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www.brrwd.org

Board Meeting Minutes

Monday May 8, 2023

Managers Present: Peter Fjestad; Catherine Affield; John Hanson; Troy Larson; Gerald Van Amburg; Mark Hanson; William Davis.

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

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

Others Attending: Christine Holland, River Keepers; Craig Lingen, Wilkin Soil and Water Conservation District (SWCD); Paul Krabbenhoft, Clay County Commissioner; Billie Anderson; Josh Anderson; Dean Meyer; Greg Settelmeyer; Mike Dohn (remote).

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

Agenda: Additions to agenda Project 81-Whiskey Creek Enhancement Project Sign Contract; Clay County Ditch Nos. 3, 12, 32, and 40 Repair Recommendations. **Motion** to approve agenda with additions by Davis, **Seconded** by Affield.

Approved.

Citizens to be Heard:

Dean Meyer. Meyer lives off Clay County Ditch No. 11 North in the NE ¼, Section 33, Kurtz Township. Meyer expressed concerns about removal of snow from Clay County Ditch No. 11 North during spring flood event. Meyer was concerned that snow was removed from the ditch east of him before the downstream culvert west of his property was opened. This caused water to overtop his driveway. BRRWD staff explained that ditches are designed for summer rain events and not for spring snowmelt conditions. Staff also explained that contractor availability during spring flooding impacted cleaning efforts on Clay County Ditch No. 11 North. Meyer requested that BRRWD start cleaning Clay County Ditch No. 11 at railroad tracks and clean towards the east.

Greg Settelmeyer. Settelmeyer expressed concerns about sediment accumulating in creek near property in NE ¼, Section 20, Humboldt Township, Clay County. Channel is a Minnesota Department of Natural Resources (DNR) public water and would require DNR public water permit. Larson recommended contacting National Resources Conservation Service (NRCS) to determine if channel has been cleaned before. Van Amburg recommended contacting DNR to complete a site inspection and determine if there is a solution. **Motion** to authorize staff and HEI consultants to contact DNR to coordinate site visit at Settelmeyer's property by Van Amburg, **Seconded** by Affield. **Approved.**

Christine Holland. River Keepers. Holland provided update on River Keeper Programs for education and outreach. BRRWD and other local entities have allocated funds to River Keepers annually since 1996 for staff and overhead. Since 2016, BRRWD has assessed \$55,000.00 on behalf of River Keepers. River Keepers is requesting Board of Managers assess \$65,000.00 on their behalf in 2024. **Motion** to allocate \$65,000.00 to River Keepers as requested in 2024 by J. Hanson, **Seconded** by Larson. **Approved.**

Craig Lingen. Wilkin SWCD. Lingen provided update on Wilkin SWCD Soil Health Programs. Wilkin SWCD is requesting a total of \$50,000.00, \$25,000.00 for their one-year cover crop program and \$25,000.00 for technical assistance for conservation marketing. Conservation marketing funding will be used to work with landowners along BRRWD projects such as Whiskey Creek, Lower Otter Tail River, and South Branch Buffalo River to enroll land in conservation programs. **Motion** to provide funding to Wilkin SWCD for one-year cover crop program and conservation marketing as requested by Larson, **Seconded** by Affield. **Approved.**

Billie Anderson. Anderson requested financial compensation damage to her property in NW ¼, Section 7, Prairie View Township, Wilkin County, east of Wilkin County Ditch No. 41 caused by recent spring flood. Board of Managers discussed that BRRWD cannot compensate landowners for flood damage.

Consent Agenda: Motion to approve consent agenda items: April 10, 2023 Board Meeting Minutes; Financial Report; and Permit Nos. 23-017, Paul Nord – Pattern Tile; 23-018, City of Moorhead c/o Michael Aamondt – Road Construction; 23-020, City of Moorhead c/o Michael Aamondt – Road Construction; 23-021, City of Moorhead c/o Michael Aamondt – Road Construction; 23-022, Joe Swenson – Installation of Field Approach; 23-023, Brian Gullickson – Ditching and Culvert Installation; 23-024, Turnkey Solutions and Development c/o Jason Francis – Land Development; 23-025, Bruce Yaggie – Pattern Tile by Affield, **Seconded** by M. Hanson. **Approved.**

Permits for Discussion:

Permit No. 23-015. Jeff Gillespie. Applicant proposing to pattern tile SW ¼, Section 8, Atherton Township, Wilkin County. Natural flow path of water remains unchanged. Proposed tile outlets into road ditch on west side of property, which is an adequate outlet. Downstream landowner notification was received and requested Board of Managers consider requiring applicant to maintain road ditch drainage. Uhler recommended approval subject to standard tile conditions, applicant maintaining road ditch used as outlet, and approval from Township to work within road right-of-way (ROW). **Motion** to approve Permit Nos. 23-015 with conditions outlined above by Larson, **Seconded** by Davis. **Approved.**

Projects:

Project 80- Stony Creek Restoration. Accept Damage Statement and Set Hearing Date. BRRWD hired Natwick Appraisals at their February 13, 2023 Board Meeting to complete appraisals for properties along Stony Creek Restoration. Staff compared appraised value to 2023 Minnesota Conservation Reserve Enhancement Program (MN CREP) rates. Damage Statement presented includes the higher of the two values. **Motion** to accept damage statement and schedule final project hearing for Project 80 – Stony Creek Restoration on Monday June 26, 2023 at 7:00 PM at BRRWD office by Van Amburg, **Seconded** by J. Hanson. **Approved.**

Hay Creek Water Management District (wmd). Accept wmd and Set Hearing Date. At the June 13, 2022 Board Meeting, Board of Managers authorized HEI to develop wmd for Hay Creek Watershed. This wmd would cover operation and maintenance of Project 16 – Stinking Lake Detention. Uhler presented wmd for Hay Creek Watershed. Total annual charge is up to \$35,000.00, which would remain in perpetuity and could be applied on an annual basis to help with project maintenance and future Board ordered projects that benefit the Hay Creek Watershed. Total cost per acre would range from \$1.00 to \$2.58 dictated by land use. **Motion** to accept wmd for Hay Creek Watershed as presented and schedule wmd hearing on July 10, 2023 at 5:30 PM at the BRRWD office by J. Hanson, **Seconded** by Affield. **Approved.**

Lower Otter Tail River Restoration. Project Discussion. Altrichter, Uhler, and Lingen met with landowners at upstream end of project area. Landowners did not have concerns with enrolling land in Reinvest in Minnesota (RIM) permanent conservation easements. Altrichter is working with United States Army Corps of Engineers (USACE) on land acquisition requirements for use of federal funds on the project. Lingen will begin working with landowners on downstream end of project to determine interest in project. Staff anticipate hearing will be scheduled at the end of 2023 or beginning of 2024.

Lower Otter Tail River Restoration. Authorize Signature for Metro Flood Diversion Authority Funding Agreement. **Motion** to authorize Fjestad and Affield to sign Funding Agreement for Lower Otter Tail River Restoration as presented by J. Hanson, **Seconded** by Van Amburg. **Approved.**

Project 81- Whiskey Creek Enhancement Project. Sign Contracts. **Motion** to authorize signature of construction contract for Phase 3 construction with Ehlert Excavating, Inc. by Larson, **Seconded** by Affield. **Approved**

Ditches:

Clay County Ditch No. 2. Repair Recommendations. Schlauderaff presented repair recommendation to replace flapgate on newly installed pipe in NW ¼, Section 25, Moland Township. Estimated cost is \$2,500.00. Schlauderaff also presented repair recommendation to repair two inlet culverts damaged during spring snow removal at the intersection of 43rd Ave. N. and 90th St. N, Moland Township. Estimated cost is \$1,000.00.

Clay County Ditch No. 3. Repair Recommendation. Schlauderaff presented repair recommendation for inlet culvert that was damaged during spring snow removal in NE ¼, Section 16, Moland Township. It is recommended that a new 18" x 3' corrugated metal pipe (cmp) with a band and 18" flapgate be installed. Estimated cost is \$2,000.00 to \$2,500.00.

Clay County Ditch No. 12. Repair Recommendation. Schlauderaff presented repair recommendation for 24" flapgate in Section 29, Riverton Township. Estimated cost is \$2,500.00. A repair recommendation for a washout in Section 29, Riverton Township along the ditch buffer was also presented. Estimated cost of repair is \$1,000.00.

Clay County Ditch No. 32. Repair Recommendation. Schlauderaff presented repair recommendation for inlet culvert damaged during spring snow removal in NW ¼, Section 16, Kurtz Township. It is recommended that new 24" x 3' cmp with band and 24" flapgate be installed. Estimated cost is \$2,000.00 to \$3,000.00.

Clay County Ditch No. 33. Repair Recommendation. Schlauderaff presented repair recommendation for two inlet pipes damaged during spring snow removal in NW ¼, Section 21, Kurtz Township. It is recommended that culverts of the same size replace damaged culverts. A new 18" x 3' cmp at the outlet and 18" x 2' cmp at the inlet with an 18" flapgate (estimated cost \$3,000.00-\$3,500.00) and a new 24" x 4' cmp with a 24" flapgate (estimated cost \$2,500.00-\$3,000.00) are recommended. Total estimated cost of both repairs is \$5,500.00-\$7,500.00.

Clay County Ditch No. 39. Repair Recommendation. Schlauderaff presented repair recommendation to replace inlet culvert in NW ¼, Section 34, Morken Township. A new 18" x 60' cmp with an 18" flapgate is recommended. Estimated cost is \$4,000.00-\$5,000.00.

Clay County Ditch No. 40. Repair Recommendation. Schlauderaff presented repair recommendation for culvert damaged during spring snow removal in SW ¼, Section 23, Kurtz Township. It is recommended that the outlet be replaced with a 18" x 3' cmp with band and 18" flapgate and the inlet be replaced with a 18" x 2' cmp with band. Estimated cost is \$2,000.00 to \$3,000.00.

Clay County Ditch No. 63. Repair Recommendation. Schlauderaff presented repair recommendation for culvert that washed out in spring flood event and replace flapgate in NE ¼, Section 36, Moland Township. Estimated cost is \$3,000.00.

Motion to approve repair recommendations for Clay County Ditch Nos. 2, 3, 12, 32, 33, 39, 40, and 63 as outlined above by Affield, **Seconded** by Davis. **Approved.**

Board of Managers discussed marking culverts with flags to reduce number of culverts hooked by excavators during spring snow removal. Board of Managers directed Schlauderaff to determine feasibility.

Other:

2023 Flood Efforts Update. Altrichter and Schlauderaff provided update on 2023 spring flooding. BRRWD relied on landowners to identify portions of ditches that needed to be cleaned out to alleviate flooding of dwellings and structures. BRRWD received a few calls regarding flooded farmland. In these cases, Schlauderaff monitored the ditch, but did not coordinate snow and ice removal. Drainage ditches are designed for summer rain events, not spring melt, so they are not expected to take all the water in the watershed. BRRWD staff did what they could to alleviate flooding of homes and structures when notified there was an issue. Wade Opsahl, HEI, provided support on Clay County Ditch Nos. 34 and 51, and operation of the Kragnes Ring Dike. Altrichter recommended Board of Managers consider authorizing staff to develop policies for better flood management. One policy includes setting hours that staff will be reachable. It was recommended Board of Managers consider setting hours from 6:30 AM to 7:00 PM. The second policy includes a formal policy on ditch management. Altrichter noted that if Board of Managers approve policies regarding flood management there will be public outreach to notify impacted landowners. Board of Managers directed staff to develop draft policy for Board review and draft outreach plan to ensure landowners are notified of policy. Highland Grove Township Board requested BRRWD repair washed out Township Road at the crossing of Hay Creek in S ½, Section 33. Board of Managers discussed that the washout was not a result of the operation of Project 16 – Stinking Lake Detention and therefore the Township would be responsible for the repair. **Motion** that BRRWD would not repair Township Road as requested by J. Hanson, **Seconded** by Davis. **Approved.**

Ring Dike Funding. Following recent flood event, landowners have inquired about potential funding to build ring dikes. In 2022, MN Legislature appropriated \$320,000.00 with a 50 percent local match requirement to DNR for grants to support construction of rural and farmstead ring dikes in the Red River Basin. If Board of Managers would like to assist landowners with funding assistance for preliminary design of ring dikes, it was recommended that they approve up to \$20,000.00 from the basic water management account #1 to be used. Board of Managers also discussed funding commitment if projects received grant. **Motion** to authorize HEI to provide up to \$20,000.00 in preliminary design work for potential ring dike funding and for BRRWD to provide up to an equal 25 percent cost-share with landowners DNR provides funding for ring dike construction by Van Amburg, **Seconded** by J. Hanson. **Approved.**

Minnesota Watersheds. Summer Tour. Minnesota Watersheds is hosting their Summer Tour in Albert Lea, MN on June 20 and June 21. Altrichter, Fjestad, J. Hanson, and Van Amburg plan to attend.

Bills. Motion to approve bills totaling \$318,988.12 by Larson, **Seconded** by Affield. **Approved.**

Next Regular Meeting. Monday June 12, 2023, at 7:00 PM in the Barnesville office. Agenda will be posted on website prior to meeting.

President Fjestad adjourned meeting at 9:15 PM.

/s/ John Hanson _____
Secretary