A regular meeting of the Board of Managers, Buffalo-Red River Watershed District (BRRWD) was held on Monday, October 23, 2006, at 8:00 PM in the Barnesville office. BRRWD Managers present were Roger G. Ellefson, Curtis M. Nelson, E. Robert Olson, and John E. Hanson. Others attending included: Bruce E. Albright, BRRWD Administrator, Erik S. Jones, and Julie Jerger, Houston Engineering, Inc. (H.E.); and Darvin Temanson, Dirtworks.

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 10/10/06 regular meeting. Nelson noted a few minor corrections. **Motion** by Nelson to approve the minutes, subject to correction. **Seconded** by Hanson. **Approved.**

**Treasurer's Report.** The Board discussed their current financial status. Albright borrowed from our Midwest Bank operating loan to pay the last meeting's bills. We have about $45,000 in DNR grant payments pending from Ed Fick, FDR Hydrologist, Minnesota Department of Natural Resources (DNR) Waters. Albright mailed additional documentation to Fick last week. In addition, the office is working on bond transcripts for Project No. 57, City of Moorhead/Interstate-94 (I-94), and Project No. 51, Clay County Ditch No. 68-Establishment. Once the transcripts are prepared, Carolyn Drude, Ehlers and Associates, will conduct the bond sale, which will yield about $450,000 for these two projects.

**Business brought before the Board included:**

**Permit No. 06-77, Robert Norby.** Applicant proposes to repair erosion in the NE¼, Section 22, Kragnes Township, Clay County, where the Buffalo River cut through his field during the 2006 spring flood. **Tabled** pending Manager field review after the crop is harvested. Norby will contact the office when the review can be done.

**Permit No. 06-104, Paul Crume.** Pauline Sannes and Crume have filed a permit application to install a dike along the quarterline in the NW¼, Section 17, Riverton Township, Clay County. They would like to complete the work before freeze-up. Crume alleges that last fall, his neighbor, Paul Brendemuhl, drained a wetland area in the NE¼, Section 17, onto Crume's property in the E½NW¼, Section 17. Sannes called the office today regarding the permit status, and to find out if they should attend tonight's meeting. Albright told Sannes that since there has been no contact with Crume's renter, Rodney Schmitt, they did not need to attend. Albright has obtained Farm Service Agency (FSA) aerial photographs that show that Crume's property was dry in 2003, 2004, and 2005. In 2006, Crume's photographs show a wet area in their field. The Board reviewed the photographs and agreed that the evidence appears to support the claims that Brendemuhl's ditch work did cause them drainage problems. Manager Olson and Wade Opsahl, Technician, H.E., conducted a field review. At that time, Olson noted that there seemed to be an area where a weed patch had been worked under.
The Board directed Albright to send a letter to the landowners asking them to work together to find a different route for Brendemuhl's drainage that benefits both parties. The Board discussed alternative drainage options. They will make their own recommendations if the neighbors can't agree.

**Permit No. 06-108, Oberg Farms.** Applicant proposes to install a culvert through County Road (C.R.) No. 78 in the SW¼, Section 13, Moorhead Township, Clay County. The pipe location will be either on the east-west quarterline or on the south side of the building site in the northwest corner of the SW¼. Water builds up around the building site and also backs up on to the northwest corner of the field. Manager Nelson and Opsahl conducted a field review on 10/09/06 and found that water from the SW¼ should go north along the east side of C.R. 78 and into Clay County Ditch No. 41. With the proposed culvert installation, water would flow north along the west side of C.R. 78 to C.R. 80, where it would then flow west, eventually to Clay County Ditch No. 47. Olson was concerned about changing the current drainage patterns. Olson also noted that this proposal would direct more water toward the new Moorhead school. **Motion** by Olson to disapprove Permit No. 06-108. **Seconded** by Nelson. **Disapproved.**

**Permit No. 06-111, Verne Leach.** Applicant proposes to install a dike to block drainage coming from his neighbor's (Kenneth Schellack) field in the SE¼, Section 32, Riverton Township, Clay County. Twenty years ago, Leach installed an east-west plow furrow through a quarterline ridge to help drain his neighbor's field. Leach now claims that a new survey shows that Schellack's low area could drain south through an existing piped outlet into Clay County Ditch No. 21. He requests that his neighbor reroute his drainage because the water is causing problems on the west end of Leach's field. The office will invite the affected parties to the 11/13/06 BRRWD meeting to discuss this issue further. **Tabled.**

**Permit No. 06-122, Marvin Vareberg.** Applicant proposes to restore one wetland on his property in the SE¼SW¼, Section 36, Hamden Township, Becker County. The work will include plugging a ditch on a 0.15 acre drained wetland, and excavating 2'-3' of sediment and cattails from the basin area. Only the basin will be flooded, so the height of the ditch plug will not affect the adjacent upland area. The small watershed area will only hold surface water temporarily. The project will restore a natural wetland area and recreate wildlife and waterfowl habitat. Vareberg is working with the Becker Soil and Water Conservation District (SWCD) and the Natural Resource Conservation Service (NRCS) on the project development. The office received the Local/State/Federal Water/Wetland Project notification for the Board's review. **Motion** by Hanson to approve Permit No. 06-122. **Seconded** by Olson. **Approved.**

**Permit No. 06-123, Dave Janssen.** Applicant proposes to install 38 acres of patterned tiling with 90' spacing on the west side of the S½S½, Section 3, Humboldt Township, Clay County, to improve crop productivity. Ellingson Companies will install the tiling. **Motion** by Nelson to approve Permit No. 06-123, subject to Manager field review. **Seconded** by Hanson. **Approved.**

**Permit No. 06-124, Jeff Nord.** Applicant proposes to install four to five 18" dia. x 10' long field inlet culverts with flapgates through the spoil banks along either side of a natural waterway in the SW¼, Section 27, Atherton Township, Wilkin County, to protect the field from flooding. Albright explained that before the BRRWD had jurisdiction of this area, this section of the ditch was cleaned, and the spoil was spread on the east and west sides of the channel, which blocked the natural drainage to the waterway. Nord feels that the inlets/flapgates will prevent flooding in his field and control sediment deposits in the waterway. He plans to maintain the existing spoil bank height. **Motion** by Nelson to approve Permit No. 06-124. **Seconded** by Olson. **Approved.**
**Stanley Crume Ditching Complaint.** The Minnesota Department of Transportation (MNDOT) recently contacted the BRRWD regarding Crume's ditch work along Trunk Highway (T.H.) No. 10 east of Glyndon in Section 8, Riverton Township, Clay County. The Board discussed this issue at their 10/10/06 meeting. Crume also has several drainage concerns regarding MNDOT's work along T.H. 10 area. Albright plans to meet with Jane Butzer and Allen Milbradt, MNDOT, for a field meeting on 10/27/06. *Tabled.*

**Tande Drainage Concern.** On 10/02/06, Albright sent a letter to Phyllis Girten, the owner of the W½, Section 5, Riverton Township, who lives in Texas, regarding drainage problems in this area and the Board's recommendations discussed at the 9/25/06 meeting. To date, she has not responded. The Board agreed to wait until their next meeting for Girten to contact the office. *Tabled.*

**Grove/Pete Lakes Outlet.** The office has scheduled a landowner informational meeting for 10/30/06 at 7:00 PM in Hildebrand Hall, Assumption Catholic Church, Barnesville. Landowners will be given an opportunity to discuss concerns regarding high water in the Grove Lake area in northwestern Otter Tail County. Invitations have also been sent to downstream landowners on Clay County Ditch No. 34. The Board discussed the project development process and downstream landowners' concerns regarding the proposed project. Albright pointed out that an Operating and Maintenance (O&M) Plan would be needed regarding the outlet operation during high water events. Several agencies have been invited to the meeting, including DNR and the Minnesota Pollution Control Agency (MPCA). The Board discussed possible project costs and possible impacts on the adjacent lakes. H.E. has completed a preliminary outlet study, which will also be discussed. Jones wasn't sure if the DNR has set an Ordinary High Water (OHW) elevation for Grove Lake. Albright noted that we could lower the lake to the OHW without a DNR permit. Albright also suggested that if a project is built for Grove Lake, the Board should consider downstream maintenance guidelines regarding beaver dam removal.

**Dale Fischer Diking Complaint.** On 6/15/06, Albright met with Fischer onsite along County State Aid Highway (CSAH) No. 26 to view alleged drainage problems associated with an alleged diking project his neighbor, Gerald Zimmerman, completed last fall on the east-west quarterline in Section 32, Morken Township, Clay County. Fischer, who is the operator of the SE¼, claims that spoil from Zimmerman's ditch cleanout project was placed on the east-west quarterline between their two properties, causing wet areas in his field and delaying his spring planting. Zimmerman claims Fischer has always had a water problem in the SE¼, Section 32. Thirty years ago, Fischer tried to drain his 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. John Svenkeson, who owns the SE¼, Section 32, also wrote a letter to the BRRWD on 9/29/06 regarding Zimmerman's dike work. He claims the work made approximately 10% of the cropland, or 14 acres, unusable. The Board reviewed the FSA aerial photographs from 2003 and 2004, showing wet areas in Fischer's field prior to Zimmerman's 2005 alleged diking project. In addition, several of those wet areas are designated as wetlands on the FSA map. The Board authorized Albright to send a letter to Svenkeson and Fischer regarding the FSA photographic evidence, advising them that any drainage activities related to the wetlands in SE¼, Section 32, would need a BRRWD permit and should be reviewed by Sharon Lean, District Conservationist, NRCS. The letter will encourage the neighbors to work together to try to find a solution to their drainage problems.

**Stanley Sandman Drainage Complaint.** Sandman contacted the BRRWD office with concerns about a drainage project his upstream neighbor completed several years ago that he now feels is causing erosion problems on his property in Section 29, Highland Grove Township, Clay County. His neighbor did not have a BRRWD permit for the work. Manager Nelson and Opsahl tried to field
review the area on 10/09/06, but didn't find Sandman at home. Opsahl will contact Sandman to schedule a field review. **Tabled.**

**Hitterdal Hogs, LLC EAW.** Recently, the BRRWD received an Environmental Assessment Worksheet (EAW) from Clay County Planning & Zoning for Hitterdal Hogs, LLC, to construct a new total confinement feedlot for raising market hogs in the NW¼, Section 30, Goose Prairie Township. The EAW did not list the BRRWD as a permitting authority. Albright sent a response to the EAW, noting that the proposed project is located within the boundaries of the BRRWD, and a permit application will need to be submitted for new driveways, approaches, culverts, etc. Attorney Zenas Baer wrote the BRRWD a letter questioning how the BRRWD administers their permitting program. Albright responded with a letter explaining that the BRRWD has uniform permitting system that requires persons/businesses who plan construction projects that will "change" drainage patterns to obtain a BRRWD permit for their project. Baer replied that their contractor would comply with the provisions of the BRRWD Rules.

**Permit No. 06-125, Menards, Inc. First Addition.** Moore Engineering, West Fargo, ND, submitted a permit application today to construct a storm drainage system for the new Menard's store in Section 15, Moorhead Township, Clay County, along the north side of I-94 in south Moorhead west of CSAH No. 52. The 65-acre site would outlet to Clay County Ditch No. 47. Albright noted that construction has already started. **Tabled** pending Jones' review and recommendations.

Olson noted that there is a new Baptist Church under construction in the northwest corner of the Southfield Estates (40th AVE and 14th ST S) in south Moorhead. It appears that drainage from this site will be directed south to an area holding pond. Albright will contact Robert A. Zimmerman, Engineer, City of Moorhead, regarding this work. The Church should file a BRRWD permit application for the project.

**Area Construction Projects.** The Board discussed several current projects that Contractor Darvin Temanson, Dirtworks, has been hired to construct in the Barnesville area. Albright explained that the BRRWD Rules require permits if existing drainage patterns/structures are changed, i.e., larger, deeper, wider, etc. The Board expects Temanson to comply.

Albright noted that the office received a complaint about a project that filled in a wetland area along Whisky Creek on 4th Street North in the City of Barnesville. He has relayed the complaint to Steve Hofstad, Clay County Wetland Conservation Act (WCA) Administrator.

**Project No. 59, Clay County Ditch No. 41-Lateral No. 3.** Albright has left messages with Feder Properties Attorney John Boulger. To date, he has not returned Albright's calls. Last winter, the Board tabled their request for Feder Properties to increase the petition bond to $20,000 until 8/15/06. The BRRWD will not work on further project development or assess additional fees until the bond amount is increased. As the project petitioner, Feder would be responsible for the project development costs to date, or approximately $12,000. The Board discussed this proposed project and some of the factors that may affect Feder's decision to discontinue this proposal. **Tabled.**

**Project No. 58, Riverton Township Retention.** VanAmburg has been in contact with Brian Winter, Program Director, The Nature Conservancy (TNC), regarding his review of the draft Preliminary Engineer's Report. Winter said that TNC planned to respond to H.E. in the near future. To date, Jones noted there has been no response. **Tabled.**
Project No. 57, Moorhead/I-94 Flood Control. The project has been completed, and the office is working on the bond sale. H.E. still has to prepare the easements for recording.

Project No. 56, Manston Slough Restoration. Rick St. Germain, H.E., provided a project status report for the Board's review. The tasks completed to date include the legal surveys, twenty soil borings, completion of the north embankment road and dam alignment (SW¼, Section 13, Mitchell Township), the dam performance and spillway configurations revision, and Wilkin County has been contacted for the Average Daily Traffic (ADT) information. Tasks that St. Germain plans to have completed before the next BRRWD meeting include the easement drawings, embankment design and quantities, surveying the road profiles in the pool areas, a detailed drainage survey for the areas around the south end of the pool area, dam breach analysis, and a utilities survey for the power lines in the pool area. Future tasks St. Germain plans to have completed in the next four weeks include ten final soil borings on cropped areas, a road authority meeting to discuss future status of roads in the pool area, a utility companies meeting to discuss project impacts and the need for rerouting services, dam breach analysis, drainage details, wetland delineation and mitigation, Engineer's Report submission, and EAW submission.

Albright noted that in discussions with Bob Honeman, Area Resource Conservationist, NRCS, at the 8/24/06 Project Team (PT) meeting, Albright cautioned that we want to make sure that neighboring landowners are aware of the Wetland Reserve Program (WRP) and Wetland Reserve Enhancement Program (WREP) contracts because they want to be sure their drainage rights are maintained on those tracts before the actual easements are signed. This issue recently came up in a conversation with Steve Cole, NRCS, who indicated that they have already signed several contracts. The Board was troubled by NRCS's lack of concern regarding the neighboring landowners' drainage rights and the affect it could have on the project.

Albright noted that he has not been in contact with Donald or Steve Holubok regarding the BRRWD's purchase of the Holubok property.

Project No. 54, Whisky Creek Tributaries. The office has received the DNR permit to install a culvert in Greg Settelmeyer's driveway. This work will done yet this fall, weather permitting. NRCS has indicated that they do not plan to install the Nichol WRP project this fall. They will try to get it done next year. Opsahl has contacted Dennis Drewes, Inc., to rework parts of "east tributary" by installing rock drops, flattening slopes, etc. This work will be financed by the Federal Emergency Management Agency (FEMA). Jones noted that H.E. has received DNR permission for this repair work. In accordance with the Mediation PT project monitoring plan, Opsahl has completed photo reference records showing before, during, and after project construction.

The Board discussed H.E.'s plan to address Scott and Betty Anderson's drainage concerns. Water gets trapped behind the east/west embankment levee of the impoundment site along the north side of Section 14, Barnesville Township. Cleanout of the township road ditch should resolve their problems. According to previous agreements, the work will be done as a project expense. Jones thought the work could be done yet this fall. **Motion** by Hanson to approve the above referenced repairs, subject to Township approved to work within their right-of-way (r-o-w). **Seconded** by Olson. **Approved**.

Project No. 51, Clay County Ditch No. 68-City of Glyndon. Albright reported that Allstate Excavating now seems to be making better progress on the project. The crossing for Truman Nelson's farmstead has been installed. Ellefson questioned if Erdman would finish by the project deadline. Jones discussed various tasks left to be completed, and indicated that he thought Erdman could finish...
on time. The Board thought that if there was a chance that he might need an extension, Erdman should submit a request before the actual deadline date (11/15/06).

H.E. has prepared Pay Request No. 2 for Allstate Excavating in the amount of $22,891.00. **Motion** by Hanson to approve the pay request. **Seconded** by Olson. **Approved.** The office is working on the bond sale transcripts, and H.E. is working on the easement drawings.

**Project No. 49, Oakport Flood Mitigation.** BRRWD Attorney Corey Elmer, Vogel Law Firm, provided a home buyout status report for the Board's review. Of the twenty-two home owners involved with the buyout process, nineteen have contacted Elmer regarding buyouts, and three have not. Seventeen of the nineteen who contacted Elmer have received draft purchase agreements. Six homeowners have signed their purchase agreements and one has closed. The next Steering Committee meeting has been scheduled for 11/16/06 at the Moorhead Police Department.

The Board discussed the Open House planning meeting for North Moorhead and Oakport Township that is scheduled for Thursday, November 2, 2006, in the Hjemkomst Center in Moorhead. The meeting will cover the development of a Growth Plan Area and Alternative Urban Areawide Review (AURA) for this area. By 2015, north Moorhead and parts of Oakport Township will be annexed into the City of Moorhead. Albright suggested that one of the Managers should attend the meeting, as there will probably be some discussion regarding our flood mitigation project.

Albright noted that he is in the process of finding a property management firm to take care of the buyout property this winter. He also talked with BRRWD insurance agent John Hoffman, ICS Agency, regarding insuring the buyout property over the winter until the houses can be sold. The Surma house is insured, but Hoffman indicated that it has been difficult to find an insurance provider due to concerns about potential liability issues and weather related damages. Albright also needs to contact Appraiser Kathy Berry, who has agreed to complete a third appraisal for the Burris property. The office plans to submit a DNR pay request for current project expenses this week.

Red River Valley Cooperative Power sent the BRRWD a membership application for electric service for the Surma property. Additional houses will be included as the buyout process continues. **Motion** by Hanson to authorize Albright to submit the membership application. **Seconded** by Olson. **Approved.**

**Project No. 46, Turtle Lake Outlet.** Opsahl worked with Sellin Bros. Construction, Inc., to excavate the damaged gate valve on the Long Lake siphon. He found that the valve gasket was deteriorated. Although the repair process will be time consuming and expensive, replacing the valve could cost even more money. Jones felt that the overall gate design is flawed if the entire $5,000 valve has to be replaced every time a gasket deteriorates. Jones will contact Northern Waterworks, who was the distributor of the siphon valve, to see what they recommend. Albright pointed out that this issue needs to be resolved as soon as possible as Turtle Lake homeowners have concerns about their lake elevation. The Board would prefer not to operate the siphon system during the winter due to open water liability issues.

**Project No. 38, Farmstead Ringdikes.** The BRRWD held an informational meeting on 10/19/06 regarding a possible ringdike for the Village of Kragnes. Albright noted most of the landowners were in favor of the proposal; however, landowners on the east side of T.H. 75 did not want to participate. Albright will contact Ed Fick, FDR Hydrologist, DNR Waters, to notify him that the project plans have changed.
The BRRWD has been approved for DNR funding ($15,000) to construct one ringdike this year. The Board selected John Butze's ringdike application for construction in 2006. H.E. has completed the hydraulic analysis that Tim Magnusson, Clay County Planning & Zoning, wants to review before he can process the conditional use permit (CUP) for Butze's ringdike. The analysis shows that there will be no impact on the Buffalo River flood stage. The next Clay County Planning and Zoning meeting will be held on 11/21/06, and we will try to get the CUP application on their agenda. There is a $200 fee for the permit. Motion by Nelson to submit the CUP application and fee. Seconded by Hanson. Approved.

At the 10/10/06 meeting, the Board authorized Attorney Tami Norgard to pursue collection of two overdue ringdike bills from several years ago. Albright noted that he has sent all the information on file regarding these two projects to Norgard for her review. Albright has not had time to visit with Mark Rustad regarding his concerns about his 2005 ringdike cost overrun concerns.

Minch and Johnson Lawsuits. Based on attorney/client privilege, and in accordance with Open Meeting Law, the Board went into closed session at 9:20 PM to discuss the status of both lawsuits. At 9:50 PM, the Board reopened the meeting.

Project No. 35, Clay County Ditch No. 47. The Board discussed the status of H.E.’s investigation regarding landowner Bob Videen's concerns about the operation of the flapgates on the culverts under the Otter Tail Valley Railroad (OTV) tracks along CSAH No. 52. Jones and Opsahl have decided to try to use a load binder to raise the flapgates. Opsahl is working with Ziegler Construction to clean the ditch in this area, which should also help with the flapgate problems. Olson noted that Videen had placed two 4" x 4" boards in the gate opening with great difficulty, remarking on how heavy the gates are. Jones felt that an O&M plan should be put in place for the flapgates.

Albright noted that Opsahl is working with Ziegler Construction on several other ditch system repair projects, including cleanout work on Clay County Ditch No. 22 for Alvin Swanson; cleaning the T.H. 75 road ditch for Johnnie Stasch on Project No. 39, Georgetown Levees; and FEMA repair work on Project No. 55, Clay County Ditch No. 51 near the White House in Kragnes. Albright also mentioned that the City of Moorhead has a pending Clay County Ditch No. 47 improvement petition for the CSAH No. 52, I-94, and 34th Street interchange that will reroute the ditch. This project will be developed over the next few years.

Project No. 32, Hawley EDA Diversion. On 10/09/06, Opsahl met with the Hawley City Council to conduct the annual project inspection. There are trees along the ditch channel between the Buffalo River and the old highway that should be removed. Opsahl suggested that they could be cut for firewood. Hancock Concrete Products, Inc., is working on the repair of the 60" dia. culvert by applying new concrete and epoxy to the deteriorated sections. In his inspection report, Opsahl plans to have Sellin Bros. remove the sediment downstream of the conduit outlet and repair an erosion site around the inlet this fall. It appears that landowners have mowed most of the ditch r-o-w along C.R. 33. Opsahl reported that the channel was in good condition and well vegetated.

Project No. 30, Clay/Wilkin Judicial Ditch No. 1 (J.D. 1). The Board plans to hold a meeting this winter to discuss the possible improvement and extension of Lateral No. 3.

Project No. 27, Clay County Ditch No. 55. Landowner Brian Halverson called last week to report that the I-94 r-o-w has not yet been mowed. Albright will work with Larry Tester, MNDOT, to get the area mowed if the work is not done by next week.
**Project No. 23, Becker County Ditch No. 15.** Jones reported that Chad Mattson has been hired to complete the ditch repairs starting with the main ditch, working upstream to C.R. 12, and possibly further upstream. Jones will send a letter Scott Kahan, regarding the work proposed for the United States Fish and Wildlife Service (USFWS) property in Sections 9 and 10, Hamden Township. Opsahl will contact the landowners with permission to deposit spoil forms for their signatures and will work with the contractor to avoid spoil placement in wetland areas.

**Project No. 19, Becker County Ditch No. 21.** The office will send a letter to the ditch system landowners regarding the BRRWD's need to obtain r-o-w/access to Ditch No. 21 to do maintenance and repairs. H.E. recommends that the ditch be repaired for 0.8 miles from the junction with Branch 1 upstream to the south line of Section 3, Riceville Township. Jones also recommends that the flaggates should be removed at the end of the system on the north side of Section 15. The estimated cost of this work is $11,000.00. The landowners will be asked to provide permission for the contractor to deposit/level spoil on their property.

The Board discussed the ditch system r-o-w issue. Albright explained that his letter will offer the landowners two options regarding BRRWD access to the ditch. The first option will be for them to voluntarily provide access for repair and maintenance. The BRRWD would pay damages for affected crops. If there is not 100% compliance with the voluntary access, the second option would be for the BRRWD to use Minnesota Drainage Law to acquire the necessary r-o-w so that we have permanent access to the drainage system, which will require a ditch system hearing, the appointment of Viewers, one-rod grassed bufferstrips, etc., and could cost the ditch system as much as $20,000-$30,000 to implement. The landowners will have until 11/15/06 to respond. **Motion** by Hanson to approve the repairs and send the r-o-w request to the ditch system landowners. **Seconded** by Olson. **Approved.** If the landowners give their permission to access the ditch, the work could be completed yet this fall.

**Project No. 13, Hay Creek Detention-Bjornson.** Opsahl is working with Sellin Bros. Construction on the south dam repairs, which could be completed yet this fall. Currently, the contractor has hauled in clay to fill in by the wall. The pool will continue to be operated 1' below the top of the wall. Riprap will be applied to the downstream side of the wall to prevent further erosion.

**Mediation PT.** The next PT meeting is scheduled for 10/26/06 at the MSUM Science Center near Glyndon. Notices have been sent.

**Becker County Ditch No. 19.** At the 8/28/06 meeting, the Board authorized H.E. to conduct an area elevation survey using GPS, which is still pending. Albright sent Justin Klemetson information today regarding the BRRWD's proposed 2007 levy of $10,000.

**Wilkin County Ditch No. 40.** Mark Yaggie has filed a repair request to clean the ditch and repair breakout areas along the ditch bank. The Board authorized H.E. to conduct a survey and provide repair recommendations. As soon as H.E. locates the 1960 ditch improvement project plans, they will be able to file their report. Jones contacted Robert J. Roberts, Clay County Surveyor, regarding the original plans, but to date, Roberts has not furnished any information. **Tabled.**

**Becker County Ditch No. 5.** Mark Green recently notified the office that he would like to proceed with the proposed dam repair. Jones will order the materials needed for Green's project. Parts for the Amer Froysland dam repair were ordered after the 10/10/06 BRRWD meeting. When the materials for the two repairs are delivered, H.E. will contact Ed Jerdee to see if he is available to do the work. If he is not, then H.E. will have Sellin Bros. do project.
2006 MAWD Annual Meeting. The Minnesota Association of Watershed Districts (MAWD) Annual Meeting will be held in Alexandria on November 30-December 2, 2006. Albright will be a presenter for the new Managers' orientation session. All the Managers, except Olson, plan to attend. Albright has submitted the Board's proposed resolution to allow Watershed Districts to pay former Managers a per diem stipend for court appearances. The Board authorized Albright to submit the Whisky Creek Tributaries project for the 2006 Watershed Project of the Year award. The Board discussed delegate appointments. Motion by Nelson to appoint Ellefson and VanAmburg as annual meeting delegates with Hanson as alternate delegate, and Albright as media spokesperson. Seconded by Hanson. Approved. The Board also agreed to have a booth in the tradeshow. The fee is $50. Motion by Nelson to approve the tradeshow booth and pay the $50 fee. Seconded by Hanson. Approved.

AFWS River Gauge. At the 10/10/06 meeting, Ruth Lewis, Red River Basin Commission (RRBC), made a presentation to the Board regarding a proposal to install a United States Geological Survey (USGS) bridge mounted gauge on the outlet of Wolverton Creek/Comstock Coulee. Richland County has requested assistance from the RRBC in applying for a grant from the National Oceanic and Atmospheric Administration (NOAA) for funding to develop an Advanced Flood Warning System (AFWS) river gauge installation in their region. This system utilizes bridge mounted gauges to monitor the river stage and to send a real-time signal via satellite to the USGS, who reports dangerous stage heights to county emergency service offices and to the National Weather Service (NWS) for their flood modeling. Lewis asked the BRRWD to consider partnering with Clay County and the City of Moorhead to fund the annual maintenance costs for the Wolverton Creek/Comstock Coulee gauge ($7,000/year). The grant application deadline is 10/31/06.

Albright has discussed the proposal with Matt Siro, Clay County Emergency Director. Clay County Commissioner Jon Evert told Albright that the Commissioners have not had time to discuss the request. The City of Moorhead suggested that the BRRWD contact Cliff McClain, Moorhead Public Service, because of water quality issues. The Board discussed cost sharing options. Motion by Olson to approve the proposed maintenance funding request if the annual cost ($7,000) were split equally between the BRRWD, the City of Moorhead, and Clay County. Seconded by Nelson. Approved.

RRWMB Membership. Ray Bohn, MAWD, has scheduled a meeting between the BRRWD and the Red River Watershed Management Board (RRWMB) on Tuesday, October 31, 2006, at 4:00 PM at the Detroit Lakes Holiday Inn after the Red River Basin Flood Damage Reduction WorkGroup (RRBFDRWG) meeting. Managers Ellefson and VanAmburg were appointed to represent the BRRWD in the negotiations with the RRWMB regarding our membership. Newly hired RRWMB Lobbyist, Ron Harnack, who is the former Minnesota Board of Water and Soil Resources (BWSR) Director, will also attend the meeting.

FEMA Flood Insurance Guidelines. E. Bruce Langness, Ulteig Engineers, Inc. (UEI), provided the BRRWD with the proposed FEMA insurance rate guidelines for property protected by levees. He questioned how these new guidelines might affect the Oakport Flood Mitigation Project. Albright noted that when setting insurance rates, FEMA will probably take into consideration the dike configuration as it relates to the 100-year flood elevation, construction materials, and Army Corps of Engineers (COE) certification.

Clay/Wilkin J.D. 1 Repair Request. Landowner Jeff Nord has filed a repair request for J.D. 1 to install three 18" dia. x 12' field inlets with flapgates in the existing ditches in the SE¼, Section 18, Deerhorn Township. The existing culverts are open and high water backs into the field. The inlets will also help control erosion. Nord will pick up the culverts and install them with his own equipment.
The BRRWD will need to order the culverts/flapgates, which will be paid for as a ditch system expense. **Motion** by Nelson to approve the repair request. **Seconded** by Olson. **Approved.**

**MPCA TMDL Meeting.** The MPCA is hosting informational meetings in Breckenridge, Moorhead, and Thief River Falls to describe the progress of Total Maximum Daily Load (TMDL) projects underway to improve water quality in 25 reaches (portions) of 12 area rivers that are listed as impaired for turbidity. The meeting for the Buffalo River, Stony Creek, and the Wild Rice River will be held on Tuesday, October 24, 2006, at 7:15 PM in the Clay County Family Services Center, Moorhead. Managers Olson and Nelson plan to attend.

**Red River Basin Team Meeting.** Molly McGregor, Red River Basin Coordinator, MPCA-NW Region, is holding a Red River Basin Team meeting today at the University of Minnesota Crookston campus. The meeting topic is the proposed Red River Basin Water Quality Monitoring Network and the specific research needs of the basin.

**Dam Retrofit Funding.** The Fargo Utility Commission has asked the Fargo-Moorhead Metropolitan Council of Governments (FM MetroCOG) and the DNR to put together a funding coalition to complete the retrofit for the Christine and Hickson Dams on the Red River. They are requesting that the BRRWD contribute $50,000 (3.9% percentage share) to this effort. The Board discussed this request. **Tabled.**

**319 Water Quality Grant.** H.E. has submitted the Final Progress and Financial Report to the MPCA for the South Branch of the Buffalo River Water Quality Study. The Board reviewed the document. Once MPCA reviews the report, the BRRWD will receive the remaining 10% of the funding that has been withheld until project completion.

**Minnesota Viewers Association.** Albright and Eddie Bernhardson, Northwest Minnesota Viewers Association Chairman, plan to attend the next Minnesota Viewers Association meeting, scheduled for 11/02/06 in Morton, MN. They plan to discuss the possible merging of the two associations.

**Beaver Activities.** Landowners on Clay County Ditch Nos. 40, 43, and 34 have contacted the BRRWD regarding beaver activity in their areas. Albright has contacted Roger Lundberg to remove the beavers.

**The following bills were presented for approval:**

<table>
<thead>
<tr>
<th>Accounts Payable</th>
<th>Description</th>
<th>Account</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Petty Cash</td>
<td>Postage, supplies, etc.</td>
<td>Admin</td>
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<tr>
<td>J&amp;J Braton Properties, LLC</td>
<td>November 2006 office rent</td>
<td>Admin</td>
<td>$490.00</td>
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<tr>
<td>Vogel Law Firm</td>
<td>#7, buyout work</td>
<td>Pj. 49, Oakport</td>
<td>$8,946.18</td>
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<tr>
<td>Vogel Law Firm</td>
<td>#2, Johnson collection</td>
<td>Admin</td>
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<tr>
<td>Johnston Fargo Culvert</td>
<td>#1463131, Pale inlet</td>
<td>Clay #5</td>
<td>$877.46</td>
</tr>
<tr>
<td>Julie Jerger</td>
<td>Virus checker upgrade</td>
<td>Admin</td>
<td>$51.10</td>
</tr>
<tr>
<td>Assumption Catholic Church</td>
<td>10/30/06 meeting rental</td>
<td>Pete/Grove Lakes-Admin</td>
<td>$100.00</td>
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<tr>
<td>Thurlow Planning Office</td>
<td>8/03/06 Acquisition mtg</td>
<td>Pj. 49, Oakport</td>
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<tr>
<td>Clay Co. Planning &amp; Zoning</td>
<td>Butze permit application</td>
<td>Pj. 38, Ringdikes</td>
<td>$200.00</td>
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<tr>
<td>Dirtworks</td>
<td>Bank erosion repair</td>
<td>Clay #17</td>
<td>$2,750.00</td>
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<td>Joel Carlson</td>
<td>November 2006 Lobbyist fees</td>
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<tr>
<td>Red River Valley Coop Power</td>
<td>Cable lowering</td>
<td>Pj. 57, Mhd/I-94</td>
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<tr>
<td>Moorhead Public Service</td>
<td>Surma electrical service</td>
<td>Pj. 49, Oakport</td>
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<tr>
<td>Red River Valley Coop Power</td>
<td>#4164.01 10/17/06 billing</td>
<td>Pj. 49, Oakport</td>
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<tr>
<td>Company</td>
<td>Description</td>
<td>Project, Location</td>
<td>Amount</td>
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<tr>
<td>-------------------------</td>
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</tr>
<tr>
<td>Miller Realty, Inc.</td>
<td>Appraisals</td>
<td>Pj. 49, Oakport</td>
<td>$9,950.00</td>
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<tr>
<td>James Nelson</td>
<td>10/12/06-10/12/07 lease</td>
<td>Pj. 08, Stony Creek</td>
<td>$25.00</td>
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<tr>
<td>UEI</td>
<td>9/01/06-9/30/06 services</td>
<td>Pj. 49, Oakport</td>
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<tr>
<td>Dirtworks</td>
<td>Culvert installation</td>
<td>Wilkin #41</td>
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<td>Allstate Construction</td>
<td>Pay Request No. 2</td>
<td>Pj. 51, Clay 68</td>
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<td>MAWD</td>
<td>Trade show booth</td>
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<td>TDS Metrocom</td>
<td>10/12/06 long distance</td>
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<td>#6028343, Zimmel</td>
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<td>Red River Title Services</td>
<td>#203600, Ostermann</td>
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<td><strong>$63,765.94</strong></td>
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</table>

**Motion** by Olson to approve payment of the bills. **Seconded** by Nelson. **Approved**.

**Next Meeting.** The next regular meeting of the Board of Managers, BRRWD, is scheduled for Monday, November 13, 2006, in the Barnesville office at 7:00 PM.

**Adjournment.** Chairman Ellefson adjourned the meeting at 10:45 AM.

Respectfully submitted,

John E. Hanson, Secretary