MINUTES FOR MANAGERS' MEETING
June 26, 2006

A regular meeting of the Board of Managers, Buffalo-Red River Watershed District (BRRWD), was held on Monday, June 26, 2006, at 8:00 PM in the Barnesville office. BRRWD Managers present were Roger G. Ellefson, E. Robert Olson, Curtis M. Nelson, Gerald L. VanAmburg, and John E. Hanson. Others attending included: Bruce E. Albright, BRRWD Administrator, Erik S. Jones, and Julie Jerger, Houston Engineering, Inc. (H.E.); S. Bruce Langness, Engineer, Ulteig Engineers, Inc. (UEI); Wayne Johnson, Chairman, Scambler Township, Otter Tail County; Ernest Hovland, Tom Axness, and Jeff Hold, Supervisors, Norwegian Grove Township, Otter Tail County; and landowners: Bob Videen, Darrel Thomas, Barry Ahmann, Darin Allmaras, Suzanne Lund, and James Lund.

Chairman Ellefson called the meeting to order at 8:00 PM. He noted that the proceedings were being taped to aid in preparation of the minutes.

Secretary's Report. The Board reviewed draft minutes for the 6/12/06 BRRWD meeting. Olson noted two minor corrections. Motion by Olson to approve the minutes, subject to correction. Seconded by Nelson. Approved.

Treasurer's Report. The Board briefly reviewed the BRRWD current financial status. Clay County has forwarded their first half general 2006 tax revenue (approximately $177,000). Albright noted that the payment did not include ditch taxes. He added that all bills have been paid, and we have approximately $150,000 in our bank account. The office closed out the 2001 Federal Emergency Management Agency (FEMA) account and allocated the money (approximately $277,000) to the various ditch and project accounts that were included in the 2001 flood damages. He estimated that we received about 98% of our repair costs. Wells Fargo Bank sent a Pledgee Agreement form for the Board's signature. Motion by VanAmburg to approve the Treasurer's Report and to authorize Ellefson to sign the Pledgee form on the Board's behalf. Seconded by Hanson. Approved.

Business brought before the Board included:

Project No. 35, Clay County Ditch No. 47. Bob Videen discussed his continued concerns about the operation of the flapgates on the culverts under the Otter Tail Valley Railroad (OTV) tracks along County State Aid Highway (CSAH) No. 52. He says that the gates are still hard to open and the culverts do not drain properly. Silt has built up in front of the gate on the north culvert, which will not open at all. The south gate will open slightly, but not enough to function properly. Last year, Videen brought these same concerns to the Board, who authorized Jones to contact Dave Kluck, Northern Power Products, where the gates were purchased. Kluck suggested that we could adjust the hinge bolts to allow the gates to hang open at the bottom. He felt this would take the pressure off the gates and help them open properly. Jones did as Kluck suggested, but Videen says that moving the hinge bolts did not help. Videen suggested that the gates should be removed or cut in half if they can't be adjusted. He said that he has lost crops because the gates don't allow his water to drain from his fields. Albright noted that these gates were very expensive and didn't think they should be removed or altered. He felt that the manufacturer was obligated to make them work properly. The Board discussed Videen's
concerns. Olson thought that Ditch No. 47 should be cleaned in this area, as there is standing water in front of the culverts. Albright suggested that the BRRWD should have the silt cleaned away from the front of the gates as soon as possible, notify the manufacturer regarding the problems with the gates, and as a temporary measure, possibly cantilever the gates open so water can drain away from Videen's property. Jones will contact Northern Power Products again regarding this issue.

**Darrel Thomas Culvert Concerns.** Darrel Thomas, Thompson Greenery, discussed his concerns about a proposed approach and 15" dia. culvert on the north side of the industrial park associated with the Del Acres-Gilbertson First Addition, located near the Industrial Park in the NW¼, Section 29, Humboldt Township, within the Barnesville city limits. The Board approved the permit for this project at their 3/27/06 meeting. Recently, UEI proposed to modify their plans by adding the above referenced culvert. Originally, the holding pond was designed to back up to the ditch block (approach) and overflow to the north at elevation 38.5 to the Trunk Highway (T.H.) No. 34 ditch, which is adjacent to Thompson Greenery. The proposed culvert is not expected to change the overflow runout elevation, but will constrict/control flows, and perhaps delay/prevent overtopping.

Thomas pointed out that the Greenery is in the low (northwest) corner of the quarter where water from this area historically collects. He pointed out that in conjunction with the subdivision, a new ditch on the north side of the industrial park has been installed, as well as a holding pond. Thomas felt that since water historically runs to the north in this area, the project would increase the timing and amount of the flows from the new development. Previously, the area was enrolled in the Conservation Reserve Program (CRP), which slowed down water coming off this tract. The project will increase runoff by adding increased amount of pavement/concrete non-permeable surfaces. Thomas would prefer that the approach not have a culvert and that all runoff be directed to the City's storm sewer outlet. He is concerned about the effects of a heavy rainfall event on his commercial property and home if the proposed culvert is installed.

Albright gave a brief history of the permit/project. He said that the plans called for a berm on the north side of the holding pond. Water would overtop this berm at elevation 38.5 as it had in the past and flow north to T.H. 34. Thomas asked UEI to provide an approach approximately 1,000' south of T.H. 34, so he could access his property. UEI agreed to install the approach if they could also install a 15" dia. culvert at the same elevation as the proposed berm.

Jones noted that one of the reasons that UEI wants to install a culvert is so that some water could go north if the City's storm sewer to the south becomes overloaded. Thomas said that his greatest concern was the increased runoff coming from the new subdivision. The group discussed drainage patterns and culvert sizing. S. Bruce Langness, UEI, noted that the detention pond restricts flows to the pre-development condition, and added that he will check with Dan Hanson, UEI, to find out how large a storm event the detention pond is designed to handle. Thomas said he was not against the project, but was just concerned about the impacts of the project from a heavy rainfall/runoff event. Ellefson pointed out that it might be a good idea to meter flows through a culvert. **Tabled.** The BRRWD will field review the area, and no action will be taken tonight on the proposed culvert installation in Thomas' approach.

**Grove Lake Outlet.** Several landowners/Township Supervisors from the Grove Lake area discussed their concerns about the need for an outlet for their lake. High water is affecting Township and Minnesota Department of Transportation (MNDOT) roads (T.H. 34) and encroaching on lake property. They proposed that the lake system that includes Pete, Grove, Maple, and Rankle Lakes could be drained to Whisky Lake, which is 4' lower than Maple and outlets directly to Whisky Creek.
Wayne Johnson, Scambler Township Chairman, felt that MNDOT should be involved in a solution because T.H. 34 is also affected. He pointed out that MNDOT has had to repair T.H. 34 four times in the last five years, and may do so again this summer, if the water continues to rise. He discussed the highwater problem and its affect on area roads/property. Johnson was told by farmers that water from Pete Lake is oozing through a hill towards Grove Lake. He said Ira Peck's driveway is also holding back the flows. Ellefson asked if Grove Lake has an outlet. Johnson said it did not. Johnson added that Minnesota Department of Natural Resources (DNR) records show that at one time, Pete Lake did flow into Grove Lake. Albright noted that Tom Olson, whose sister owns property on Grove Lake, visited the BRRWD office two weeks ago to discuss this issue. Albright said that all four lakes are within the BRRWD boundaries. He provided Olson with a copy of the quad map showing the lakes and their elevations. Albright and Nelson field reviewed the area on 6/21/06. He understood that the landowners didn't expect to drain their lakes back down to their Ordinary High Water (OHW) elevations, but just to lower the lakes enough to protect roads/property and to keep the elevations from increasing.

Sue Lund, a landowner on Grove Lake, said that last year they built up the subdivision entrance road approximately 2' and the water is already over the road again this year. She discussed an elderly farmer who has to use a boat to get in and out of his farmyard. She was concerned that because of the landowners' age, this was a very dangerous situation. Lund would like to get the lake lowered a couple of feet to allow the existing road to stabilize.

Albright noted that there might be some resistance from downstream landowners on Whisky Creek regarding a proposal to drain more water into that system. He added that an operation plan would probably have to put in place that would require that the outlet be closed if downstream areas are experiencing flooding. On other hand, when the weather is dry, the outlet could operate.

Johnson noted that landowners around the lakes would be comfortable with a project that would place controls on the lake elevations, but not lower the lakes any further than 2'-3'. Albright suggested that the Board could conduct a field review, and perhaps authorize H.E. to do a preliminary study, based on maps/current OHW information. Johnson thought that MNDOT has been given permission to drain Rankle Lake across a farmers' property to Pete Lake, which is about 4' over its OHW elevation. Ellefson questioned who would pay for this work. VanAmburg thought both the DNR and MNDOT should be included in discussions regarding this issue. Albright thought that a project for this area might include just culvert/road work, and could be done by the Townships via a BRRWD permit. **Motion** by Olson to authorize Jones to prepare a preliminary study of the area using the Survey and Data Acquisition fund. **Seconded** by Hanson. **Approved.**

Ellefson thought that an informational meeting with landowners, DNR, MNDOT, and BRRWD should be scheduled as soon as H.E. completes their investigation. MNDOT might be interested in participating in a project of this nature as their roads are impacted by high water. Albright suggested that Jones could check with Paul Munsterteiger, MNDOT, to see if he would have some data Jones could use. Johnson noted that something should be done as soon as possible before an uncontrolled event happens. There are veins of sand running through the hillside downstream of Pete Lake to Grove Lake. There are fears that water could suddenly breakout through these veins without warning and flood downstream property on Grove Lake.

Barry Ahmann questioned if it would be feasible to install temporary pumps to lower the lake levels. Jones noted that it would take a long time to see any elevation reduction as the first water to draw off might include groundwater. The group discussed the Turtle Lake Outlet project. Jones will try to have
the preliminary study ready for the 7/10/06 BRRWD meeting. The landowners were advised to check with the BRRWD office before coming to the next meeting.

**Project No. 49, Oakport Flood Mitigation Project.** Albright discussed the project development status. He noted that there are 22 properties involved with the appraisal process. UEI would like to get started on the dike alignment survey. Kevin Campbell, Clay County Commissioner, and Greg Anderson, Oakport Township Chairman, are in charge of acquiring the signed permission to survey forms from the landowners. Albright noted that these forms need to be obtained as soon as possible so UEI can start their work.

S. Bruce Langness, UEI, discussed a draft work schedule for project development. Langness noted that UEI had hoped to have the signed permission to survey forms signed in June so that they could start the flagging and staking of the dike alignment in July. Another Task Force meeting could be scheduled to review the route alignment for possible changes. In August, UEI could complete the topographic survey, and in September, UEI could begin the design work to prepare for a March 2007 bid date. A meeting with the Army Corps of Engineers (COE) would need to be scheduled for their review of the project design to obtain dike certification.

Langness discussed several items needed to complete the dike easement process. Albright noted that the dike alignment will have to be finalized before easement/title work is started. He added that the Board has already authorized Attorney Tami Norgard, Vogel Law Firm, to handle the title/abstract work. Albright thought that the next step in the development process would be to get the dike alignment flagging/staking started. Ellefson felt that Oakport Township needed to get the permission to survey forms signed in the next 10 days. Langness noted that if Campbell and Anderson are too busy to get the work done, UEI could take care of it. Albright said we received a few signed survey forms at the 5/11/06 informational meeting. Langness said UEI had those forms, but needed a straight stretch of property to start surveying. Senator Keith Langseth has told Ellefson that more funding will be available, but we need to get our current grant money spent in a timely fashion.

Albright noted that at the recent National Flood Insurance Program (NFIP) conference, new flood insurance requirements were discussed. The Senate Banking Committee has approved legislation to reform the Flood Insurance Program. The bill would require homeowners near levees and dams to buy flood insurance. One of the main benefits of the Oakport dike project was to construct a dike that could be COE certified so that homeowners inside the dike wouldn't have to buy flood insurance. If this legislation is approved, this benefit could change. Langness said there were several bills being circulated regarding flood insurance. He said the bills all include strong language regarding how local units of government need to take care of their populations living in flood prone areas. Langness plans to draft a letter recommending that homeowners in flood prone areas consider buying flood insurance even though it may not be mandatory. Legislation is also being drafted that would provide content insurance for basements, which would benefit our region, as most flood losses in the Red River Valley are in the lower levels of structures. More discussion regarding this issue followed. Langness noted that it is possible that we could have a flood that could exceed the 100-year event and we should recommend to people to build their property to the 500-year event elevation.

Albright will contact Anderson and Campbell tomorrow regarding the survey forms. He mentioned that FEMA has approximately $825,000 available for flood mitigation in the Red River Valley. Their first priority is property acquisition, which could be useful for the Oakport project. At this time, no structures, including dikes, can be placed on property bought with FEMA funds. However, some changes are being considered regarding that provision. Albright noted that there is some property in
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the Oakport Coulee area that will need to be purchased even though the dike won't be placed on it. Albright plans to meet with FEMA officials later this week to obtain more information on their grants.

**Permit No. 00-59, Jon Braton.** Applicant proposes to install a crossing in a waterway on his farmyard to create a landing strip in the SW¼, Section 17, Atherton Township, Wilkin County. The swale carries water from the neighboring agricultural land across the north portion of Braton's property and outlets to the west through a 36” dia. culvert in the township road. Because the swale doesn't drain completely, the area north of his barn stays wet. Albright conducted a field review and took elevation shots of the swale. The Board felt that Braton should work with his neighbors regarding this issue. **Tabled.**

**Permit No. 06-20, Prairie View Township.** Applicant proposes to replace an 18” dia. culvert with a 24” dia. culvert in a field approach on Wilkin County Ditch No. 41-Branch 3, along 120th Street in the SW¼, Section 8. The Township may also need to consider enlarging the culvert through the township road to the west, or the work will just transfer the washout problem to that location. Olson and Opsahl field reviewed the site on 5/06/06. Olson thought a hydraulic analysis might be needed to determine what size pipe(s) should be installed. **Tabled** pending field review by Albright and Ellefson.

**Permit No. 06-31, Arne Peterson.** The Board held a field meeting with the neighboring landowners/Township on 6/16/06 to discuss Peterson's request to replace and lower an existing 18” dia. culvert through the township road (180th AVE) in the northwest corner Section 28, Deerhorn Township, Wilkin County, with a 24” dia. corrugated metal pipe (CMP). The Board felt that Peterson's proposal could be approved. **Motion** by Olson to approve Permit No. 06-31 to replace the above referenced culvert and install it 6” lower than the existing pipe. **Seconded** by Nelson. **Approved.** Albright noted that Wade Opsahl, Technician, H.E. will complete Ed Ernst's quarterline ridge survey, which the Board approved last fall for Section 29, Deerhorn Township.

**Permit No. 06-35, Sam Johnson.** At their 6/12/06 meeting, the Board authorized Opsahl to conduct a survey and to prepare recommendations and a cost estimate to install a culvert on the east side of Johnson's farmyard to drain the adjacent agricultural land to the east and south instead of through Johnson's yard. The survey has not yet been completed. **Tabled** pending survey completion.

**Permit No. 06-41, Becker County Parks and Recreation.** Opsahl has not contacted Manager Hanson and Chip Lohmeier, County Parks and Recreation Department, Becker County, to schedule a field review of the proposed crossing. **Tabled.** Roger Lundberg told Albright that there is an old township road that used to have a bridge crossing over the ditch in this area that might be high enough to accommodate the proposed crossing. **Tabled** pending Jones' review.

**Permit No. 06-43, Tansem Township.** Applicant proposes to replace a 15” dia. culvert in 280th ST S in the NW¼, Section 26, as the existing culvert is plugged. Albright contacted the Township and found that they plan to reinstall the same size culvert. Albright and Nelson field reviewed the site and found no problems with the project. **Motion** by Nelson to approve Permit No. 06-43. **Seconded** by Hanson. **Approved.**

**Permit No. 06-47, Clay County Highway Department.** Applicant proposes to replace an existing steel span bridge at the outlet of Clay County Ditch No. 58 between Section 4, Elmwood Township, and Section 33, Glyndon Township, with a 14’ x 7’ reinforced concrete box culvert (RCB) with end sections and minor grading on CSAH No. 12. The existing bridge is too narrow to accommodate the newly widened roadway. Jones was unable to contact the County today for more information, but will try again later this week. **Tabled** pending Jones' review.
Permit No. 06-48, Clay County Highway Department. Applicant proposes to modify their project (Permit No. 01-83) to add a gate to the proposed 18" dia. culvert through 100th Avenue, located north of Tatley Lake between Sections 25 and 36, Keene Township. Opsahl and Manager Olson conducted a field review and found no problems with this proposal. Motion by Olson to approve Permit No. 06-48. Seconded by Nelson. Approved.

Permit No. 06-49, Hawley Township. Applicant proposes to install culverts in 210th Street North and Steve Welle's driveway to convey water from the west side of road to the east. Welle's culvert under his driveway will drain water from north to south to eliminate road inundation and prevent a public safety hazard. Opsahl and Manager Nelson conducted a field review last year and again on 6/23/06. They thought the permit could be approved subject to approval from the neighboring landowner in the NE¼, Section 3. Motion by Hanson to approve Permit No. 06-49, subject to downstream landowner approval. Seconded by VanAmburg. Approved.

Permit No. 06-50, Michael Firkus. Applicant proposes to excavate a low area in the NE¼, Section 31, Kragnes Township, near Clay County Ditch No. 20, to create a larger wetland area to provide wildlife habitat and natural resource enhancement. Olson had some concerns regarding this proposal. He noted that the area is presently underwater and was difficult to view. Tabled pending better field conditions.

Permit Nos. 06-51/06-52, Steve Ueland and Eugene J. Baril. Applicants propose to add approximately 5" of fill to the road ditch (42nd ST N) in front of their houses in Lots 3 and 4, Block 1, Anderson Acres 2nd Addition, Section 11, Oakport Township, Clay County. The landowners want to eliminate the standing water in the ditch. Olson and Opsahl conducted a field review and questioned where the water actually flows in this area. The Board felt the area should be surveyed before they could make a decision regarding this project. Albright will contact Opsahl tomorrow to schedule a survey. Tabled.

Permit No. 06-58, Bradley Nelson. Applicant proposes to replace an existing 30" dia. culvert in a field approach off from County Road (C.R.) No. 186 (140th ST) in the NE¼, Section 30, Deerhorn Township, Wilkin County, with a 42" dia. arch pipe (50" span x 31" rise). The proposed arch pipe has 8.75 square feet (sq. ft.) of waterway area. The approach is located on the north-south quarterline. Nelson feels the work is necessary to match upstream culvert sizes, enhance drainage, and to prevent water from overtopping the quarterline field road.

The Board discussed this issue during the 6/16/06 field meeting regarding Permit No. 06-31 for Arne Peterson. Motion by Nelson to approve Permit No. 06-58, subject to County approval to work in their right-of-way (r-o-w). Seconded by Hanson. Approved.

Permit No. 06-59, Skree Township. Applicant proposes to replace a 30" dia. x 42' long CMP through their road (110th AVE S) with a used 36" dia. arch pipe (43" x 27"'). The existing pipe needs to be replaced as it is too short and the top is rusting out. The Township has found a used 36" dia. arch pipe, which is considerably cheaper than a new culvert. Because of the size change, they submitted this permit application. Supervisor Gary Bergan recently notified the office that FEMA might pay for a new culvert as a disaster claim. If that is the case, they will install a new 30" dia. culvert, which is the same size culvert as the existing culvert. Motion by Nelson to approve Permit No. 06-59, if the Township decides to install the larger used culvert. Seconded by Hanson. Approved.
Permit No. 06-60, Harlan Manston. Applicant proposes to reclaim an existing gravel pit in the northeast corner of the NW¼, Section 36, Elkton Township, Clay County. A ditch will be constructed through the tree line to drain standing water on the tract to the south into another gravel pit that already has standing water. The pit restoration will include topsoil replacement so the area can be farmed. Albright and Managers Nelson and Ellefson field reviewed the site on 6/19/06. No problems were noted. Motion by Hanson to approve Permit No. 06-60. Seconded by VanAmburg. Approved.

Permit No. 06-61, Skree Township. Applicant proposes to install 2,500' of 4" dia. drain tile in the centerline of 110th AVE S between Section 28/33, Skree Township, Clay County. The project will start west of the Herb Nelson, Jr. residence and proceed west. High water problems in the spring cause muddy conditions and potholes in the road. The proposed tiling should improve public safety and the condition of the road top. Motion by Nelson to approve Permit No. 06-61. Seconded by Olson. Approved.

Permit No. 06-62, Humboldt Township. Applicant proposes to reinstall an approach/culvert off from 140th AVE S on their road r-o-w in the SE¼, Sections 9, to Janet Holt's property with an 18" dia. culvert. Several years ago, an approach with an 18" dia. culvert at this location was removed when the culvert became plugged, forcing water south over the road. The new structure is necessary to allow the landowner access to their field south of Stony Creek. Motion by Nelson to approve Permit No. 06-62. Seconded by Hanson. Approved.

Permit No. 06-63, Chris Dankert. Applicant proposes to install an approach/culvert for a new house construction on property he owns in Section 5, Eglon Township, Clay County. On 6/12/06, the office sent Dankert floodplain information with FEMA flood profiles for the Buffalo River and a copy of the United States Geological Survey (USGS) survey map for his area. Tabled pending Manager field review.

Permit No. 06-64, Rick Thompson. Applicant proposes to install an approach/culvert off from a township road (130th AVE S) in the SE¼, Section 2, Alliance Township, Clay County, to gain access to his field, which he rents from James Ferris. The County is trying to locate a used 18" dia. or 24" dia. culvert for Thompson. Tabled pending Manager field review.

Permit No. 06-65, James Baker/Tim Pender. Applicants propose to install an approach on the quarterline off from 100th AVE S between the SW¼ and S½SE¼, Section 19, Elkton Township, Clay County, to provide field access. Tabled pending Manager field review and a culvert sizing recommendation.

Permit No. 06-66, City of Moorhead. Applicant proposes to construct underground utilities and a storm water detention pond to handle the proposed Stonemill Estates Addition Phase I in the N½NE¼, Section 29, Moorhead Township. A second pond will be constructed when additional subdivision phases are planned. Jones explained the drainage patterns associated with the detention pond and said that the pond is sized to accommodate the 100-year storm event plus 3' of freeboard. The Board reviewed an area map of the proposed subdivision and discussed the proposal. Jones recommended permit approval. Motion by VanAmburg to approve Permit No. 06-66. Seconded by Hanson. Approved.

Minch and Johnson Lawsuits. Based on attorney/client privilege, and in accordance with Open Meeting Law, the Board went into closed session at 10:00 PM to discuss the status of both lawsuits. At 10:05 PM, the Board reopened the meeting.
Truman Nelson Culvert Complaint. Nelson’s neighbor, Dale Fischer, allegedly placed a culvert in his driveway that drains his farmyard water onto Nelson’s adjacent field on the west line of the SE¼, Section 3, Glyndon Township. Nelson questioned if Fischer had a BRRWD permit to install the culvert. There is also a property line dispute regarding the location of Fischer’s driveway, as part of it is alleged to be on Nelson's property. Albright recently reviewed a 1980s aerial photograph Fischer had that clearly shows the culvert in question was in place at that time. He drafted a letter to Nelson stating that since the culvert has been in place for so long, it would be very difficult for the Board to go back on something that may have happened 20-25 years ago. The letter encourages the two landowners to work together to install a shallow ditch to drain south into the T.H. 10 ditch, and states that the BRRWD intends to take no further action regarding Nelson's claim. **Motion** by Hanson to approve the draft letter and authorize Ellefson to sign it on the Board's behalf. **Seconded** by VanAmburg. **Approved.**

Walt Engesetter Complaint. Engesetter has concerns regarding a ditching project completed this spring by the Spring Prairie Hutterian Colony in Section 27, Spring Prairie Township, Clay County. The Board reviewed photos of the Colony’s work to clean an existing ditch on the quarterline to provide an outlet to Clay County Ditch No. 2. The ditch is eroding and the sides are sliding because of the sandy soil and wet conditions. **Tabled** pending Manager field review.

Kurtz Township Drainage Complaint. On 6/26/06, the Board authorized H.E. to conduct a survey of Sub Drain No. 1 as soon as possible, to see if it is possible to drain this area to the west via this ditch. Jones noted that the survey has been completed and is being drafted. It should be ready for discussion at the 7/10/06 BRRWD meeting. **Tabled.**

Dale Fischer Diking Complaint. On 6/15/06, Albright met with Fischer on site along CSAH No. 26 to view drainage problems associated with a ditch cleaning project his neighbor, Gerald Zimmerman, completed last fall on the quarterline in Section 32, Morken Township, Clay County. Fischer claims that spoil from the project was placed on the east-west quarterline between their two properties. According to Fischer, this work caused more wet areas in his field, and delayed his spring planting. Albright took photographs of the work.

On 6/20/06, Albright telephoned Zimmerman, who said that Fischer has always had a water problem in the SE¼, Section 32. Zimmerman pointed out that he has always had a plow ridge on the quarterline, and he intends to plow it back in again this fall. He added that the Farm Service Agency (FSA) has several identified wetlands on Fischer's tract, and Fischer has never addressed his drainage problems on this property. Many years ago, Fischers tried to put in a drainage project that would have drained their land north to Clay County Ditch No. 39, but the owner of the NW¼ would not allow them to place a ditch on the line. **Tabled.**

Aggregate Industries Gravel Pit. Aggregate Industries is considering the development of a gravel pit in the SE¼, Section 29, Keene Township, Clay County. Steve Hofstad, Local Water Resources Management Technician, Clay Soil and Water Conservation District (SWCD), met with Mike Rose, Aggregate Industries, on the site of the proposed pit to discuss the location of the haul road through Ken Fuchs property in the SE¼SE¼SE¼. Rose indicated that he is willing to move the road far enough west to avoid a wetland associated with a drainage channel so that the crossing will be through the channel, but not affect the wetland basin. The plan is to place two to three 36” dia. culverts in the crossing to alleviate flooding on nearby cropland lying to the east. Hofstad advised Rose to contact the BRRWD for a project permit. Tim Magnusson, Director, Clay County Planning & Environmental Programs, has some concerns regarding the location of the haul road and also plans to contact Rose.
**Hawley Township Gravel Pit Concerns.** A landowner has raised concerns regarding a proposed gravel pit in the NW¼NE¼, Section 17, Hawley Township, located approximately 0.25 miles from the Buffalo River. The landowner reported that plans are to haul the gravel via 200th Street South to T.H. 10, crossing a culvert that drains water from Lake Maria to the Buffalo River. This culvert allegedly is prone to flooding. In her email message, the landowner states that it was her understanding that the BRRWD had stopped a request for gravel mining in this area several years ago and she wants to know if we would be able to stop it again. The Board thought that the DNR might have been involved with this issue, not the BRRWD. Albright sent the landowner a letter stating that he could not recollect this matter and advised her to contact Clay County Planning & Zoning and the DNR.

**City of Hawley Flood Repairs.** Albright met with City of Hawley officials regarding their 2006 spring flood damage. They have several erosion areas along the Buffalo River both south and north of T.H. 10, resulting from the 2006 spring flood that need to be repaired to prevent continued flood damage. The City is working with FEMA regarding these repairs. The Clay SWCD might be able to help with erosion repairs. FEMA may only pay to repair the cracked head wall on their storm sewer outlet.

**Project No. 60, Swede Grove Lake.** A landowner informational meeting has been scheduled for July 13, 2006, at 7:30 PM in the Hawley Community Center. Notices will be mailed this week.

**Project No. 57, Moorhead/I-94 Flood Control.** Jones reported that the contractor, Raymond Weidenborner, All Seasons Contracting, Inc., Blackduck, MN, plans to start work in either July or August. The contractor has asked to have the preconstruction meeting onsite. Ziegler Construction, Inc., has finished about one mile of the Clay County Ditch No. 41 repairs. Ellefson signed the Minnesota Pollution Control Agency (MPCA) Storm Water permit application. The application fee is $400.

**Project No. 56, Manston Slough Restoration.** Albright met with Mark Norton and John Voz, Ducks Unlimited (DU), on 6/16/06 to update them about the Manston Slough project and discuss the status of the Donald Holubok property acquisition. The Natural Resource Conservation Service (NRCS) wanted Holubok to sign the Wetland Reserve Enhancement Program (WREP) application form before 6/01/06. There is some concern that the State might lose this funding, which would reduce our offer for Holubok's property. Norton and Voz will try to meet with Holubok on this issue.

The Board reviewed a map showing the location of the property already signed up for WREP in the Manston Slough project area. VanAmburg was concerned that we might lose the WREP funding if Holubok doesn't accept our offer. The Board discussed that it might be necessary to leave the Holubok property out of the project area, and considered having Albright send Holubok a letter explaining the possibility of eliminating his property and setting a deadline for him to accept our current offer.

Albright noted that Kevin Brennan, Project Leader, Fergus Falls Wetland Management District (WMD), United States Fish and Wildlife Service (USFWS), has prepared a draft Memorandum of Understanding (MOU) and an Operation and Maintenance Plan (O&M) for the Manston Slough Restoration project. He would like to setup a meeting regarding review of both documents.

**Project No. 54, Whisky Creek Tributaries.** The DNR permit is still pending for the repair project for Greg Settelmeyer's driveway.

Albright noted that when he met with Norton and Voz, they said the NRCS is having a difficult time finding a contractor to do the Nichol Wetland Reserve Program (WRP) site in Section 21, Humboldt Township. They suggested that this project might not be built. Albright stressed to them that this
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The project was a vital part of our Whisky Creek Tributaries project. The Board was also concerned that NRCS needs to complete this project. Albright discussed this issue with Scott Smith and Robert Honeman, NRCS, and they suggested that NRCS could hire a contractor on an hourly basis to do the work. Albright noted that the Vertin WRP site is still retaining water after the spring flood.

**Project No. 51, Clay County Ditch No. 68-City of Glyndon.** Jones noted that Ron Erdman, All State Excavating, Inc., has provided proof of insurance and bond certificates, and all the documents are in order. Jones prepared the MPCA Storm Water permit application for Ellefson's signature. The application fee is $400. A tentative date for the preconstruction meeting has been set for 7/06/06. Erdman will contact his partner. Albright sent a letter to Phyllis Nelson regarding her letter where she expressed her concerns about the project surveying and row staking. Carolyn Drude, Ehlers and Associates, and Albright will schedule a meeting regarding the bond sale.

**Project No. 39, Georgetown Levee.** Manager Olson and Opsahl conducted a field review of Johnnie Stasch's concerns pertaining to improper drainage through the levee that is causing water to stand in the T.H. 75 east ditch. According to H.E.'s survey, Jones recommends resetting the culvert in Stasch's driveway and the culvert through the levee, and grading the east road ditch south to address the standing water problem. Jones estimates that the repairs would cost approximately $2,000-$2,500. Olson agreed the work should be done as a project expense. He felt trucks will be needed to haul spoil offsite. **Motion** by Olson to approve the above referenced repairs as a project expense, subject to the availability of Ziegler Construction to do the work. **Seconded** by Hanson. **Approved.**

**Project No. 38, Farmstead Ringdikes.** Opsahl has met with landowner John Butze who is interested in a ringdike. Tony and Evelyn Karpenin are also interested in a ringdike. Opsahl has suggested that their property could be a buyout as they are very close to the South Branch of the Buffalo River. FEMA mitigation funding could possibly be allocated for a buyout for this property. Michael Firkus and Michael Nugent are also interested in ringdikes. Jones is still working on a study for a possible ringdike for the City of Kragnes.

Opsahl is also working on closing out the 2005 ringdike projects. One more load of gravel is going to be delivered to the Rustad ringdike. The Board discussed concerns regarding the landowners' work on the Mead ringdike. After the seeding was completed and mulch had been applied, the landowner dragged the dike. The landowner may be asked to reseed the site at his own expense. Albright plans to arrange a final inspection next month of the Whisky Creek Tributaries project and the 2005 ringdikes with Robert Merritt, Area Hydrologist, DNR. Once the inspections have been completed, DNR can release the 10% contingency funds and final payments.

**Project No. 29, Log Jam Removal.** Harold Schenck, Elmwood Township, was in the office on 6/15/06 to report three logjams in Elmwood Township. Two are on the South Branch of the Buffalo River and the other is on Stony Creek. Elmwood Township may be eligible for FEMA assistance since the debris piled up underneath their drainage structures and bridges.

Albright explained that counties are typically eligible for Emergency Conservation Protection (ECP) and Emergency Watershed Protection (EWP) programs from the NRCS. Wanda Geary, Director, Clay FSA, is responsible for filing the forms needed for Clay County to receive this funding. Recently, Geary may have filed the ECP/EWP forms, noting that there were no substantial flood damages in Clay County. Albright has contacted Steve Dalen, Wild Rice Watershed District Administrator, and other area landowners to encourage them to contact Geary regarding their flood damages. A FSA Committee meeting is coming up in the near future where this issue will be discussed.
**Project No. 28, Clay County Ditch No. 2.** Landowner Wayne Steen has filed a complaint regarding beaver dams in the S½ SE¼, Section 17, Spring Prairie Township. Albright plans to schedule a meeting with the Minnesota Board of Water and Soil Resources (BWSR) Beaver Grant Steering Committee to discuss how to manage this funding.

**Project No. 24, Wilkin County Ditch No. 44.** Landowner Jim Haick called the office regarding the status of South Branch of the Buffalo River cleanout. Opsahl will contact a contractor to do this work when the site conditions improve.

**Project No. 23, Becker County Ditch No. 15.** Jones will schedule a meeting with the USFWS regarding the 2006 repairs.

**Project No. 13, Hay Creek Detention-Bjornson.** Opsahl is working on lowering the water level and finding a contractor for the south dam repairs.

**Project No. 8, Stony Creek Detention.** Landowner William Thompson has requested that the BRRWD consider lowering the detention site elevation to freeze out the minnow population and to provide more storage in the spring. Albright will prepare a memo for Opsahl regarding this issue.

**Mediation Project Team (PT).** The next PT meeting will be held on 6/29/06 at 7:00 PM in the MSUM Science Center.

**Comprehensive Planning.** The office has prepared the Citizen Advisory Committee (CAC) and the Technical Advisory Committee (TAC) mailing lists and a draft letter asking the individuals to consider serving on the Advisory Committees. Letters will be mailed this week. A response is requested by 7/15/06.

**Clay County Ditch No. 40.** Landowners in Section 25, Kurtz Township, have requested that the BRRWD provide a hydraulic analysis for a new crossing and other possible ditch repairs. **Motion** by VanAmburg to authorize H.E. to prepare a hydraulic analysis and cost estimate for the requested repairs. **Seconded** by Hanson. **Approved.** Brian Leiseth also has reported a damaged culvert in the same area that should be investigated at the same time.

**Minnesota Statutes Annotated (M. S. A.) 103D.905, Subd. 3.** Albright has arranged for the BRRWD to meet with the Clay County Board of Commissioners on 7/18/06 at 8:30 AM. Albright will prepare a draft petition and cover letter to forward to Clay County so it can be in the Commissioners' agenda packet before the meeting. The entire Board plans to attend. The Board discussed how to allocate the increased funding we will receive in the next two years.

Bob Backman, Executive Director, River Keepers, and Bruce Messelt, City of Moorhead, would like to meet with Albright to discuss renewing River Keepers funding petition for 2007/2008 via M.S.A. 103D.905, Subd. 3. Albright will meet with them on 7/05/06.

**MPCA Funding Request.** MPCA has requested the Board to provide $8,400 for 2006 water quality monitoring after we receive the 1st half taxes collections. **Motion** by VanAmburg to forward the funding to MPCA now that we’ve received half of the Clay County tax revenues. **Seconded** by Hanson. Olson opposed. **Approved.**
**Clay County Ditch No. 34.** H.E. has completed the survey landowner Gary Smith requested for Clay County Ditch No. 34 in Sections 18 and 19, Barnesville Township. A meeting with Dave Overbo, Clay County Highway Department, area landowners, and Barnesville Township will be scheduled in the near future to discuss the sizing of the bridge on the west line of Section 18, or 120th ST S.

**MAWD 2006 Annual Meeting.** Ray Bohn, BWSR, has asked for suggestions for activities/seminars for the Minnesota Association of Watershed Districts (MAWD) annual meeting.

**BWSR Challenge Grants.** Clean Water Legacy BWSR Challenge Grants will be available in the near future. The recent Legislature appropriated $5.84 million for BWSR, with 90% allocated for Local Government Nonpoint Source Restoration Projects.

**LCCMR Membership Appointments.** There are vacancies available for citizens to serve on the newly formed Legislative-Citizen Commission on Minnesota Resources (LCCMR). Five citizens at large along with two Legislative appointees will form the LCCMR to study natural resources issues, develop a strategic plan, and make funding recommendations to the full Legislature once each year. The application deadline is 6/27/06.

**Manager & Supervisor Workshop.** A conference to strengthen the effectiveness of Managers and Supervisors who work for nonprofit organizations will be held in the Bloomington Holiday Inn on 8/03/06. The one-day workshop fee is $99.

**Clay County Ditch No. 41-Outlet.** H.E. has prepared a recommendation and cost estimate to repair an 80'-100' long slide along Ditch No. 41 near the Moorhead Gun Club on the north slope of the ditch. The proposed work would include resloping the channel and placing a small amount of riprap at the toe to prevent scouring. Jones estimated the work to cost approximately $3,500-$4,000. Jones also recommended that the Board consider flush cutting the trees on the ditch slope. Grass doesn't grow well under the trees and brush, which contributes to the slope instability. After the trees are removed the slopes should be reseeded. This work would cost an additional $4,000-$6,000. **Motion** by Nelson to authorize H.E. to make the repairs. **Seconded** by VanAmburg. **Approved.**

**Amer Froysland Dam Repairs.** H.E. has completed the review of a second dam located on land previously owned by Amer Froysland on Becker County Ditch No. 5. The existing outlet structure is rusted out. Mark Green now owns the land where the dam is located. Jones recommended that the outlet works be replaced on the impoundment. Estimated cost for the project is approximately $7,000-$8,000. The structure was installed in 1962 and replaced in 1991. Since the dam height is less than 25' and the storage is less than 50 acre-feet, a DNR Safety Permit in not required. Becker SWCD has agreed to consider sharing with the project costs. A copy of H.E. review and recommendations will be sent to Brad Grant, Becker SWCD.

**Summer Tour.** The 2006 MAWD Summer Tour was held on June 22-24, 2006, at the Alexandria, MN Holiday Inn. Nelson noted that the Tour was very enjoyable.
The following bills were presented for approval:

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<td>July 2006 Lobbyist fee</td>
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<td>Storm water permits</td>
<td>Pj. 51/57</td>
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<td>EPA S Branch WQ Monitoring</td>
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<td>Pjs. 1, 24, 25, 30, Wilkin 41</td>
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$66,012.24

Motion by Hanson to approve payment of the bills. Seconded by VanAmburg. Approved.

Next Meeting. The next regular meeting of the Board of Managers, BRRWD, is scheduled for Monday, July 10, 2006, at 8:00 PM in the Barnesville office.

Adjournment. Chairman Ellefson adjourned the meeting at 11:30 PM.

Respectfully submitted,

John E. Hanson, Secretary