

# ***BUFFALO-RED RIVER WATERSHED DISTRICT***

BARNESVILLE, MINNESOTA 56514

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## **MINUTES FOR MANAGERS' MEETING**

**November 9, 2009**

The Board of Managers, Buffalo-Red River Watershed District (BRRWD), held a regular meeting on Monday, November 9, 2009, at 7:00 PM in the Barnesville office. BRRWD Managers present were Roger G. Ellefson, John E. Hanson, Gerald L. VanAmburg, Curtis M. Nelson, and E. Robert Olson. Others attending included: Bruce E. Albright, BRRWD Administrator, Erik S. Jones, Engineer, and Julie Jerger, Houston Engineering, Inc. (H.E.); Brea Paradeis Kobiela, and landowner Edward A. Ernst.

Manager 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 10/13/09 BRRWD regular meeting. **Motion** by VanAmburg to approve the minutes. **Seconded** by Nelson. **Approved.**

**Treasurer's Report.** The Board reviewed the monthly financial statements, including the project account balance sheet, administrative disbursements, summary of income, and the accounts receivable report. The Board discussed the possibility of having our Lobbyist, Joel Carlson, submit a bill during the 2010 Legislative Session to allow the BRRWD to levy up to 1% of the taxable market value for the general fund administrative expenses, which would be approximately \$340,000. The Legislature has already approved this increase for the Sauk River Watershed District. The BRRWD's current administrative levy is capped at \$250,000.

Since last month's report, the BRRWD has received \$1,978,386.7, which included the first half payment from the State of Minnesota for the 2009 Market Value Credits (\$52,923.90) and the sale of the Sieben property associated with Project No. 49, Oakport Flood Mitigation (\$361,432.69). We received reimbursement from the Minnesota Department of Natural Resources (DNR) for the Oakport project (\$1,012,278.17), Project No. 56, Manston Slough Restoration (\$149,946.40), Project No. 58, Riverton Township Retention (\$92,649.45), Project No. 63, Grove Lake Outlet (\$16,124.62), and the Buffalo River Total Maximum Daily Load (TMDL) water quality project (\$23,355.45). We also received 2009 Federal Emergency Management Agency (FEMA) funding (\$252,140.87), and miscellaneous property and ditch tax proceeds from Otter Tail and Wilkin Counties. We currently have \$1,687,352.32 cash on hand. We should be receiving the Clay County bond sale proceeds by the end of the month. Albright explained that when the bond sale funds become available, there is a program called Certificate of Deposit Account Registry Service (CDARS) offered by Midwest Bank to allow government agencies to invest in FDIC insured CDs. Pat Lynch, Financial Coordinator, DNR Waters, has indicated that there will be another grant contract issued for the balance of the grant (approximately \$8 million) for the Oakport project. The Board briefly discussed how the County revenue is allocated. Albright noted that he will contact Clay County regarding a petition asking the BRRWD to make use of the Minnesota Statutes Annotated (M.S.A.) 103D.905, Subd. 3, taxing authority for 2010. **Motion** by Hanson to approve the Treasurer's Report. **Seconded** by VanAmburg. **Approved.**

The Board discussed Nanik Construction's progress on Project No. 58, Riverton Township Retention. The grant expires on 12/31/09. Albright suggested that if the contractor does not complete his work this fall, we might consider charging him liquidated damages, and/or hire a different contractor to finish the work.

Jones explained that the cover crop has been seeded, but there is still finishing work left to do. The BRRWD retains 5% of the contract amount.

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

**Wilkin County Ditch No. 22.** Edward Ernst filed a repair petition for County Ditch No. 22, Lateral No. 2 to evaluate the height of the spoil bank along the NE¼, Section 2, Mitchell Township, and to raise the low spots where necessary. The 2009 spring flood overtopped the north spoil bank, causing flooding in his farmstead in the northwest corner of Section 35, Deerhorn Township. The current operator of this property has been farming the ditch right-of-way (r-o-w), which may have lowered the berm. Ernst would like the BRRWD to restore the grass bufferstrip to help control erosion. The group discussed the request. Albright suggested that 0.5 miles of the north ditch berm in the NE¼, Section 2, Mitchell Township, should be surveyed. Albright also noted that landowners have encroached on the ditch r-o-w for many years, and the BRRWD should consider reclaiming it. **Motion** by Nelson to accept Ernst's petition and to authorize H.E. to conduct a survey of the ditch berm and provide recommendations, as soon as possible. **Seconded** by Hanson. **Approved.** Jones thought he would be able to come back to the Board with recommendations by the next meeting.

Ernst asked if Albright and Manager Ellefson had had time to check on another ditch concern. Albright thought that he and Ellefson might be able to conduct a field review this week.

**BRRWD Manager Candidate.** Brenna Paradeis Kobiela attended tonight's meeting. She is a candidate for the Clay County BRRWD Manager position that E. Robert Olson has asked to vacate. The Clay County Commissioners will interview three candidates tomorrow morning and will make an appointment at their 11/17/09 meeting. Albright plans to attend the interviews tomorrow. The appointment will be to fill out the remainder of Olson's 3-year term, which expires on 8/31/12. Olson had submitted a letter of resignation last August, but agreed to remain on the Board until a replacement could be found.

**Permit No. 09-97, Jerry Matter.** Applicant proposes to install overflow culverts on the north and south sides of 320<sup>th</sup> ST as secondary outlets for Project No. 19, Becker County Ditch No. 21, in Sections 10 and 15, Riceville Township. Albright sent a letter to the United States Fish and Wildlife Service (USFWS) and Riceville Township regarding Matter's permit application. Both entities have given their approval for the project. However, the USFWS has requested that the culverts be installed with flapgates to keep water from flowing back into the ditch system once it has drained into their Waterfowl Production Areas (WPA).

Matter also submitted a repair request for Becker County Ditch No. 21 to install an 18" dia. corrugated metal pipe (CMP) on the west berm at the ditch outlet on the north side of 320<sup>th</sup> ST in the SW¼, Section 10, Riceville Township. He also wants to install a 22" x 36" CMP-A (30" dia.) on the south side of 320<sup>th</sup> ST in the NW¼, Section 15, Riceville Township, at elevation 1229.0. **Motion** by Hanson to approve Permit No. 09-97 and the associated repair request for County Ditch No. 21. **Seconded** by Olson. **Approved.**

**Permit No. 09-107, Bob Schultz.** Applicant proposes to clean and improve existing ditches in the N½NW¼, Section 35, Riverton Township, Clay County, to improve drainage for agricultural production. **Tabled** pending Manager field review and drier site conditions.

**Permit No. 09-119, Red River Coop Power.** Applicant proposes to bore an underground power line crossing County State Aid Highway (CSAH) No. 8 and Project No. 61, Clay County Ditch No. 11 North Improvement, between Sections 29 and 32, Kurtz Township. **Motion** by VanAmburg to approve Permit No. 09-119, subject to our standard utility disclaimer. **Seconded** by Nelson. **Approved.**

**Permit No. 09-120, Robert Norby.** Applicant proposes to continue working on a berm on the west side of the Buffalo River in Section 22, Kragens Township, Clay County, by extending it north to C.R. No. 96 and raising it a minimum of 12". The second part of Norby's proposal is the repair of his private driveway, which was washed out during the 2009 spring flood when water overtopped the road, flowing south to north. Temporary repairs have already been completed. Norby would like to raise the road about 2'.

The Board had an extended discussion regarding Norby proposals. They felt that Norby still hasn't provided enough information regarding his proposed work along the Buffalo River. For example, he should provide final maximum elevations, etc., for the proposed berm, not minimum elevations. Jones noted that he would be able to provide the pre-existing driveway elevation from the LiDAR data collect that took place in April 2008. The Board agreed to deny the diking project pending receipt of more detailed plans, and they felt they could approve Norby's request to repair his private driveway, as this type of work doesn't ordinarily require a BRRWD permit. **Motion** by Hanson to deny Permit No. 09-120 because his application lacks sufficient detail (elevations, etc.) to determine if the berm could affect the neighboring properties. Norby can repair his driveway to the original elevation without a BRRWD permit. **Seconded** by VanAmburg. **Approved.**

Olson mentioned another project that Norby is planning on the east side of the Buffalo River in this area. The group briefly discussed this issue and the redetermination hearing continuation for Clay County Ditch No. 49. At the last hearing, it came out that some of Norby's property drains to County Ditch No. 49 via the county road ditch, but he wasn't included in the proposed Viewers' Report. In order to finalize the redetermination of benefits for County Ditch No. 49, Norby's property will have to be added to the ditch benefit area, and he will have to be contacted regarding this proceeding.

**Permit Nos. 09-121, Arliss Fedje, and 09-122, David and Ann Dolence.** Applicants propose to construct their own private ringdikes for their property in the Odegaard Addition in Oakport Township, Clay County. The BRRWD offered both homeowners buyouts, but they have decided to remain in their homes. **Motion** by VanAmburg to approve Permit Nos. 09-121 and 09-122, subject to receipt of Conditional Use Permits (CUP) from the City of Moorhead for their ringdike construction. **Seconded** by Nelson. **Approved.**

**Permit No. 09-123, Jerry Janssen.** Applicant proposes to install pattern tiling and a lift station west of Interstate-94 (I-94) in the NW¼, Section 29, Elkton Township, Clay County. The tiling will drain by lift station into a pond that will eventually outlet to Clay County Ditch No. 55. The property is assessed to the ditch system. **Motion** by Nelson to approve Permit No. 09-123. **Seconded** by Hanson. **Approved.**

**Permit No. 09-124, Jerry Janssen.** Applicant proposes to install pattern tiling and a lift station east of I-94 in the NW¼, Section 29, Elkton Township, Clay County. Drainage will outlet to the I-94 ditch r-o-w and eventually to Clay County Ditch No. 55. Currently, the Minnesota Department of Transportation (MNDOT) is waiting for an Attorney General's opinion regarding the use of the MNDOT r-o-w as a project outlet. The Board discussed this proposal. **Motion** by Hanson to approve Permit No. 09-124, subject to MNDOT's approval to use their road r-o-w as an outlet and approval from the downstream landowner, Donald/Craig Halverson. **Seconded** by Olson. **Approved.**

**Permit No. 09-125, Jerry Janssen.** Applicant proposes to install two tile lines in the SE¼, Section 34, Skree Township, Clay County. The tile will outlet directly into Stony Creek. **Motion** by Nelson to approve Permit No. 09-125. **Seconded** by VanAmburg. **Approved.**

The Board briefly discussed the issue of water quality and the increased popularity of drain tile. Jones noted that the Barnesville River Watch Water Quality Monitoring Team have taken samples locally, and may have some data regarding this issue. VanAmburg noted that ground water nitrogen levels are the main concern.

**Minch Lawsuits.** The Board briefly discussed the status of the Johnson bankruptcy proceedings. Albright noted that the Minch lawsuit is in the appeal phase.

**Mark Rustad Complaint.** Rustad called the office regarding work that Rick Thompson has completed in Sections 11 and 15, Alliance Township, Clay County. Albright conducted a field review on 11/05/09 and took photographs, which the Board reviewed. Albright explained to Rustad that according to BRRWD Rules, Thompson has the right to clean ditches to the original grade/elevation without a permit. Upon inspection, Albright thought the work was within the BRRWD guidelines. Rustad is concerned that more water will be able to get to his downstream property faster.

**Project No. 66, Tansem/Ranum Lakes Outlet.** Work on this project is currently on hold until next spring.

**Project No. 65, County Line Outlet.** The USFWS has issued the BRRWD a 30-day permit for temporary pumping between 11/09/09 and 12/09/09. Jones reported that he has received approval from the downstream landowners for the BRRWD/townships to pump water from the wetland. He also discussed the project with Doug Duran, Prairie View Township Treasurer, who asked Jones for assistance with the option to pump water. Jones solicited quotes from K & T Irrigation for either renting or buying a pump. It appears that if the Townships split the cost of a new pump and rent the pipe, they would save money. The group discussed the pumping options. Albright noted that ultimately, Prairie View and Humboldt Townships will have to make the decision as to whether or not they want to pump yet this fall. At the 10/13/09 meeting, the Board agreed to split the pumping costs three ways with the Townships. Jones will fax his information to Darrel Thomas, Humboldt Township.

The Board had an extended discussion regarding Adrian Haugrud's concerns about water entering his buildings and the Township's raising of the township road. It may be necessary for the Township to install a culvert in the road to allow the water to flow naturally downstream. The water elevation is at an all-time high, and water is again encroaching on the township road, which has already been raised at least once. Ellefson suggested that Albright contact the Townships to see if they plan to proceed with a project this fall.

**Project No. 64, LaBelle/Boyer Lakes Outlet.** Albright noted that H.E. is preparing factsheets for Project Nos. 66, 65, and 64 to present to the State Legislature for funding in the 2010 bonding bill.

**Project No. 61, Clay County Ditch No. 11 North-Improvement.** Due to the recent wet conditions and the fact that the ditch slope is steeper by John Leseth's buildings than the rest of the project, a slide is occurring in the same location as a previous slide. The Board reviewed before and after photographs of the slide location. Albright suggested there wasn't much that the BRRWD could do this late in the fall, except monitor it this winter. The contractor seeded the site this fall, but the grass didn't have time to be established before the area slumped again. The Board discussed possible fixes for the site. Jones will investigate and bring back recommendations regarding possible repairs next spring

**Project No. 58, Riverton Township Retention.** The Board continued their earlier conversation regarding the project completion. Jones noted that Nanik Construction submitted some invoices for a fuel allowance over the contract amount. Jones didn't think their request would apply. He will prepare a letter regarding this issue for the Board's review. Jones will check with Wade Opsahl, Technician, H.E., to find out what work is left and when the contractor intends to finish. Jones will also check with the DNR and Nanik regarding extending the 12/31/09 grant deadline.

**Project No. 56, Manston Slough Restoration.** Rick St. Germain, H.E., submitted the Lessard-Sams Outdoor Heritage Council (LOHC) Conservation Partners Legacy (CPL) grant application for Manston Slough on 11/03/09. Up to \$400,000 is available from this grant. Albright felt that there was a good chance the application will be approved for the grant. He added that the office plans to work on easement acquisition this winter.

Lyle Wilkens has requested a time extension until 11/23/09 for the Holubok demolition work. The previous deadline of 10/31/09 has passed, and he just started work on the site today. **Motion** by VanAmburg to approve a project completion extension until 11/23/09. **Seconded** by Hanson. **Approved.**

**Project No. 54, Whisky Creek Tributaries.** The Board briefly discussed repairs for damages that occurred last spring during the spring flood on Joe Gilbertson's ringdike.

Brian Durensky would like to have Albright visit with Virgil Holt regarding his proposal to clean the ditch on the east side of County Road (C.R.) No. 25 north to the DNR protected waterway just south of Holt's farmyard. Holt's wife, Arlene, recently passed away, and he is now residing in a local nursing home, so Albright will wait until later this fall to contact him.

**Project No. 49, Oakport Flood Mitigation.** The Construction Committee continues to meet on a weekly basis. Their next meeting will be held on 11/13/09 at 9:30 AM. Riley Brothers, Inc., installed the box culverts in C.R. No. 93 last Wednesday. They are working on the storm sewer and lift stations. They are currently in the process of getting ready to wrap up construction for the season. Ulteig Engineers, Inc. (UEI) submitted Pay Request No. 2 for Phase 1B for \$292,306.03, which includes a \$150,000 change order and Pay Request No. 2 for Phase 2 in the amount of \$71,805.75 (C.R. No. 93), and Pay Request No. 1 for Excavating Inc., for Phase 3A work on the Carl Pierce property for \$27,857.99. **Motion** by Hanson to approve the three pay requests. **Seconded** by VanAmburg. **Approved.**

The Board received bids for demolition work on the Pierce modular home site to remove the concrete slab, seal the well, and site cleanup: H & S Contracting, Inc.-\$4,275.00; Excavating, Inc.-\$4,700.00; and Master Construction-\$5,000. The Board also discussed the Carlson and Swanson ringdikes. Because of her concerns regarding dike alignment, Jessie Swanson's ringdike won't be completed until next spring. However, the Board received the following bids for the Carlson's ringdike: Riley Brothers, Inc.-\$13,600; H&S Contracting, Inc.-\$25,358.10; and Master Construction-\$28,000. The Construction Committee reviewed the bids at their meeting on 11/05/09 and recommended that the Board award the Pierce demolition to H & S Contracting, and the Carlson ringdike construction to Riley Brothers, Inc. **Motion** by Olson to award the noted contracts, as recommended. **Seconded** by Hanson. **Approved.**

Excavating, Inc., has submitted a request for a time extension for their work on Phase 3A. The contract language calls for a 7/01/10 completion date with substantial completion by the fall of 2009. Because of the wet weather conditions, they did not get started on the project until 10/28/09. Kris Carlson, Project Engineer, UEI, suggested that the Board just waive the substantial completion clause and leave the 7/01/10 completion date in place. **Motion** by VanAmburg to waive the contract's substantial completion clause as recommended by UEI. **Seconded** by Olson. **Approved.**

Oakport Township and the Vogel Law Firm continue to work on easements. The Board discussed the ongoing issues with obtaining an easement from the Fischer Family and the possibility of starting a condemnation proceeding. Albright recommended that we continue to negotiate with the Fischers while working on obtaining the other landowner easements for Phase 1A. He felt we were very close to an agreement. Since construction won't start on Phase 1A until spring, he suggested it would be better to work with them this winter to come to a mutual agreement regarding their easement concerns. The Board agreed.

**Project No. 47, Clay County Ditch No. 53.** Albright reported there was nothing new regarding the slides adjacent to the Askegaard property. To date, their soybean crop is still in the field. Albright and Ellefson field reviewed the site and felt that the slide appears to have healed and it might be a good idea to leave the site alone until repairs are needed. Landowner Harold Brandt would like to have the site repaired as soon as possible, while there's still FEMA funding available for the work. Because of the wet conditions this fall, FEMA has given us an extension for the repair work.

**Project No. 39, Georgetown Levee.** The City of Georgetown has submitted a petition for the BRRWD to sponsor the proposed flood control levee improvements. The DNR has approved a grant application for \$155,000 for design, soil boring, survey work, etc. **Motion** by Nelson to sign the DNR grant agreement. **Seconded** by Hanson. **Approved.** Albright will forward the signed agreement to the DNR tomorrow. The City of Georgetown has also submitted a request for approximately \$1.5 million to the State Legislature to complete their proposed improvements. Representative Morrie Lanning has indicated that he would be willing to help Georgetown obtain their funding. The Board briefly discussed how the Army Corps of Engineers (COE) decision about the location of the proposed Metro area flood diversion could affect downstream communities.

**Project No. 38, Farmstead Ringdikes.** The Clay County Planning & Zoning Commission approved seven CUPs for our 2009 farmstead ringdike projects. To date, no ringdikes have been started because of the wet conditions. Albright noted that Peter and Diane Luhman already sent in their ringdike deposit.

**Project No. 32, Hawley EDA Diversion.** The City of Hawley is very anxious to resolve the problem regarding the 60" dia. outlet culvert. H.E. will forward their recommendations for the culvert repair as soon as possible.

**Project No. 31, Deerhorn Creek Flood Control.** Aaron Carr has decided to delay his plans to have the road ditch cleaned until next summer.

**Project No. 27, Clay County Ditch No. 55.** Albright still plans to send bills to the landowners for the ditch cleanout work that was completed this summer.

**Project No. 26, Buffalo River Streambank Erosion Control.** Landowner Rodney Wyland qualified for funding from the Clay Soil and Water Conservation District (SWCD) for erosion repairs on his property in the NE1/4, Section 1, Glyndon Township. Albright commented that there is a significant erosion problem in this area, as parts of the Buffalo River bank are washed away. Albright questioned which agency is going to help fund the riverbank repair. If it's not restored, the course of the river could shift to the field. Albright suggested that H.E. could prepare a plan to repair the riverbank, and then the Board could start discussions with the appropriate agencies about funding, permits, etc.

**Project No. 24, Wilkin County Ditch No. 44.** Because of the wet conditions, the channel cleanout that Terry Czichotzki has requested 0.5-miles of County Ditch No. 44 has been delayed.

**Project No. 8, Stony Creek Detention.** The Board discussed Gordon Gilbertson's drainage complaint. Opsahl explored the downstream reaches of the channel and didn't find anything that should be holding back water.

**Project No. 1, Wilkin County Ditch No. 22.** Opsahl reported that the centerline culverts have been ordered for Lateral No. 2, but to date, William Nichol Excavating, Inc., has not started the work. Wet conditions are delaying the project.

**Mediation Project Team (PT).** The next PT meeting is tentatively scheduled for Thursday, November 19, 2009, at 1:30 PM in the MSUM Science Center. Jones noted that it has been too wet to do the channel survey for the South Branch of the Buffalo River.

**Revised Watershed Management Plan (RWMP).** At the 10/13/09 meeting, Jones distributed the draft plan for the Board's review. Jones is working on revisions for Chapters 5 and 6. Albright suggested that after the Minnesota Association of Watershed Districts (MAWD) Annual Conference, the Board could hold several special meetings to review the draft document.

**Clay County Ditch No. 34.** Gary Smith has contacted the office regarding ditch bank breakouts. Albright used his four-wheeler to investigate the complaint. He found two erosion sites. One cut is across the road from Joe Gilbertson's farmstead, which allows water to flow out into Curt Stubstad's field. Albright noted that when we repair the ditch berm, the elevation should be lower than Gilbertson's ringdike elevation. He found another smaller breakout on the north-south quarterline. Due to wet conditions, this work will have to be done next spring.

**Clay County Ditch No. 49.** Albright noted that the Board will schedule the third redetermination of benefits hearing this winter. The Board would like to get this meeting out of the way and complete the redetermination process for this ditch system.

**Wilkin County Ditch No. 40.** The DNR forwarded the fully executed grant agreement for the Lawndale Creek Restoration project. The grant amount is \$35,000 from the DNR Fisheries to convert Dave Yaggie's irrigation system to low flow technology so that the pumping site can be eliminated and both irrigators can be run by the remaining underground well. The grant expires on 9/30/10. The Board will schedule a meeting with Yaggie to discuss getting the well work finished, and moving forward with the Trout Stream project.

**Buffalo River TMDL.** Albright noted that water quality sampling will be ending in the next few weeks. Jones explained the Minnesota Pollution Control Agency (MPCA) did fish/invertebrate sampling this summer, and the results of their sampling survey will be available in January. Jones and Josh Kadmas, Engineer, H.E., will be meeting with the DNR and MPCA to divide work between the agencies based on areas of expertise. Because of the wet conditions this spring and now this fall, the low altitude high resolution photography that the DNR wanted to complete is on hold until next spring.

**COE FM Metro Area Study.** A meeting was held for the Metro Flood Study Work Group on 11/04/09, and the group will meet again on 11/12/09. The alternative that called for levees through the communities was dropped because the levees couldn't provide enough protection. The group also decided that any plan will have to provide a level of protection for communities to 35', and the rest of the water should be diverted around the cities. Hanson mentioned that the Southeast Cass Water Resource District (SCWRD) voted unanimously to have the diversion on the North Dakota side of the Red River, which will provide more flood protection. Albright noted that the biggest problem with the North Dakota option is that the COE needs to be able to show a benefit/cost (b/c) ratio of at least 1.0 in order for them to help fund the project. He explained that the COE would probably recommend the Minnesota diversion because it has a higher b/c ratio. The local government entities have the ability to ask that the project be located on the North Dakota side of the Red River, if they can find a positive b/c ratio and if they are willing to bear the additional cost of locating the project on the North Dakota side. The Board had an extended discussion regarding the diversion project.

**M.S.A. 103D. 905, Sub. 3.** Albright will contact the Clay County Commission to ask them to approve a petition requesting the BRRWD to use the taxation authority in accordance with this statute for projects within the BRRWD.

**MAWD Annual Meeting.** The MAWD Annual Meeting and Trade Show will be held in Alexandria on December 3-5, 2009. The Board discussed appointing delegates and alternate delegates, and if they wanted a booth at the Trade Show. **Motion** by Hanson to appoint VanAmburg and Hanson as meeting delegates with Nelson as the alternate. They also decided to have a booth. **Seconded** by Nelson. **Approved.** Albright will work with the new Clay County Manager get him/her registered for the conference and the new managers' seminar.

**Clay County Ditch No. 16.** Landowner Chuck Carlson has requested a redetermination of benefits for this ditch system. He reported that some land in his area is for sale, and there are about 1,000 acres that drain to County Ditch No. 16, but aren't assessed to the ditch system. He felt that since some of this land would be changing ownership, it would be a good time to redetermine the benefits for this system. **Motion** by Hanson to order a redetermination of benefits. **Seconded** by VanAmburg. **Approved.**

**Project No. 29, Buffalo River Logjams.** The Board reviewed a photograph that Albright took of a large tree that has fallen into the Buffalo River by the Burlington Northern/Sante Fe (BNSF) Railroad bridge and C.R. No. 31 in Section 14, Hawley Township. The large tree crosses the entire width of the river and is eroding the riverbanks. **Motion** by VanAmburg to authorize H.E. to have a local contractor remove the tree as soon as possible, assuming the cost is \$500 or less. **Seconded** by Hanson. **Approved.**

**Concordia Lecture.** Dr. Luther Aadland, DNR, will be presenting a lecture on Thursday, November 12, 2009, at 7:00 PM in the Centrum, Knutson Campus Center, Concordia College, Moorhead, entitled "*The Health of Our Rivers: Reflections of Our Culture*".

**Metropolitan Council of Governments (MetroCOG) Study.** The MetroCOG sent a letter through their consultant, SRF Consulting Group, Inc., regarding their study of the T.H. No. 10 corridor in the City of Glyndon. They ask for comments from the BRRWD. Albright will forward a response noting that Project No. 51, Clay County Ditch No. 68, within the City of Glyndon is under BRRWD jurisdiction. **Motion** by Hanson to authorize Albright to contact MetroCOG in this regard. **Seconded** by Nelson. **Approved.**

The following bills were presented for approval:

Accounts Payable	Description	Account	Amount
Clay County Treasurer	Flood repairs	Pj. 37, Clay 41, Lat. 1	\$ 1,134.63
Curtis M. Nelson	#0926, 9/01/09-10/31/09	Varies	\$ 1,036.77
Donald & Elizabeth Atherton	Easement payment	Pj. 49, Oakport	\$ 2,500.00
E. Robert Olson	#0927, 9/01/09-10/31/09	Varies	\$ 484.83
Excavating, Inc.	Pay Request #1, Phase 3A	Pj. 49, Oakport	\$ 27,857.99
Frederick C. & Gladys C. Bohmer	Easement payment	Pj. 49, Oakport	\$ 24,749.50
Gerald L. VanAmburg	#0928, 9/01/09-10/31/09	Varies	\$ 997.21
H.E.	October billing summary	Varies-see attach.	\$ 74,916.77
IRS	3rd Qtr. Form 941 taxes	Admin	\$ 1,315.80
John E. Hanson	#0925, 9/01/09-10/31/09	Varies	\$ 678.48
Johnston Fargo Culvert, Inc.	Culverts/flapgate	Pj. 1, Wilkin 22-Lat. 2	\$ 13,287.56
Oakport Township	Easement acquisition	Pj. 49, Oakport	\$ 3,063.50
Petty Cash	postage, supplies, etc.	Admin	\$ 100.00
Premium Waters, Inc.	#366590-10-09	Admin	\$ 22.55
Riley Bros. Const.	Pay Request #2, Phase 1B	Pj. 49, Oakport	\$ 292,306.03
Riley Bros. Const.	Pay Request #2, Phase 2	Pj. 49, Oakport	\$ 71,805.75
Roger G. Ellefson	#0924, 9/01/09-10/31/09	Varies	\$ 1,083.52
Sellin Bros., Inc.	#8642,8643, 8644, 8645	Pjs. 13, 14, 16, Clay 3	\$ 9,382.00
Sellin Bros., Inc.	#8654, driveway culvert	Pj. 48, Clay 59	\$ 5,782.00
Sellin Bros., Inc.	#8655, culvert	Pj. 48, Clay 59	\$ 4,353.50

TRN Abstract & Title F-M	New Abstract/Updates (3)	Pj. 49, Oakport	\$ 865.00
UEI	October billings	Pj. 49, Oakport	\$ 53,642.39
Wm. Nichol Excavating, Inc.	#20, Maintenance	Pj. 30, Clay/Wilkin J.D. 1	\$ 5,445.00
WREC	9/19/09-10/18/09 service (2)	Pj. 46, Turtle Lake	\$ 346.13
Xcel Energy	Utilities (2)	Pj. 49, Oakport	\$ 197.37
Ziegler Const., Inc.	Debris cleanup, 2009 flood	Various	\$ 3,145.00
Ziegler Const., Inc.	Seeding	Pj. 39, Georgetown	\$ 4,000.00
			<b>\$ 604,499.28</b>

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

**Red River Basin Flood Damage Reduction Work Group (RRBFDRWG) Meeting.** VanAmburg noted that the next RRBFDRWG meeting will be held 11/17/09 in Thief River Falls.

**Next Meeting.** The Board of Managers, BRRWD, will hold their next regular meeting on Monday, November 23, 2009, in the Barnesville office at 7:00 PM.

**Adjournment.** Chairman Ellefson adjourned the meeting at 9:05 PM.

Respectfully submitted,

John E. Hanson, Secretary