

BUFFALO-RED RIVER WATERSHED DISTRICT

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MINUTES FOR MANAGERS' MEETING September 10, 2018

The Board of Managers, Buffalo-Red River Watershed District (BRRWD), held their regular meeting on Monday, September 10, 2018, at 7:00 PM in the Barnesville office. BRRWD Managers present were Jay A. Leitch, Gerald L. Van Amburg, Mark T. Anderson, John E. Hanson, Catherine L. Affield, Troy E. Larson, and Peter V. Fjestad. Others attending included: Bruce E. Albright, BRRWD Administrator, Erik S. Jones, Engineer, and Kathleen K. Fenger, Administrative Assistant, Houston Engineering, Inc. (HEI); and landowner Jim Haick.

BRRWD President Leitch called the meeting to order at 7:01 PM.

Agenda. President Leitch asked for comments or additions to the meeting agenda. He noted that he wasn't prepared to discuss the staffing outsourcing tonight and proposed to discuss the recent Fall Tour instead. With that change, the agenda was adopted.

Secretary's Report. The Board reviewed draft minutes for the 8/27/18 regular Board meeting and the 8/15/18 Clay County Ditch (C.D.) No. 16 Redetermination of Benefits hearing. Leitch had minor corrections for both sets of minutes. **Motion** by Manager Anderson to approve the 8/27/18 Board minutes, subject to correction. **Seconded** by Manager Affield. **Approved.** **Motion** by Anderson to approve the 8/15/18 C.D. No. 16 minutes, subject to correction. **Seconded** by Affield. **Approved.**

Treasurer's Report. The Board reviewed the BRRWD's monthly financial statements, including the project account balance sheet, administrative disbursements, summary of income, and the accounts receivable report. Cash on hand is \$2,221,245.69. Administrative disbursements for the month are \$29,308.74 and for the year total \$257,433.49. Current 2018 accounts receivable are \$4,409,684. Our total income for the year is \$2,019,535.67. Income since the 8/13/18 financial report was \$146,626.88. Receipts came primarily from the Minnesota Department of Natural Resources (DNR) grant for Project No. 49, Oakport Flood Mitigation (\$143,924.72), bank account interest (\$2,377.16), and office rentals (\$325). **Motion** by Manager Van Amburg to approve the Treasurer's Report. **Seconded** by Manager Fjestad. **Approved.** Van Amburg questioned the status of Clay County's 2018 first half ditch/project tax payment. To date, the County has not forwarded their collections. Van Amburg will contact the County Auditor regarding this issue.

Other Business brought before the Board included:

Permit No. 18-085, Maverick Janssen. Applicant proposes to install two east-west field laterals to drain water directly to the Interstate-94 (I-94) ditch northeast of the Downer exit in the N½, Section 20, Elkton Township, Clay County, and to clean the I-94 ditch in the N½ of Section 20. Janssen plans to contact the Minnesota Department of Transportation (MNDOT) to obtain permission to clean their ditch. Jones recommended permit approval.

Permit No. 18-086, Steve Haverland. Applicant proposes to install 80 acres of pattern tiling in the SE¼, Section 36, Wolverton Township, Wilkin County, outletting via a lift station in the southwest corner of the section to the County Road (C.R.) No. 184 north ditch, where the water would drain west for approximately 1.5 miles to Wolverton Creek. Haverland also plans to install 17 acres of pattern tile along the east and north sides of the NE¼, outletting via gravity flow in the northwest corner of the property to Wilkin C.D. No. 22, to which the water is assessed to drain. Haverland also proposes to cut the township road (160th ST) and

install a tile line with an open grate to drain water from a low area in the SW¼, Section 31, Deerhorn Township, Wilkin County, to the main tile line in Section 36, Wolverton Township. No additional tiling will be installed in Section 31. Haverland has already obtained a signed notification form from the downstream landowner and verbal permission from Wolverton Township. Jones recommended permit approval, subject to our standard tiling disclaimer.

Permit No. 18-087, David Yaggie. Applicant proposes to install pattern tile in Section 3, Manston Township, Wilkin County, outletting via a lift pump to the South Branch of the Buffalo River. Jones noted that the proposed work is located in the Upper South Branch of the Buffalo River project area. Wilkin Soil and Water Conservation District (SWCD) Supervisor Ross Aigner discussed the project with Yaggie and provided Jones with information regarding the proposal. This area suffered severe erosion during the 2009 flood, causing deep gullies along the south line of Section 3. Since then, Yaggie has attempted to reclaim the eroded cropland, but the BRRWD wants to install preventative measures to avoid a recurrence of the sediment washing off the field into the South Branch. Aigner recommended to Yaggie that the erosion areas be grassed/buffered. Jones suggested that the grassed strip could be approximately 100' on both sides of the eroded channel, or at a minimum, the bottom of the washout should be protected.

Anderson asked if the South Branch of the Buffalo River is an adequate outlet for the permit and if tiling would be considered a deterrent to the noted flooding/erosion concerns. The Board had a brief discussion regarding the poor condition of the downstream South Branch channel. Landowner Jim Haick discussed his concern about Yaggie's tile outletting to the South Branch because of the channel sedimentation/limited capacity and asked that the Board put some conditions on the use of the outlet if they approve the permit. He said he wasn't against the proposed project but was concerned about downstream flooding impacts. Jones contacted the SWCD to discuss options for this erosion site. There is about a 100-acre strip in the erosion area (Sections 2 and 3) that could be enrolled in the Conservation Reserve Enhancement Program (CREP). He noted that there might be other options for the site, including the installation of sediment control structures. Haick commented that it is also important for the BRRWD to be diligent in managing the area beaver problems in the channel. Jones suggested that the Board needs more information prior to approving this application. **Action Postponed.**

Permit No. 18-088, Ed Gilbertson. Applicant proposes to install a new field approach with an 18" dia. culvert on the east side of 13th ST SE in Barnesville in the SW¼, Section 29, Humboldt Township, Clay County. Albright conducted a field review and recommended permit approval, subject to township approval to work within their road right-of-way (R/W).

Permit No. 18-089, Wilkin County Highway Department. Applicant proposes to install seven plastic liners in the sectional concrete centerline pipes under C.R. No. 3 from Trunk Highway (T.H.) No. 75 north to C.R. No. 3 (13 miles). Some of the field entrance pipes were already changed by the County earlier this year (Permit No. 18-052). The County contacted the affected neighboring landowners, and they will only install the liners where they have permission. Jones recommended permit approval.

Permit No. 18-090, Brent Ellefson. Applicant proposes to install a new field approach with a 24" dia. x 53' long culvert to provide a crossing over a natural waterway running through their property for better field access. The new driveway will branch off an existing driveway on 120th ST in the SW¼, Section 11, Atherton Township, Wilkin County. The project could also include widening the existing farmstead driveway and lengthening the pipe to accommodate larger machinery. Jones recommended permit approval.

Motion by Fjestad to approve Permit Nos. 18-085, 18-086, 18-088 through 18-090, subject to the referenced standard disclaimers and conditions. **Seconded** by Affield. **Approved.**

OTVR/Wilkin County Highway Department Drainage Concern. Last winter, the Otter Tail Valley Railroad (OTVR) had concerns about water/icing overtopping County State Aid Highway (CSAH) No. 52 in and around the City of Lawndale. OTVR and the County Highway Department tried to open the area

culverts, which can stand up to three-fourths full of water year-round. Albright noted that there should be sufficient fall to drain the area. The County and OTVR have requested that the BRRWD authorize a survey to find potential ditch obstructions. The cost of the work would be allocated to the Survey & Data Acquisition account. **Motion** by Anderson to authorize HEI to conduct the requested survey. **Seconded** by Fjestad. **Approved.**

Project No. 79, Wolverton Creek Restoration. Jones submitted Pay Request No. 1 for Sellin Brothers, Inc. in the amount of \$154,390.10. The value of work completed is \$162,515.90, minus 5% retainage (\$8,125.80). Sellins have completed approximately 8% of the total Phase 1 work. **Motion** by Van Amburg to approve the reference pay request. **Seconded** by Manager Hanson. **Approved.** Leitch asked about the payment schedule. Jones explained that payment to the contractor will continue on a monthly basis until the work is completed. He expects that the excavation work will be finished by the deadline of 12/31/18 with seeding to be done next spring or potentially as dormant seeding yet this fall. Anderson noted that he has received two phone calls from landowners expressing their approval of the work to date. Jones displayed a few construction photographs for the Board's review. He noted that landowner David Israelson called him with positive comments about the project and also with inlet placement questions. Jones thought the inlet pipe installations will start later this week.

Project No. 78, Clay/Wilkin Judicial Ditch (J.D.) No. 1-Improvement. The Preliminary Hearing was held 8/30/18, and staff is in the process of preparing the hearing minutes. Albright noted that the Board's next steps in the project development process would be to approve the Findings and Order, to authorize the engineer to complete the Detailed Survey Report, and to appoint Viewers to determine project benefits. He noted that no one opposed the proposed project at the hearing, although there were concerns about project funding. Landowners suggested that the assessments could be levied over 15-20 years instead of the traditional 7-year term on a bond sale. Albright noted that the Board can address this issue at the Final Hearing. **Motion** by Anderson to approve the Order to proceed with the project development, to authorize HEI to prepare the Detailed Engineer's Report, and to appoint the Viewers. The Board will use their current Viewers: Bill Austin, Dennis Olson, and Eddie Bernhardson. **Seconded** by Fjestad. Anderson noted that there had been landowner comments about excavating both sides of the ditch. Jones said this option will be investigated, and the costs would be calculated for review at the Final Hearing; however, he thought the costs would definitely be greater if work took place on both sides of the ditch. **Approved.**

Project No. 54, Whisky Creek Tributaries. Landowner Tim Thompson filed a repair request for the East Tributary of Whisky Creek in Sections 13 and 24, Barnesville Township, Clay County, to remove built-up sediment in the channel. Jones recommended sediment and brush removal from 175th ST S upstream through C.R. No. 55. The spoil would be spread on the adjacent field and the existing 50' project buffers. No additional permitting from the DNR or Clay SWCD will be required. The estimated cost for the proposed repair is \$8,000-\$10,000. **Motion** by Anderson to approve the referenced repairs. **Seconded** by Hanson. **Approved.**

Project No. 50, Cromwell Township Highwater. Landowner Ted Simmons has requested a field crossing on a ditch that was constructed as part of the Cromwell Township project in the NE¹/₄NE¹/₄, Section 35. Jones recommended the installation of a 24" dia. x 40' long corrugated metal pipe (CMP) to create the crossing. Fill material could come from spoil from cleaning the upper end of the Hawley Diversion project. The flowline of the new crossing would be set at elevation 1161.76 to match the project record drawings. The estimated cost for the new crossing and cleaning the upper end of the Hawley diversion project is \$5,000. **Motion** by Fjestad to authorize the referenced field crossing installation and project cleanout. **Seconded** by Affield. **Approved.**

Project No. 49, Oakport Flood Mitigation. Bids were opened on 9/7/18 for removal of the northwest spoil stockpile. Jones sent email messages to the Managers regarding the bid results. There was a total of six bidders. The engineer's estimate was about \$113,755. The low bid was \$102,108.20 from Asplin Excavation, Fargo, ND. Some of the black dirt from this remaining pile will be used to top dress the remaining southwest

pile, which we plan to seed. The contract deadline is 11/30/18. **Motion** by Hanson to accept Asplin Excavating's bid and sign the contract. **Seconded** by Fjestad. **Approved.**

Wilkin C.D. No. 41. Jones reported that there are two areas associated with C.D. No. 41 that need to be reseeded. **Motion** by Anderson to authorize the Wilkin SWCD to complete the seeding at the rate of \$350/acre. **Seconded** by Fjestad. **Approved.**

2018 Fall Tour. Anderson noted he was disappointed the bus couldn't get down to the construction site on Wolverton Creek, but overall, the tour was satisfactory. Van Amburg thought the tour was interesting, and the attendees he talked to had enjoyed themselves. Nearly 40 people attended. Leitch observed that the bus route should have been planned better, so the driver could have taken a more direct route. Leitch also commented that some of the attendees he visited with thought that we should have converted one of the Oakport dirt piles into a sledding hill. He also pointed out a spelling error in the tour brochure.

The following bills were presented for approval:

Accounts Payable	Description	Account	Amount
AmeriPride	#160477596, August Rug Billing	Admin.	\$ 109.04
Barnesville Municipal Utility	Solar Panel	M.S.A 103D.905, Sub 3	\$ 775.00
Barnesville Record Review	Budget Hearing Notice (2)	Admin.	\$ 480.00
Becker County Auditor-Treas.	2018 Special Assessments Maint.	Varies	\$ 2,436.00
Bruce E. Albright	Fall Tour Office Supplies	Mediation PT	\$ 24.69
Bruce E. Albright	Fall Tour Supplies/Cookies/Rolls	Mediation PT	\$ 86.74
Bruce E. Albright	Fall Tour Supper	Mediation PT	\$ 775.00
Carmen Pattengale	August Office Cleaning (3)	Admin.	\$ 195.00
Chris Hoppe Lawn Care	August mowing (3)	Admin.	\$ 375.00
City of Barnesville	#10020369 8/25/2018 Billing	Admin.	\$ 717.84
City of Moorhead	Light Pole Replacement	Pj. 49, Oakport	\$ 5,819.50
Dacotah Paper Co.	#14791, Paper Towels/TP	Admin.	\$ 126.73
Fergus Falls Newspapers, Inc.	Budget Hearing Notice (2)	Admin.	\$ 637.56
Forum Communications Co.	#CL01751015, Budget Hearing Notice	Admin.	\$ 127.02
Fuchs Sanitation	#21321 August Garbage Billing	Admin.	\$ 51.48
HEI	September Billing	Varies-See Attached	\$ 139,630.14
Jay A. Leitch	#1828, 07/01/18-08/31/18	Varies	\$ 1,084.15
John E. Hanson	#18-26, 07/01/18-08/31/18	Varies	\$ 971.07
Julie Jerger	V-Pedal Transcription Pedals (2)	Admin.	\$ 159.09
Kathy Fenger	BWSR Academy Hotel Reservation	Admin.	\$ 148.18
LM Road Service	#930, Ditch Spraying	Varies	\$ 11,727.75
MN Dept. of Ag	Nordick Farm DWM Analysis	M.S.A 103D.905, Sub. 3	\$ 1,914.77
MPS	07/20/18-08/21/18 Service	Pj. 49, Oakport	\$ 14.77
Northern States Ex., Inc.	Repairs (10)	Varies	\$ 27,102.61
Peter V. Fjestad	#18-25, 07/01/18-08/31/18	Varies	\$ 1,083.68
Pitney Bowes	#3102394996, Late fee	Admin.	\$ 34.36
Premium Waters, Inc.	#366590-08-18, Supplies	Admin.	\$ 41.49
Purchase Power	August Postage	Admin.	\$ 150.00
RMB Environmental Labs	#419228, WQ Testing	M.S.A 103D.905, Sub 3	\$ 658.00
Roger Lundberg	Beaver Control	Becker C.D. No. 15/19	\$ 1,657.94
RRVCPA	Brentwood #5292.00, 8/01-9/01	Pj. 49, Oakport	\$ 78.73
Sellin Brothers, Inc.	Pay Request No. 1	Pj. 79, Wolverton Crk.	\$ 154,390.10
The Press	Budget Hearing Notice (2)	Admin.	\$ 703.50
TIAA Commercial Finance, Inc.	Copier Lease	Admin.	\$ 870.68
Wahpeton Daily News	Budget Hearing Notice (2)	Admin.	\$ 302.40
William Nichol Excavating	Ditch Cleaning	Pj. 02, Wilkin 13	\$ 6,412.50
WREC	07/18/18-08/18/18 Service (2)	Pj. 46, Turtle Lake	\$ 70.50
			\$ 361,943.01

Motion by Van Amburg to approve payment of the bills. **Seconded** by Larson. **Approved.**

Comments/Announcements:

Van Amburg discussed his attendance at the 8/29/18 Becker SWCD's annual soil health event held in conjunction with the Sustainable Farming Association at the Lake Park American Legion. The event included a morning classroom session, followed by lunch and an afternoon session on the Schauer Farm.

Leitch asked about the status of the Annual Report and the BRRWD Rules. Albright noted that staff is working on his edits for both documents.

Performance Review and Assistance Program (PRAP). The Board watched a Minnesota Board of Water and Soil Resources (BWSR) training video regarding the Data Practices Act-Laws and Terms. The videos are designed to provide Watershed Boards with free training on these topics to meet the Level II PRAP performance standards for "Board Training".

Next Meeting. The next regular meeting will be held on Monday, September 24, 2018, at 7:00 PM in our Barnesville office.

Adjournment. **Motion** by Fjestad to adjourn the meeting. **Seconded** by Anderson. **Approved.** President Leitch adjourned the meeting at 8:20 PM.

Respectfully submitted,

John E. Hanson, Secretary