The Board of Managers, Buffalo-Red River Watershed District (BRRWD), held a regular meeting on Monday, December 22, 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.); Chuck Fritz, International Water Institute (IWI); and landowners: Ben Torgerson and LeRoy Bergman.

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 11/10/08 regular meeting, the 11/03/08 special meeting, and the 10/20/08 Project No. 63, Grove Lake Outlet Final Hearing. **Motion** by Nelson to approve the minutes. **Seconded** by Hanson. **Approved**.

**Treasurer's Report.** The Board reviewed the BRRWD's financial status. Albright sent pay requests to the Minnesota Department of Natural Resources (DNR) for Project No. 56, Manston Slough Restoration, general expenses ($29,425.14) and to the Minnesota Pollution Control Agency (MPCA) for our 319 Sediment Modeling Grant ($22,437.00). Two more Oakport home buyouts are scheduled for the first part of January, which will total approximately $450,000. The BRRWD currently has $1,107,400.39 on hand. Albright still expects to receive the second half Clay County 2008 ditch payment and the Market Value Credit payment before the end of the year. Albright noted that Midwest Bank has traded pledges, as noted at a previous meeting. The BRRWD currently has $600,000 in pledged funds and $250,000 in FDIC insurance.

**Other business brought before the Board included:**

**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. According to Drainage Law, the petition must 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. Since the three signers don't represent 60% of either criterion, their petition is not valid unless they can get the other area landowners, Dan Johnson and Rodney Wyland, or Riverton Township to sign the petition as well. Manager Nelson recently informed Harmen Tande about this issue. Nelson commented that the landowners had asked Rodney Wyland to sign, but he was not very interested in a legal ditch system.

**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 status of the investigation. VanWechel's project could allow more water into an area that already doesn't drain properly on the east end of Lateral No. 3. 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 culvert work would be within the Minnesota Department of Transportation (MNDOT) right-of-way (r-o-w) for Interstate-94 (I-94), which could present some permitting issues. Once he completes the cost estimate, Jones will bring it to the Board for their review and then the information will be forwarded to the landowners. Due to weather conditions, this work will 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 protected waters. Tabled.

**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. According to Jacobson, 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. Albright and Manager Nelson conducted a field review on 12/19/08. They didn't see any problems with the proposal and recommended permit approval. **Motion** by Nelson to approve Permit No. 08-92. **Seconded** by VanAmburg. **Approved.**

**Permit No. 08-105, The Nature Conservancy (TNC).** Albright has scheduled a meeting on 1/07/09 at 4:00 PM in TNC's office in Glyndon to discuss TNC's proposed wetland restoration project in Sections 25/36, Riverton Township, and Section 1, Elkton Township, Clay County. Albright has also invited Lee and Brandi Alm to attend to discuss their concerns about possible increased seepage from the project affecting their property/buildings. Nelson suggested that we ask TNC to remove the area beaver dams east of Alm's buildings. Alm claims the dams are holding back water, and affecting his property. The Board agreed to ask TNC about this issue. Albright noted that Phil Gerla, Hydrologist, TNC, will also attend the meeting and should be able to answer the seepage/drainage questions.

**Permit No. 08-107, Burlington Northern/Sante Fe (BNSF) Railroad.** Applicant proposes to reconstruct the east and west bridge approaches for their bridge crossing the Red River between the Main AVE (Moorhead) and Center/NP AVE (Fargo). The approaches will be replaced when the existing bridge's open deck pile trestle structure is converted to a ballast deck structure. The new bridge design reduces the number of spans from 41 to 15, which will eliminate a number of trestle supports and reduce the potential for holding back debris during flooding conditions. Jones reviewed the proposal and reported that the project will have minimal affect on the existing stage increase for the 100-year event (0.05'). The new structure's waterway area will be slightly smaller than the existing bridge, but it is still similar to other adjacent bridge capacities in the Fargo-Moorhead stretch of the Red River. The bridge replacement project will be constructed in four phases beginning in 2009. Jones recommended permit approval. **Motion** by VanAmburg to approve Permit No. 08-107. **Seconded** by Hanson. **Approved.**
LaBelle/Duck Lakes Outlet. Landowners LeRoy Bergman and Ben Torgerson attended tonight's meeting to get an update on the investigation for a highwater complaint Bergman filed regarding an alleged blockage on the outlet of LaBelle Lake in Section 35, Cuba Township, Becker County. 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 various roads next to the lakes. On 11/3/08, Wade Opsahl, Technician, H.E., surveyed West LaBelle and found that the lake elevation was approximately 2.17' (1312.27) above the Ordinary High Water (OHW) elevation set by the DNR in 2000 (1310.1). Jones conducted an investigation of the complaint and prepared a report, dated 12/08/08, for the Board's review, using data from a survey H.E. conducted on 12/02/08 of the outlet channel. The survey crew did find an embankment that was not shown in the 2000 DNR OHW survey. The channel elevation between the northeast bay and the main basin of West LaBelle Lake is approximately 1.2' higher than it was in 2000. Jones recommended that the channel be excavated back to the 2000 DNR elevation (1310.7) and that the embankment be removed.

At the 12/08/08 meeting, the Board directed Albright to contact Jetvig regarding work on his property for a possible channel cleanout/restoration. They also directed Jones to contact Robert Merritt, Area Hydrologist, DNR, to discuss their jurisdiction regarding a possible project for the outlet channel. Albright sent H.E.'s report to Jetvig and made a telephone call to him. Jetvig suggested that the BRRWD consider a tiling project for the outlet. Jetvig thought tiling would work because he doesn't want water crossing his field. Albright estimated that there could be about 2,200' of tiling, which Jetvig thought could outlet to the United States Fish and Wildlife Service (USFWS) property downstream of his property. Jones noted that there is a block between Basin 394 and the northeast bay that is about 1.5' higher than it was in the past, which raised the water elevation about 1'. Jones estimated that the tile project could cost approximately $40,000, which he based on the Grove Lake Outlet costs. The Board discussed tile sizing and project costs/funding.

Ellefson commented that according to the BRRWD Rules, no one has the right to block a natural outlet. Per the Board's 12/08/08 request, Jones forwarded H.E.'s information to the DNR. Merritt indicated that as long as the project work is above the OHW, the DNR would have no objections. On Merritt's advice, Jones has tried to contact Brad Grant, Becker Soil and Water Conservation District (SWCD) and Leo Grabowski, Army Corps of Engineers (COE), regarding their possible jurisdiction. To date, they have not returned his calls. Albright plans to check with the Becker SWCD to see if they have aerial photographs of the area, to see if work has been done recently in the outlet area.

Bergman said that we might be able to get some information from the Township. Jetvig had the Township install a culvert in a minimum maintenance road that overtopped during high water events, so at some point, water could outlet from his property. Albright noted that the BRRWD issued a permit to Cuba Township in 1998 for a 24" dia. culvert in that location (230th ST).

The Board discussed the alleged unpermitted diking activity, which is affecting lake property. They also discussed the process we would have to follow if we developed an outlet project for this area. Ellefson thought it might be cheaper if the landowner just put in a tile line by BRRWD permit than to have the expense of developing a project. VanAmburg commented that tiling would also improve water quality for the downstream areas. Jones recommended that at a minimum, the high spots should be cleaned. Jetvig owns or operates most of the land surrounding LaBelle Lakes. Albright noted that Loren Jetvig is on vacation, but we would be able to work with his son, Chad. Motion by VanAmburg to authorize Jones to prepare a project design/cost estimate for tiling and for Albright to check with the Becker SWCD to see if they have aerial photographs of this area to determine if the outlet channel may have been altered. Seconded by Hanson. Approved.
Kenneth Schellack Drainage Complaint. On 12/19/08, Albright and Manager Nelson met with Schellack regarding his request for the BRRWD to investigate ditch work that Ron Erdman completed for Curt Stubstad in the NE¼, Section 8, Elkton Township, Clay County. They decided that given the current weather conditions, we'll have to wait until spring to conduct an area survey. Albright sent Stubstad a letter indicating that the BRRWD has conducted a field review and will contact him in the spring. 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.

Minch Lawsuit. Based on attorney/client privilege, and in accordance with Open Meeting Law, the Board went into closed session at 7:57 PM to discuss the status of this issue. At 8:33 PM, the Board reopened the meeting.

Cromwell Township Ditching Concern. The office received a DNR comment form for an after-the-fact permit for work Brian Petermann completed on a protected watercourse in Sections 19, 20, and 21, Cromwell Township. Earlier this fall, Sellins Brothers, Inc., did some ditch cleaning for Petermann, which included sediment and small tree/brush removal in the natural waterway. Petermann should have applied for a DNR permit before doing the work. Albright and Manager Nelson conducted a field review on 12/19/08. The Board had no comment regarding the application. The project did not violate any BRRWD Rules as the work only cleaned the waterway to the original grade, which is permissible in accordance with our Rules.

Shane Thompson Drainage Concerns. Thompson is concerned about the elevation of Mark Rustad's driveway that was raised when Rustad constructed his farmstead ringdike in 2006 in the SW¼, Section 10, Alliance Township, Clay County. Thompson feels that the work, which is adjacent to a 40' long bridge over Whiskey Creek, has affected his agricultural drainage. Wade Opsahl, Technician, H.E., completed an elevation survey to determine how much drainage area may have been lost due to the road raise. It appears that Rustad's driveway is about 2.2' higher than it was in 2001 prior to the ringdike project. Albright calculated that about 240 square feet (sq. ft.) of waterway area might have been lost due to the roadwork. The Board questioned if the road is actually causing an area stage increase on the waterway in this area that could affect Thompson. If water levels are the same on both sides of the bridge, the road raise might not be responsible for the increased area flooding. The area is also affected by backup water from the South Branch of the Buffalo River. The Board discussed area drainage patterns, recent rains, and flooding. The Board agreed to monitor the area this spring. Tabled.

Phillip Rogers Wetlands Restoration Project. John Voz, Natural Resources Conservation Service (NRCS), contacted Rogers regarding their possible interest in a proposed Wetlands Reserve Program (WRP) project on his property in the SW¼, Section 5, Humboldt Township, Clay County. The Board discussed the proposal. Ellefson commented that the BRRWD is always interested in the concept of helping landowners develop retention sites. Jones noted that it might be beneficial to wait until we have the data from the IWI Red River Basin Mapping Initiative (RRBMI) digital elevation model (DEM) and the LiDAR data collection conducted last spring in the Red River Basin. This data will make the project design much more accurate and less labor intensive. The Board authorized Jones to prepare recommendations regarding this proposal when the LiDAR data becomes available. Albright will notify Rogers that the BRRWD is interested in working with him and the NRCS to develop this project.

Southcreek First Addition Drainage Complaint. Glyndon Township contacted the BRRWD regarding driveways/culverts that Jordahl Custom Homes, Inc. installed along 12th ST SE in Glyndon for the Southcreek First Addition (SE¼, Section 11, Glyndon Township). The structures, or lack thereof, were not
installed according to any drainage plan, and the work was done without a BRRWD permit. The structures are restricting drainage to Project No. 51, Clay County Ditch No. 68 for benefited homes/properties upstream (west) of the subdivision. Albright prepared a letter to Rob Jordahl regarding this issue, advising him that he will need to apply for a BRRWD permit for the subdivision driveways/culverts. His application should include plans showing culvert sizes/locations, etc. Albright also advised Jordahl that he would also need Township approval to work within their road r-o-w.

**Project No. 63, Grove Lake Outlet.** Albright and Manager Nelson reviewed the construction site on 12/19/08. Work has been delayed because of weather conditions. Albright noted that water is seeping downstream from the site, as the soil conditions are porous. The Lass driveway culvert was installed. Nelson noted concerns about the contractor leaving his equipment on site, as it could be a target for vandalism or theft. Albright noted that the contractor, Steven Johnson Excavating, plans to continue to work on the project as conditions allow this winter. H.E. has prepared Pay Request No. 2 for $17,323.25. **Motion** by Nelson to approve the referenced pay request. **Seconded** by Hanson. **Approved.**

The BRRWD will purchase the wetland mitigation credits from the Otter Tail County Highway Department. Payment for the credits ($615.38) is on tonight's bill list. There is also a bill from the Minnesota Board of Water and Soil Resources (BWSR) ($39.00) for the credit withdrawal transaction fee. Ellefson signed the wetland credit purchase agreement.

**Project No. 61, Clay County Ditch No. 11-North.** There is a meeting scheduled for tomorrow morning (12/23/08) at 8:00 AM with Clay County, John Leseth, and other landowners along CSAH No. 8. Jones noted that the County has found other landowners who are willing to give an easement to the County for spoil placement on their property. Leseth decided that he did not want the County to place extra spoil on his property.

The Board discussed negotiations regarding the cost-sharing split for Leseth's driveway replacement ($60,000). At this time, the County has agreed to split the costs equally with Leseth and the BRRWD ($20,000 each). Previously, Leseth had offered to pay $7,000 with the County and the BRRWD splitting the balance 50/50. Albright suggested that we will have to wait until Leseth and the County work out their differences regarding spoil placement before finalizing the cost sharing for his driveway replacement.

**Project No. 60, Swede Grove Lake.** Albright noted that he and Manager Nelson looked at the site on 12/19/08. The lake elevation has risen since this summer. The Board intends to meet with the downstream landowner, Chuck Carlson, sometime this winter.

**Project No. 56, Manston Slough Restoration.** Albright forwarded a pay request to the DNR for general project expenses ($29,425.14). Because of the wet fall conditions and delays due to the USFWS design concerns, Albright asked BWSR for a completion date extension until 6/30/09. The Operation and Maintenance (O&M) and Memorandum of Understanding (MOU) final drafts have been forwarded to the other agencies for signature. The office has been working on the easements. Mark Aanenson will review the Environmental Assessment Worksheet (EAW) and Wetlands Conservation Act (WCA) permitting. Now that the USFWS has approved the revised project design, Rick St. Germain, H.E., will review it, prepare a revised cost estimate, and finalize the Engineer's Report.

Ellefson reported that most of the Holubok buildings have been removed. Tom Arnhalt has contacted the office to ask about how soon the DNR appraisal process can begin. Albright sent Don Schultz, DNR, an email regarding the status of their appraisal.
**Project No. 51, Clay County Ditch No. 68.** Albright and Manager Nelson field reviewed a request for the BRRWD to consider installing larger culverts upstream of County Ditch No. 68 south of Glyndon. Because of the erosion concerns on the Heng property (E½, Section 14, Glyndon Township), the Board has decided not to plan or approve any structure changes at this time. The Board discussed the practice of farming natural waterways and felt a grassed waterway could help control erosion problems on Heng’s property.

**Project No. 49, Oakport Flood Mitigation.** A Technical Committee meeting has been scheduled for 1/06/08 at 1:30 PM, in the Oakport Town Hall. Notices have been sent. Closings on the Hurner and Holtgard properties are scheduled for 1/05/09 and 1/07/09, respectively. Appraiser Guy Miller reviewed the other appraisals for the Jerry Ries property and concurred with the price. Ries has not yet decided on the Board's offer. If we can obtain the Ries property, we will be able to keep the dike back further from the Oakport Coulee, which help reduce area project hydraulic impacts.

Last week, Albright and Manager VanAmburg met with Vicky Sieben to discuss her proposed buyout. Sieben made a verbal commitment to sell her property to the BRRWD, including the house and 57 acres of land. The BRRWD plans to flood proof the house and resell it with about 10 acres of the land. The rest of the acreage will be used for the project. The Board discussed funding for this acquisition and options for how we can use this property in conjunction with the dike alignment. Sieben has requested a possible April closing.

**Project No. 46, Turtle Lake Outlet.** Long Lake and Turtle Lake are at the same elevation (1362.0), which slows/stops the drawdown rate for Turtle Lake. Opsahl recently shut down the Turtle Lake siphon, and it will remain off until the Long Lake elevation falls below Turtle Lake. Opsahl backflushed the Long Lake siphon, which improved the system operation.

**Project No. 38, Farmstead Ringdikes.** Albright reported that John Butze still has not remitted the balance of his final 2007 ringdike payment. The Board discussed charging interest on the unpaid balance. **Motion** by Nelson to authorize Albright to send a letter to Butze, asking for payment by the 2/09/09 BRRWD meeting or we will have to turn it over to our Attorney for collection and/or start charging interest. **Seconded** by VanAmburg. **Approved.**

Jones reported that H.E. has completed the cross section work on the South Branch of the Buffalo River for the Karppinen ringdike in Section 17, Elmwood Township, Clay County. Jones will forward the data to Midwest Testing this week. To date, Jones has not heard from Jeremy Kuipers regarding tree removal costs for his ringdike site near Kragnes.

Ron Harnack, RRWMB, recently contacted the office regarding possible 2009 ringdike funding. The BRRWD still has $20,000 in DNR ringdike funding that will expire on 6/30/09. Albright estimated that the BRRWD could request an additional $45,000 to help build projects in 2009.

**Project No. 30, Clay/Wilkin Judicial Ditch No. 1 (J.D. 1).** Opsahl and Lynn Brakke, who is a member of the J.D. 1 ditch committee, conducted the 2008 inspection on 12/12/08. Opsahl prepared a summary of their findings. Generally, the ditch is in good condition, except for a few minor needed repairs, which Opsahl will monitor.

**Project No. 24, Wilkin County Ditch No. 44.** The proposed repairs that Terry Czichotzki requested 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 TNC, who is the landowner along the work area. The Board discussed downstream problems on the South Branch of the Buffalo River at 12/11/08 Mediation Project
Team (PT) meeting. Albright sent Brian Winter, TNC, an e-mail message regarding this issue, and Winter indicated that if the project could restore the natural hydrology of the river channel, on TNC's property in the W½, Section 12, Manston Township, TNC might support a project of this nature.

**Mediation PT.** The next PT meeting is scheduled for 1/29/09 at 1:30 PM in the MSUM Science Center near Glyndon. The Board discussed the results of the 12/11/08 PT meeting where the group focused on a possible project(s) for the South Branch of the Buffalo River. Jones prepared a map showing possible locations for off-channel levees along the river alignment. The Board would like to have Jones include the path of the old Buffalo River on another version of this map for their review. Ellefson was concerned that the landowners along the South Branch need to understand that a project for their area will take time to develop and will not be ready to construct any time soon, even if they agree to install buffer strips.

**Revised Watershed Management Plan (RWMP).** The Minnesota Board of Water and Soil Resources (BWSR) approved our request to extend our grant deadline until 6/30/09. **Motion** by Hanson to authorize Ellefson to sign the grant agreement on behalf of the BRRWD. **Seconded** by Olson. **Approved.**

The next steps to complete the RWMP are for Albright to review the draft plan, and H.E. to make the revisions. Then Peter Waller and Brian Dwight, BWSR, would like to meet with Albright and Jones to discuss reformating the document to make it more reader friendly. Once the draft is ready, the Managers will need to review it. Mark Deutschman, Minneapolis H.E., plans to attend to assist the Managers in their review.

**Clay County Ditch No. 49.** The Board tentatively scheduled the final hearing for the redetermination of benefits for 1/27/09. Albright still needs to prepare the hearing mailing list.

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

**Wolverton Creek/Comstock Coulee Clean Water Legacy (CWL) Project.** A CWL Work Group meeting is scheduled for 1/07/09 at 9:30 AM in Barnesville. Jones noted that work on the channel survey is on hold until spring. The deadline for the grant funding is 6/30/09. H.E. prepared the Final Pay Request for Northern States Excavating for the Phase 1 channel restoration work they were able to complete this year. The request is for $4,686.83, which includes the retainage. **Motion** by VanAmburg to approve the referenced payment. **Seconded** by Nelson. **Approved.** The payment will be forwarded to the Clay SWCD for the actual payment to the contractor.

**Hay Creek/Stinking Lake CWL Grant.** Albright noted that he will try to arrange a meeting with Brad Grant, Becker SWCD, to discuss plan implementation. Albright will let Manager Hanson know when the meeting will be held, so he can also attend.

**Clay County Ditch No. 35.** Albright reported that Sellins Brothers, Inc. has three of the four miles of ditch cleaned. The work on the one-mile south of C.R. No. 18 will probably have to be completed next year due to wet conditions and standing crops.

**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 standing crops still in the way.

**319 Grant/SWAT Modeling.** Jones and Albright had a conference call with Brennon Schaefer and Mark Deutschman, Minneapolis H.E. The work will now focus on identifying sedimentation areas with the Surface Water Assessment Tool (SWAT) modeling. Albright noted that he sent a bill today to MPCA for
about $22,000, or 50%, of the modeling work expenses to date. The Board discussed variables that could be included in the modeling. Schaefer will make a presentation of the modeling results when the work is completed. The grant deadline is 6/30/09.

**Fargo Southside Flood Control (FSSFC) Project.** Albright and Managers Nelson, Olson and VanAmburg attended the Environmental Assessment (EA) meeting with the City of Fargo on 12/09/09. At this point, we will wait for the City of Fargo to let us know what they need from us. The Board discussed the project timeline. The wet fall weather delayed the EA work. H.E. has been hired to do the wetland delineation, which will not be done until next summer.

**BRRWD Total Maximum Daily Load (tmdl).** Jones and Albright met with Jack Frederick and Dan Olson, MPCA, on 12/11/08 in Barnesville, to discuss 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, and the deadline has been extended until 1/16/09. The study will be set up in phases. At this point, the end product has not been identified, but Jones noted that turbidity would be the main emphasis. A Citizen Advisory Committee (CAC) and Technical Advisory Committee (TAC), plus a planning team will be organized to move the process forward. The County SWCDs will be important partners in the process.

**WCA Banking.** The Board reviewed a list of landowners who are interested in developing wetland restorations. H.E. will verify property ownership, and the office will send letters to the landowners expressing our interest in exploring a possible partnership with them to develop their wetland projects, where the BRRWD could purchase the credits for our wetland bank and future use for projects.

**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, and Albright gave him some conference materials. The office will make his reservations.

**BRRWD Lobbyist Contract.** Joel Carlson, BRRWD Lobbyist, has indicated that he is willing to work for the BRRWD as their Lobbyist in 2009 at the same rate ($850/mo.) as last year. He would like to meet with the Board during the next few weeks to discuss 2009 Legislative issues regarding project funding. The Board felt that we will need to retain Carlson as our Lobbyist in 2009 to help us obtain funding for our projects and possibly renewing our taxing authority via Minnesota Statutes Annotated (M.S.A.) 103D.905, Subd. 3, in light of the national/state financial crisis.

**Bonding Resolutions.** The Board discussed which of our current projects might be ready to construct in 2009 and what our funding needs will be to get the projects built/funded. We would like to group several of our smaller projects together with the Oakport project for a bond sale. The office has started preparing the project transcripts for the bond sale process. The Board has signed the required bonding resolutions for Project No. 58, Riverton Township Retention; Project No. 62, Clay/Wilkin J.D. 1, Branch No. 4- Improvement/Extension; Kragnes Ringdike; and Project No. 63, Grove Lake Outlet. The Board had an extended discussion regarding project funding and a bond sale.

**Filing Cabinets.** Albright would like to purchase two filing cabinets for the office to organize our permit files. **Motion** by Hanson to approve the purchase of the filing cabinets. **Seconded** by VanAmburg. **Approved.**

**BWSR Drainage Records Modernization.** The office submitted an application on 10/31/08 for $50,000 in funding from BWSR regarding their Challenge Grant for drainage authorities to develop drainage
records modernization guidelines. BWSR received 46 requests totaling $1.2 million. We recently received word that our application has been denied. Only 17 applications were approved.

**McCarthy Retirement.** A retirement party for Clay County Commissioner Mike McCarthy will be held on Tuesday, December 23, 2008, from 2:00 PM to 3:30 PM in the Moorhead Courthouse. Albright will send a card.

**Pilot Reinvest In Minnesota (RIM) Initiative.** BWSR forwarded the BRRWD an application for funding to implement priority river/stream restorations and flood damage reduction projects in accordance with the Mediation Agreement that will acquire permanent riparian easements and establish conservation practices. The application must be submitted by 1/09/09. The Red River Basin Flood Damage Reduction Work Group (RRBFDRWG) will meet on 1/13/09 to review the applications and submit their selections to BWSR for approval. The Board discussed possible projects we could submit. Albright will forward the information to the County SWCDs. The funds must be obligated by 6/01/09. The Board thought that maybe the South Branch of the Buffalo River channel restoration proposal might be a good candidate for this funding.

**BWSR Project Information Request.** BWSR sent out a request for information regarding the "Top 10" conservation projects that local agencies believe are necessary, but have been unable to develop because of a lack of funding. The deadline for submission is 1/05/09. The Board briefly discussed a possible list of projects that could utilize the new sales tax funding. Jones and Albright will work on the request.

**County Approval of Budgets.** The Board discussed proposed legislation that would require County approval of Watershed District budgets. The Minnesota Association of Watershed Districts (MAWD) has gone on record opposing this proposed legislation. Albright noted that the Association of Minnesota Counties did not adopt this proposal at their recent conference.

The following bills were presented for approval:

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<td>January 2009 office rent</td>
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<td>$540.00</td>
</tr>
<tr>
<td>Joel Carlson</td>
<td>January 2009 Lobbyist fees</td>
<td>Admin</td>
<td>$850.00</td>
</tr>
<tr>
<td>Lauren Peterson</td>
<td>Viewing</td>
<td>Varies</td>
<td>$868.70</td>
</tr>
<tr>
<td>Moorhead Public Service</td>
<td>6413 Broadway 11/17-12/05/08</td>
<td>Pj. 49, Oakport</td>
<td>$29.04</td>
</tr>
<tr>
<td>Northern Technologies, Inc.</td>
<td>#2245, 11/02/08-11/29/08</td>
<td>Pj. 49, Oakport</td>
<td>$13,347.60</td>
</tr>
<tr>
<td>Otter Tail Co. Hwy. Dept.</td>
<td>Wetland Mitigation Credits</td>
<td>Pj. 63, Grove Lake</td>
<td>$615.38</td>
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<tr>
<td>Roger Lundberg</td>
<td>12/13/08 billing</td>
<td>Becker 5, Pj. Nos. 21, 24, 31</td>
<td>$2,495.64</td>
</tr>
<tr>
<td>Steven Johnson Excavation</td>
<td>Pay Request No. 2</td>
<td>Pj. 63, Grove Lake</td>
<td>$17,323.25</td>
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<tr>
<td>TDS MetroCom</td>
<td>12/13/08 long distance</td>
<td>Admin</td>
<td>$25.09</td>
</tr>
<tr>
<td>TRN Abstract &amp; Title F-M</td>
<td>#6103427, Lindberg abstract</td>
<td>Pj. 49, Oakport</td>
<td>$205.00</td>
</tr>
<tr>
<td>UEI</td>
<td>November billing summary</td>
<td>Pj. 49, Oakport</td>
<td>$40,714.75</td>
</tr>
<tr>
<td>Vogel Law Firm</td>
<td>#37, November billing summary</td>
<td>Pj. 49, Oakport</td>
<td>$2,904.00</td>
</tr>
</tbody>
</table>

**Motion** by Hanson to approve payment of the bills. **Seconded** by VanAmburg. **Approved**.
Next Meeting. The Board of Managers, BRRWD, will hold their annual meeting on Monday, January 12, 2008, in the Barnesville office at 7:00 PM.

Adjournment. Chairman Ellefson adjourned the meeting at 10:25 PM.

Respectfully submitted,

John E. Hanson, Secretary