

BUFFALO-RED RIVER WATERSHED DISTRICT

BARNESVILLE, MINNESOTA 56514

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MINUTES FOR MANAGERS' MEETING

June 28, 2021

The Board of Managers, Buffalo-Red River Watershed District (BRRWD), held their regular meeting on Monday, June 28, 2021, at 7:00 PM in the Barnesville office. The meeting was also available online. BRRWD Managers present were Peter V. Fjestad, Catherine L. Affield, Gerald L. Van Amburg, John E. Hanson, Mark L. Hanson, and Troy E. Larson. BRRWD staff in attendance were Kristine M. Altrichter, Administrator, Erik S. Jones, Engineer, and Bennett Uhler, Engineer, Houston Engineering, Inc. (HEI). Others attending: Chris Watterud, in person, and Don Nelson, online.

At 7:00 PM, President Fjestad called the meeting to order and announced that the meeting was being recorded to aid in the preparation of minutes.

Agenda. Additions to the meeting agenda: a ditch cleanout request and a discussion about a potential wetland bank site in Otter Tail County, Whiskey Creek construction agreement signature, Barnesville Township Federal Emergency Management Agency (FEMA) funding, Wolverton Creek right-of-way (R/W) obstruction, a Moorhead Township drainage complaint, Clay County Ditch (C.D.) No. 50 easement encroachment agreement signature, and a staff transition update. **Motion** by M. Hanson to approve the amended agenda. **Seconded** by Affield. **Approved.**

Secretary's Report. The Board reviewed draft minutes for the 6/14/21 regular meeting, the 6/14/21 special meeting, the 3/8/11 Runck informational meeting, and the 7/26/11 Alliance Township informational meeting. Affield noted a minor correction to the special meeting minutes. **Motion** by Van Amburg to approve the minutes, subject to correction. **Seconded** by Affield. **Approved.**

Treasurer's Report. The Board reviewed a revised format for the BRRWD's 6/28/21 financial status report. Cash on hand is \$2,587,069.96. Income received since the 6/14/21 meeting totals \$18,750, and for the year, totals \$2,629,541.44. Current Account Receivables collected this month total \$455,780.37 and to date, Account Receivables total \$14,327,118.21.

Other Business brought before the Board included:

Permit No. 21-065, Chris Watterud & 21-067, Daniel Froslic. Watterud proposes to install random tile, reshape an existing ditch channel, and install catch basins in the W¹/₂, Section 11, Tanberg Township, Wilkin County. Froslic proposes to install random tile in low spots in the S¹/₂, Section 2, Tanberg Township, and connect his project to Watterud's tile project. The tile will outlet through a new pipe through the north-south township road in the northwest corner of Section 11 to a private ditch along the north line of Section 10, then the tile line will cross the township road to a natural waterway, eventually outletting to an area wetland. At their 6/14/21 meeting, the Board authorized HEI to conduct a survey of the natural waterway to ensure an adequate outlet for the tile project and that the proposed work will be in compliance with the Wetlands Conservation Act (WCA) and the Swampbuster provision of the Farm Bill. The Wilkin Soil and Water Conservation District (SWCD) reviewed the survey and approved the proposed grade for the natural waterway in Section 3. Uhler recommended approval of both applications, subject to our standard tiling permit conditions, township approval to work within their road R/W, and to work with the County, Township, and railroad authorities on the waterway cleanout.

Motion by Larson to approve Permit Nos. 21-065 and 21-067, subject to the referenced disclaimers and conditions. **Seconded** by J. Hanson. **Approved.**

Whiskey Creek Enhancement. The Board reviewed an Amendment to the Findings and Order dated 4/26/21 to remove the northwest corner of Section 1, Nilsen Township, Wilkin County, from the project's watershed management district (wmd) assessment area. **Motion** by Larson to authorize signature of the amendment. **Seconded** by Affield. **Approved.**

Uhler reported that the contractor, Jason Ehlert, Ehlert Excavating, Inc., signed the Phase 1 construction contracts and provided the certificates of insurance and bond. **Motion** by J. Hanson to authorize signature of the construction contract. **Seconded** by Larson. **Approved.**

Oakport Flood Mitigation. Jones, Altrichter, and BRRWD Attorney Tami Norgard, Vogel Law Firm, met with Bob Zimmerman and Steve Iverson, City of Moorhead, on 6/23/21 to discuss the potential transition of the Oakport project ownership from the BRRWD to the City. The City listed a number of items the BRRWD would need to address prior to transferring ownership. The Board discussed the transition process. **Motion** by Van Amburg to authorize the staff and Attorney Norgard to work with the City to move forward with the transition. **Seconded** by M. Hanson. **Approved.**

USACE Wetland Credit Purchase. The United States Army Corps of Engineers (USACE) accepted the BRRWD's offer to sell 0.5 banking credits for \$50,000 per acre, plus associated fees. They will prepare the purchase documents for the Board's review and signature.

Otter Tail/Wilkin Judicial Ditch (J.D.) No. 2 Wetland Restoration. Jones contacted the landowners in Sections 7 and 18, Orwell Township, along J.D. No. 2, to discuss their interest in a potential wetland restoration project on their property. The Board discussed two restoration options and potential costs/credit values associated with each alternative.

Dan Bradow contacted Fjestad about the road ditch/field separation along County State Aid Highway (CSAH) No. 20 in the NE¹/₄, Section 19, Akron Township, Wilkin County. A BRRWD permit is not needed to work in a county road ditch. Bradow was advised to contact the Wilkin County Highway Department regarding this issue.

Weed Spraying Policy. The Board discussed a reimbursement request for \$1,100 from a landowner in Connelly Township on Phase 1 of the Whiskey Creek Enhancement project for spraying weeds on the 51.47 acres of temporary project easement along his property. The Board discussed the practice of paying landowners to spray project easement areas and potential liability issues. The BRRWD already contracts with L&M Road Services for ditch/project spraying. The Managers decided to deny the current request and to set the policy of not paying landowners to spray their temporary easement areas.

RRWMB LiDAR. At their 6/14/21 meeting, the Board decided to take part in the Red River Watershed Management Board (RRWMB) 2021 LiDAR collection effort. The RRWMB set a final rate of \$135/square mile for the BRRWD to participate.

Clay C.D. No. 50. The Board reviewed a 2017 easement encroachment agreement with Serenity Manor in Dilworth to construct a bridge crossing over the ditch to access an addition to their campus. **Motion** by Van Amburg to authorize signature of the agreement. **Seconded** by Affield. **Approved.**

Moorhead Township Drainage Concern. The Board discussed a drainage concern south of Dilworth along an abandoned road (12th AVE S) on the south line of Section 12, Moorhead Township. The Clay County Highway Department doesn't acknowledge jurisdiction over the road and referred the landowner to the BRRWD. Jones suggested that the Managers conduct a field review to determine their response.

Wolverton Creek Restoration. Jones recommended hiring a contractor to remove some dead trees that have fallen onto the project R/W along the channel in Section 10, Wolverton Township, Wilkin County. **Motion** by J. Hanson to authorize the recommended tree removal. **Seconded** by Van Amburg. **Approved.**

Barnesville Township Repairs. In 2019, the Board approved flood damage repairs in Section 2, Barnesville Township, Clay County, along 170th ST. HEI prepared the repair plans, working through the FEMA Hazard Mitigation Grant program. According to FEMA guidelines, if the BRRWD is a sub-applicant for the FEMA Grant, the HEI engineering costs that the BRRWD has already paid can be used as grant matching funds. Uhler provided FEMA documents for the Board's review, affirming that the BRRWD is a sub-applicant for the grant and agrees to provide the 25% match funds (HEI engineering costs). The Township will take responsibility for the repair work outside of the project area not covered by the FEMA grant. **Motion** by Larson to authorize signature of the FEMA grant documents. **Seconded** by Affield. **Approved.**

HR Committee Staff Transition. Altrichter provided an update on the staff transition. There will be an additional fee of \$150/year to set up the Health Saving Accounts (HSA) accounts for the employees to make tax free contributions. The tentative date for the staff to transition to BRRWD employment is 8/1/21. **Motion** by Affield to authorize payment of the HSA fee. **Seconded** by M. Hanson. **Approved.**

BRRWD Advisory Committee. The Managers reviewed an updated Advisory Committee member list.

2020 Annual Report. The Board discussed the draft 2020 Annual Report. **Motion** by Van Amburg to approve the 2020 Annual Report. **Seconded** by J. Hanson. **Approved.**

Bills. The Board reviewed bills totaling \$19,721.76. **Motion** by Affield to approve payment of the bills. **Seconded** by Larson. **Approved.** See detailed bill list below.

Project List. Van Amburg suggested that the staff could update the Project Status Report for the Board's review.

MAWD Region I Meeting. The Board discussed the 6/22/21 Minnesota Association of Watershed Districts (MAWD) meeting topics.

Next Meeting. The Board will hold their next regular meeting on Monday, July 12, 2021, at 7:00 PM in the Barnesville office. The conference line phone number is 1-701-404-1699. Conference ID: 924 439 38#. More information will be posted on the BRRWD's website prior to the meeting at www.brrwd.org.

Adjournment. President Fjestad adjourned the meeting at 8:22 PM.