

BUFFALO-RED RIVER WATERSHED DISTRICT

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MINUTES FOR MANAGERS' MEETING

August 10, 2020

The Board of Managers, Buffalo-Red River Watershed District (BRRWD), held their regular meeting on Monday, August 10, 2020, at 7:00 PM in the Barnesville office. Due to the Coronavirus protocols for public meetings, the Board held an electronic meeting in accordance with Minnesota Statutes Annotated (M.S.A.) Section 13D.021. BRRWD Managers present in the office were Peter V. Fjestad, Catherine L. Affield, Troy E. Larson, John E. Hanson, Gerald L. Van Amburg, Paul G. Krabbenhoft, and Mark T. Anderson. BRRWD staff attending in person were Kathleen K. Fenger, Interim Administrator, and Erik S. Jones, Engineer, Houston Engineering, Inc. (HEI). Others attending via the conference line: BRRWD Attorney Tami Norgard, Vogel Law Firm; and in person: Wilkin County Commissioner Lyle Hovland; and landowner Duane Hansen.

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

Agenda. Changes or additions to the meeting agenda: Oakport landowner concerns, Whisky Creek Tributaries crossing concern, the Wilkin Soil and Water Conservation District (SWCD) Whiskey Creek Clean Water Fund (CWF) application, and to move the HR Committee Report up on the agenda. **Motion** by Anderson to approve the agenda with the noted additions/change. **Seconded** by Larson. **Approved** by unanimous roll call vote.

Secretary's Report. The Board reviewed draft minutes for the 7/27/20 regular meeting and the 7/16/20 Project No. 23, Becker County Ditch (C.D.) No. 15 Hearing. The Board had an extended discussion about the minutes format. BRRWD Attorney Tami Norgard, Vogel Law Firm, provided her opinion regarding the issue. **Motion** by Affield to postpone minutes approval until staff rewrites the documents to create a concise summary. **Seconded** by Larson. **Approved** by unanimous roll call vote.

Treasurer's Report. The Board reviewed the BRRWD's 8/10/20 financial reports. Cash on hand is \$3,131,794.07. The current administrative disbursements since 7/13/20 totaled \$37,170.62, and the total for the year is \$251,657.87. Income received since the last meeting totals \$414,478.11, and for the year, totals \$3,396,602.78. **Motion** by Van Amburg to approve the Treasurer's Report. **Seconded** by Anderson. **Approved** by unanimous roll call vote.

Manager Appointments. The Clay County Commissioners appointed Paul G. Krabbenhoft to fill out the remaining one-year term of a former BRRWD Manager's 3-year term. The Commissioners reappointed Manager Van Amburg, but did not reappoint Manager Anderson, who is the BRRWD's Treasurer. The Board agreed to address changing the Midwest Bank signatories to ensure the continuity of the BRRWD financial activities at their 8/24/20 Board meeting.

HR Committee Report. The HR Committee, BRRWD Advisory Committee members, and County Commissioners met on 8/5/20. The group made a suggestion that the HR Committee hire a firm to provide a cost analysis on hiring administrative staff through the BRRWD. The Board reviewed and discussed a draft request for proposals (RFP) Van Amburg prepared in response to the HR Committee's discussion and the 5/26/20 Board motion to hire a consultant to analyze staffing costs. They also reviewed a more extensive list the staff prepared with items the Board might want to consider for the RFP process.

Citizens to be Heard. Landowner Duane Hansen discussed his views regarding drainage issues along 12th AVE S and 145th ST S in Section 16, Riverton Township, Clay County, and commented on the Board's suggestions about how to address the problem. Jones explained his recommendations. The office sent a letter to Hansen with the area survey, Jones' repair proposal, and a permit application with the information already filled in to encourage Hansen to work with his neighbors to submit the application to address the area drainage problems.

Other Business brought before the Board included:

FM Diversion Project Lawsuits. The 8/19/20 deadline for parties to submit written closing arguments and proposed findings regarding the Minnesota Department of Natural Resources (DNR) Contested Case has been extended, pending a telephone hearing to be held at 1:30 PM on 8/26/20.

Permit No. 20-082, Jake Barton. Applicant proposes to install pattern tile in the SW¼, Section 31, Meadows Township, Wilkin County, outletting via lift stations and control structures to C.D. No. 1B, to which the property is assessed.

Permit No. 20-085, BNSF. The Burlington Northern/Sante Fe (BNSF) Railroad proposes to install a new shallow ditch on their property in the NW¼, Section 12, within the City of Dilworth on the south side of the railroad yard, with a new 24" dia. corrugated metal inlet pipe (CMP) at the end of the ditch to allow water to drain to Clay C.D. No. 41. Jones recommended permit approval.

Permit No. 20-086, Darcy Brandt. Applicant proposes to regrade the north ditch of County State Aid Highway (CSAH) No. 2 in the SW¼, Section 23, Holy Cross Township, Clay County, and to lower two driveway culverts along CSAH No. 2 and one in 40th ST approximately 6". Jones recommended permit approval, subject to township and county approval to work within their road right-of-way (R/W).

Permit No. 20-087, Kevin Hanson. Applicant proposes to install random tile in the NE¼, Section 27, Hamden Township, Becker County, outletting to C.D. No. 15 to which the property is assessed. This work is a continuation of the tiling project approved under Permit No. 15-009. Jones recommended permit approval, subject to our standard tiling disclaimer.

Motion by Larson to approve Permit Nos. 20-082 and 20-085 through 20-087, subject to the referenced disclaimers and conditions. **Seconded** by Hanson. **Approved** by rollcall vote. Anderson abstained from voting on Permit No. 20-086.

Project No. 79, Wolverton Creek Restoration. The Board received Change Order No. 6 for an increase in the contract of \$16,726 and Pay Request No. 13 for \$147,119.79 from Sellin Brothers, Inc. Construction work is nearly completed with only some cleanup work and seeding. **Motion** by Anderson to approve Change Order No. 6 and Pay Request No. 13. **Seconded** by Affield. **Approved** by unanimous roll call vote. It was noted that the south stretch of the channel along C.R. No. 2 needs mowing.

Buffalo River Streambank Restoration. Three more erosion sites were reviewed along the Buffalo River. The Clay SWCD is requesting the BRRWD to authorize HEI to provide technical assistance for alternative repair designs. **Motion** by Anderson to authorize HEI to work with the Clay SWCD to provide technical assistance. **Seconded** by Hanson. **Approved** by unanimous roll call vote.

CWF Grant Opportunities. At their 7/27/20 meeting, the Board authorized HEI to assemble and submit a CWF application for work along the Upper South Branch of the Buffalo River from Trunk Highway (T.H.) No. 9 to just north of County Road (C.R.) No. 30. The \$300,000 grant application is for the installation of inlet pipes and stream restoration along the South Branch channel, requiring a local match of 25%, or

\$75,000, with an 8/17/20 submission deadline. **Motion** by Anderson to authorize submission of the CWF grant application. **Seconded** by Van Amburg. **Approved** by unanimous roll call vote.

Clay C.D. No. 50. The Board discussed a proposal for culvert repairs at three sites on C.D. No. 50 in the City of Dilworth. Jones suggested a hydraulic review for culvert replacements. Once the study is completed, HEI will provide a repair recommendation for the Board's review. This will be a 2021 project, and the estimated costs will be available for consideration in the 2021 ditch system budget. **Motion** by Larson to authorize the referenced hydraulic study. **Seconded** by Affield. **Approved** by unanimous roll call vote.

Wilkin C.D. No. 12 Outlet Repair. The Board reviewed HEI's recommendations to repair the outlet of C.D. No. 12 in Section 28, Connelly Township. The outlet erosion has occurred slowly over the past few decades and has continued to worsen despite the construction of the Breckenridge diversion project which reduced the contributing drainage area. Jones estimated the repair costs to be approximately \$40,000. He suggested the repairs could be done in 2021 after the One Watershed, One Plan (1W1P) is in place, so that some of the local costs could be covered by the 1W1P grant funding.

Oakport Complaint. Duane Egge lodged a complaint about traffic associated with a public access approach/culvert into the Oakport project area across from his property along Clay C.R. No. 1. HEI has installed "No Parking" signs and gates, but parking on the approach continues despite the signage. Since the traffic/parking isn't on Egge's property, Board consensus was that the BRRWD will not spend any more time on this issue.

Project No. 54, Whisky Creek Tributaries. As part of project negotiations, landowner Gregg Settlemeyer has an agreement with the BRRWD to replace approaches/culverts as needed along the project alignment on Whisky Creek. He contacted the office to report that a field approach washed out recently and is asking that the BRRWD replace it. A DNR permit and hydraulic analysis of the crossing will be required because the waterway is protected waters. **Motion** by Van Amburg to authorize the repair, including the DNR permit application and the hydraulic analysis. **Seconded** by Anderson. **Approved** by unanimous roll call vote.

Drainage Concerns. Bryan Kritzberger contacted the office last week regarding ongoing drainage problems in the NE¼, Section 35, Deerhorn Township, Wilkin County. The Board discussed area drainage patterns. Jones suggested that the Board could authorize a survey of the existing and potential outlet routes, and the area culvert elevations. The Board decided to postpone action on this request until the 8/24/20 meeting.

John Thompson requested that the Board authorize a survey along C.R. No. 11 in N½, Section 24, Deerhorn Township, from his driveway north through 130th ST to the Buffalo River. **Motion** by Anderson to approve the requested survey. **Seconded** by Hanson. **Approved.**

2021 Joint Conference. The Board considered potential discussion topics for the 2021 Red River Watershed Management Board (RRWMB)/Red River Basin Flood Damage Reduction Work Group (RRBFDRWG) Joint March Conference.

The following bills were presented for approval:

Accounts Payable	Description	Account	Amount
AmeriPride Services, Inc.	July billing, Office Rugs (3)	Admin.	\$ 142.88
Barnesville I.S.D. #146	2019-2020 River Watch	MSA 103D.905	\$ 483.81
Becker County Auditor-Treasurer	2020 special assessment charge	Varies	\$ 1,743.00
Braun Intertec Corporation	Concrete Testing	Pj. 34-EDA Clay C.D. No. 41	\$ 588.00
Cardmember Service	Floral delivery, Jerome Flottesmesch	Admin.	\$ 93.00
Carmen Pattengale	July Office Cleaning (2)	Admin.	\$ 130.00
Chris Hoppe Lawn Care Service, LLC	July Mowing (5)	Admin.	\$ 625.00
Chris Hoppe Lawn Care Service, LLC	Early Summer Fertilizer/Weed Control	Admin.	\$ 190.00
City of Barnesville	07/25/2020 Phone & utilities billing	Admin.	\$ 618.53

HCI Commercial Landscape Contractors	#20098, Buffer Strip Seeding	Varies	\$ 8,014.50
HEI	August Billing	Varies-See attached	\$ 136,782.95
MN DNR Ecological & Water Resources	Permit #2020-1552	Whiskey Crk. Enhancement	\$ 3,000.00
MPS	06/17/20-07/17/20- Service FL #21	Pj. 49	\$ 31.68
Pure Health Solutions Inc.	July Water Billing	Admin.	\$ 59.06
R. J. Zavoral & Sons, Inc.	#2981, Reinstall Culvert	Pj. 61, Clay 11-N Imp.	\$ 7,500.00
Red River Valley Co-op Power	07/01/20-08/01/20 Service	Pj. 49, Oakport	\$ 78.00
Richard Seidel	2020 Parking Lot Seal Coat Final Pymt.	Admin.	\$ 750.00
RMB Environmental Laboratories, Inc.	#510325, WQ Analysis	M.S.A.103D.905, Sub.3	\$ 553.00
RMB Environmental Laboratories, Inc.	#510053, WQ Analysis	M.S.A.103D.905, Sub.3	\$ 790.00
Sellin Brothers, Inc.	Request for payment #13	Pj. 79, Wolverton Crk.	\$ 147,119.74
Roger Lundberg	07/28/2020, beaver billing	Varies	\$ 1,248.85
U.S. Bank Equipment Finance	07/27/20-08/27/20 Copier Lease	Admin.	\$ 274.65
U.S. Postal Service	Annual P.O. Box Rental Fee	Admin.	\$ 56.00
Wild Rice Electric Cooperative, Inc.	06/18/20-07/18/20 Service (2)	Pj. 46, Turtle Lake	\$ 358.70
Xcel Energy	06/24/20-07-26/20 Gas Service	Admin.	\$ 62.99
			\$ 311,294.34

Motion by Anderson to approve payment of the bills. **Seconded** by Affield. **Approved** by unanimous roll call vote.

Upcoming Calendar Items. The 1W1P Planning Team is meeting on August 13, 2020, at 1:00 PM via either Teams or conference call.

Whiskey Creek Enhancement. The Board discussed a Wilkin SWCD CWF grant application for \$340,000 to install 75 grade stabilization structures and to restore over 5 miles of the stream through the construction of a two-stage meandering channel for Whiskey Creek near Kent. The SWCD will partner with the Natural Resources Conservation Service (NRCS) and the BRRWD. The local grant match is \$105,000. To minimize the local costs, matching federal funding could come from National Water Quality Initiative (NWQI) and the Minnesota Pollution Control Agency (MPCA) 319 grants the BRRWD was awarded.

Next Meeting. The next regular BRRWD meeting and 2021 annual budget hearing is scheduled for August 24, 2020, at 7:00 PM in our Barnesville office via teleconferencing, depending on the COVID-19 meeting restrictions.

New Manager. The newly appointed Clay County Manager Paul Krabbenhoft introduced himself. Krabbenhoft has agreed to serve out the balance of a former BRRWD Manager's term (one year).

Clay County Ditch Committee. The Board discussed organizing a ditch committee for C.D. Nos. 11N, 11S, 36, and 40.

Adjournment. Acting President Fjestad adjourned the meeting at 9:00 PM.

Respectfully submitted,

John E. Hanson, Secretary