



1303 4TH Ave. NE
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www.brrwd.org

Board Meeting Minutes

Monday April 10, 2023

Managers Present: Peter Fjestad; Catherine Affield; John Hanson; Troy Larson; Gerald Van Amburg; Mark Hanson (remote); William Davis.

Staff Present: Kristine Altrichter, Administrator; Matthew Schlauderaff, Watershed Specialist.

Consultants Present: Bennett Uhler, Engineer, Houston Engineering, Inc. (HEI).

Others Attending: Jenny Mongeau, Clay County Commissioner; Paul Krabbenhoft, Clay County Commissioner, Justin Sorum, Clay County Engineer; Gabe Tweten, Clay County Emergency Management Officer.

President Fjestad called meeting to order at 7:00 PM.

Agenda: Addition to agenda Lower Otter Tail River Restoration, Metro Flood Diversion Authority Funding Agreement.

Motion to approve agenda with addition by Van Amburg, **Seconded** by Affield. AYE – Fjestad, Affield, J. Hanson, Larson, Van Amburg, M. Hanson, Davis. **Approved.**

2023 Flood Efforts. BRRWD staff met with Justin Sorum and Gabe Tweten and discussed that BRRWD would manage projects and legal ditches and Clay County and Townships would manage their road ditches for flooding. Wilkin County Highway Department started cleaning road ditches and BRRWD ditches as needed. Wilkin County Highway Department routinely clears snow from ditches on behalf of BRRWD. Schlauderaff will be main contact for flood related concerns and will coordinate with Altrichter as needed. During normal business hours, landowners should contact the watershed office mainline. Landowners should contact Schlauderaff directly after hours. Schlauderaff began inspecting and coordinating ditch cleanouts April 10, 2023. Wade Opsahl, HEI Civil Technician, will monitor projects and coordinate with Schlauderaff as actions are required. BRRWD staff met with Georgetown City Council on April 3, 2023 and the Council decided they would monitor snow melt and contact BRRWD if assistance is needed. Opsahl will monitor stream gauge data and will contact BRRWD staff if coordination with City of Georgetown is required. BRRWD will participate in biweekly meetings with Clay County Emergency Management Team through the flood season. Clay County Highway Department has requested that BRRWD authorize them to coordinate with contractors on behalf of BRRWD if a ditch needs to be cleaned out after hours and if it is not cleared out could negatively impact County Roads. Clay County Highway Department will notify Schlauderaff prior to hiring contractor on behalf of BRRWD. **Motion** to approve proposal of Clay County Highway Department as presented by Larson, **Seconded** by J. Hanson. AYE – Fjestad, Affield, J. Hanson, Larson, Van Amburg, M. Hanson, Davis. **Approved.** Altrichter discussed potential need for additional work on some BRRWD projects to avoid negative consequences. It was recommended that Board of Managers authorize BRRWD staff complete work within reason to reduce or eliminate negative impacts caused by or to a BRRWD project or ditch. **Motion** to authorize staff to work within reason as recommended by Van Amburg, **Seconded** by Davis. AYE – Fjestad, Affield, J. Hanson, Larson, Van Amburg, M. Hanson, Davis. **Approved.**

Citizens to be Heard:

Jenny Mongeau. Clay County Commissioner. Mongeau expressed appreciation for BRRWD's flood efforts. Clay County Commissioners signed an Emergency Declaration in preparation for the 2023 flood. This initiates process for grant reimbursement for damages from flooding.

Gabe Tweten. Clay County Emergency Management Officer. Tweten's role is to ensure efforts are coordinated across Clay County. Tweten will host biweekly meetings to coordinate among the government entities. It is anticipated that there could be a major flood on the Red River and moderate flooding on the Buffalo River.

Justin Sorum. Clay County Engineer. Clay County has three crews clearing snow from ditches across Clay County.

Consent Agenda: Motion to approve consent agenda items: March 13, 2023 Board Meeting Minutes; Financial Report; and Permit Nos. 23-012, Kevin Solum – Pattern Tile; 23-013, Bruce Yaggie – Pattern Tile; 23-014, Vance Jirava – Installation of water and sediment control basin (WASCB) by Affield, **Seconded** by M. Hanson. AYE – Fjestad, Affield, J. Hanson, Larson, Van Amburg, M. Hanson, Davis. **Approved.**

Permits for Discussion:

Permit No. 23-016. Roger Moltzan, North Dakota Retriever Club. Applicant proposes to construct an embankment in SW ¼, Section 35, Moland Township, Clay County. Proposed embankment will store water on applicant’s property. New water surface elevation will be 2 ft below lowest adjacent farm field on south side of driveway, upstream of raised water storage area. Uhler recommended approval. **Motion** to approve Permit Nos. 23-016 by J. Hanson, **Seconded** by Affield. AYE – Fjestad, Affield, J. Hanson, Larson, Van Amburg, M. Hanson, Davis. **Approved.**

Projects:

Project 49 – Oakport Flood Mitigation. Wetland Credit Transfer. Clay Technical Evaluation Panel (TEP) approved close out plan and transfer of 0.6619 credits for Oakport Flood Mitigation Project. At the December 12, 2022 Board Meeting, Board of Managers approved charging Project 49 \$17,000.00 per credit plus fees for mitigation. Total project cost for wetland mitigation is \$12,386.79. **Motion** to authorize Altrichter to sign credit transfer forms, transfer payment from Project 49 to Wetland Restoration account, and remit payment to Board of Water and Soil Resources (BWSR) by Affield, **Seconded** by Davis. AYE – Fjestad, Affield, J. Hanson, Larson, Van Amburg, M. Hanson, Davis. **Approved.**

Project 79 – Wolverton Creek Restoration. Land Acquisition Update. In 2019, BRRWD signed Purchase Agreement with Kristine Bixby for the sale of two parcels on Wolverton Creek in Section 10, Wolverton Township, Wilkin County. Tract 1 was sold immediately, Tract 2 was to be sold once the Reinvest in Minnesota (RIM) easement closed. Bixby requested Board of Managers consider selling her Tract 2 for \$40,000.00, without a contract for deed arrangement. At the February 13, 2023 Board Meeting, Board of Managers authorized reducing sale price to \$65,000.00 if Tract 2 is purchased outright, price remains \$75,419.96 if purchased through contract for deed. Bixby contacted Altrichter on March 15, 2023 stating initial offer of \$40,000.00 was her final offer. Attorney Corey Elmer, Vogel Law Firm, sent letter to Bixby reiterating BRRWD’s offer authorized on February 13, 2023. Letter states that BRRWD will pursue other buyers if response is not received by April 12, 2023.

Project 80 – Stony Creek Restoration. Approve Water Management District (wmd). Uhler presented wmd for Stony Creek restoration. Total annual charge is up to \$135,000.00, unless BRRWD determines at the Annual Budget Hearing not to assess for a given year. Proposed wmd will provide funding for project implementation and remain in existence for perpetuity for future maintenance. **Motion** to approve wmd for Stony Creek Restoration as presented by Larson, **Seconded** by J. Hanson. AYE – Fjestad, Affield, J. Hanson, Larson, Van Amburg, M. Hanson, Davis. **Approved.**

Project 81 – Whiskey Creek Restoration. Award Bid. Motion to award bid to Ehlert Excavating, Inc., apparent lowest bidder, with a bid of \$693,118.00 for Phase 3 of construction for Whiskey Creek Restoration by Larson, **Seconded** by Affield. AYE – Fjestad, Affield, J. Hanson, Larson, Van Amburg, M. Hanson, Davis. **Approved.**

Lower Otter Tail River Restoration. Metro Flood Diversion Authority Funding Agreement. Motion to approve Funding Agreement as presented by Van Amburg, **Seconded** by Davis. AYE – Fjestad, Affield, J. Hanson, Larson, Van Amburg, M. Hanson, Davis. **Approved.**

Ditches:

Wilkin-Otter Tail J.D. 2. General Update, Redetermination of Benefits (ROB) Update. Altrichter met with Otter Tail County Auditor, Wayne Stein, and Otter Tail County Ditch Inspector, Colby Palmersheim to discuss J.D. 2. Stein believed when Wilkin County transferred J.D. 2 to BRRWD, joint board with Otter Tail County should have been dissolved. BRRWD should be Drainage Authority for J.D. 2. Palmersheim discussed with Otter Tail County Commissioners at a their Board Meeting and they expressed no concern. Palmersheim met with J.D. 2 Viewers regarding the J.D. 2 ROB initiated a few years ago. The Viewers updated benefit rates to match current market value. HEI is now compiling the Viewers’ Report. Once Viewers’ Report is complete, BRRWD will hold ROB Hearing.

Project 1 – Wilkin County Ditch No. 22. Culvert Repair Update. Vogel Law Firm sent a letter to affected landowners discussing ditch right-of-way (ROW) as it relates to the culvert repair in Section 26, Wolverton Township. Vogel Law Firm and BRRWD staff have not heard any additional concerns from the affected landowners. HEI has drafted documents to bid repair. It is likely culvert will not be available until late 2023 or early 2024.

Other:

2023 International Water Institute (IWI) Water Quality Monitoring. Approve Agreement. Motion to approve agreement with IWI for 2023 water quality monitoring by J. Hanson, **Seconded** by Affield. AYE – Fjestad, Affield, J. Hanson, Larson, Van Amburg, M. Hanson, Davis. **Approved.**

Tablet for Fieldwork. Motion to authorize purchase of a tablet for fieldwork by Davis, **Seconded** by Van Amburg. AYE – Fjestad, Affield, J. Hanson, Larson, Van Amburg, M. Hanson, Davis. **Approved.**

Project Tour. Select Date and Appoint Subcommittee. At the March 13, 2023 Board Meeting, Board of Managers discussed hosting project tour in 2023. Board of Managers decided to host half day project tour on Wednesday August 16, 2023. Board of Managers also determined Van Amburg, Affield, and M. Hanson would be on a subcommittee to help plan tour.

Bills. Motion to approve bills totaling \$189,814.33 by Larson, **Seconded** by Davis. **Approved.**

Next Regular Meeting. Monday May 8, 2023, at 7:00 PM in the Barnesville office. Agenda will be posted on BRRWD’s website prior to meeting.

President Fjestad adjourned meeting at 8:03 PM.

/s/ John Hanson
Secretary