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Board Meeting Minutes

Monday June 12, 2023

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

Manager Absent: Mark Hanson.

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

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

Others Attending: Bryce Karel, Brady Martz & Associates; Paul Krabbenhoft, Clay County Commissioner; Derek Syverson.

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

Agenda: Additions to agenda Project 81 – Whiskey Creek Enhancement Project Phase 1, Pay Estimate No. 6; Ganz Dam Project Update; Clean Water Fund (CWF) Project Contract. **Motion** to approve agenda with additions by Davis, **Seconded** by J. Hanson. **Approved.**

Citizens to be Heard:

Bryce Karel, Brady Martz & Associates. Audit Review. Audit report noted no issues or concerns with preparing audit and found no compliance issues. **Motion** to approve audit as presented by Affield, **Seconded** by J. Hanson. **Approved.**

Derek Syverson. Project No. 54 – Whisky Creek. 2023 Flooding Issue Discussion. Syverson owns land in SW ¼, Section 17, Barnesville Township, Clay County. During 2023 flood event, property experienced significant flooding. Property is north of BRRWD Project 54 – Whiskey Creek Tributaries. BRRWD and HEI staff met with Syverson in May 2023 and discussed four options including 1) constructing ring dike, 2) Clay County raising County Road (CR) 55, 3) installing culvert through CR 21, and 4) moving setback levees associated with Project 54. Jones noted that snow and ice build up in trees west of CR 21 along Whisky Creek, which melts slower causing water to back up to the east. Uhler noted that current setback levees along Whisky Creek/Clay County Ditch No. 34 were designed to particular elevation. If modifications are made to levees, a project hearing would be required. Jones noted that BRRWD has design plans for a project similar to Project 80 – Stony Creek Restoration for this area. Jones spoke with Minnesota Department of Natural Resources (MN DNR) staff regarding potential Flood Hazard Mitigation (FHM) funding. He was informed that project could be a high priority for funding if program is funded in the 2024 bonding bill. Funds could be utilized for land acquisition. Jones also spoke with MN DNR staff in the River Ecology Unit and was informed that additional funding may be available for engineering and construction. If funding becomes available, additional design could be completed. Larson noted that this is a long-term solution and inquired about short-term solutions. Altrichter noted that HEI is developing preliminary designs for a ring dike for Syverson funded by BRRWD funding approved by Board of Managers at their May 8, 2023 Board Meeting to cover preliminary design plans for ring dikes. Altrichter also noted that staff can start cleaning snow out of critical areas along Whisky Creek where snow accumulates a few weeks before snow melt. Syverson asked if flapgates could be installed on some upstream culverts. Jones noted more information would be needed to ensure that upstream landowners are not negatively impacted. Jones noted that he would have more information on potential funding for long-term project at the July 10, 2023 Board Meeting. Board of Managers authorized staff to collect more information to move forward with the long-term solution.

Consent Agenda: Motion to approve consent agenda items: May 8, 2023 Board Meeting Minutes; Financial Report; Permit Nos. 23-026, Eeyle Fankhanel – installation of field approach; 23-027, Russell Henderson – pattern tile; and Project 82 – Glyndon East Tributary, Pay Estimate No. 1 for \$68,876.00 by Affield, **Seconded** by Davis. **Approved.**

Permits for Discussion:

Permit No. 23-028. Bryant Haugrud. Applicant proposing to install series of water and sediment control basins (WASCOB) in Sections 11, 13, and 14, Prairie View Township, Wilkin County. Project was designed in partnership with Wilkin Soil and Water Conservation District (SWCD) and BRRWD with a CWF grant. Project was designed to Natural Resources Conservation Service (NRCS) standards. Natural flow path of water remains unchanged. Tile outlets onto applicant’s property. Uhler recommended approval subject to standard tile conditions and approval from Township to work in road right-of-way (ROW). **Motion** to approve Permit Nos. 23-028 with conditions as outlined by Larson, **Seconded** by J. Hanson. **Approved.**

CWF Project Contract. South Branch Buffalo River Grade Stabilization Contract. Uhler presented contract for BRRWD South Branch Buffalo River Grade Stabilization Clean Water Fund (CWF) for Bryant Haugrud in Sections 11, 13, and 14, Prairie View Township, Wilkin County. Contract is for a 75 percent cost-share with grant. Total project cost is estimated to be \$324,905.00 with the grant contributing \$243,678.75. **Motion** to approve contract as presented by J. Hanson, **Seconded** by Larson. **Approved.**

Projects:

Lower Otter Tail River Restoration. CWF Application. **Motion** to authorize staff to apply for CWF grant for portion of Lower Otter Tail River Restoration including the headcut and utilizing the funding from the Metro Flood Diversion Authority (MFDA) for the 25 percent grant match by Van Amburg, **Seconded** by Affield. **Approved.**

Hay Creek Water Management District (wmd). Update. Altrichter noted slight modifications to wmd document presented at the May 8, 2023 Bard Meeting to remove properties initially included in wmd, but not in BRRWD boundary.

Upper Buffalo River Restoration. Accept Engineer’s Report. **Motion** to accept Engineer’s Report as presented and authorize Jones to submit report to MN DNR and Board of Water and Soil Resources (BWSR) for advisory comments by Larson, **Seconded** by J Hanson. **Approved.**

Project No. 81 – Whiskey Creek Enhancement Project Phase 1 Pay Estimate No. 6. **Motion** to approve pay estimate of \$30,305.00 to Ehlert Excavating Inc. as presented by J. Hanson, **Seconded** by Affield. **Approved.**

Ganz Dam. Project Update. BRRWD signed grant agreement with MN DNR for \$150,000.00 to complete survey, design plans, and remove Ganz Dam. Survey work has been completed, Jones is coordinating permitting with BNSF Railway, and Uhler is coordinating with a contractor. BRRWD hopes to work with States Borders Construction, Inc., contractor for Project 82 – Glyndon East Tributary Restoration, for the dam removal. States Borders Construction, Inc., already has obtained railroad insurance for Project 82 which will reduce the cost of the Ganz Dam removal project. Altrichter, Uhler, and Jones are meeting with MN DNR to ensure that plan aligns with grant agreement.

Ditches:

Drainage Repair Recommendations.

Drainage System	Township	Section	Problem/Proposed Work	Estimated Cost
CCD5	Morken	5 (NE 1/4)	Leaking flapgate. Need to install rubber gasket to get seal.	\$500 - \$1,000
CCD10	Kragnes	15 (NW 1/4)	Multiple feet of corn stubble surrounding texas crossing	\$1,500 - \$2,000
CCD11	Kurtz	33 (NE 1/4)	Straighten culvert ends	<\$1,000
		32 (NW 1/4)	Dented flapgate. Replace new 18" flapgate.	\$1,500 - \$2,000
CCD32	Kurtz	16 (NW 1/4)	Flapgate fell off but still functional. Re-mount flapgate	\$500
		16 (NW 1/4)	Crushed end cmp. Cut end 3' and mount new 18"x3' with 18" flapgate	\$2,000 - \$2,500
		16 (NW 1/4)	Crushed end cmp. Cut end 3' and mount new 18"x3' with 18" flapgate	\$2,000 - \$2,500
		16 (NW 1/4)	Broken band on culvert end. Install new 24" band and re-mount 3' section with flapgate	\$1,000 - \$1,500

CCD33	Kurtz	17 (SE 1/4)	Crushed end cmp. Cut end 3' and mount new 18"x3' with 18" flapgate	\$2,000 - \$2,500
CCD34	Barnesville	22 (SE 1/4)	One washout and several bank failures. Repair washout and bank failures. Estimated cost is dependent on if material available near washout or not.	\$4,000 - \$10,000
CCD59	Kragnes	25 (NW 1/4)	Rusted culvert. Replace 84"x48' cmp with 6' bevelled end.	\$19,000 - \$21,000
WCD13	Deerhorn	23 (NW 1/4)	Cut off 1' cmp and add new 24" gate.	\$2,000 - \$2,500
WCD23	Meadows	17 (SW 1/4)	Broken band on culvert end. Install new 24"x3' cmp with flapgate.	\$2,500 - \$3,000
WCD41	Atherton	7 (S 1/2)	Sediment and debris built up in ditch. Ditch cleanout for about 3/4 mile.	\$10,000 - \$12,000
W-OT JD2	Orwell	7 (NW 1/4)	Two washouts. Carry in material and fill in washouts, seed after work is completed.	\$8,000 - \$10,000
Pj. 16, Stinking Lake Detention	Highland Grove	36 NW 1/4	Scour hole starting around field approach. Approximately 15 cubic yards of fill needed.	\$2,000 - \$3,000
	Cuba	30 SW 1/4	Sediment and debris buildup around dam. Remove debris.	\$2,000 - \$3,000

Motion to authorize repairs as recommended above by Affield, **Seconded** by J. Hanson. **Approved.**

Wilkin County Ditch No. 6A. Trial Follow-up Discussion. Altrichter explained that the trial for the redetermination of benefits submitted by the Nature Conservancy was held with the District Court on May 17, 2023. It is expected that the judge will notify BRRWD of the decision in July.

Wilkin County Ditch No. 22. Award Bid. Motion to award contract to John Riley Construction, Inc. from Morris, MN with the lowest bid of \$255,410.00 by J. Hanson, **Seconded** by Affield. **Approved.**

Judicial Ditch No. 2. Landowner Request. Dan Bradow, landowner in Section 7, Orwell Township, Otter Tail County, requested BRRWD staff investigate if inlet pipes in the SW ¼, Section 7, can be angled to improve drainage. Bradow brought concern to Board in 2015 and 2020 and Jones determined that altering pipe direction would not improve drainage. Inlet pipes are in Shaw's Slough, which is a MN DNR public water, further prohibiting modification. Bradow also requested that BRRWD repair tile outlet that was crushed when inlet pipes were installed in NW ¼, Section 7, as part of the Judicial Ditch No. 2 improvement. **Motion** to repair tile outlet as requested by Larson, **Seconded** by J. Hanson. **Approved.** Larson noted that BRRWD staff should develop policy requiring landowners to mark tile outlets into drainage systems.

Viewer Recruitment Discussion. Following the Wilkin County Ditch No. 6A redetermination of benefits trial, BRRWD attorney Tami Norgard, Vogel Law Firm, recommended Board of Managers consider recruiting additional Viewers for drainage projects. Altrichter presented proposal to recruit and train Viewers including development of factsheet; distribute factsheet to Township Officials, SWCD Boards and staff, and landowners; and funding Viewer attendance at Minnesota Drainage Viewers Association Seminars. Board of Managers will discuss further at their July 10, 2023 Board Meeting.

Other:

Flood Management Policy and Outreach Plan. At the May 8 2023 Board Meeting, Board of Managers directed staff to develop policy and outreach plan for flood management. Altrichter presented draft policy proposing staff hours during flood season and removing snow and ice from blocked public drainage systems and BRRWD projects and their culverts to alleviate flooding of dwellings. Policy outlines that public drainage systems established under MN Statute 103E and BRRWD Project established under MN Statute 103D are designed for summer rain events and not spring melt. As such, during this time, these drainage ways often do not function to design standards. BRRWD is only able to address concerns if they are notified of an issue, contractors are available, and if area is accessible. Draft policy also outlined items BRRWD would not be responsible for such as protection of agricultural land, protection of structures beyond dwellings unless resources are available, providing pumps to landowners, and reimbursement for flood damage to properties. Outreach plan included publishing information in Barnesville Record Review, posting on website and social media page, and sending letters to landowners who frequently contact BRRWD during flood events. BRRWD would follow same steps prior to spring flooding in 2024 and subsequent years. Board of Managers will review further at their July 10, 2023 Board Meeting.

Barnesville High School. River Watch Budget Request. Barnesville High School River Watch Program coordinator, Nathan Strand, submitted proposed budget for the 2023 Barnesville High School River Watch Program. Budget includes \$5,696.42 for teacher and student stipends, mileage, supplies, and noon meal. **Motion** to approve budget as presented and provide support to the Barnesville High School River Watch Program by Van Amburg, **Seconded** by J. Hanson. **Approved.**

2023 Legislative Update. Minnesota Watersheds 2023 Legislative Session Update. During the 2023 Legislative Session, the watershed district's general levy authority increased from \$250,000.00 to \$500,000.00 effective beginning with the 2024 assessment year. Statewide, a total of \$40.3 million was allocated for flood damage reduction and natural resources enhancement projects. Red River Watershed Management Board (RRWMB) received \$5 million and the City of Moorhead received \$11 million. There are \$15 million in undesignated funds for the program for MN DNR to allocate. Drainage registry portal requiring notice of drainage projects through a statewide portal was sent back to the Drainage Work Group for recommendation by February 1, 2024.

Bills. Motion to approve bills totaling \$514,084.18 by Larson, **Seconded** by Affield. **Approved.**

Next Regular Meeting. Monday July 10, 2023, at 7:00 PM in the Barnesville office. Agenda will be posted on BRRWD's website prior to meeting.

President Fjestad adjourned meeting at 8:41 PM.

/s/ John E. Hanson
Secretary