of water and sediment control basins with surface intakes and an underground outlet in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 11, Lake Park Township, Becker County. Jones recommended permit approval.

**Permit No. 19-099, Evelo, Inc.** Applicant proposes the installation of random tile in the SW $\frac{1}{4}$ , Section 14, and SE $\frac{1}{4}$ , Section 15, Trondhjem Township, Otter Tail County, outletting to an existing 12" dia. concrete tile line flowing southwest, eventually to Otter Tail C.D. No. 56. Jones recommended permit approval, subject to County review to be sure the land is assessed to C.D. No. 56 and our standard tiling disclaimer.

**Permit No. 19-100, Beau Jacobson.** Applicant proposes the installation of pattern tiling in the SW $\frac{1}{4}$  and W $\frac{1}{2}$ SE $\frac{1}{4}$ , Section 35, Flowing Township, Clay County, with mains on the north and west quarterlines, outletting via a lift station in the northwest corner to an existing private ditch, eventually draining to C.D. No. 39 to which the property is assessed. Albright recommended permit approval, subject to our standard tiling disclaimer.

**Permit No. 19-102, Jared Nordick.** Applicant proposes to move an existing approach/24" dia. culvert in the NW $\frac{1}{4}$ , Section 22, Meadows Township, Wilkin County, to the west approximately 100' so that the approach can be shared with their neighbor. The Wilkin County Highway Department approved the proposal and recommended the installation of a 24" dia. x 60' long pipe. Albright recommended permit approval.

**Permit No. 19-103, Kost Materials.** Applicant proposes to install an outlet control structure with a weir wall on the west side of their retention pond in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 14, Audubon Township, Becker County. Jones explained that Kost Materials has a new concrete facility southeast of Audubon with a retention pond. Jones will request more detailed plans for review. **Action postponed.**

**Permit No. 19-104, Jared Nordick.** Applicant proposes to use a rotary ditcher to blow built-up wind erosion sediment in the C.R. No. 20 ditch back into his field in the SW $\frac{1}{4}$ , Section 16, Meadows Township, Wilkin County. Albright noted that the work would be considered ditch maintenance and recommended permit approval, subject to County approval to work within their road right-of-way (R/W).

**Permit No. 19-106, Andrew Beyer.** Applicant proposes to clean an existing ditch to the original grade in the SW $\frac{1}{4}$ , Section 5, Nordick Township, Wilkin County. Albright noted that cleaning an existing ditch to grade does not require a BRRWD permit, according to our Rules, but since Beyer submitted the application, he recommended permit approval.

**Motion** by Anderson to approve Permit Nos. 19-086, 19-090, 19-092 through 19-096, 19-098 through 19-100, 19-102, 19-104, 19-106, subject to the referenced disclaimers and conditions. **Seconded** by Fjestad. **Approved.**

### **Miscellaneous Investigations.**

**Austin Alm Complaint.** Alm visited the BRRWD office recently with concerns associated with a 2012 Natural Resources Conservation Service (NRCS) wetland restoration project on Dave Ackerson's property in Sections 5 and 6, Skree Township, Clay County, (Permit No. 12-087). Part of the restoration project was to install ditch plugs, which now might be causing water to back up onto Alm's hay land. When Alm contacted the Clay County NRCS recently, he was warned not to investigate further and was informed that the restoration project wasn't causing the water on his property. Albright plans to conduct a field review with Alm to see what might be causing the problems.

**Rick Maier Approach.** Maier would like to move a field approach between Sections 6 and 7, Atherton Township, Wilkin County, on 110<sup>th</sup> ST (C.R. No. 32) near 220<sup>th</sup> AVE (C.R. No. 11) to the east at the quarter line of property owned by Brad Nelson and the Spring Prairie Hutterian Brethren. Water flows through the middle of the Hutterite property via a natural draw or ditch into a 30" dia. centerline culvert on C.R. No. 32. The Wilkin County Highway Department requested that the BRRWD provide a pipe size for the approach. Jones recommended the installation of a 24" dia. corrugated metal pipe (CMP) at the quarterline. Maier should also submit a BRRWD permit application for the work.

**Roger Finch Flood Access Concern.** At the 8/12/19 meeting, the Board discussed a letter from Roger Finch requesting permission to raise 2<sup>nd</sup> ST N (township road) in Section 6, Oakport Township, Clay County. Flood water has overtopped this road four times in the past 12 years. When the road is flooding, he and his wife have to take a boat in and out of their property. They lost their house in 2009 and rebuilt to meet County and FEMA floodplain requirements, but the township road still goes underwater during highwater events. Jones plans to field review the site with Finch and see if there is an alternative access route into the residence along the Oakport Coulee that will meet National Flood Insurance Program criteria. A large section of 2<sup>nd</sup> ST N is in the Floodway as designated in the latest Flood Insurance Study which may make raising the road without affecting Base Flood Elevations difficult.

**Tile Pump/Outlet Pipe Concern.** Gregg Settlemeyer contacted the office on 7/22/19 with a complaint regarding the pump/outlet pipe for Robert Yaggie's tiling project in the NE¼, Section 28, Mitchell Township, Wilkin County. The tile could be separating or settling as it passes through the farmstead in the northwest corner of the section, creating holes where the ground is sinking. Settlemeyer drove a tractor into one and this prompted him to contact the BRRWD. Opsahl completed a field review on 7/24/19 and reported that the holes had been patched and the lift system pump was turned off. Settlemeyer contacted the office again recently to report that the tile seepage continues and asked if anything had been done about the issue. Jones noted that he called Settlemeyer today and left a message. Settlemeyer would like to meet with Albright to conduct a field review to discuss his concerns further.

**2020 Budget Hearing.** At 8:00 PM, the Board convened their 2020 annual budget hearing. Notice of the hearing was published in area newspapers. The Board will set the administrative fund levy, insurance levy, the ditch systems/project levies, and the Minnesota Statutes Annotated (M.S.A.) 103D.905, Subd. 3, special levies for projects/programs initiated by petition.

The Board reviewed a worksheet comparing recent annual levies, excluding the ditch systems/project levies, which are self-supporting based on their benefit areas. Albright discussed his recommendations for the proposed levies. The Administrative levy assessment is capped by Statute at \$250,000. The Board also assesses an annual 1% fee to projects based on a project's annual average expenditures to help cover the BRRWD's administrative expenses exceeding the levy cap. **Motion** by Van Amburg to approve the 2020 Administrative Levy for \$250,000 and the 1% administrative fee. **Seconded** by Fjestad. **Approved.**

The Board next considered the 2020 insurance levy. Albright noted that last year there was some carryover in the account. The Board agreed to set the 2020 levy at \$22,000, as authorized by M.S.A. 466.06. **Motion** by Anderson to approve the insurance levy as referenced. **Seconded** by Hanson. **Approved.**

The Board usually assesses two general levies through the use of M.S.A. 103D.905, Subd. 3. The first one is a maximum levy for projects and programs, and the second will be for the BRRWD's contribution to the Wolverton Creek Restoration project. Albright noted that his recommendations for 2020 Administrative levies don't reflect a change in actual taxation rates but are slightly higher because the BRRWD's total taxable market value increased.

The Board reviewed the proposed 2020 General Levy to be taxed in accordance with the M.S.A. 103D.905, Subd. 3, *ad valorem* tax for a general fund not to exceed 0.007298% of all taxable market value to pay the costs attributable to the basic water management features of projects initiated by petition of a political subdivision within the Watershed District. In 2020, these funds will be used for a variety of projects/programs, including the Red River Basin Commission (RRBC) (\$25,000), River Keepers (\$55,000), development and implementation of total daily maximum load analysis for water quality, soil health, log jam removal, flood insurance studies, and flood damage reduction/natural resource enhancement projects. In addition to the General Levy, the Board also considered a Special Levy associated with M.S.A. 103D.905, Subd. 3, to raise funding for Project No. 79, Wolverton Creek Restoration (\$500,000) for the third year in the four-year commitment to contribute up to \$2 million to the project. **Motion** by Hanson to approve M.S.A. 103D.905, Subd. 3, 2020 Levy No. 1 for \$714,862 and Levy No. 2 for the Wolverton Creek 2020 Special levy (\$500,000). **Seconded** by Anderson. **Approved.** Leitch questioned the use of the term "1-year levy" for River Keepers and RRBC allocations. Albright noted that the budget items should probably be termed "annual" levies to be more accurate.

The Board reviewed a color-coded worksheet showing total ditch system benefits, current balances, projected year-end balances, and previous years' levies, plus a sheet showing benefit rates broken down on a per acre

basis for each ditch system/project and a sheet showing average project/ditch account expenses for 2012-2019. Anderson suggested that the worksheets be formatted so that the entries could be easier to track.

The following 2020 ditch/project levies were set:

Clay County

Ditch No. 3 - \$25,000  
 Ditch No. 11 - \$50,000  
 Ditch No. 16 - \$35,000  
 Ditch No. 17 - \$10,000  
 Ditch No. 20 - \$10,000  
 Ditch No. 22 - \$10,000  
 Ditch No. 23 - \$20,000  
 Ditch No. 28 - \$15,000  
 Ditch No. 31 - \$5,000  
 Ditch No. 40 - \$25,000  
 Ditch No. 55 - \$25,000

Ditch No. 15 - \$10,000  
 Ditch No. 22 - \$50,000  
 Ditch No. 23 - \$20,000  
 Ditch No. 26 - \$15,000  
 Ditch No. 28 - \$10,000  
 Ditch No. 31 - \$25,000  
 Ditch No. 40 - \$15,000  
 Ditch No. 41 - \$70,000  
 Ditch No. 42 - \$10,000  
 Ditch No. 43 - \$20,000  
 Ditch No. 44 - \$30,000  
 Wilkin/Otter Tail J.D. No. 2 - \$20,000

Becker County

Ditch No. 5 - \$10,000  
 Ditch No. 9 - \$30,000  
 Ditch No. 15 - \$15,000

Projects/Ditch Systems

No. 32, Hawley Diversion - \$5,000  
 No. 39, Georgetown Levee - \$25,000  
 No. 46, Turtle Lake Outlet - \$25,000  
 No. 49, Oakport Flood Mitigation - \$100,000  
 No. 50, Cromwell Township Outlet - \$10,000  
 No. 54, Whisky Creek - \$20,000  
 No. 56, Manston Slough - \$50,000  
 No. 64, LaBelle/Boyer - \$10,000  
 No. 79, Wolverton Creek Restoration - \$99,407

Wilkin County

Ditch No. 4 - \$20,000  
 Ditch No. 5A - \$20,000  
 Ditch No. 6A - \$30,000  
 Ditch No. 12 - \$10,000  
 Ditch No. 13 - \$20,000  
 Ditch No. 13 -Lateral - \$50,000

**Motion** by Fjestad to approve the 2020 project and ditch system assessments (\$1,074,407). **Seconded** by Larson. **Approved.** All levies will be certified with the Auditors in Clay, Becker, Wilkin, and Otter Tail Counties by September 15, 2019.

**Wilkin C.D. No. 27 Retrofit.** Jones reviewed the potential funding sources for the C.D. No. 27 retrofit. Don Bajumpaa, District Manager, Wilkin SWCD, and Jones have discussed leveraging Clean Water Fund (CWF) grant funding and the existing buffer grant funds to finance a C.D. No. 27 retrofit. He added that the West Otter Tail SWCD has approximately \$157,000 in carryover buffer funding from the state that could potentially be used to fund the project. The SWCDs have agreements for transferring left-over state buffer funding between counties for ditch projects. Since C.D. No. 27 is also a tributary to the Otter Tail River, the Wilkin SWCD has approximately \$100,000 in the Otter Tail River CWF Grant that could be used for the ditch retrofit. The deadline for the use of SWCD funds is December 31, 2020 (eligible for a 1-year extension). Jones also checked with the Wilkin County Highway Department regarding potential road funds to cover the cost of reworking the C.R. No. 19 road slopes to address public safety concerns. Wilkin County indicated that since they would be doing the actual construction work, they would be willing to work with the BRRWD to help reduce costs. At this time, they weren't able to commit state aid road maintenance funds to the project. Albright suggested that with this funding information and the completed design report, the next step should be to hold an informational meeting to discuss the proposed project with the affected landowners.

**Project No. 61, Clay C.D. No. 11-North Improvement.** Anderson explained that this weekend he was notified of a washout in Kurtz Township on 40<sup>th</sup> ST S. When he conducted a field review, he found a damaged concrete pipe and a large washout in the road. The County repaired the washout, but Anderson requested that HEI investigate possible permanent culvert repair options. **Motion** by Anderson to authorize HEI to conduct the referenced repair investigation. **Seconded** by Van Amburg. **Approved.**

**Clay C.D. No. 36.** Albright noted that a public landowner informational meeting has been scheduled for Tuesday, September 3, 2019, at 7:00 PM in Barnesville to discuss the recent flooding along C.D. No. 36 and drainage issues in and around Rustad. Other area ditch system and drainage concerns could also be discussed at this meeting. Notices will be sent to the affected landowners.

**The following bills were presented for approval:**

<b>Accounts Payable</b>	<b>Description</b>	<b>Account</b>	<b>Amount</b>
American Enterprises Inc.	#1866, Second Mowing	Pj. 49, Oakport	\$ 5,280.00
Carmen Pattengale	August Office Cleaning (2)	Admin.	\$ 130.00
Catherine L. Affield	#19-15, 05/01/19-06/30/19	Varies	\$ 826.36
Dakota Mailing	Mailing Supplies	Admin.	\$ 50.66
Dennis Drewes Inc.	Pay Request No. 1	Clay-Wilkin J. D. No. 1	\$ 130,081.60
Forum Communications	#CL01758051, Budget Hearing	Admin.	\$ 127.02
Joel Carlson, Inc.	September Lobbyist Fees	Admin.	\$ 850.00
MPS	07/02/19-08/02/19 Service (4)	Pj. 49, Oakport	\$ 488.53
New Century Press	Budget Hearing Notice (2)	Admin.	\$ 249.76
Northern States Excavating	2019 Flood Repairs	Varies	\$ 13,986.03
RMB Environmental Labs	#462773, WQ Analysis	M.S.A. 103D.905, Sub. 3	\$ 411.00
RMB Environmental Labs	#464304, WQ Analysis	M.S.A. 103D.905, Sub. 3	\$ 410.00
RMB Environmental Labs	#460955, WQ Analysis	M.S.A. 103D.905, Sub. 3	\$ 522.00
RMB Environmental Labs	#464899, WQ Analysis	M.S.A. 103D.905, Sub. 3	\$ 117.00
States Borders Construction, Inc.	Pay Request No. 2	Wilkin-Otter Tail J. D. No. 2	\$ 76,451.25
TrueNorth Steel	#FP0000015505, Culverts	Clay C.D. No. 28	\$ 1,556.00
TrueNorth Steel	#FP0000015576, Culverts	Varies	\$ 2,448.72
Vogel Law Firm	#240380, July Billing	COE	\$ 9,114.50
Vogel Law Firm	#240379, July Billing	Admin.	\$ 73.50
Wahpeton Daily News	#198707, Budget Hearing	Admin.	\$ 302.76
WCHD	Culvert repairs	Varies	\$ 17,724.62
Wm. Nichol Excavating	#295, Repairs	Wilkin C.D. No. 6A	\$ 4,981.54
Wm. Nichol Excavating	#296, Repairs	Pj. 21, Wilkin C.D. 13-Lat.	\$ 2,104.75
Wm. Nichol Excavating	#298, Rip Rap	Pj. 21, Wilkin C.D. 13-Lat.	\$ 729.00
Wm. Nichol Excavating	#299, Mobilization	Pj. 21, Wilkin C.D. 13-Lat.	\$ 350.00
			<b>\$ 269,366.60</b>

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

**Project No. 78, Clay/Wilkin J.D. No. 1-Outlet Repair.** Jones submitted Pay Request No. 1 in the amount of \$130,081.60 for Drewes Construction, Inc. **Motion** by Fjestad to approve Pay Request No. 1. **Seconded** by Affield. **Approved.**

**Wilkin-Otter Tail J.D. No. 2.** Jones submitted Pay Request No. 2 in the amount of \$76,451.25 for States Borders Construction, Inc. **Motion** by Fjestad to approve Pay Request No. 2. **Seconded** by Larson. **Approved.**

**MAWD Annual Meeting/Resolutions.** The Minnesota Association of Watershed Districts (MAWD) is calling for policy recommendations through the resolutions process. The Board decided not to submit any resolutions, but Fjestad noted that the Board would support a resolution to increase the Administrative levy

amount. The MAWD Annual Conference and Trade Show will be held December 5-7 in the Arrowwood Conference and Resort Center, Alexandria.

**2018 Annual Report.** The final draft of the 2018 Annual Report was presented to the Board for approval. **Motion** by Van Amburg to approve the 2018 Annual Report, subject to minor edits. **Seconded** by Hanson. **Approved.** Albright noted that the report will be filed according to Watershed Law and posted to the BRRWD's Website.

**2020 CWF and NWQI Applications.** The Board discussed submitting the 2020 CWF and National Water Quality Incentive (NWQI) funding applications. Albright explained that the Board met last week with the Clay and Wilkin SWCDs to discuss these programs. The BRRWD plans to partner with the Clay SWCD to apply for CWF funding to address sedimentation in 30 priority sites within the Buffalo River watershed. CWF funds are based on a 25%/75% cost share. The Clay SWCD asked the BRRWD to provide funding for technical assistance and design work for the 25% match (\$41,400 maximum), which could come from our M.S.A. 103D.905, Subd. 3, tax proceeds. The SWCD also plans to contact the NRCS to see if they would be willing to contribute some Environmental Quality Incentives Program (EQIP) funds to the local match. The CWF funds would be available in early 2020. The application submission deadline is 9/9/19. **Motion** by Anderson to commit up to \$41,400 in technical assistance, as a 25% match for the CWF grant with the understanding that if the NRCS contributes EQIP funds, the BRRWD's share would be less. **Seconded** by Van Amburg. **Approved.**

The Wilkin SWCD and the BRRWD are working on NWQI program funding with the NRCS to restore approximately 13 miles of channel along Whiskey Creek. The BRRWD held an informational meeting last year to discuss the proposed project. The next step is for the BRRWD to schedule a Preliminary Resolution Hearing to legally start project development. We will need to submit a DNR permit application, which will also require the preparation of an Environmental Assessment Worksheet (EAW). Albright noted that this project received a 319 Small Watershed Grant last year, which could provide approximately \$150,000-\$200,000 (\$400,000 maximum) per year for up to 16 years. These funds will be available 10/01/20. Wilkin SWCD also has a CWF grant that will be used for the project, and the NRCS has a NWQI grant available for the Whiskey Creek watershed. Jones discussed the status of the NWQI "Readiness Phase" report, which includes spending projections through 2023 for the Whiskey Creek project. Jones has been working with the NRCS, Wilkin SWCD, and the Minnesota Pollution Control Agency (MPCA) regarding funding needs for the Whiskey Creek watershed for the next 10 years, which will be used as base funding allocations for the CWF, NWQI, and the 319 grants. He explained that, like EQIP, the NWQI program is voluntary, meaning that landowners must sign up to participate, so the first steps to take advantage of this funding opportunity will be to provide education and information to the affected landowners. Jones asked the Board to authorize him to work with Don Bajumpaa, Wilkin SWCD, and John Quast, NRCS, to submit the Readiness Phase Form application for the NWQI implementation funding for the Whiskey Creek watershed. He explained that the funding will be used to implement practices that will reduce the amount of sediment coming into Whiskey Creek, including channel restoration, side inlets, grade stabilization, water and sediment control basins, grassed waterways, and water management. No cost share is required for the NWQI grant program. **Motion** by Hanson to submit the NWQI application for Whiskey Creek by the 9/8/19 deadline. **Seconded** by Fjestad. Leitch questioned future project development given the NRCS involvement. Jones noted that the NWQI funding is dependent upon landowner interest and participation. The Board had an extended discussion about the proposed application, SWCD/NRCS involvement with the project, and waterway "impairment" standards. **Approved.**

**Comments and Announcements.** Fjestad asked for a summary of the 8/22/19 Glyndon Waterway meeting. Albright reported that the landowners are interested in moving forward with a phased project, maybe starting with a beaver control program, then upsizing some of the culvert crossings, sediment removal north of T.H. No. 10, tree removal, and the city lagoons, and to work with the DNR to obtain a permit to work in their protected waters. Albright mentioned that we could create a watershed management district (wmd) to raise



a fee to fund future maintenance costs. The next steps will include scheduling a meeting with DNR Area Hydrologist Roger Hemphill.

Albright noted that the Clay SWCD sent a thank you letter for the BRRWD's contribution to help fund the Pheasants Forever Farm Bill position, currently held by Tony Nelson. He pointed out that BWSR has provided information regarding the Lawns to Legumes program, which he forwarded to River Keepers. He added that BWSR's Sustainable Farming Association (SFA) Soil Health Workshop will be held at the Grommesh Farm on 9/5/19.

Leitch asked about the repairs taking place on the Kelly Nichols/NRCS Wetlands Reserve Program (WRP) east of Barnesville along T.H. No. 34. The WRP site was developed in conjunction with Project No. 54, Whisky Creek Tributaries in 2012. The Board could consider taking over the Operation and Maintenance (O&M) duties for this site so that annual inspections could take place.

In response to Leitch's suggestion that the BRRWD have a district wall map, Jones displayed a smaller version for the Board's review. The Managers liked the map and asked for a larger version to review.

**Upcoming Calendar Items.** The Board discussed upcoming meetings and events.

**Next Meeting Agenda.** Leitch asked if anyone had an item they wanted to add to the next meeting agenda. There were no additions.

**Next Meeting.** The next regular BRRWD meeting will be held on Monday, September 9, 2019, at 7:00 PM in our Barnesville office.

**Adjournment.** **Motion** by Fjestad to adjourn the meeting. **Seconded** by Larson. **Approved.** President Leitch adjourned the meeting at 9:35 PM.

Respectfully submitted,

John E. Hanson, Secretary