

BUFFALO-RED RIVER WATERSHED DISTRICT

BARNESVILLE, MINNESOTA 56514

123 FRONT STREET SOUTH – PO BOX 341

PHONE 218-354-7710

MINUTES FOR MANAGERS' MEETING November 26, 2007

The Board of Managers, Buffalo-Red River Watershed District (BRRWD), held their regular meeting on Monday, November 26, 2007, at 7:00 PM in the Barnesville office. BRRWD Managers present were Roger G. Ellefson, John E. Hanson, E. Robert Olson, Gerald L. VanAmburg, and Curtis M. Nelson. Others attending included BRRWD Administrator Bruce E. Albright, Erik S. Jones, and Julie Jerger, Houston Engineering, Inc. (H.E.); and Charles Fritz, Director, International Water Institute (IWI).

Chairman Ellefson called the meeting to order at 7:10 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 11/12/07 regular meeting and the 8/21/07 special Revised Watershed Management Plan (RWMP) meeting. **Motion** by Nelson to approve both sets of minutes. **Seconded** by Hanson. **Approved.**

Treasurer's Report. The Board reviewed the BRRWD's current financial status. Albright reported that since the last meeting, Manager Nelson and he worked with Midwest Bank to obtain a \$200,000 operating loan with an 8% interest rate. On 11/20/07, Albright closed on the Fetzer house in association with Project No. 49, Oakport Flood Mitigation home buyout process. The total cost was \$151,226.04. Albright transferred funds from our Midwest Money Market Savings account (\$76,226.04) and our Midwest Line of Credit (\$75,000) to fund the transaction. Currently, the balance sheet shows a negative \$45,920.88. The BRRWD should start receiving the second-half property/ditch tax proceeds in the next few weeks. Albright sent reimbursement requests to the Minnesota Department of Natural Resources (DNR) for general expenses associated with Riverton Township Retention, Manston Slough Restoration, and Oakport Flood Mitigation projects, which total approximately \$100,000. In addition, the office also sent a reimbursement request for the Fetzer buyout. Ed Fick, FDR Hydrologist, DNR Waters, has suggested that the DNR might revert to a 50/50 split for the Oakport expenses until the BRRWD reaches the local share of the project costs according to the median household income threshold cap (approximately \$435,000). Due to disasters in southern Minnesota this fall, the State might reallocate project funding for disaster relief and the Interstate-35 (I-35) bridge collapse. Currently, our total Project No. 49 grant match equals \$66,593.14, and the State's share is \$3,239,428.72. Albright pointed out that it would be helpful if the DNR could continue the 98% grant match until after the Final Hearing, when we could have a bond sale to raise the remaining local share. The Board briefly discussed Pifers Realty's progress in collecting the Oakport auction proceeds.

Business brought before the Board included:

Red River Basin Mapping Initiative (RRBMI). Chuck Fritz, IWI, discussed the status of the IWI's RRBMI project. Fritz noted that IWI has sent out a Request for Proposal (RFP) for the project with a deadline of 12/07/07. He expects between three and seven vendors will submit a RFP for the data collects. He distributed a RRBMI handout. The group reviewed the frequently asked questions and discussed the project financial status and funding sources. The total estimated project cost is approximately \$5 million with funding split 50% from the federal government and 50% from state and local government. The

BRRWD has agreed to contribute \$50,000 to this project. Currently, the IWI has state and local financial commitments for \$2,133,466. Fritz has \$500,000 in committed federal money with which he will leverage \$500,000 in local matching funds so that IWI will be able to start the first phase of the project in April 2008. Fritz explained that they plan to do the project in five phases, or collects. He estimates that it will cost about \$1 million per data collect. Fritz noted that he will ask the BRRWD for about \$8,000 to \$10,000 this spring for the first collect. The Earth Resources Observation and Science (EROS) data center of the United States Geological Survey (USGS) has recently agreed to host and disseminate the information free of charge.

The first phase collect will be a north-south corridor along the mainstem of the Red River, or about 10,300 square miles (sq. mi.). IWI will hire a third party quality assurance vendor who will verify that the collected data meets IWI's specifications. Because each collect could have a different vendor, depending on the RFPs, standardized specifications will be established. The data should be available later in the summer of 2008. The group discussed the optimum conditions to conduct the collects. Project benefits include more accurate floodplain maps, enhanced planning and project development, detailed surface hydrologic and hydraulic modeling, more efficient natural resource management, problem identification, and increase agricultural productivity. When completed, the project will provide the BRRWD with 6" contours across the entire district.

Fritz asked the BRRWD to consider sending a letter to William Hunt, United States Department of Agriculture, Natural Resource Conservation Service (NRCS) State Conservationist, in support of the RRBMI and encouraging the NRCS to consider committing additional federal funds in 2008 and 2009 to ensure successful completion of the project. **Motion** by VanAmburg to send the referenced letter of support. **Seconded** by Hanson. **Approved.**

The group briefly discussed the Army Corps of Engineers (COE) involvement with the RRBMI. Fritz explained that because of the way the COE plans to administer their federal funding, he decided to look elsewhere for financial support.

Permit No. 07-51, Mike Lewis. Albright sent a letter to Lewis on 10/04/07 outlining alternatives to his request to install a 60" dia. culvert on the west side of Trunk Highway (T.H.) No. 9 in an existing ditch/waterway in the NE¼, Section 2, Barnesville Township, Clay County. To date, there has been no response. The neighboring upstream landowner, Ronald Erdman, has said the culvert Lewis installed is damaged and is too small, which will force water to run across his field. The Board authorized Albright to call Lewis regarding his plans for this culvert, which was installed without a BRRWD permit. **Tabled.**

Permit No. 07-122, City of Moorhead. SRF Consulting filed an application to do grading, concrete and bituminous surfacing, drainage, lighting, signing and striping, traffic signals, and bridge work in conjunction with the City of Moorhead's 34th ST S Corridor and I-94 Interchange project. SRF plans to let bids for this project in March 2008. **Tabled** pending Jones' review and recommendations. Albright suggested that the Board might consider holding action on this permit application until we have held a Clay County Ditch No. 47 hearing for this project. The hearing will address a number of issues including a benefit reassessment for Americana Estates to combine their ditch assessments into the City of Moorhead's assessments and a proposal to add about 6 acres to the ditch system benefit area in conjunction with a proposed project for the 20th AVE S/21st ST S intersection. Olson noted that the City of Moorhead held an open house regarding their 34th ST S Corridor project.

Permit No. 07-126, David Watt/Chad Leach. Applicants propose to install an 18" dia. culvert on a trial basis through a field dike between the SE¼ and the SW¼, Section 32, Spring Prairie Township, Clay County, which a previous owner had installed illegally in 1998. This proposal is an attempt to resolve historic drainage problems on Watt's property caused by the dike. The culvert will meter drainage from

Watt's field west across Leach's property. The landowners reserve the right to modify the culvert if it results in downstream erosion/flooding problems. Watt is considering a future tiling project for this field. The landowners agreed to this solution during a meeting with Albright in our office on 11/20/07. **Motion** by VanAmburg to approve Permit No. 07-126. **Seconded** by Olson. **Approved.**

Permit No. 07-127, Jerry Janssen. Applicant proposes to install approximately 1,000 linear feet (l.f.) of 4" dia. drain tile along the east side of Stony Creek in the SE ¼, Section 34, Skree Township, Clay County. Manager Nelson has conducted a field review of the work, which has already been started. He found no problems. **Motion** by Nelson to approve Permit No. 07-127. **Seconded** by Hanson. **Approved.**

Permit No. 07-128, Dave Watt. Applicant proposes to reroute an existing ditch running through the middle of Ron Stulz's farmstead in Section 25, Spring Prairie Township, south to outlet into an existing ditch along County Road (C.R.) No. 19. **Motion** by Hanson to approve Permit No. 07-128. **Seconded** by VanAmburg. **Approved.**

Permit No. 07-129, Burlington Northern Sante Fe (BNSF) Railroad. Applicant proposes to replace an existing three-span timber bridge on Clay County Ditch No. 41 in the NE¼, Section 12, Moorhead Township, with two lines of 8' x 8' reinforced concrete box (RCB) culverts. The existing timber bridge is deteriorated and should be replaced. BNSF provided a copy of the hydraulic analysis completed by Gregg Thielman, H.E. **Tabled** pending Jones' review and recommendation. The Board briefly discussed the problems Jones has had trying to negotiate with BNSF regarding the use of a small portion of their right-of-way (r-o-w) for the Kragnes Ringdike project.

DNR Drainage Complaint. This fall, Bruce Falzgraff, Conservation Officer (CO), DNR, contacted the office regarding drainage work in the W½NE¼, Section 3, Tanberg Township, Wilkin County. He wanted to know if the landowner had a BRRWD permit for the work, as he might have impacted a wetland area. Manager Nelson and Albright conducted a field review and took photographs on 9/28/07. The Wilkin Soil and Water Conservation District (SWCD) also reviewed the work. Raymond Froslic owns the land and his son, Clifford, operates it. No violations were found. Albright sent Froslic a letter advising him to check with the BRRWD and the Wilkin SWCD prior to any future work.

Zimmerman Drainage Concern. Paul Fossum contacted the office with concerns regarding road ditch maintenance in the NW¼, Section 4, Moland Township, Clay County, along Gerald Zimmerman's property. This general area has been the topic of several meetings regarding Clay County Ditch Nos. 3 and 65. The neighboring landowner would like Zimmerman to clean his ditch along 80th ST N to improve drainage to County Ditch No. 65. Albright noted that he has driven along the ditch on a number of occasions and observed that the ditch needs to be cleaned. The Board discussed township jurisdiction regarding this issue. Albright noted that according to Township regulations, their jurisdiction does not extend to ditch maintenance in regards to drainage. The Board authorized Albright to send Zimmerman a letter regarding this issue.

Howard Myhra Drainage Complaint. This fall, Myhra filed a drainage complaint regarding increased agricultural ditching in his area, which he claims is causing water to backup on his property in Section 20, Eglon Township, Clay County. He feels that if his neighbor would clean a small segment of ditch, the water standing in his field would drain away. Albright and Nelson conducted a field review on 10/23/07 and didn't see any standing water in Myhra's field. Albright had the opportunity to discuss this issue with Myhra at the Clay County Association of Township Officers (CCATO) meeting on 11/19/07. Myhra maintains that the ditch still needs to be cleaned and said that water drains to the southwest in this area. The Board will monitor how the ditch performs next spring.

Tande Drainage Concern. H.E. recently completed a property line survey for Harmen Tande in Section 6, Riverton Township, Clay County. A former operator of the neighboring farmland moved an approach/culvert from the north line of Section 5 west to the line between Sections 5 and 6, which caused flooding on Tande's field. Tande installed a dike to protect his field, and a protracted lawsuit followed. H.E.'s recent survey shows that about 90% of the approach is actually on Tande's property. He would like to move the approach/culvert back to its original location. Tande plans to meet with Albright to discuss this issue on 11/28/07.

Grove Lake Outlet. Kern Kuhlman had indicated earlier this fall that he would not be able to meet with the Board until after 11/01/07. Albright tried to contact Kuhlman today to schedule a field review, but could not reach him directly and had to leave a telephone message.

Thomas Friederichs Diking Violation. At their 10/22/07 meeting, the Board approved a motion to order Friederichs to open the dike he illegally installed along 150th ST S in the NE¼, Section 28, Elkton Township, Clay County, on land he rents from the Lamb Family. This dike restricts a centerline culvert in 150th ST S that carries natural drainage from the NW¼, Section 27, Elkton Township. On 10/23/07, the office sent Friederichs a letter directing him to make an opening in the dike in line with the centerline culvert to the natural ground elevation so that the upstream water can continue to drain naturally to the northwest. The deadline for this work was 11/01/07.

Friederichs called the office to say that he felt the dike does not affect the culvert, and asked to meet with Chairman Ellefson and Albright. Albright told Friederichs he would notify Ellefson about his request for a meeting, but that the Board's order/deadline was still in effect. Albright and Ellefson drove by the site on 10/26/07. At that time, Ellefson saw no need to meet with Friederichs, as it was obvious that the dike was restricting drainage. Albright commented that the 18" dia. culvert has been in place for many years, and water has always drained naturally from the NW¼ of Section 27 to the northwest across Lamb's property.

The Board discussed previous Friederichs' violations, the current issue, and possible Board action if he doesn't comply with the order. Ellefson said that the Board might consider meeting with Friederichs to state our position and to explain to him how we plan to proceed if he refuses to comply with our order. In addition to this issue, Friederichs is now working with Sharon Lean, District Conservationist, NRCS, regarding a possible Swampbuster violation on the Lamb property. More discussion followed about possible legal action the Board could take. Albright will contact BRRWD Attorney Tami Norgard, Vogel Law Firm, regarding this issue. Nelson suggested that we should have H.E. conduct an elevation survey of the area to document area drainage patterns and the impact of the dike. **Motion** by Nelson to contact Attorney Norgard regarding possible legal action. Manager Ellefson will schedule a field meeting with Friederichs, and Albright will check with the NRCS to see if they have survey information we can use. If NRCS doesn't have elevation information, the Board authorized Wade Opsahl, Technician, H.E., to conduct an elevation survey of the area. If Friederichs has done nothing to restore the site, the Board may proceed with legal action at the 12/10/07 meeting. **Seconded** by Hanson. **Approved.**

Project No. 62, Clay/Wilkin J.D. 1-Branch 4-Improvement/Extension. Albright plans to set up a preliminary hearing some time this winter for this project.

Project No. 61, Clay County Ditch No. 11-North-Improvement. At their 10/22/07 meeting, the Board agreed to offer John Leseth a three-way split of the costs associated with a replacement structure for his bridge over Clay County Ditch No. 11N in the NW¼, Section 32, Kurtz Township. Albright sent an e-mail message to David L. Overbo, Engineer, Clay County Highway Department, to see if they would be willing to participate in this cost share agreement. To date, neither Overbo nor Leseth have responded to Albright regarding this issue.

Project No. 60, Swede Grove Lake. Albright visited with landowner Larry Jacobson at the CCATO meeting regarding the lake elevation and a possible project.

Project No. 58, Riverton Township Retention. Jones reported that Mark Aanenson, H.E., contacted Bob Honeman, NRCS, regarding the wetland delineation issue. Because The Nature Conservancy (TNC) is listed as an agricultural producer, Sharon Lean, NRCS, has jurisdiction over the wetland review process. Aanenson, who is a certified delineator, has already conducted a wetland delineation for the project, but Lean indicated that she would conduct her own wetland delineation, which could hold up the project development. Honeman assured Aanenson that this issue would be resolved in the next few weeks.

Albright contacted Brian Winter, TNC, via e-mail today regarding their easement option, but received no response. Winter has suggested some minor changes to the Operation and Maintenance (O&M) plan, which Jones incorporated.

Project No. 57, Moorhead/I-94 Flood Control. Landowner Blane Benedict asked the BRRWD to schedule a meeting with the City of Moorhead, area landowners, and the BRRWD regarding ditch cleaning along the west line of Section 24, Moorhead Township, to provide drainage for the landowners assessed for Project No. 57. H.E. already has a survey of this area, which was completed as one of the design options. It appears that the work will now have to wait until spring. When the utility locates were completed last month, they found that Qwest has a telephone line that runs along the east side of the road ditch that most likely would be impacted by the excavation and will need to be moved. Qwest would have additional charges of \$4,360.00 to work in frost conditions. The City of Moorhead has limited funds for this project and would prefer to wait until spring when frost will not be an issue. Other issues include ongoing landowner negotiations and liability questions between the City and Qwest regarding the ditch modifications. Albright noted that the City of Moorhead's r-o-w easement still needs to be recorded for Project No. 57.

Project No. 56, Manston Slough Restoration. Landowner Dennis VanWechel would like to meet with Albright regarding the Wetlands Reserve Program (WRP) and acquisition options for his property. Bob Honeman, NRCS, would also like to meet with VanWechel regarding this issue. Albright thought he would be able to schedule a meeting with the referenced parties next week.

Albright discussed revising the landowner easement option form. He would like to have Attorney Norgard review the document prior to starting landowner negotiations. Some landowners might be reluctant to sign easement options because of their concerns about flooding/crop insurance issues.

Albright discussed problems related to the archeological review. Previously, the DNR had agreed to provide staff to conduct the archeological review. Just recently, Don Schultz suggested that because of the size of the job, the BRRWD should consider hiring a private firm to do the work. This issue could hold up the Environmental Assessment Worksheet (EAW) and project development until next spring.

Steve Holubok asked Albright to talk to the Board about allowing him to crop the Holubok farm again in 2008. The BRRWD purchased his father's farm last spring. The purchase agreement included a provision that allowed the Holuboks to operate the farm in 2007. Albright explained that the land would be eligible for cropping next season as we won't be able to receive any program (WRP) payments until after 8/01/08, when the Holubok's must have all the buildings removed from the farmstead. He noted that the BRRWD would benefit from having someone crop the land, so that we are not responsible for weed control. The Board discussed a fair rental rate. They agreed to rent the farmland to Holubok for \$30/acre. Olson suggested that Albright should verify with the agencies that the land is eligible for farming. Albright agreed to work out the details with Holubok.

Project No. 51, Clay County Ditch No. 68. David Heng was able to get about 150 cubic yards (c.y.) of fill from the Sabin beet piler to place in the washout area south of 12th AVE S in the E½, Section 14, Glyndon Township. Sellin Bros., Inc. used a backhoe to spread the fill. The BRRWD has agreed to pay for the contractor and the fill, as the washout in Heng's field was associated with County Ditch No. 68. Albright said the site looked better than it did; however, it was too wet for the contractor to pack the dirt. This work will have to be done next spring. The Board discussed the rainfall events that caused the washout this spring.

Project No. 49, Oakport Flood Mitigation. Ulteig Engineers, Inc. (UEI), has indicated that they plan to have the final dike alignment ready for the Technical Committee's review at their meeting tomorrow at 9:00 AM in the Moorhead Police Department.

Approximately 10 properties along North Broadway are eligible for buyout. Of those, we have referred three to Guy Miller for appraisals. The Board discussed the status of the building removal and demolition for the properties that were sold at auction in May 2007.

Two buildings were overlooked during the auction. One was a storage shed and the other was a sauna. A person contacted the office with an offer to buy the storage shed, but he wasn't interested in the shed for the price the Board wanted. Recently, we received a report that it has been stolen. The sauna will be auctioned next spring along with the other buyout properties. Albright closed on the Fetzer property on 11/20/07. The final cost was \$151,226.04. The Thene closing is tentatively scheduled for 12/18/07. The closing price is \$305,143.59. The Board discussed the 2008 property taxes for the properties we still own in association with the Oakport Flood Mitigation and the Manston Slough Restoration projects.

Albright explained that UEI has prepared the EAW for the Technical Committee's review and for distribution to various agencies. The primary contact agency for the EAW is the Environmental Quality Board (EQB). The EQB publishes EAWs for review and comment in their EQB Monitor. The EAW should have been published in the 11/05/07 EQB Monitor, with the comment period ending 12/05/07. The EQB editor apparently lost it or didn't receive it, so it has not been published. Paul Stolen, DNR, reviewed the EAW and has questions regarding the project's impacts in the Oakport Coulee area and the forested area south of Wall Street. He also had questions regarding the wetland mitigation documentation in the EAW. The Board discussed the lack of detail in the EAW. They felt that since it wasn't published, UEI should address the DNR's questions, and we can publish the EAW after they revise it. The Technical Committee will discuss this issue at their meeting tomorrow.

Jones has prepared the Notice of Award/construction contracts for the site demolition with Master Construction, Fargo, ND, for Ellefson's signature. The Board approved a motion to award the contract at their 11/12/07 meeting, pending Jones' review and recommendation. Ellefson signed the contracts on behalf of the Board. Jones reported that the contractor already has six sites completed, except for seeding. He noted they are capping the utilities at the houses, and will be removing the sewer and water lines later.

The office has received well-sealing certificates from the Minnesota Department of Health regarding the well sealing effort on the buyout properties. Albright will forward the documents to Opsahl who can remit them to the State once the wells have been sealed.

Project No. 38, Farmstead Ringdikes. Jones reported his progress with obtaining BNSF's permission to use a small part of their r-o-w to tie into the proposed Kragnes ringdike alignment. Jones visited with Mark Gjevre, a BNSF representative, who has already reviewed the proposal. He plans to have his structural and hydraulic engineers review the plans. Jones provided additional information to Gjevre regarding structural locations/impacts. To date, Gjevre is still in the process of reviewing Jones' information. Jones explained that before we can start the agency permitting process, we will have to obtain a BNSF license to occupy

their r-o-w. BNSF charges a \$350 processing fee for the easement application, which is sent to Fort Worth, Texas, where it can take their engineers up to 45-60 days to develop an easement exhibit, which could cost an additional \$2,500. Jones explained that the contractor will have to provide substantial liability insurance coverage and take online contractor orientation class to work on BNSF's property. At this time, Jones is waiting for information from BNSF regarding which permit application to file. Albright noted that this project should be ready for work to start next summer.

Jones had the Minnesota Department of Transportation (MNDOT) permit application to work on their r-o-w ready for the Board's signature. Jones was not sure if the BRRWD would have to provide a deposit for the MNDOT permit processing. **Motion** by Nelson to authorize Ellefson to sign the application on the Board's behalf. **Seconded** by VanAmburg. **Approved.**

Jones had an opportunity to update landowner Jeff Kluck regarding the Kragnes project status. Opsahl will prepare a billing for the Butze ringdike in the near future, and Albright will submit it to the DNR for payment.

Project No. 35, Clay County Ditch No. 47. Albright sent a bill (\$2,273.95) to Northwestern Power Equipment Company for their consideration regarding payment for the two flapgate openers that Otto's Welding installed on the Otter Tail Valley Railroad (OTV) tracks culverts.

Jones questioned if we should close the flapgates this fall in case the ditch doesn't open in a timely manner next spring. Olson was against closing the gates, as they could freeze down. The Board discussed this issue and agreed to leave the gates open. Ellefson thought the gates would be easier to close than to open.

Project No. 32, Hawley EDA Diversion. The Board discussed the concerns about the deteriorating diversion pipe on Project No. 32. To date, there has been no response from Hancock Concrete Products Company regarding possible culvert replacement. Jones will try again to contact Joe Kelly, Hancock's representative, regarding this issue.

Mediation Project Team (PT). The BRRWD will hold their next PT meeting on Thursday, December 13, 2007, at 1:30 PM in the MSUM Science Center near Glyndon. The office will send notices.

Comprehensive Planning. The Minneapolis H.E. office has completed as much of the Plan writing as they can until the Citizen Advisory (CAC) and Technical Advisory Committees (TAC) meet in January or February 2008, where the members will review regional problems and identify solutions. The next step now is for Jones to finish the hydrologic model and for Jones and Albright to proof the draft plan. The Board discussed the plan process schedule. Albright discussed the format for the CAC/TAC meetings. He thought the CAC/TAC members should review the natural resource enhancement (nre) inventory, district hydrology/modeling, impaired waters/water quality issues, and finally, review the problems tabulated from the seven regional meetings. The goal is for the CAC/TAC to formulate solutions for the regional problems, which will be incorporated into the Comprehensive Plan.

Clay County Ditch No. 49. Warren Brendemuhl contacted the office with concerns about enlarging the culverts on the ditch system. The culvert changes were proposed following H.E.'s recommendations. The Board discussed Brendemuhl's concerns. A hearing will be held this winter for the redetermination of benefits, and the proposed structure changes can be discussed at that time.

Becker County Ditch No. 5. At their 11/12/07 meeting, the Board approved a motion authorizing Jones to work with the United States Fish and Wildlife Service (USFWS) regarding their plans to install a second structure upstream of the Froyland dam on Becker County Ditch No. 5. Jones noted that they are working on the site hydrology. He is waiting for the USFWS survey and elevation information. Albright mentioned

that Scott Kahan, USFWS, was pleased with the 10/25/07 meeting to discuss the Froysland dam and was anticipating the completion of this valuable project.

Red River Watershed Management Board (RRWMB) Dispute Resolution. BRRWD Lobbyist Joel Carlson will setup meetings with Representative Lanning and Senator Langseth in December in Moorhead to discuss the extension of our M.S.A. 103D.905, Subd. 3, levy increase, which will end in 2008.

VanAmburg mentioned that the RRWMB has hired a public relations firm to represent them. The Board discussed the cost of the North Ottawa project, and the practice of purchasing agricultural land within a Watershed District to use as a trade when the District builds a project.

Clay County Ditch Nos. 31 and 17 Repairs. Ray Thoreson, Maintenance Supervisor, MNDOT, was in the office today to discuss their project on I-94 where they are cleaning parts of County Ditch No. 31 (Section 3, Barnesville Township) and County Ditch No. 17 (Section 33, Elkton Township) within their road r-o-w. MNDOT has done all the work they could do with their backhoe and now has hired Strom Construction to finish the work. Thoreson questioned if the BRRWD had ditch r-o-w in these areas where MNDOT could stockpile the spoil. Albright noted that this project will benefit the BRRWD as Thoreson mentioned that at least one of the culverts at each location is partially blocked with sediment. He suggested that the Board authorize Opsahl to contact the adjacent landowners to see if we could store the spoil on their property. The Board agreed to work with MNDOT in this regard.

Clay County Ditch No. 63 Repair. As part of the agreement between David Watt and Chad Leach (Permit No. 07-126), the landowners requested that the BRRWD investigate repairs for this ditch system, which is located along the south side of C.R. 19 north of Glyndon. **Motion** by VanAmburg to start repair investigations for County Ditch No. 63 with a field survey, if necessary, to follow next spring. **Seconded** by Olson. **Approved.**

Becker County Ditch No. 19. Albright noted that the landowners have been advised that the BRRWD did not levy a 2008 assessment for this ditch system. We plan to schedule a meeting regarding their request for ditch abandonment later this winter.

2007 MAWD Annual Meeting. The Minnesota Association of Watershed Districts (MAWD) 2007 Annual Meeting will be held on 11/30-12/01/07 at the Arrowwood Resort, Alexandria. The office has sent in all the Managers' registrations. The office also submitted the nomination application for the Barnesville High School River Watch Water Quality Monitoring Program for the 2007 MAWD Program of the Year. The office ordered lighted key chains from John Martinson in Detroit Lakes for our Trade Show booth. Albright will be a presenter for the New Managers Orientation Workshop on Thursday, November 29, 2007. The Board discussed the MAWD Program of the Year Award. Albright distributed some handouts from the recent MAWD sponsored "Messaging" sessions. He expected the Managers would hear more about these workshops at the annual meeting.

Special District Financial Report. The office completed the Special District Financial Reporting Form requested by the State Auditor and mailed it on 11/15/07. Albright explained that he used information from the BRRWD's 2006 Annual Audit to fill out the form.

2007 Survey of Government Finances. The office completed a questionnaire from the United States Census Bureau regarding the BRRWD's 2006 finances and submitted it on 11/15/07.

Project No. 62, Clay/Wilkin Judicial Ditch No. 1 (J.D. 1)-Branch 4-Improvement/Extension. The office received an advisory report from Minnesota Board of Water and Soil Resources (BWSR) regarding this project. Jones will address any comments BWSR may have in the Detailed Survey Report.

Clay County Ditch No. 5 Repair. Wescott Tommerdahl talked with Albright at the CCATO meeting regarding a repair request for County Ditch No. 5 along the north line of Section 4, Morken Township. During the spring, the one-half mile of ditch east of C.R. 11 doesn't open properly. The Board discussed Tommerdahl's request and agreed to follow up with a review next spring.

Clay County Ditch No. 33 Repair. On 11/12/07, the Board approved a repair request from Dan Rosenfeldt for County Ditch No. 33. Jones noted that the work has been completed.

Culvert Repair Request. On 11/12/07, the Board approved repairs for two culverts on Clay County Ditch Nos. 40 and 11N. The concrete culverts are separated, and the ends are falling off. Orlen Valen, Jr. requested the work. Jones will check with Opsahl regarding this work. Jones noted that Ed Jerdee could probably do these repairs.

Dan Rosenfeldt contacted Olson regarding a 24" dia. culvert with a flared ends along the Town and County Road near the Moorhead golf course that was installed diagonally (northeast/southwest) through the intersection with 3rd ST S. This culvert goes across one of the larger culverts in the township road, so that it blocks about half the ditch. He suggested someone should investigate this site. Olson also noted that although the City of Moorhead sprayed for cattails in this portion of the ditch, the spray did not kill them all. He thought they should be mowed. Olson also discussed a number of outlet culverts that were installed temporarily at a lower elevation and are not gated. He is concerned that these culverts will allow water to back up to the north through 50th AVE S.

Minnesota Wetland Conference. Albright distributed further information regarding the First Annual Minnesota Wetland Conference, hosted by the Minnesota Wetland Professionals Association and the Minnesota Wetland Delineator Certification Program, that will be held on January 30, 2008, in the Continuing Education Conference Center, University of Minnesota, St. Paul. The conference is entitled "Hydrology: Issues and Answers".

Red River Basin Commission (RRBC) 2008 Annual Conference. Nelson noted that the registration deadline for the Annual Conference has been moved back from December 15, 2007, and they may also allow one-day registrations. More information regarding the conference should be coming out this week.

PTI Grant Meeting. The Pulling Together Initiative (PTI) Grant Partners will be meeting with the new Clay County Ag Inspector, Kent Severson, on Tuesday, December 18, 2007, at 1:00-4:30 PM in the Clay County Courthouse.

Public Official Listing. The Minnesota Campaign Finance and Public Disclosure Board has asked that the BRRWD provide updated information regarding the names and positions of the BRRWD Managers. The office completed the form and returned it on 11/15/07. The Watershed District Managers throughout Minnesota were required to submit public financial disclosure forms recently. VanAmburg noted that at least two Watershed District Managers have resigned in protest regarding the newly enacted financial disclosure requirements.

Wolverton Creek/Comstock Coulee. Jones has prepared the Notice of Award/construction contracts for Northern States Excavating, Fargo, ND, for the first phase of a Clean Water Legacy (CWL) funded project that the Clay/Wilkin SWCDs are developing to deal with water quality problems in the Wolverton Creek/Comstock Coulee area. The Phase 1 project consists of erosion control on Wolverton Creek/Comstock Coulee downstream of T.H. 75. The BRRWD agreed to act as contracting agent for the SWCDs. At their 11/12/07 meeting, the Board approved a motion to award the contract to Northern States Excavating, subject to Jones' review. Ellefson signed the contract on behalf of the BRRWD.

The following bills were presented for approval:

Accounts Payable	Description	Account	Amount
City of Fargo	FIS Study	RRWMB. Const.	\$ 12,048.43
E. Robert Olson	#07-24, 9/01/07-10/31/07	Varies	\$ 869.95
J&J Braton Properties	December office rent	Admin	\$ 500.00
Joel Carlson	December lobbyist fees	Admin	\$ 800.00
Johnston Fargo Culvert	#152242, flapgates	Pj. 52, Clay 69	\$ 223.66
Leslie Aldrich	Lots 6A, 2B, 4B, deposits	Pj. 49, Oakport	\$ 3,162.50
Midwest Bank	Mortgage satisfaction	Pj. 56, Manston	\$ 46.00
Moorhead Public Service	10/05/07-11/05/07 utilities	Pj. 49, Oakport	\$ 187.81
Otto's Welding	#079025, gate opener	Pj. 35, Clay 47	\$ 1,125.62
Petty Cash	Postage, supplies, etc.	Admin	\$ 100.00
ProLandscapers	Bufferstrips	Pj. 35, Clay 47	\$ 2,125.00
Quill	#2520887, supplies	Admin	\$ 86.80
Red River Co-op Flood Mitigation	10/10/07-11/10/07 service	Pj. 49, Oakport	\$ 50.31
Sellin Bros., Inc.	#7420, Clay 68 erosion	RRWMB. Const.	\$ 660.00
Sellin Bros., Inc.	#7419, Ditch cleaning	Clay County Ditch No. 57	\$ 2,452.50
Sellin Bros., Inc.	#7421, Stubstad culvert	Clay County Ditch No. 58	\$ 3,848.00
TDS Metrocom	11/13/07 long distance billing	Admin	\$ 18.04
UEI	October services	Pj. 49, Oakport	\$ 31,350.46
			\$ 59,655.08

Motion by VanAmburg to approve payment of the bills and to authorize Albright to contact Midwest Bank regarding a loan. **Seconded** by Nelson. **Approved.**

Next Meeting. The Board of Managers, BRRWD, will hold their next regular meeting on Monday, December 10, 2007, in the Barnesville office at 7:00 PM.

Adjournment. Chairman Ellefson adjourned the meeting at 10:15 PM.

Respectfully submitted,

John E. Hanson, Secretary