

# ***BUFFALO-RED RIVER WATERSHED DISTRICT***

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## MINUTES FOR MANAGERS' MEETING November 26, 2018

The Board of Managers, Buffalo-Red River Watershed District (BRRWD), held their regular meeting on Monday, November 26, 2018, at 7:00 PM in the Barnesville office. BRRWD Managers present were Jay A. Leitch, Mark T. Anderson, John E. Hanson, Gerald L. Van Amburg, Catherine L. Affield, Peter V. Fjestad, and Troy E. Larson. Others attending included: Bruce E. Albright, BRRWD Administrator, Kathleen K. Fenger, Assistant Administrator, and Erik S. Jones, Engineer, Houston Engineering, Inc. (HEI); and Scott Sellin, Sellin Brothers, Inc.

BRRWD President Leitch called the meeting to order at 6:58 PM and announced that the proceedings were being video recorded to aid in the preparation of the minutes.

**Agenda.** President Leitch asked for comments or additions to the meeting agenda. There being none, the agenda was adopted.

**Secretary's Report.** The Board reviewed draft minutes for the 11/12/18 regular Board meeting. **Motion** by Manager Affield to approve the minutes. **Seconded** by Manager Anderson. During discussion, Leitch made a **motion** to add more detail to the BRRWD staff outsourcing discussion: "Leitch confirmed with Jones that the BRRWD paid HEI for 1,966.25 hours of an HEI technician's time at \$91/hour for a total of \$178,928.75 in 2017. That technician has a two-year degree and six years of experience. Leitch's opinion is that the BRRWD could hire our own technician for \$75,000, including fringe benefits, saving the BRRWD over \$103,000/year on that one position." **Seconded** by Affield. **Approved.** The Board **approved** the 11/12/18 minutes, subject to the noted addition.

**Treasurer's Report.** The Board reviewed the BRRWD's financial status. Cash on hand is \$1,584,270.84. Total income this year is \$2,957,753.82. Albright noted that we received \$100,000 from the Enbridge Grant reimbursement for Project No. 79, Wolverton Creek Restoration, over the weekend, which is not reflected in tonight's financial report.

### **Other Business brought before the Board included:**

**Permits.** No new permit applications were filed since the 11/12/18 meeting.

**Project No. 79, Wolverton Creek Restoration.** The contractor, Sellin Brothers, Inc., filed a Phase 1 contract extension request until 6/30/19 due to the poor construction conditions this fall. The Minnesota Department of Natural Resources (DNR) typically doesn't allow work in the protected waters during the spawning season from 3/15 through 6/15 without their approval. Jones thought we might be able to obtain a variance from the Area Fisheries office next spring to work in the channel during this timeframe, given their interest in the project, but if the DNR denies the contractor access, then the Board will have to reconsider the extension date. **Motion** by Anderson to approve the contract extension for now until 6/30/19. **Seconded** by Fjestad. **Approved.**

Jones submitted Pay Request No. 4 for Sellin Brothers, Inc. in the amount of \$35,929.38. **Motion** by Anderson to approve the referenced pay request. **Seconded** by Hanson. **Approved.**

Albright reported that Attorney Corey Elmer, Vogel Law Firm, has completed the paperwork for the Kristi Bixby acquisition of the Todd Blilie (Donald Hoppe) farmstead in Section 10, Wolverton Township, Wilkin County, associated with the Phase 1 easement acquisitions. Attorney Elmer will work with Blilie and Bixby to complete the sale. Blilie has been unavailable, and unable to find his abstract, so the December 7 closing might have to be rescheduled.

Later in the meeting, Albright reported that Scott Sellin told him that the construction job had gone much as they had expected despite the rainy fall weather, and they were interested in bidding on Phases 2 and 3 next year.

**Whiskey Creek Restoration.** A landowner informational meeting is scheduled for 12/13/18 at 7:00 PM in the Kent Community Center. Notices will be sent this week. The group briefly discussed project development and potential funding sources, including the Natural Resources Conservation Service (NRCS) National Water Quality Incentive (NWQI) Program, the Minnesota Pollution Control Agency (MPCA) 319 funding, and the Conservation Reserve Enhancement Program (CREP). To be eligible for the NWQI program, the BRRWD has to designate staff signatories for the grant. Jones noted that since he typically handles the grant reporting duties, the Board could designate him and a Barnesville office staff person. **Motion** by Van Amburg to designate Jones and Fenger as the NWQI signatories. **Seconded** by Fjestad. **Approved.**

**Red River Watershed Management Board (RRWMB) Strategic Plan Input.** The Board reviewed the 2018 RRWMB Strategic Plan Input questionnaire, focusing on Questions 1 and 2. For Question 1, Leitch commented that in the RRWMB Mission Statement, the phrase "and beyond" be struck, as their Plan has a lifespan of 10 years and that the word "alleviate" be changed to "reduce". For Question 2, RRWMB Principal Objective, Leitch noted that the word "principle" should be spelled "principal", and he questioned the use of the term "mainstem" based on his opinion that "mainstem" flood damage is no longer a viable concern for the Red River. Van Amburg commented that the Plan should consider the effects of climate change on the intensity of the flood events on the mainstem and its tributaries. Leitch noted that Van Amburg comments would fall under Question 3. Fjestad questioned why the BRRWD needed to provide comments, since we are not a RRMWB member. Albright said that the BRRWD was included in the questionnaire comment request because the RRWMB is always hoping that the BRRWD will reconsider their membership. This questionnaire provides the BRRWD with a chance to point out issues we have with the RRWMB operations. Leitch discussed his concerns about the RRWMB's focus on mainstem impacts. The remaining questions will be answered at the 12/10/18 meeting.

**F-M Diversion.** On 11/13/18, the DNR announced that the First Supplemental Environmental Impact Statement (SEIS) for the Diversion is available for review. The comment period ends on 11/29/18. Manager Anderson noted that the Richland/Wilkin Upstream Coalition is working on their comments and added that Holy Cross Township's water retention ordinance wasn't included in the SEIS. Anderson commented that the Diversion Authority (DA) needs to acknowledge local governmental ordinances. The group discussed the BRRWD permitting process for the Diversion project. Staff will review the SEIS documents.

**The following bills were presented for approval:**

Accounts Payable	Description	Account	Amount
Brett Loewen	Easement Option Payment	Pj. 79, Wolverton Creek	\$ 100.00
Bruce Albright	#02043862535, 500 Checks	Admin.	\$ 236.31
Chris Hoppe Lawn Care	Fall Fertilizing & Weed Control	Admin.	\$ 190.00
City of Kent	Community Hall Rental Fee	Whiskey Crk Enhancement	\$ 30.00
City of Moorhead	11-18/2018, 2018 Ditch Mowing	Varies	\$ 50,884.99
Fargo Glass & Paint Co.	Replace door drive motor-Final	Admin.	\$ 586.00
Gerald L. Van Amburg	Voucher #18-36, 09/01/18-10/31/18	Varies	\$ 919.89
Joel Carlson, Inc.	November Billing	Admin.	\$ 850.00

Moorhead Public Service	10/02/18-11/02/2018 Service (4)	Pj. 49, Oakport	\$ 148.16
Ryan Beattie	#500, Beaver Control	Varies	\$ 940.00
Sellin Brothers, Inc.	Pay Request No. 4	Pj. 79, Wolverton Creek	\$ 35,929.38
Vogel Law Firm	#224901, October Billing	Admin.	\$ 624.00
Vogel Law Firm	#224901, October Billing	Pj. 79, Wolverton Creek	\$ 2,217.50
Vogel Law Firm	#224902, October Billing	COE	\$ 96.00
Vogel Law Firm	#224903, October Billing	Pj. 49, Oakport	\$ 6,132.00
Wm. Nichol Excavating	#276, Sec. 27, Manston Twp.	M.S.A 103D.905 Sub. 3	\$ 6,075.00
			<b>\$ 105,959.23</b>

**Motion** by Affield to approve payment of the bills. **Seconded** by Van Amburg. Manager Larson questioned the City of Moorhead's ditch mowing bill. Albright suggested that the Board and the City should review their maintenance agreement and the associated costs in 2019. **Approved.**

**February Meeting.** Anderson noted that we have recurring bills that come due at the end of the month, and he asked the Board how they wanted to handle payment if we aren't going to hold the second December and February meetings. Leitch suggested that staff check to if any of those bills could be paid early. Albright suggested that the Board could review and approve the bills via e-mail if necessary.

**MAWD Annual Meeting.** The Board reviewed a 12-minute video HEI created to display at our booth this week during the Minnesota Association of Watershed Districts (MAWD) 2018 Annual Convention and Trade Show. Leitch offered his book, *Catfishing on the Red River of the North*, as a promotional item for the BRRWD's booth.

The Board discussed a proposed resolution from Prior Lake-Spring Lake Watershed District to remove impediments to common carp removal in Lakes. Jones noted that the DNR supports the resolution.

**Comments and Announcements.** Leitch commented on a Bois de Sioux Watershed District meeting he attended recently. He added that upon checking on the adjournment procedure discussed briefly at the last meeting, he agreed that since the Board's meetings were less formal, the President can adjourn meetings without a motion and second. Leitch also asked about the status of the Rules update. Albright thought the Board could finalize the Rules in December and have them ready for the notification process in January.

**12/10/18 Meeting Agenda Items.** Leitch wants to discuss appointments to the BRRWD's Citizens Advisory Committee at the next meeting. He also would like to discuss the appointment process for the consultants, attorneys, accountant, etc., prior to our Annual Meeting in January.

Jones plans to file the Project No. 78, Clay/Wilkin Judicial Ditch No. 1-Improvement Detailed Survey Report at the 12/10/18 meeting. He will also submit a cost-share agreement for Wilkin County Ditch (C.D.) No. 40 with the Wilkin Soil and Water Conservation District (SWCD) for the Board's review. A final reimbursement will be submitted at the 12/10/18 meeting for the Oakport spoil removal costs. Albright explained that the Kopperud lawsuit has been dismissed. The DNR grant deadline is 12/31/18.

**Next Meeting.** The next regular BRRWD meeting will be held on Monday, December 10, 2018, at 7:00 PM in our Barnesville office. Due to the Christmas Holiday, the Board will not hold their regular second meeting in December, which falls on Christmas Eve.

**Adjournment.** President Leitch adjourned the meeting at 8:33 PM.

Respectfully submitted,

John E. Hanson, Secretary