



1303 4TH Ave. NE
Barnesville, MN 56514
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www.brrwd.org

Board Meeting Minutes

Monday March 14, 2022

Managers Present: Peter Fjestad; Catherine Affield; Paul Krabbenhoft; Troy Larson; Gerald Van Amburg; Mark Hanson.

Managers Absent: John Hanson.

Staff Present: Kristine Altrichter, Administrator; Lee Olson, Watershed Specialist; Matthew Schlaruderaff, Watershed Specialist.

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

Others Attending: Kurt Mortenson, Otter Tail County Commissioner; Wayne Johnson, Otter Tail County Commissioner; Jenny Mongeau, Clay County Commissioner; Steve Akers.

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

Agenda: **Motion** to approve agenda by Van Amburg, **Seconded** by Affield. **Approved.**

Secretary's Report: **Motion** to approve February 14, 2022 Board Meeting Minutes, February 10, 2022 Lower Otter Tail River Restoration Public Meeting Minutes, and February 28, 2022 Project 80 – Stony Creek Water Resource Enhancement Project Educational Meeting Minutes by Affield, **Seconded** by Krabbenhoft. **Approved.**

Treasurer's Report: Account balance was \$3,365,825.60. Income received since February 14, 2022 Board Meeting, totals \$186,083.50, and for the year, totals \$740,071.22. \$175,000.00 was collected from account receivables this month. **Motion** to approve Treasurer's Report by Affield, **Seconded** by Larson. **Approved.**

Permits:

Permit No. 22-003. Skolness Inc, Trygve Skolness. Applicant proposal to pattern tile S ½, SW ¼, Section 10, Spring Prairie Township, Clay County. Natural flow path remains unchanged and downstream landowner notification has been received. Outlet determined to be adequate and area included in benefit area for Clay County Ditch No. 3. Uhler recommended approval subject to standard tile conditions and approval from road authority to work in road right-of-way (ROW).

Permit No. 22-007. Steve Akers. Applicant proposing to remove and replace 18" culvert in NW ¼, Section 31, Barnesville Township, Clay County. Uhler recommended approval subject to installation of 24" culvert and approval from road authority to work within ROW.

Permit No. 22-008. Pheasants Forever, Inc. Tyler Zimmerman. Applicant proposing to restore two wetlands through sediment removal and shallow ditch flow in NW ¼, NW ¼, Section 23, Akron Township, Wilkin County. Wetland pools will not back into neighboring properties. Wetland #2 has less than 1' elevation difference from adjacent land to east, however, that land is tiled which should prevent groundwater issues. Uhler recommended approval.

Permit No. 22-009. Clay County Highway Department. Brad Erickson. Applicant proposing to remove existing bridge and replace with concrete box culvert along County Road 68 crossing over Clay County Ditch No. 58 in SE ¼, Section 4, Elmwood Township, Clay County. Proposed structure designed to recommended size and invert elevation as described in Engineer's Report. Uhler recommended approval.

Permit No. 22-010. Zimmerman Farms Inc. Gerry Zimmerman. Applicant proposing to pattern tile NW ¼, Section 3, Morken Township, Clay County. Natural flow path remains unchanged. Proposed tile outlets into Clay County Ditch No. 5, which serves as an adequate outlet and land is included in benefit area for Clay County Ditch No. 5. Uhler recommended approval subject to standard tile conditions and approval from road authority to work within ROW.

Permit No. 22-011. Clay County Highway Department. Brad Erickson. Applicant proposing to remove existing bridge and replacing with concrete box culvert along Township Road 310 crossing over Clay County Ditch No. 17 in SE ¼, Section 32, Elkton Township, Clay County. Proposed structure has been designed to recommended size and invert elevation as described in Engineer's Report. Uhler recommended approval.

Motion to approve Permit Nos. 22-003, 22-007, 22-008, 22-009, 22-010, 22-011 with conditions outlined above by Larson, **Seconded** by M. Hanson. **Approved.**

Ditches:

Clay County Ditch No. 47. Redetermination of Benefits. In 2008, BRRWD held hearings for redetermination of benefits for Clay County Ditch No. 47. However, based on review of files, it does not appear that an order was ever signed. Jones provided Board of Managers with two options. 1) Update Viewer's Report to reflect current parcels and have Board of Managers approve Order from 2008 Hearing or 2) Update Viewer's Report to reflect current parcels and hold hearing prior to Board of Managers signing Order. **Motion** to update Viewer's Report to reflect current parcel and bring Order to Board of Managers, pending review from Tami Norgard, Attorney, Vogel Law Firm by Larson, **Seconded** by Van Amburg.

Approved.

Clay County Ditch No. 50. Partial Abandonment/7th Street Improvement. During February 14, 2022 Board Meeting Board of Managers acting as Drainage Authority for Clay County Ditch No. 50, accepted the petition from City of Dilworth for partial abandonment and improvement. Jones reviewed preliminary designs and submitted engineer's report of findings. **Motion** to approve engineer's report of findings by Krabbenhoft, **Seconded** by Van Amburg. **Approved.**

Clay County Ditch No. 50. Set Hearing Date. Motion to hold Hearing for Clay County Ditch No. 50 Partial Abandonment/7th Street Improvement on April 5, 2022 at 7:00 PM in Barnesville by Affield, **Seconded** by Larson. **Approved.**

Wilkin County Ditch No. 13. Set Hearing Date. During February 14, 2022 Board Meeting, Board of managers acting as Drainage Authority for Wilkin County Ditch No. 13 accepted the petition for Whiskey Creek Farms in NE ¼, Section 24, Deerhorn Township, Wilkin County to use ditch as an outlet. **Motion** to hold Hearing for Wilkin County Ditch No. 13 for use of ditch as outlet on April 11, 2022 at 6:30 PM in Barnesville by Affield, **Seconded** by Krabbenhoft. **Approved.**

Wilkin County Ditch No. 13. Redetermination of Benefits, Appoint Viewers. Motion to appoint Eddie Bernerdson, Bill Austin, and Dennis Olson as Viewers for Wilkin County Ditch No. 13 Redetermination of Benefits by Larson, **Seconded** by Affield.

Projects:

Project 46 – Turtle Lake Outlet Modification. Department of Natural Resources (DNR) Letter to Cease Discharge from Turtle Lake. February 17, 2022 BRRWD received letter from DNR to cease discharge from Turtle Lake due to presence of zebra mussels. To resume discharge from Turtle Lake to Long Lake, BRRWD will need to meet additional conditions added to Public Waters Permit. Additional conditions could be one or a combination of following: 1) modification to operation and maintenance plan for seasonal operation restricting discharge to times of year when zebra mussels would not be transported or introduced into another body of water by siphon; 2) installation of filtration system on siphon; and 3) treatment of water including chemical, ultraviolet, heat, or others. At this time, no restrictions were placed on Long Lake siphon. Board of Managers discussed modifying operation and maintenance plan, modifying modification plan presented at informational meeting held on January 26, 2022, and discussing aquatic invasive species (AIS) issue with legislators to find additional funding sources. **Motion** to amend operation and maintenance plan to comply with additional conditions by Krabbenhoft, **Seconded** by M. Hanson. **Approved.** Board of Managers directed staff to reach out to Lake Association to notify them of changes to operation of siphon system.

Project 54 – Whisky Creek Tributaries. Review Repair Report, Authorize Permitting. Landowner Tim Thompson requested repair of East Tributary of Whisky Creek in Sections 13, 14, 23, 24, Barnesville Township, Clay County. Channel and ditch south of County Road No. 55 (150th Ave S) and channel upstream (north) of County Road No. 55 has ongoing erosion that should be addressed. Jones recommended repair of East Tributary from Otter Tail Valley Railroad west of 175th St. S through County Road No. 55. Jones recommended installing rock drop structures to prevent future erosion and restoring berm on north side of Whisky Creek between 175th St. S culvert and culvert downstream crossing County Road No. 55. Recommended work would be completed in 50-foot buffers established by Whisky Creek Tributaries Project. Next steps for project include permitting and funding. Estimated cost of proposed erosion repairs would be \$110,000.00. Jones recommended exploring Watershed Based Implementation Funds and Clean Water Funds to reduce local cost for project. **Motion** to apply for DNR Public Waters Permit by Larson, **Seconded** by Van Amburg. **Approved.**

Glyndon East Tributary Restoration. Land Acquisition. Uhler recommended BRRWD acquire easements for Glyndon East Tributary Restoration through the hearing process. Uhler recommended using Minnesota Conservation Reserve Enhancement Program (CREP) rates as basis for payment rates for permanent easements for cropland. Recommendation included permanent easements paid at rate of \$5,000 per acre for cropland and \$100 per acre for non-cropland, temporary easements paid at rate of \$250 per acre for cropland and \$100 per acre for non-cropland. **Motion** to approve payment rates as recommended by Krabbenhoft, **Seconded** by M. Hanson. **Approved**

Glyndon East Tributary Restoration. Set Hearing Date. Motion to hold Hearing for Glyndon East Tributary Restoration Project on April 25, 2022 at 7:00 PM in Barnesville by Krabbenhoft, **Seconded** by Affield. **Approved.**

Lower Otter Tail River Restoration. DNR Local Sponsor Request for Section 1135. DNR submitted request to BRRWD to be local sponsor for USACE Section 1135 application to install fish passage around Orwell Dam at February 14, 2022 Board Meeting. DNR anticipates cost-share will be funded through Lessard-Sams Outdoor Heritage Council (LSOHC) funds. DNR will provide funding, coordination, and technical expertise, and BRRWD will provide project administration and technical expertise. **Motion** for BRRWD to be local sponsor for DNR’s Section 1135 Orwell Dam Fish Passage application by Larson, **Seconded** by Van Amburg. **Approved.**

Lower Otter Tail Restoration. Memorandum of Understanding (MOU) between Board of Water and Soil Resources (BWSR) and BRRWD for Land Acquisition. MOU authorizes BRRWD to construct and maintain water management facilities as needed to restore natural prairie stream corridor along Lower Otter Tail River. Lands will be jointly managed by BWSR and BRRWD. **Motion** to authorize Fjestad to sign MOU by Krabbenhoft, **Seconded** by Affield.

Other:

2022 Spring Flood Outlook. Current reports show moderate flooding near Dilworth and Sabin and minor flooding near Hawley. 10-day forecast looks favorable to spring melt conditions. BRRWD will cooperate with County Highway Departments to manage flooding.

2021 Draft Annual Report. Motion to approve 2021 annual report as proposed by M. Hanson, **Seconded** by Van Amburg. **Approved.**

Bylaws. Motion to approve Bylaws as proposed by Affield, **Seconded** by Larson. **Approved.**

Minnesota Association of Watershed Districts (MAWD) Legislative Event. BRRWD Efforts. Altrichter, Fjestad, and Van Amburg will attend MAWD Legislative Event in St. Paul. They will meet with area Legislators and discuss AIS concerns with Project 46 – Turtle Lake Outlet Modification, Flood Hazard Mitigation (FHM) funding for Stony Creek Water Resources Enhancement Project, and Hawley Flood Control Levee Project.

Bills. Motion to approve bills totaling \$306,349.30 by Larson, **Seconded** by Affield. **Approved.**

Next Regular Meeting. Monday April 11, 2022, at 7:00 PM in the Barnesville office. Agenda will be posted on BRRWD’s website prior to meeting.

President Fjestad adjourned meeting at 8:30 PM.

/s/ John Hanson
Secretary