



Board Meeting Minutes

Monday November 22, 2021

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

Staff Present: Kristine Altrichter, Administrator.

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

President Fjestad called meeting to order at 6:58 PM.

Agenda: Additions to agenda Project 31, Deerhorn Creek Levees; Open Meeting Law. **Motion** to approve agenda with additions by J. Hanson, **Seconded** by Affield. **Approved.**

Secretary's Report: Board of Managers discussed November 8, 2021 Draft Meeting Minutes. Requested addition of discussion of Alternative B under Project 46, Turtle Lake Outlet. Minutes will be brought to Board of Managers during December 13, 2021 Board Meeting.

Treasurer's Report: Account balance was \$2,842,596.93. Income received since November 8, 2021, totals \$50,507.25, and for the year, totals \$5,435,044.16. \$387,830.71 were collected from accounts receivable this month.

Permits:

Permit No. 21-144. Justin Stock. Applicant proposing to replace 15" corrugated metal pipe (CMP) with 18" tile in NE ¼ SW ¼, Section 17, Norwegian Grove Township, Otter Tail County. Flow path of water will not change and tile discharges into wetland, an adequate outlet. Uhler recommended approval subject to standard tiling conditions and ensuring overtopping elevation of crossing is equal to or lower than existing conditions.

Permit No. 21-145. Steve Miller. Applicant proposing installation of two side inlet culverts to stabilize erosion in SE ¼, Section 17, Sunnyside Township, Wilkin County. Project completed in partnership with Wilkin Soil and Water Conservation District (SWCD). Uhler recommended approval.

Motion to approve Permit Nos. 21-144 and 21-145 with conditions outlined above by Larson, **Seconded** by Affield. **Approved.**

Projects:

Talac-Yort Lake Drainage Investigation. During the September 13, 2021 Board Meeting, Board of Managers directed HEI to complete a field survey to identify runoff elevations and restrictions in outlet of Talac Lake in response to request from Talac Lake landowner, Bruce Paakh, to review outlet. Paakh's concern was in regard to bounce of water levels on Sand Lake, Talac Lake, Sorenson Lake, and Yort Lake. Jones presented investigation report including surface water elevation data since 1992. Data show surface elevations have remained relatively stable since the initial spike in the 1990s. Jones discussed need for additional analysis and survey to determine impacts of larger culvert at outlet on water levels and land downstream. Board of Managers decided that based on data presented, they would not proceed with further investigation.

Judicial Ditch No. 2 Proposed Wetland Bank Site. During the July 12, 2021 and July 26, 2021 Board Meetings, Board of Managers discussed potential wetland banking site in Sections 7 and 18, Orwell Township, Otter Tail County. Jones presented estimated cost (\$2,522,634) and timeline (7 years) to establishing wetland bank. Board of Managers discussed methods to divide development and construction costs and created wetland credits among BRRWD and landowners. Board of Managers decided on two options to divide up final wetland credits. One, landowners could be paid upfront for an

easement of their land and would receive no percentage of final credits. Two, landowners could leverage their land as their contribution to project and percentage of overall contribution to project would determine percentage of credits. **Motion** to authorize staff, Fjestad, and Larson to meet with landowners to discuss landowner contribution and credit disbursement by Krabbenhoft, **Seconded** by J. Hanson. Approved.

South Branch Buffalo River Restoration. Memorandum of Understanding (MOU). **Motion** to authorize Fjestad to sign MOU between Pheasants Forever Inc., Minnesota Board of Water and Soil Resources, and BRRWD to allow BRRWD to construct and maintain water management facilities to restore natural prairie stream corridor along South Branch Buffalo River in Sections 3, 10, and 11, Manston Township, Wilkin County by J. Hanson, **Seconded** by Van Amburg. Approved.

South Branch Buffalo River Restoration Phase II. Environmental Assessment Worksheet (EAW) Findings of Fact. **Motion** to approve Findings of Fact determining that an Environmental Impact Statement (EIS) is not required for Phase II by Larson, **Seconded** by Affield. Approved.

Upper Buffalo River Restoration. EAW Findings of Fact. **Motion** to approve Findings of Fact determining that an EIS is not required by Van Amburg, **Seconded** by J. Hanson. Approved.

Project 49, Oakport Township. Transfer to City of Moorhead. Easement, agreement, and survey documents have been compiled for attorney Tami Norgard. HEI has resurveyed levee and will provide report to Board of Managers December 13, 2021. Norgard will use information to draft documents for transfer.

Project 79, Wolverton Creek Restoration. Outlet Repair Pay Request 1. **Motion** to approve Pay Request 1 to Lafreniere Construction, LLC. for \$231,544.33 by J. Hanson, **Seconded** by Affield. Approved.

Project 81, Whiskey Creek Enhancement Project. Phase 1 Pay Estimate 3. **Motion** to approve Pay Estimate 3 to Ehlert Excavating Inc. for \$152,526.83 by Larson, **Seconded** by Van Amburg.

Project 31, Deerhorn Creek Levees. Repair Recommendation. Richard Scheffler requested repair of inlet culvert with missing flapgate along north levee near center of Section 24, Atherton Township. Repair requires installation of new 36" flapgate. Estimated cost is \$1,200 - \$1,500. **Motion** to approve repair by Krabbenhoft, **Seconded** by Larson. Approved.

Other:

Minnesota Association of Watershed Districts (MAWD) Registration. Board of Managers discussed attendance. Office staff will register Fjestad, Van Amburg, Krabbenhoft, and Altrichter.

Bylaw of the Buffalo-Red River Watershed District (Bylaws) Potential Update. Board of Managers discussed potential update to Bylaws during the October 11, 2021 meeting. Altrichter identified two sections where Bylaws should be updated to address current practices. Altrichter also discussed option to reduce regularly scheduled meetings to once per month. Board of Managers requested staff present proposed updates at the December 13, 2021 Board Meeting.

Advisory Committee. Altrichter discussed need to finalize advisory committee and hold advisory committee meeting. Board of Managers were provided with list of requirements outlined in MN Statute 103D.331. Board of Managers will review information for further discussion at the December 13, 2021 Board Meeting.

Bills. **Motion** to approve bills totaling \$531,758.58 by J. Hanson, **Seconded** by Affield. Approved.

Next Regular Meeting. Monday December 13, 2021, at 7:00 PM in the Barnesville office. Agenda will be posted on BRRWD's website prior to meeting.

President Fjestad adjourned meeting at 9:08 PM.

/s/ John Hanson
Secretary