



1303 4TH Ave. NE
Barnesville, MN 56514
218-789-3100
www.brrwd.org

Board Meeting Minutes

Tuesday November 12, 2024

Managers Present: Peter Fjestad; Catherine Affield; Troy Larson; William Davis; Gerald Van Amburg (remote); Curtis Stubstad; Todd Andresen.

Managers Absent: None.

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

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

Others Attending: Kevin Olsgaard; Peter Lewis; Charles Steiner; Jerry Nordick; Nick Olsgaard; Jerry Matter; Bill Steffl; Mike Bush, Concordia College; Paul Krabbenhoft, Clay County Commission; Jenny Mongeau (remote), Clay County Commission.

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

Agenda: Additions to agenda:

Project No. 49 – Oakport Flood Mitigation, No Hunting Signage.

Project No. 81 – Whiskey Creek Enhancement, Phase 3, Extension Request

Motion to approve agenda with additions by Stubstad, **Seconded** by Davis. Aye – Fjestad, Affield, Davis, Larson, Van Amburg, Stubstad, Andresen. **Motion Carried.**

Citizens to be Heard:

Michael Bush, Concordia College. Long-Term Monitoring Discussion. Bush, professor in the Departments of Biology and Environmental & Sustainability Studies at Concordia College requested permission to sample fishes, macroinvertebrates, riparian vegetation, and water quality along Glyndon East Tributary, Snakey Creek, Stony Creek, and Whiskey Creek to assess impacts of stream restorations. Bush proposes to conduct sampling with two summer research undergraduates and students enrolled in his Fall Limnology Course. **Motion** to authorize Bush and students to utilize BRRWD right-of-way (ROW) to complete proposed monitoring by Larson, **Seconded** by Andresen. Aye – Fjestad, Affield, Davis, Larson, Van Amburg, Stubstad, Andresen. **Motion Carried.** Board of Managers expressed interest in results of monitoring.

Peter Lewis. Project No. 80 – Stony Creek Restoration. Board of Managers discussed violation to Project No. 80 – Stony Creek Restoration easement at the September 9, 2024 Board Meeting. Lewis received letter from Vogel Law Firm and told Board of Managers he did not know he would not be able to plant alfalfa in the easement area and hay it. Board of Managers discussed monitoring vegetation in the spring and determining if Lewis would need to replant vegetation once BRRWD is able to determine if planting alfalfa prevented the native seed mix from establishing.

Kevin Olsgaard. Clay County Ditch No. 36. Olsgaard discussed 1.5 mile cleanout on Clay County Ditch No. 36 that was approved at the September 9, 2024 Board Meeting. Olsgaard talked to staff about continuing cleanout an additional 1.5 miles downstream to ditch outlet. Uhler and Schlauderaff met onsite and determined sloughing in that portion of channel could worsen with a cleanout. Uhler noted a larger repair is likely needed to address sloughing before ditch can be cleaned out. Schlauderaff noted landowners could petition for an improvement. Uhler noted an improvement would require approximately 100 feet of additional ROW on Clay County Ditch No. 36. Board of Managers discussed that ditch sloughing was common in this area. HEI is currently researching solutions to address concerns. Olsgaard noted Clay County Ditch No. 11 also needs to be cleaned out.

Jerry Matter. Becker County Ditch No. 21. Matter requested Board of Managers cleanout Buffalo River at outlet of Becker County Ditch No. 21. Currently, riverbed of the Buffalo River is higher than Becker County Ditch No. 21 outlet. Schlauderaff spoke with Department of Natural Resources (MNDNR) Area Hydrologist, Rodger Hemphill, about concern and was informed that a permit would not be issued to cleanout the river. Uhler noted BRRWD could receive a permit to clean out sediment if it was associated with the proposed Upper Buffalo River Restoration project. Matter stated he did not support the Upper Buffalo River Restoration.

Consent Agenda: Motion to approve consent agenda items:

October 14, 2024 Board Meeting Minutes

Financial Report

Permit Nos.

24-106, Minnesota Department of Transportation (MnDOT) c/o Gabe Dretsch – road improvement, culvert lining, and infiltration basin, Wilkin and Otter Tail Counties

24-110, Max Fuxa – tiling, NW ¼, Section 3, Lake Park Township, Becker County with conditions

24-111, Trent Eidem – tiling, NW ¼, Section 2, Kragnes Township, Clay County with conditions

24-112, Brent Ellefson – approach and culvert installation, NE ¼, Section 34, Humboldt Township, Wilkin County with conditions

24-113, Todd Andresen – tiling, SE ¼, Section 11, Hamden Township, Becker County with conditions

24-114, Alayna Stenerson – land development and culvert installation, SW ¼, Section 25, Elmwood Township, Clay County with conditions

24-115, Jeff Mortenson – land development, SW ¼, Section 5, Hawley Township, Clay County with conditions

24-116, M&J Farms, Inc. – water and sediment control basin (WASCOB), SW ¼, Section 4, Hawley Township, Clay County with conditions

24-117, Dan Solum – tiling, NW ¼, Section 26, Prairie View Township, Wilkin County with conditions

24-118, M&J Farms, Inc. – WASCOB, SE ¼, Section 12, Cromwell Township, Clay County with conditions

24-119, Blake Jetvig – WASCOB, SW ¼, Section 33, Cromwell Township, Clay County with conditions

24-120, Terry Malingen – tiling, E ½ E ½, Section 28, Prairie View Township, Wilkin County with conditions

Project No. 81 – Whiskey Creek Enhancement Phase 3, Pay Estimate No. 11 for \$284,536.97

by Affield **Seconded** by Davis. Aye – Fjestad, Affield, Davis, Larson, Van Amburg, Stubstad, Andresen. **Motion Carried.**

Permits for Discussion:

Permit No. 24-122. Red River Valley Coop Power c/o Leon Emmil. Applicant proposing to install utility lines under Clay County Ditch No. 53 in Sections 7 and 18, Elkton Township, Clay County. Uhler recommended approval subject to standard utility conditions. **Motion** to approve Permit No. 24-122 with conditions outlined above by Stubstad, **Seconded** by Affield. Aye – Fjestad, Affield, Davis, Larson, Van Amburg, Stubstad, Andresen. **Motion Carried.**

Permit No. 24-121. Chuck Steiner. Applicant proposing to pattern tile 75 acres in SW ¼ of NW ¼ and NW ¼ of SW ¼, Section 23, Andrea Township, Wilkin County. Steiner submitted Permit No. 24-059, which was denied at the August 12, 2024 Board Meeting due to concern for possible downstream impacts. Board of Managers recommended applicant reapply for permit when concerns from downstream landowners were addressed. Steiner resubmitted permit (24-121) requesting Board of Managers consider adding the following conditions: 1) During high water conditions, if water level is at or above a mark of one foot below the inside top of the culvert that the water which flows through from east to west under CSAH 19, pump from field to road ditch will be turned off. Pump will not be turned back on until water level recedes from that mark. 2) This mark would be established with a visible paint line. Board of Managers discussed downstream landowner concerns and water flow through area. Board of Managers discussed concerns with adding additional conditions to permit and decided to approve permit with only the standard tiling conditions. **Motion** to approve Permit No. 24-121 with standard tiling conditions by Davis, **Seconded** by Andresen. Aye – Fjestad, Affield, Davis, Larson, Van Amburg, Stubstad, Andresen. **Motion Carried.** Board of Managers recommended Steiner work with neighbors and coordinate shutting off pump during high water events as presented in his request.

Projects:

Project No. 56 – Manston Slough. Tree Removal Update. Board of Managers requested staff coordinate with project partners to remove trees in project area at the June 10, 2024 Board Meeting. Staff met with staff from MNDNR, Board of Water and Soil Resources (BWSR), Natural Resources Conservation Service (NRCS), United States Fish and Wildlife Service (USFWS), and Wilkin Soil and Water Conservation District (SWCD). MNDNR and USFWS are coordinating burns to manage trees in project area.

Project No. 58 – Riverton Township Storage. Management Recommendation. There has been significant gopher activity along dike of the Riverton Township Storage project. Midwest Pest Control Inc. provided quote to control gophers. One time gopher management was quoted to cost \$4,500.00 and inspections and service to be completed three times in 2025 once in each April, July, and October, was quoted to cost \$2,000.00 per service. **Motion** to accept recommendation and authorize Midwest Pest Control, Inc. to manage gophers as presented, by Davis, **Seconded** by Stubstad. Aye – Fjestad, Affield, Davis, Larson, Van Amburg, Stubstad, Andresen. **Motion Carried.**

City of Wolverton Flood Mitigation Project. Quote to Raise Utility Line. Utility lines in City of Wolverton will need to be raised to accommodate the Flood Mitigation Project. The cost for Xcel Energy to raise lines is \$8,433.73. Metro Flood Diversion Authority (MFDA) has authorized this as a project expense and will reimburse BRRWD. **Motion** to approve expense to raise utility lines as recommended, by Davis, **Seconded** by Andresen. Aye – Fjestad, Affield, Davis, Larson, Van Amburg, Stubstad, Andresen. **Motion Carried.**

Lower Otter Tail River Restoration. Funding Agreement. BRRWD has been working with Wilkin SWCD to obtain Reinvest in Minnesota (RIM) easements for the Lower Otter Tail River Restoration. Due to staffing constraints, BRRWD staff recommended BRRWD coordinate RIM easements for Lower Otter Tail River Restoration moving forward. BWSR pays local governments \$2,500.00 per RIM easement to pay for staff time to acquire easement. BWSR has an agreement with Wilkin SWCD to send funds when easements close. BWSR recommended BRRWD and Wilkin SWCD enter an agreement for funds to be transferred through Wilkin SWCD to BRRWD. Goeden presented draft agreement for Wilkin SWCD to pay BRRWD \$2,500.00 per RIM easement and pay title fees and other eligible expenses per the work order incurred by BRRWD for RIM easement acquisition, and Wilkin SWCD will complete inspections once RIM easements close and will collect payment from BWSR for those inspections. **Motion** to authorize Goeden to sign agreement on behalf of Board of Managers by Stubstad, **Seconded** by Affield. Aye – Fjestad, Affield, Davis, Larson, Van Amburg, Stubstad, Andresen. **Motion Carried.**

Upper Buffalo River Restoration. Authorizing Completing Environmental Assessment Worksheet (EAW) and Permitting. **Motion** to authorize HEI to initiate EAW and permitting for Upper Buffalo River Restoration by Stubstad, **Seconded** by Larson. Aye – Fjestad, Affield, Davis, Larson, Van Amburg, Stubstad, Andresen. **Motion Carried.**

South Branch Buffalo River Restoration, Phase 2. Project Update. Board of Managers authorized In Situ Archaeological Consulting to complete archaeological survey for Phase 2 of the South Branch Buffalo River Restoration at their April 8, 2024 Board Meeting. In Situ Archaeological Consulting recommended a finding of *No Historic Properties Affected* within surveyed project area and determined no further cultural resource work is recommended. At the October 14, 2024 Board Meeting, Uhler presented a concern with vegetation establishment in the project area. Contractor submitted soil samples to University of Minnesota for analysis. Uhler presented findings that soil has extremely high salinity. Uhler will work with contractor to determine solutions to establish vegetation.

Project No. 49 – Oakport Flood Mitigation. No Hunting Signage. **Motion** to authorize “No Hunting” signage to be posted on BRRWD property in Oakport Township by Stubstad, **Seconded** by Larson. Aye – Fjestad, Affield, Davis, Larson, Van Amburg, Stubstad, Andresen. **Motion Carried.**

Project No. 81 – Whiskey Creek Enhancement, Phase 3. Extension Request. Contractor is making progress on construction of Whiskey Creek restoration, however, due to weather conditions in spring 2024, contractor is requesting extension on contract. Uhler recommended extending contract to September 1, 2025 to ensure vegetation is established before contract closes. Uhler noted BRRWD obtained temporary easements from landowners for one year, so contractor may have to pay landowners for a second year of temporary easement. **Motion** to authorize extension to September 1, 2025 by Affield, **Seconded** by Stubstad. Aye – Fjestad, Affield, Davis, Larson, Van Amburg, Stubstad, Andresen. **Motion Carried.**

Ditches:

Clay County Ditch No. 20. Kragnes Township Culvert Cost Share Request. Staff met with Kragnes Township Supervisors regarding a culvert in line with Clay County Ditch No. 20 that collapsed under 100th Ave NW in the NW ¼, Section 32, Kragnes Township. Kragnes Township completed repair and sent invoice for culvert, which was \$3,391.20. Kragnes Township requested a 50 percent cost share on culvert for a total of \$1,695.60. **Motion** to approve cost share for cost of culvert as recommended, by Larson, **Seconded** by Davis. Aye – Fjestad, Affield, Davis, Larson, Van Amburg, Stubstad, Andresen. **Motion Carried.**

Clay County Ditch No. 32. Appoint Viewer. At the May 2024 Board Meeting, Board of Managers appointed Viewers to redetermine the benefits of Clay County Ditch No. 23. One of the Viewers and one of the alternates are no longer able to participate. **Motion** to approve Amended Order and appoint Michael Dohn as a Viewer with previously appointed Viewers Joseph Jacobs and Gary Schellack, by Davis, **Seconded** by Affield. Aye – Fjestad, Affield, Davis, Larson, Van Amburg, Stubstad, Andresen. **Motion Carried.**

Drainage Repair Recommendations

Drainage	Township	Section	Problem/Proposed Work	Estimated Cost
Clay County Ditch No. 34	Barnesville	19	Failing flapgates and side inlet elevation set too high. Replace one 18" flapgate, three 24" flapgates, and lower one side inlet 1'.	\$10,000 - \$12,000
Clay-Wilkin Judicial Ditch No. 1	Deerhorn	7	Scour hole on west end of culvert. Haul in 40 yards of rip rap to fill hole.	\$10,000 - \$12,000
Wilkin County Ditch No. 4A	Foxhome	4	Failing 81"x59"x52' cmpa. Replace with same sized cmpa.	\$22,000 - \$24,000

Motion to approve repairs as presented, by Larson, **Seconded** by Davis. Aye – Fjestad, Affield, Davis, Larson, Van Amburg, Stubstad, Andresen. **Motion Carried.**

Other:

Citizen Advisory Committee (CAC). Discussion. Board of Managers will appoint members to the CAC at their annual meeting in January 2025. Board of Managers reviewed current CAC members.

Minnesota Watersheds Annual Conference. Resolution Discussion. Goeden presented resolutions delegates will vote on at Minnesota Watersheds annual conference in December.

Bills. Motion to approve bills totaling \$862,035.93 by Stubstad, **Seconded** by Affield. Aye – Fjestad, Affield, Davis, Larson, Van Amburg, Stubstad, Andresen. **Motion Carried.**

Next Regular Meeting. Monday December 9, 2024, at 7:00 PM in the Barnesville office.

President Fjestad adjourned meeting at 8:59 PM.

/s/ William Davis
William Davis
Secretary