MINUTES FOR MANAGERS’ MEETING  
November 24, 2008

The Board of Managers, Buffalo-Red River Watershed District (BRRWD), held a regular meeting on Monday, November 24, 2008, at 7:00 PM in the Barnesville office. BRRWD Managers present were Roger G. Ellefson, Curtis M. Nelson, John E. Hanson, Gerald L. VanAmburg, and E. Robert Olson. Others attending included: Bruce E. Albright, BRRWD Administrator, Erik S. Jones, Engineer, and Julie Jerger, Houston Engineering, Inc. (H.E.).

Chairman Ellefson called the meeting to order at 7:00 PM. He announced that the proceedings were being taped to aid in preparation of the minutes.

Secretary’s Report. The Board reviewed draft minutes for the 10/27/08 regular meeting. Motion by Nelson to approve the minutes. Seconded by Olson. Approved.

Treasurer’s Report. The Board reviewed the BRRWD’s financial status. Albright reported that we received a payment from the Minnesota Department of Natural Resources (DNR) for two buyouts associated with the Oakport project. Midwest Bank plans to change the institution that insures their deposits. In the near future, Midwest will be working with Albright to coordinate the policy change. Albright explained that BRRWD funds are split between Wells Fargo Bank and Midwest Bank. He noted that Midwest Bank has a better interest rate. The BRRWD currently has $834,539.83 on hand.

Other business brought before the Board included:

Permit No. 07-51, Mike Lewis. Ellefson plans to meet with Lewis to discuss the culvert he installed in 2007 on the west side of Trunk Highway (T.H.) No. 9 in the NE¼, Section 2, Barnesville Township. The neighboring landowner, Ronald Erdman, feels that the culvert will cause problems, as it is undersized, crushed in the middle, and in a poor location. He continues to call the office periodically to check on the status of this issue. The BRRWD might have a large culvert they could sell Lewis to correct the problem. To date, Ellefson has not had a chance to discuss this issue with Lewis. Tabled.

Permit No. 07-130, Harmen Tande. On 6/24/08, Albright and Managers Hanson, Olson, and Nelson met on site with landowners Harmen Tande, Rodney Wyland, and Gaylen Dick to discuss Tande’s request to remove an approach/culvert on the north line of Sections 5 and 6, Riverton Township. Dick was interested in exploring the option of petitioning for a legal ditch system in this area. Albright sent the landowners a draft petition for their review. Tande, Gaylen Dick, and Benjamin Dick signed the petition and returned it to the BRRWD office. Albright pointed out that the three signers don’t own enough land in the area to file the petition. They will also need Dan Johnson and Rodney Wyland’s participation, as Drainage Law requires that the petition be signed by 60% of the owners of the property adjacent to the proposed ditch or the owners of 60% of the property adjacent to the proposed project. The landowners could also work with Riverton Township, who as road authority, could petition for a project. Whoever files the petition would be required to post a $10,000 petitioner’s bond. Albright will inform the landowners that they need more signers. Tabled.
Permit No. 08-30, Scott VanWechel. At their 10/27/08 meeting, the Board authorized Jones to investigate a possible ditch improvement for Wilkin County Ditch No. 22, Lateral No. 3, which would include culvert changes and a better ditch grade. Jones is working on his recommendations and a cost estimate for the Board's review. Albright has contacted Dennis VanWechel to inform him about the developments. VanWechel's project could only allow more water into an area that doesn't drain properly. VanWechel said he could wait for the Board's findings.  **Tabled.**

Permit No. 08-73, William Austin. The Board held a special meeting to discuss the road ditch drainage and Austin's tiling permit issues on 11/03/08. Jones is still working on the cost estimate to clean the north road ditch and install a culvert through County State Aid Highway (CSAH) No. 10 west of Craig Halverson's farmstead. He has determined that the work would be within the Minnesota Department of Transportation (MNDOT) right-of-way (r-o-w), which could present some permitting issues. Due to weather conditions, the project work will need to be delayed until spring.  **Tabled.**

Permit No. 08-77, Frank Schindler. The Board agreed to schedule a meeting with the affected landowners and the County this winter regarding Schindler's proposal to replace a 36" dia. corrugated metal pipe (CMP) in 140th ST S, between Sections 32 and 33, Barnesville Township, Clay County, with a 48" dia. CMP. In 2007, H.E. completed a hydraulic analysis on Schindler's crossing and the next downstream culvert in County Road (C.R.) No. 21. Their recommendations included increasing the culvert sizes for both crossings. In addition, the proposed work would include filing a DNR permit application as both crossings are on a protected waters.  **Tabled.**

Permit No. 08-88, John Kava. Applicant proposes to install approximately 300' of berm along the north edge of his field in the N½, Section 11, Atherton Township, Wilkin County, to prevent CSAH No. 32 water from draining through his field. Kava also proposes to install 3 to 4 shallow field inlets into the CSAH No. 32 ditch on the east side of his field and to clean/regrade the ditch along the west side of his field along 260th AVE to drain north. The 260th AVE township ditch is full of large trees and needs cleaning. **Tabled pending Manager field review.**

Permit No. 08-91, Alan Malingen. Applicant proposes to enlarge his driveway culvert on the north side of C.R. 30 from a 24" dia. CMP to a 42" x 29" (36" dia. equivalent) CMP-A. Malingen reports that too much water drains from the east at a high velocity. Water backs up to the north, filling in a low area near his buildings and flooding his field. The area is assessed to Wilkin County Ditch No. 43, which is less than 0.5 miles away on the north side of C.R. 30. The natural waterway on the south side of C.R. 30 is plugged with brush, cattails, etc.  **Tabled pending contact with Wilkin County Highway Department regarding this proposal and the current weather conditions.**

Permit No. 08-92, Larry Jacobson. Applicant wants to install 4 to 5 acres of tiling on the west side of 270th ST N in the N½, Section 9, Highland Grove Township, Clay County. It has been determined that the work will not have any Natural Resources Conservation Service (NRCS) wetland impacts. The tile will outlet to the northwest into a wetland on the applicant's property.  **Tabled pending Manager field review.**

Permit No. 08-96, Tri-T Farms, Inc. Applicant proposes to regrade a ditch along the north side of C.R. 57 for approximately 0.6 miles along the SE¼, Section 12, Alliance Township, Clay County. In addition, applicant is working with Clay County (Permit No. 08-100) to replace the two outlet culverts with one equivalent sized culvert. Now that the power poles along this stretch of ditch have been removed, Tim Thompson feels the ditch should be resloped, and the bottom made wider to increase the drainage capacity. The Board discussed if Thompson needs a BRRWD permit for the ditch cleanout work. A downstream landowner called the office regarding his concerns about the proposed work.  **Motion** by Hanson to approve Permit Nos. 08-96 and 08-100, subject to County approval to work within their road r-o-w and
Manager field review. **Seconded** by VanAmburg. **Approved.** Thompson would like to complete this project yet this fall.

**Permit No. 08-100, Clay County Highway Department.** As referenced above, this permit was approved in conjunction with Permit No. 08-96, to replace two lines of 24" dia. reinforced concrete pipe (RCP)/CMP in the quarterline approach in the SE¼, Section 12, Alliance Township, with a single line of 36" dia. CMP along C.R. 57.

**Permit No. 08-98, Ronald Jerger.** Applicant proposes to install an approach and 18" dia. culvert with a flapgate east of the section line ditch in the north ditch r-o-w of 180th ST in the W½, Section 9, Manston Township, Wilkin County. Presently, water causes crop loss when it backs up to the east, escapes from the road ditch, and flows into Jerger's field. An alternative would be to build up the diking on the south end of the field to T.H. 9. Either option would accomplish the same outcome. Jerger would like to keep the water in the main ditch and prevent it from backing into his field. Albright noted that the upstream landowner will probably be opposed to this project. The Board briefly discussed the drainage problems in the South Branch of the Buffalo River area. **Tabled** pending Manager field review.

**Permit No. 08-99, Harlan Manston.** Applicant proposes to install three north-south field ditches to lower the water table for gravel extraction in the SW¼, Section 36, Elkton Township, Clay County. The Board discussed Manston's proposal and the possible downstream drainage impacts. According to the developer, David Asplin, Asplin, Inc., he has no plans to develop this site until other adjacent gravel pits have been depleted and restored. Manston has not yet applied for a Clay County gravel pit permit. In addition, there could be wetlands issues he will also need to address with the NRCS. Manston has not provided actual plans for his project. According to a 2000 drainage study, the road in this area already washes out, and there is no adequate outlet for the proposed field ditches. **Motion** by Nelson to **deny** Permit No. 08-99. **Seconded** by VanAmburg. **Approved.**

**Permit No. 08-102, City of Barnesville.** Applicant proposes to construct a 1,920' drainage swale along the west line of the NW¼, Section 32, Humboldt Township, Clay County, on Duane Lass' property by easement to alleviate flooding problems in the Heartland Addition in southeast Barnesville and drain the water south to an existing ditch. The Board discussed the history of this issue. Richard Peppel, who is the downstream landowner, has expressed concerns about the condition of the proposed outlet, as he feels the ditch on his property needs to be cleaned and the trees/rocks removed. There are also concerns that the City might not have enough easement area from Lass to install the ditch. Peppel suggested that a legal ditch system in this area might be a better solution to the drainage problems. **Motion** by Nelson to have Peppel review the proposal and present his findings to the Board at the next meeting. We should also invite Peppel to an upcoming meeting to discuss his concerns. **Seconded** by Hanson. **Approved.**

**Permit No. 08-103, Richard Peppel.** Applicant proposes to install an approach with a 24" dia. culvert off from C.R. 51 (170th AVE S) in the W½SW½, Section 27, Barnesville Township, Clay County, to aid in the 2008 crop harvest. The work has already been done. The Clay County Highway Department approved the project. **Motion** by Nelson to **approve** the after-the-fact permit. **Seconded** by Olson. **Approved.**

**Kenneth Schellack Drainage Complaint.** Schellack visited the office today regarding his request for the BRRWD to investigate the ditch work that Ron Erdman completed for Curt Stubstad in the NE¼, Section 8, Elkton Township, Clay County. Sharon Lean, District Conservationist, NRCS, has determined that there might also be a wetland violation associated with the project. Albright will coordinate any restoration work with the NRCS office. He noted that restoration could include installing a culvert at the natural run out elevation to restore the natural ground elevation at the property line. Stubstad has indicated that if he violated any BRRWD Rules, he was willing to work with the Board to rectify the problem. **Tabled** pending Manager field review.
Minch Lawsuit. Based on attorney/client privilege, and in accordance with Open Meeting Law, the Board went into closed session at 7:45 PM to discuss the status of this issue. At 8:05 PM, the Board reopened the meeting.

Friederichs Diking Complaint. At the 6/13/08 special BRRWD meeting, Tom Friederichs made a formal complaint about a dike that a neighbor installed several years ago in the NE¼, Section 18, Elkton Township, Clay County. The survey that the Board authorized at their 6/23/08 meeting apparently shows that the dike could be holding back a small amount of water, but Friederichs also has two other outlets for his water to the north. Albright recently visited with Friederichs, who plans to come to the BRRWD office to review H.E.'s survey. Tabled.

LaBelle/Duck Lakes Outlet. Landowner LeRoy Bergman, who lives north of Lake Park, filed a highwater complaint regarding Duck and LaBelle Lakes. In 2001, Bergman had to build up his driveway to repair erosion damage and keep it above the rising water. Mature trees are now standing in water, and there are clay slides along the outlet channel. Bergman felt that the lake outlet might be plugged. Jones reported that last night, he talked to Loren Jetvig, who owns the land where the outlet is located. Jetvig gave H.E. permission to get access to the outlet channel to continue with the investigation. Tabled.

Peterson WRP Project Drainage Concerns. Albright recently received a message from Julie Reberg, NRCS, who reported that the NRCS is draining the Peterson Wetlands Reserve Program (WRP) site in the E½, Section 28, Wolverton Township, Wilkin County, so that they can repair the holes left by muskrat burrows that were allowing seepage to drain from the project. Scott Smith, NRCS, has indicated that if the landowners still want to discuss this issue, he would be willing to set up a meeting this winter.

Maria Lake Complaint. Paul Johnson contacted the office regarding alleged work done by Larry Henry that might have plugged the lake's outlet culvert. Johnson also claims that Henry put some dirt in an area where the lake would naturally drain. Johnson says the lake is about 5' higher than normal. Opsahl plans to investigate the complaint.

Shane Thompson Drainage Concerns. Thompson contacted the office to report that when Mark Rustad constructed his farmstead ringdike in 2006, his driveway was raised about 1.5'. Thompson feels that this road raise has affected his local drainage. The group discussed the history of this issue. Water used to go over the road, but now it backs up into Thompson's field. In 2001, the Board granted Permit No. 01-81, to the previous owner to add 4" of fill to the driveway. Albright used the chalkboard to illustrate how the road changes might affect Thompson's drainage. There are three different waterways draining into this area. Nelson pointed out that the original ringdike plans did not include the road raise. Motion by VanAmburg to ask H.E. to conduct an elevation survey to provide more information regarding the road elevations/bridge waterway area to determine how much drainage area has been lost with the road raise. Seconded by Nelson. Approved.

George Peters Flooding Complaint. Peters filed a complaint regarding flooding again this fall over C.R. 114 between Sections 21 and 22, Cromwell Township. The complaint was forwarded to the Clay County Highway Department, who intends to pump the water down this fall to open the road. The County also plans to clean the ditch on the east side of the road along Roger Kujava's property next spring.

Cromwell Township Ditching Concern. On 11/18/08, the office received a phone call from a landowner regarding ditch cleaning activities in Sections 19, 20, and 21, Cromwell Township. The work is on a DNR protected watercourse. Opsahl conducted an investigation and took photographs. Sellins Brothers, Inc., did some ditch cleaning for Brian Petermann, which included sediment and small trees/brush removal in the natural waterway. The landowner also called the Clay Soil and Water Conservation District (SWCD), who also investigated the complaint. Petermann should have applied for a DNR permit for the work.
Michele Puchalski, DNR, will work with the landowner/contractor to file an after-the-fact permit for the project. Since it is a violation, the DNR permit fees double. The project did not violate any BRRWD Rules as the work only cleaned the waterway to the original grade.

Project No. 63, Grove Lake Outlet. The preconstruction meeting will be held in the Barnesville office tomorrow morning (11/25/08) at 9:00 AM. Jones noted that the DNR comment period for our application expires tomorrow. Michele Puchalski, DNR, has indicated that she has received no comments on the project and will issue the permit for the culvert change for the Lass driveway. The contractor plans to start as soon as possible this week. Scambler Township has signed and returned the road agreement. Ellefson signed the agreement on behalf of the BRRWD. Albright will send a copy of the signed agreement to the Township. Jones will invite the Scambler Township Supervisors to the preconstruction meeting.

The Board discussed the wetlands mitigation process. We have to mitigate 0.06 acres. The withdrawal/processing fee of $29.37 is on tonight's bill list. We are planning to transfer credits from the BRRWD's credits.

Albright noted that the Minnesota Pollution Control Agency (MPCA) has approved the stormwater permit, but we have not received the actual certificate. Scott Kahan, United States Fish and Wildlife Service (USFWS), sent a message to Albright regarding their concerns about fish passage in the channel and would like to meet regarding this issue.

Albright suggested that Jones or Opsahl should meet with landowner Kern Kuhlmann to review the channel survey with him and discuss the culvert locations on his property. Albright also suggested that Kuhlmann could be invited to the preconstruction meeting tomorrow. He attempted to call Kuhlmann during the meeting, but was not able to reach him. The Board discussed how the project will affect the channel. Kuhlmann owns the outlet on Maple Lake.

Contractor Steven Johnson signed and returned the Notice of Award. The Board signed the DNR grant agreements on 10/21/08, but the office has not received notice that the funding has been finalized. The terms and conditions of the 4/17/08 original grant are in effect, so it shouldn't affect startup of construction.

Project No. 62, Clay/Wilkin Judicial Ditch No. 1 (J.D. 1)-Branch 4-Improvement/Extension. Jones submitted Pay Request No. 2 for William Nichol Excavating in the amount of $7,188.60. Motion by VanAmburg to approve the referenced pay request. Seconded by Nelson. Approved.

Jeff Nichol has been working on the project and expects to complete work yet this fall, except for cleanup and seeding. He had to stop work when he reached Briks' unharvested cornfield. Briks contacted the office to report that he plans to harvest his corn this week. Opsahl will check with Steve Marty, Lake Region Electric, regarding the removal of the electrical poles/guy wires. Opsahl will also contact Rick Brakke regarding the 48" dia. inlet pipe he needs in Section 18, Deerhorn Township, which the Board approved at the 11/10/08 meeting.

Project No. 61, Clay County Ditch No. 11 North. Jones and Albright met with the Clay County Highway Department regarding the box culvert replacement for Leseth's driveway on 11/19/08. Jones met with Leseth and the County again on 11/21/08. An agreement had been proposed where Leseth would pay $7,000, and the BRRWD and the County would split the remainder. Jones explained that the County asked if Leseth would be willing to allow them to acquire more temporary easement r-o-w for spoil placement. It was suggested that the topsoil could be stripped and replaced over the extra spoil once the project was completed. Leseth will consider the County's proposal. Albright noted that the County has nearly completed the project plans, which include combining the regarding of CSAH No. 8 with the ditch project. The Board briefly discussed the project.
**Project No. 60, Swede Grove Lake.** Albright noted that Steve Malakowsky told him the lake elevation has risen because of the recent heavy rainfall events. The Board intends to meet with the downstream landowner, Chuck Carlson, sometime this winter.

**Project No. 58, Riverton Township Retention.** At their 11/10/08 meeting, the Board approved Nanik Construction's request for a completion date extension until 8/01/09. The work was delayed because of the wet weather this fall.

**Project No. 57, Moorhead/I-94 Flood Control.** The project is on hold until next spring to regrade the ditch along the west line of Section 24, Moorhead Township. In 2007, landowners asked to have this ditch improved, but because of telephone cables that are in the way, the work was not done. This fall, the area was too wet to move the lines and do the ditching.

**Project No. 56, Manston Slough Restoration.** The Operation and Maintenance (O&M) and Memorandum of Understanding (MOU) were sent out for review two weeks ago. Albright expects the documents will be returned and ready for the Board's signature by the 12/10/08 meeting.

Albright asked Jones to check on easement exhibits for Dolores Rehder. Albright would like to send the paperwork with her brother-in-law, Ross Rehder, when he visits her in Montana for Thanksgiving.

**Project No. 51, Clay County Ditch No. 68.** Bill Davis and Archie Tanner have requested that the Board investigate the resizing of culverts west of T.H. 9 upstream of Project No. 51, Clay County Ditch No. 68, to address flooding/erosion problems east of Glyndon. The Board discussed the downstream landowner's concerns regarding larger upstream structures. In light of the erosion problems on the Heng property (E½, Section 14, Glyndon Township), the Board decided to send Davis and Tanner a letter explaining that we do not plan to allow the enlargement of the upstream culverts at this time. Once the Heng erosion problems are addressed, the Board may be able to revisit their request.

**Project No. 49, Oakport Flood Mitigation.** The Open House will be held tomorrow (11/25/08) from 3:00 PM to 9:00 PM in the Hjemkomst Heritage Center Auditorium in Moorhead. The Final Hearing will be held in the Dilworth Community Center on 12/01/08 at 7:00 PM. Albright noted that the office has received email messages from Cora and Randy Fischer regarding the project. The Board would like to meet with the Fischer family regarding their concerns about how the dike alignment will affect their property.

The Board discussed the status of the buyout process. Albright plans to close on several buyouts before the end of the year. H.E. submitted a pay request and change order for Master Construction in the amount of $21,307.52 for buyout lot demolition. **Motion** by Hanson to approve the referenced pay request/change order. **Seconded** by Olson. **Approved.** Master Construction also submitted a bid to provide approximately 50,000 cubic yards (c.y.) of clay embankment material that could be used for the Oakport project at a cost of $6.00/c.y. Dozer rental would be at the rate of $125/hour. The Board discussed this offer and decided to review it with the project engineer, Ulteig Engineers, Inc. (UEI).

**Project No. 47, Clay County Ditch No. 53.** Albright plans to contact Tom Askegaard regarding the Board's offer of $6,000 for an additional 1.5 acres of permanent r-o-w for the proposed Federal Emergency Management Agency (FEMA) 2006 flood repair work for the portion of County Ditch No. 53 on the north line of Section 22, Holy Cross Township, paralleling C.R. 58. Opsahl thought Ziegler Construction, Inc. might still be able to complete the project this fall, subject to weather conditions.
Project No. 46, Turtle Lake Outlet. Opsahl noted Long Lake and Turtle Lake are at the same elevation (1362.0), which slows the drawdown rate for Turtle Lake. The Board plans to operate the siphons as long as possible this fall/winter.

Project No. 38, Farmstead Ringdikes. Ziegler Construction requested a completion date extension until 6/01/09 to finish the seeding and cleanup next spring on the Kragnes project. Motion by Nelson to approve the referenced time extension. Seconded by Hanson. Approved. Jones noted that the contractor has completed the majority of the project, which should provide flood protection for the area next spring.

Jones noted that the Buffalo River is still too high for H.E. to complete the cross section work for the Karppinen ringdike in Section 17, Elmwood Township, Clay County. As soon as H.E. finishes this work, Jones will forward the data to Midwest Testing.

Ron Harnack, Project Coordinator, Red River Watershed Management Board (RRWMB), contacted the office regarding possible 2009 ringdike DNR funding. The BRRWD still has $30,000 in ringdike funding that will expire on 6/30/09. Albright estimated that the BRRWD could request approximately an additional $45,000 to help build projects in 2009. The Board discussed possible 2009 ringdike candidates.

Project No. 32, Hawley EDA Diversion. Opsahl continues to check the flow conditions of the 60" dia. pipe. As of last week, the pipe had about 6" of water in it. When conditions improve, Midwest Testing can do their work to test the integrity of the pipe.

Project No. 30, Clay/Wilkin J.D. 1. Sellins Brothers, Inc., completed the FEMA repairs. Seeding will be completed next spring.

Project No. 24, Wilkin County Ditch No. 44. The proposed repairs requested by Terry Czichotzki in the W½, Section 11, Manston Township, will be investigated next year. This fall was too wet to do the work. The project will also need to be reviewed with The Nature Conservancy (TNC), who is the landowner along the work area. The Board intends to hold a meeting this winter to discuss downstream problems on the South Branch of the Buffalo River.

Project No. 23, Becker County Ditch No. 15. Repair work has been delayed until 2009 due to the wet conditions.

Project No. 19, Becker County Ditch No. 21. Albright sent an email message to Scott Kahan, USFWS, asking him to review Jerry Matter's request for an additional outlet culvert in the west ditch berm on the south side of 320th ST in the NW¼, Section 15, Riceville Township. Albright noted that it appears that the dike is higher than the elevation of Matter's outlet ditch from Sand Lake in Section 3, Riceville Township, and it could be holding back approximately 6" of water on Matter's property.

Project No. 1, Wilkin County Ditch No. 22. William Nichol Excavating, Inc., is trying to continue work on the repair of Lateral No. 2. The site is very wet, and there is standing corn in the way. Jeff Nord, an upstream landowner, feels that the contractor is not removing enough dirt from the ditch to correct his drainage problems. The Board also discussed Nord's report of a new landowner in the area who he thought was draining unassessed land to Lateral No. 2 from Section 1, Mitchell Township. Ellefson will investigate.

Mediation Project Team (PT). The next PT meeting is scheduled for 12/11/08 at 1:30 PM in the Eagle Café, Barnesville. The meeting will focus on a possible project(s) for the South Branch of the Buffalo River. The office will also invite area landowners/agencies.
Revised Watershed Management Plan (RWMP). Albright submitted a letter to Minnesota Board of Water and Soil Resources (BWSR) requesting a six-month extension of the RWMP completion date. If approved, the extension would give us until 6/30/09 to complete the work. He talked with Brian Dwight, BWSR, on 11/21/08 regarding the RWMP. Dwight has reviewed the plan and thought it was a good effort. He indicated that he and Pete Waller would like to meet with Albright to discuss a few issues. Dwight also indicated that he had no problems with the time extension. There is about $16,150 left in the BWSR grant, which we will receive once BWSR approves the plan.

Clay County Ditch No. 49. The Board plans to schedule the final hearing for the redetermination of benefits sometime this winter.

Wilkin County Ditch No. 40. Albright noted that the DNR is very interested in meeting with the BRRWD to discuss Dave Yaggio's options regarding his irrigation well. Albright will arrange the meeting.

Wolverton Creek/Comstock Coulee Clean Water Legacy (CWL) Project. The Work Group authorized H.E. to conduct a channel survey. Jones noted that H.E. started the survey in Wilkin County, but due to the wet weather, all work has been delayed. The deadline for the grant funding is 6/30/09. Opsahl is working on inlet recommendations for Tom Arnhalt. The J.D. 1 Ditch Committee (Lynn Brakke, Carl Nord, and Paul Anderson) would like to meet with Opsahl to conduct the annual ditch inspection. A meeting will be held this winter to discuss the grant/project status.

Hay Creek/Stinking Lake CWL Grant. Albright noted that he would try to arrange a meeting with Brad Grant, Becker SWCD, to discuss plan implementation. Becker SWCD was very successful in getting landowners to sign up for the CWL funding.

Clay County Ditch No. 35. Opsahl hired Sellins Brothers, Inc. to complete the repair work. Albright noted that a landowner reported a damaged flapgate that will need to be repaired.

Clay County Ditch No. 63 Repair. Repair work has been delayed by wet weather, and probably won't be completed until 2009. There are also still standing crops in the way.

Clay County Ditch No. 54 Repair. Richard Peppel has requested that the BRRWD investigate a repair for County Ditch No. 54. He feels there are some high spots that need to be addressed. Jones will investigate Peppel's request and provide recommendations this winter. A survey of the ditch was completed in 2004.

Becker County Ditch No. 5 Repair. The Board authorized a repair survey starting at 175th ST and proceeding south and east through Sections 26, 35, and 36, Audubon Township. Opsahl sent Permission to Conduct Survey forms to the affected landowners on the ditch system. This repair work will be completed in 2009, pending H.E.’s survey findings.

Fargo Southside Flood Control (FSSFC) Project. The Board reviewed an email message from landowner Gaylen Vaa regarding his work with the Army Corps of Engineers (COE) on alternate proposals for flood control projects.

The Southeast Cass Water Resource Board is holding a hearing tonight regarding the FSSFC. They would like either the BRRWD or Clay County to enter into a Joint Powers Agreement to work with Cass County on the various project features within Minnesota. The Clay County Commissioners have invited the BRRWD to attend their 12/02/08 meeting at 8:45 AM. The City of Fargo has received permission from a Minnesota landowner to conduct the Environmental Assessment (EA) investigation on his property. The City of Fargo has scheduled a meeting regarding the EA on 12/09/08 at 1:00 PM in the Fargo Commission Chambers. The Board discussed the project development, funding, and timeline.
**BRRWD Total Maximum Daily Load (tmdl).** The Board discussed the status of the BRRWD's efforts to develop a workplan for the basin-wide tmdl study on the Buffalo River. MPCA has provided a $5,000 grant for plan development with a 12/31/08 deadline.

**MAWD Annual Meeting.** The Minnesota Association of Watershed Districts (MAWD) has scheduled their annual meeting for December 4-6, 2008, at the Arrowwood Conference Center in Alexandria. The office has prepared and mailed the lodging reservations and meeting registrations. Albright will prepare a BRRWD activity summary handout for the tradeshow booth.

**Red River Basin Commission Annual Conference.** The RRBC has scheduled their annual conference on January 20-22, 2009, at the Fort Garry Hotel in Winnipeg. This year's conference is titled, "Shaping the Basin's Future Together". Manager Hanson plans to attend. The office will handle his reservation/registration.

**Tiling Moratorium.** The Board briefly discussed Traverse County's moratorium on tiling projects. The reasoning for this halt is that the County Highway Department feels that using road ditches as tiling outlets causes road damage. Currently, landowners must apply to the County Engineer to get a tiling permit.

The following bills were presented for approval:

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<tr>
<td>Sellins Bros., Inc.</td>
<td>Repairs</td>
<td>Turtle Lake /Stinking Lake</td>
<td>$387.50</td>
</tr>
<tr>
<td>TDS MetroCom</td>
<td>11/13/08 Long distance</td>
<td>Admin.</td>
<td>$38.34</td>
</tr>
<tr>
<td>UEI</td>
<td>#1100, 1098, 1366, 1107</td>
<td>Pj. 49, Oakport</td>
<td>$21,232.85</td>
</tr>
<tr>
<td>Wells Fargo Bank</td>
<td>Skalicky/Roderick closings</td>
<td>Pj. 49, Oakport</td>
<td>$319,956.93</td>
</tr>
<tr>
<td>Wm. Nichol Excavating, Inc.</td>
<td>Pay Request No. 3</td>
<td>Pj. 62, J.D. 1, Branch 4</td>
<td>$7,188.60</td>
</tr>
</tbody>
</table>

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

**Next Meeting.** The Board of Managers, BRRWD, will hold their next meeting on Monday, December 8, 2008, in the Barnesville office at 7:00 PM.

**Adjournment.** Chairman Ellefson adjourned the meeting at 10:03 PM.

Respectfully submitted,

John E. Hanson, Secretary