

BUFFALO-RED RIVER WATERSHED DISTRICT

BARNESVILLE, MINNESOTA 56514

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MINUTES FOR MANAGERS' MEETING December 14, 2009

The Board of Managers, Buffalo-Red River Watershed District (BRRWD), held a regular meeting on Monday, December 14, 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 Breanna Paradeis Kobiela. Others attending included: Bruce E. Albright, BRRWD Administrator, Erik S. Jones, Engineer, and Julie Jerger, Houston Engineering, Inc. (H.E.); and landowners: James Thesing, Pam Thesing, Sarah Lovaas, Terry Lovaas, David Sogge, Renee Sogge, Janet Holt, and Mark Ringham.

Chairman Ellefson called the meeting to order at 7:05 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 11/09/09 BRRWD regular meeting. Nelson and Paradeis Kobiela noted two minor corrections. **Motion** by Nelson to approve the minutes, subject to correction. **Seconded** by Hanson. **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. Albright reported that we currently have \$495,741.56 on hand. Since the last meeting, we have received \$511,315.58, primarily from county property/ditch second half tax payments. Albright will be closing on a house for Project No. 49, Oakport Flood Mitigation tomorrow for \$211,096.04. We currently have pay requests submitted to the Minnesota Department of Natural Resources (DNR) Waters for approximately \$923,000 for Oakport. In addition, Clay County has had the bond sale proceeds (\$1.46 million) since 11/20/09, and Lori Johnson, Clay County Auditor, indicated that they would be forwarding the funds in the near future. Albright and BRRWD Treasurer Nelson will check into some possible short/mid-term investment possibilities for the money. To date, Clay County has not forwarded their 2009 ditch tax proceeds. The Board was concerned that Clay County had not forwarded our tax and bond sale funds, as it affects our cash flow. **Motion** by VanAmburg to approve the Treasurer's report. **Seconded** by Paradeis Kobiela. **Approved.**

Other business brought before the Board included:

Permit No. 09-40, David Sogge. The Board had an extended discussion regarding this neighborhood drainage dispute with David and Renee Sogge and Pam and James Thesing. The group reviewed photographs of the dispute area that Albright took on 12/01/09. The Thesings filed a complaint in April 2005 about work their neighbor, David Sogge, had done to drain water from his sump pump onto their property along County Road (C.R.) No. 86 in Section 2, Riverton Township, Clay County, causing wet conditions on their driveway and yard. Following field reviews conducted by Manager Nelson and Wade Opsahl, Technician, H. E., and Manager VanAmburg and Albright, the Board agreed to send a letter to the affected parties with recommendations for Thesings to install a small culvert (approximately 12" dia.) in their driveway to allow water from Sogge's sump pump hose to drain north through the driveway and then naturally to the west. The Board also suggested that some minor ditch cleaning to carry the water west might also be required on the north side of the driveway. The letter advised the parties that they would need a BRRWD permit for any of the proposed drainage changes. In May 2009, Pam Thesing filed another

complaint about a 3" dia. pipe that Sogge recently installed through her driveway without a BRRWD permit. At that time, Sogge filed a permit application for the PVC pipe installation, and the Board approved it on a temporary basis, subject to removal when the C.R. No. 86 cleanout project is completed; and if the drainage becomes a problem on the Thesing property, the Board would have to take a second look at the permit. At their 11/23/09 meeting, the Board issued an order for Sogge to remove the pipe in the Thesing driveway by 12/01/09. Sogge appealed the Board's decision, and to date, he has not removed the pipe.

To summarize the discussion, the Thesings object to the Sogges draining sump pump water onto their property and demand that Sogge remove the 3" pipe he placed in their driveway. They feel it has a deleterious impact on their property and the property of their neighbors (Terry and Sarah Lovaas). They want the Sogges to drain their water east to the C.R. No. 86 road ditch, as the rest of homeowners along C.R. No. 86 do. David Sogge would prefer to alternate his sump pump drainage between the road ditch and the driveway pipe. He feels the small amount of water draining from the pipe doesn't significantly impact the Thesing property. He also is concerned about draining water into the C.R. No. 86 road ditch at this time because the County still has some cleanup work and seeding to do next spring. He fears that their driveway culvert off from C.R. No. 86 may freeze up and create flooding problems next spring. Ellefson explained that if that should happen, Sogge could ask the County to open it with their steamer. The Board questioned their jurisdiction in this dispute, as it is less than a 5-acre drainage area. After over an hour of discussion, Sogge agreed to drain his sump pump east to the C.R. No. 86 ditch, if the Thesings would agree to install a 12" dia. culvert on the bottom of the ditch through their driveway to drain natural water from the west side of the Sogge property west. **Motion** by Nelson for Sogge to start draining his sump pump east to the C.R. No. 86 ditch and to disconnect the back yard drainage through Thesings' driveway as soon as possible. The Board will review the condition of the C.R. No. 86 ditch and Sogge's property next spring. The Thesings agreed to install a 12" dia. culvert through their driveway to drain "natural" water from Sogge's back yard. **Seconded** by VanAmburg. **Approved.**

David Sogge had a question about cleaning and deepening the ditch on the north side of the Thesing driveway to drain water east to the C.R. No. 86 road ditch. Albright advised him to come back with a permit application for this proposal next spring, and the Board would be willing to review that option.

Permit No. 09-74, Brian Durensky. Janet Holt, Virgil Holt's sister-in-law, discussed their concerns about Durensky's project to clean the ditch on the east side of C.R. No. 25 north to the DNR protected waterway just south of Holt's farmyard along C.R. No. 25 in Section 21, Humboldt Township, Clay County. Holt is now residing in a local nursing home. The Board approved Durensky's permit on 8/10/09, which was actually for tiling, and now Durensky is cleaning the outlet ditch. Ellefson explained that according to both the BRRWD Rules and Clay County specifications, a landowner can clean an existing ditch to the original grade without a permit. Holt noted that Durensky removed the spoil from the ditch and deposited it on his property, not back onto Holt's field. She questioned if Durensky should have placed the spoil back where it came from along the edge of Holt's property. She also questioned how much silt Durensky removed from the ditch. She felt the ditch seemed quite deep.

Albright noted that Virgil Holt called the office this morning. He also questioned the spoil placement. Holt thought Durensky should have dumped the spoil on his Conservation Reserve Program (CRP) acreage. Albright commented that before Holt has spoil placed on CRP acreage, he should probably contact the Farm Service Agency (FSA) for permission to deposit the spoil in the CRP to be sure Holt doesn't lose his CRP payment. FSA would also require spoil leveling and reseedling of the CRP acreage. Mowing would also be needed to help reestablish the grass cover. Albright thought that the reason Durensky hauled the spoil to his property, which added to the cost of his project, was to avoid disturbing Holt's property. Albright explained that so far, Durensky hauled the spoil away from Holt's property for about 100' of the cleanout and then piled the dirt up along the road for the next 100'. The project includes about 800' of ditch

along Holt's CRP. The rest of the work will be along Durensky's property where he will probably just cast the spoil onto his field and level it next spring. The entire project includes about 0.65 miles of ditch along C.R. No. 25 from the DNR protected waterway to T.H. No. 34. Albright thought Durensky was probably done working for the season because of the weather conditions.

Janet Holt asked if Durensky would have to reseed the ditch. Albright thought that normally road ditches that have been cleaned will grow back to grass on their own. Holt questioned if there might be concern regarding erosion next spring without the grass cover. Albright felt that would depend on the spring runoff. Holt asked if Durensky dug lower than the existing culverts. Albright explained that the County provided Durensky with specifications for a 0.06% gradeline. Since the grade is basically flat, Albright pointed out that it wouldn't benefit Durensky to go any deeper. The group discussed the current wet cycle and area drainage patterns. Albright pointed out that if Holt decides to put his land back into production when the CRP contract expires, Durensky's ditch cleaning would also benefit his property.

Albright also reported that Virgil Holt wanted that the BRRWD to monitor how the ditch/culverts function after the work is completed. It may be that he will ask the County to install a larger culvert in the DNR protected waterway through C.R. No. 25 on his property. Jones noted that the recently constructed Kelly Nichols Wetlands Reserve Program (WRP) retention site should help area drainage. Albright will send an e-mail message to Sharon Lean, District Conservationist, Natural Resources Conservation Service (NRCS), regarding the spoil placement on Holt's CRP acreage.

Mark Ringham Easement. Ringham is the owner of the property at 409 Wall ST. He may be interested in a buyout associated with Phase 1A for Project No. 49, Oakport Flood Mitigation. In the early stages of project development, the drawings showed that the dike would cross the southern part of his pasture. In 2008, the new drawings showed the dike would cut across the middle of the pasture, closer to his house. This fall, another set of new drawings show the dike coming within 40' of his barn and separating most of his pasture from the rest of his farmstead. Jones explained that when the geotechnical surveys were completed, the engineer changed the dike alignment in a few locations. Ringham suggested that the BRRWD could buy all of his property, which is on higher ground than the adjoining Fischer property, and move the proposed dike alignment from the lower Fischer property to his higher ground. He noted that the new alignment impacts his use of his pasture and barn, as he won't be able to hay or graze the permanent right-of-way (r-o-w), and the area around his barn will be restricted. Albright suggested that the Oakport Construction Committee could discuss this idea at their next meeting.

The group discussed comparative land/easement values for the project. Albright explained that Chuck Anderson, ARC Appraisals, provided the property values for the project easements. On smaller lots where a higher percentage of the property is used, Anderson allowed for higher easement values. Anderson is preparing a letter to document his work, which will be on file in the BRRWD office for review. The BRRWD based their easement acquisition values on Anderson's appraisal. Albright noted that individual situations could arise where the BRRWD will need to renegotiate easement values. He also pointed out that the BRRWD has the right to condemnation, if needed. The landowners also have the right to get their own appraisal.

Ringham questioned how the BRRWD handles possible damages to property caused by the project construction. He has a large concrete slab under his shop, and he was concerned about possible damages from heavy equipment traffic. Albright thought that if damage occurred from the construction process, the contractor would have liability insurance to cover such claims. He added that Ringham's concerns could be added to the easement language before signing. Ringham asked how to go about getting a second appraisal for his property. Albright explained that he could ask for another appraisal after the Township contacts him regarding his easement. Ringham also discussed his need for a crossing point on the dike and the fact that the project will cut his property in half.

Permit No. 09-131, Detroit Lakes Wetland Management District (WMD)/United States Fish and Wildlife Service (USFWS). Applicant proposes to restore a wetland on Becker County Ditch No. 5, upstream of the Amer Froyland dam in Sections 21, 22, 27, and 28, Audubon Township. Albright noted that Drainage Law provisions will be applicable to this project (Minnesota Statutes Annotated (M.S.A.) 103.227, Impounding and Division of Drainage System Waters). He recommended that the Board table this application until that process is reviewed. **Motion** by Nelson to table Permit No. 09-131, pending completion of the referenced proceedings. **Seconded** by Hanson. **Tabled.**

Permit No. 09-132, Bruce Yaggie. Applicant proposes to install approximately 330 acres of patterned tiling in the S½, Section 20, Deerhorn Township, Wilkin County. Yaggie plans to install the tile from east to west. On the headland, he plans to install a main line that will gravity flow to the northwest corner of the property, outletting to the road ditch. The work is needed to improve crop productivity. The Board would like to field review the proposed tile outlet. **Tabled** pending Manager field review.

Permit No. 09-133, Donald Biewer. Applicant proposes to replace a 12" dia. driveway culvert along 140th AVE S in the S½SW¼, Section 11, Barnesville Township, Clay County, with an 18" dia. pipe, approximately 80' long. The ends of the culvert are bent and were frozen shut last spring, which caused his shop floor to flood. The existing culvert is also too short to allow for machinery clearance. **Motion** by Nelson to approve Permit No. 09-133, subject to Township approval to work within their road r-o-w. **Seconded** by Hanson. **Approved.**

Minch Lawsuits. Based on attorney/client privilege, and in accordance with Open Meeting Law, the Board went into closed session at 8:58 PM to discuss the status of this issue. At 9:08 PM, the Board reopened the meeting.

Project Fact Sheets. Jones is preparing one-page fact sheets for Project Nos. 66, 65, and 64 that will be included in future bonding bill funding applications.

Project No. 64, LaBelle/Boyer Lakes Outlet. Jones noted that when Zach Herrmann, H.E., recently walked the Boyer Lake outlet route from Little Boyer to LaBelle Lake, he found that the area is all connected, via a drainage swale. Albright suggested that the next step in project development would be for Jones to file his Preliminary Engineer's Report/letter with the BRRWD. Then this winter, using maps, etc., the Appraisers could start their work. Albright thought we could hold the Final Hearing in March so construction could start next summer.

Project No. 60, Swede Grove Lake. Albright noted that Ducks Unlimited (DU) has expressed an interest in the project.

Project No. 58, Riverton Township Retention. H.E. submitted Change Order No. 1 for \$31,223.92 for additional stripping, stockpiling, core trench excavation, riprap, fencing, grading/ditching per conditions that were found on site and a decrease in seeding acreage (less 33 acres). The additional core trench added yardage to the clay fill quantities. H.E. also filed Pay Request No. 8 for \$21,129.65 with \$8,000 retainage. Wade Opsahl, Technician, H.E., reports that Nanik Construction, Inc., is nearly finished with construction, but will still need to come back next spring to complete cleanup. Pat Lynch, Financial Coordinator, DNR Waters, has agreed to extend the grant agreement contract until 9/30/10. Jones prepared a response to Nanik's request for additional fuel costs. He felt the request was not justified because when fuel was high, Nanik wasn't working on the project, and after the deadline date of 10/31/08, the contractor is not entitled to fuel cost adjustments. Jones added that if fuel costs had been less than 90% of the contract price, the BRRWD would be entitled to a refund from the contractor. He recommended that the Board deny the request. **Motion** by VanAmburg to sign the grant extension agreement, to approve the referenced change

order and pay request, and deny the fuel cost adjustment request. **Seconded** by Paradeis Kobiela. **Approved.** The project will be operational next spring.

Project No. 56, Manston Slough Restoration. Lyle Wilkens, Inc., has completed all work on the Holubok farmstead demolition, except the well sealing. The Minnesota Board of Water and Soil Resources (BWSR) will release the BRRWD's Reinvest in Minnesota (RIM) land payment when we can provide proof that the well sealing has been completed.

Later in the meeting, the group discussed Lessard-Sams Outdoor Heritage Council (LOHC) funding for the Manston project. The DNR received about \$17 million to help fund local projects. The Manston project may be eligible to receive funding from this source.

Project No. 54, Whisky Creek Tributaries. Joe Gilbertson's ringdike repairs have been completed. The ringdike was damaged during the 2009 spring flood.

Project No. 49, Oakport Flood Mitigation. Albright recently closed on two more houses from Steven Jensen and John Streifel. The Board would like to resell these properties as soon as possible. They discussed repair recommendations Realtor Fran Snelgrove provided for the Jensen house. Snelgrove suggested that we could burn the old outbuilding on this lot. Snelgrove reported that the Streifel house is in good condition and could be marketed immediately. Snelgrove also provided proposed sales prices for the houses. Albright suggested that Property Manager Randy Rick would be able to do the Jensen house repairs and obtain a permit to burn the outbuilding. The Board discussed the need to purchase insurance for the two houses. Albright will contact John Hoffman, ICS Agency, Inc., in this regard. **Motion** by Hanson to authorize the recommended Jensen property repairs. **Seconded** by Paradeis Kobiela. **Approved.**

A meeting to discuss project funding has been scheduled with Pat Lynch and Kent Lokkesmoe, DNR Waters, on 12/22/09 at 1:30 PM in Meeting Room B at the Clay County Courthouse. State Representative Morrie Lanning and Senator Keith Langseth will also attend. Albright distributed an article from the Minneapolis Star Tribune regarding the Bonding Bill and questions about the Oakport project costs. Albright plans to prepare a project expenditure summary for the meeting. Increased project costs can be attributed to the increased number of home buyouts that were necessary when the dike alignment changed following the soils investigation and the Federal Emergency Management Agency (FEMA) certification requirement that made it necessary to raise the proposed dike to the 2009 spring flood elevation plus three feet. The Board discussed the project costs and benefits. Albright felt it was important to provide DNR with an accurate estimate of the final estimated project costs.

H.E. submitted Pay Request No. 5 and Change Order No. 3 for \$9,761.25 to Master Construction for the Lindberg basement demolition. **Motion** by VanAmburg to approve the referenced pay request and change order. **Seconded** by Hanson. **Approved.**

Albright mentioned that the office is still holding two checks from Jeff Fobes for the buildings he purchased in Oakport. His loan financing is taking more time than he expected because of flood insurance requirements. As soon as the paperwork is cleared, he will notify us to cash his checks.

The Construction Committee will be meeting on 12/16/09 at 9:00 AM in the Clay County Court House. The Committee will meet with representatives from the Fischer family regarding their easement.

Project No. 46, Turtle Lake Outlet. Wade Opsahl, Technician, Houston Engineering, Inc., plans to shut down the Turtle Lake Outlet briefly tomorrow to allow time for the Long Lake outlet to freeze up so that he will be able to install thin ice signs around the siphon area. Opsahl will restart the Turtle Lake siphon in a few days and plans to operate the project this winter. Currently, the lake is still about 1.5' above the DNR

amended permit elevation. Hanson noted that near his farm in Becker County, he received about 7" of rainfall in October. Opsahl will send an email message to the Turtle Lake landowners regarding his plan to stop the project for a few days this week.

Project No. 39, Georgetown Levee. Jones has been working with the geotechnical engineers on soil borings, and H.E. did some surveying on the river last week, but conditions were poor. Jones contacted homeowner Justin Jackson, who is interested in a buyout. Jones feels that we will know more about possible funding in January. Albright thought there might be enough money in the grant to buy out Jackson. Jones estimates the property's value at about \$40,000. Jones will prepare a project fact sheet.

Once the geotechnical work is completed, the Board will meet with the City officials to review the project proposal. The City qualifies for the 2% median household income language for sharing the project costs with the State of Minnesota.

Ziegler Construction, Inc. submitted a repair bill for \$5,233.69 for flapgates damaged this spring during the flood. **Motion** by Nelson to approve payment of the referenced bill. **Seconded** by Hanson. **Approved.**

Project No. 38, Farmstead Ringdikes. Albright reported that we received a credit of \$605.00 from Ziegler Construction, Inc., after they prepared their final billing for their work on the Kragnes Ringdike project this fall. Albright also plans to prepare a final billing for Gary Olson's ringdike. The office will submit a final billing for the Kragnes ringdike after the end of the year.

Project No. 32, Hawley EDA Diversion. John Young, City of Hawley, called Albright following the 11/23/09 BRRWD meeting for an update regarding the 60" dia. outlet culvert. They would like to meet to finalize this issue this winter. Young also informed Albright that the streambank restoration project was completed. A bill from Sellin Brothers, Inc. is on tonight's bill list.

Project No. 29, Buffalo River Log Jams. The BRRWD has qualified for NRCS Emergency Watershed Protection (EWP) funding for logjam removal. The aerial survey has been completed, and the sites have been identified. The work is now on hold until NRCS releases the EWP funding.

A bill from Sellin Brothers, Inc. for \$500.00 is on tonight's bill list for the removal of a tree that was blocking the Buffalo River near the Burlington Northern/Sante Fe (BNSF) Railroad tracks in Section 14, Hawley Township, Clay County. At their last meeting, the Board approved the work for a cost not to exceed \$500.00.

Project No. 23, Becker County Ditch No. 15. Contractor Chad Mattson still plans to start repair work on the ditch cleanout if the weather remains good.

Project No. 19, Becker County Ditch No. 21. Opsahl has been working with Jerry Matter regarding his proposed culvert installations. To date, the work has not been done.

Project No. 1, Wilkin County Ditch No. 22. Jones prepared an analysis of Edward Ernst's repair request to evaluate the height of the spoil bank along the NE¼, Section 2, Mitchell Township, and to raise the low spots where necessary. The cost estimate for the repair is approximately \$5,000. Jones' recommendations would provide an additional 1' of freeboard. Jones provided an elevation map for the Board's review. Landowner Jeff Nord was concerned about the width of the ditch r-o-w on the north side of the lateral on his property. This work is on hold until next spring.

Mediation Project Team (PT). The next PT meeting is scheduled for Thursday, December 17, 2009, at 1:30 PM in the MSUM Science Center. Meeting notices have been sent.

Revised Watershed Management Plan (RWMP). Albright and Jones met with Pete Waller and Brian Dwight, BWSR, on 12/11/09 to review the draft comprehensive plan. The Board will meet on 12/29/09 at 1:30 PM to review the draft plan. We plan to distribute the final draft plan for public review by 1/15/09. The BWSR has approved our request for an extension for plan completion until 4/30/10 to allow time for the 60-day public review period and two public meetings prior to final BWSR approval in April.

COE FM Metro Area Study. The Metro Flood Study Work Group met on 11/24/09. No meeting is planned for December. The Army Corps of Engineers (COE) plans to release their most recent findings in early February 2010.

M.S.A. 103D. 905, Sub. 3. Albright plans to 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 in 2010. A date to meet with the Commissioners will be arranged.

New Office. The Board discussed the need for expanded office space and more staff. One major feature the Board would like to include is adequate parking for meetings. **Motion** by VanAmburg to form a committee to investigate the purchase or construction of a new office building. Managers Ellefson and Hanson volunteered to serve on the committee. **Seconded** by Hanson. **Approved.**

Red River Basin Commission (RRBC) Annual Conference. The RRBC will hold their 27th Annual Red River Basin Land & Water international Summit Conference on January 19-21, 2010, in Grand Forks. Manager Hanson and Albright plan to attend. The office will handle registration, which is \$75.00. Albright will make a presentation regarding the 2009 spring flood fight on Wednesday, 1/20/10. The RRBC is offering free booth space for exhibitors, so the Board decided to set up our booth at the conference.

MAWD Legislative Breakfast. Albright noted that the Legislative Breakfast will be held March 10-11, 2010, in St. Paul.

Clay County Thank You. Jerry Waller, Chair, Clay County Commissioner, sent the BRRWD a thank you note for our assistance during the 2009 spring flood.

Mickelson Wetland Restoration. Mark Aanenson, H.E., and Albright are working with Dwight Mickelson regarding potential wetland restoration sites on his property in Section 16, Parke Township, Clay County. It appears Mickelson may have approximately 4.7 acres of wetland credits that would be available for banking once the site is developed, which he would like to sell to the BRRWD. Albright noted that the BRRWD banked wetland credits are nearly gone. VanAmburg suggested that we include this expenditure in our M.S.A. 103D.905, Subd. 3 budget. Currently, credits are worth about \$5,000/acre.

Another potential wetland restoration site belongs to Chuck Anderson in Section 28, Elkton Township, Clay County, near Downer. He has about 60 acres available. Jones is working with Anderson to analyze this site, which could yield more credits than the Mickelson site.

IWI RRBMI Update. Chuck Fritz, International Water Institute (IWI), forwarded an update on the progress of implementing the results of the IWI Red River Basin Mapping Initiative (RRBMI) digital elevation model (DEM) and the LiDAR data collection conducted in 2008 in the Red River Basin. Albright provided the update for the Board's review.

Birthday Party. An Open House will be held for E. Robert Olson, former BRRWD Manager, by his family on 12/26/09 in Moorhead. Albright also plans to schedule a BRRWD retirement party for Olson in January or February. He will purchase an appreciation plaque to present to Olson.

The following bills were presented for approval:

Accounts Payable	Description	Account	Amount
Barnesville Phone Company	11/25/09 billings-2 lines + DSL	Admin	\$ 169.53
Bruce E. Albright	MAWD Lodging	Admin	\$ 997.87
Bruce E. Albright	MAWD registrations/seminar	Admin	\$ 675.00
Bruce E. Albright	Notary renewal	Admin	\$ 40.00
Bruce E. Albright	Radio Shack-answering machine	Admin	\$ 51.80
Clay Co. Auditor/Treasurer	Becker Co. bond collections	Pj. 46, Turtle Lake	\$ 7,321.25
Clay Co. Treasurer	Real estate taxes (2)	Pj. 49, Oakport	\$ 3,557.72
David M & Ruth A Stensland	Easement	Pj. 49, Oakport	\$ 12,232.50
H&S Contracting, Inc.	#8646, ditch cleaning	Clay C.D. No. 40	\$ 5,380.00
H.E.	November billing summary	Varies-see atch.	\$ 73,590.48
J&J Braton Properties	January 2010 office rent	Admin	\$ 540.00
Jerde Bridge Co	#1210, Clay #5 bridge repair	Clay C.D. No. 5	\$ 1,600.00
Julie A. Johnson	Easement	Pj. 49, Oakport	\$ 8,076.50
Master Construction, Inc.	Pay Request No. 5 (demolition)	Pj. 49, Oakport	\$ 9,761.25
Mattson Excavating, Inc.	#240, ditch/project repairs	Pj. 54, 31, Wilkin 40,41,43	\$ 8,731.00
Miller Realty, Inc.	2009 appraisals (28)	Pj. 49, Oakport	\$ 14,000.00
Moorhead Public Service	12/11/09 billings (4)	Pj. 49, Oakport	\$ 98.36
Nanik Construction	Pay Request No. 8	Pj. 58, Riverton	\$ 21,129.65
Northern Technologies, Inc.	#3471, 11/01/09-11/28/09	Pj. 49, Oakport	\$ 13,005.00
Olson Construction, Inc.	Sediment control basins	Hay Creek CWL	\$ 4,920.00
Petty Cash	Postage, supplies, etc.	Admin	\$ 100.00
Plath Excavating	Czichotzki beaver dam removal	Pj. 21, Wilkin 13-Lat.	\$ 62.50
Premium Waters, Inc.	#366590-11-09	Admin	\$ 16.30
RMB Laboratories, Inc.	#102749, 112942, FDR	Buffalo TMDL/SWAG	\$ 152.50
RMB Laboratories, Inc.	2009 SWAG Lakes Monitoring	Buffalo TMDL/SWAG	\$ 3,829.72
Sellin Brothers, Inc.	#8681, culvert installation	Clay C.D. No. 33	\$ 2,868.00
Sellin Brothers, Inc.	#8700, tree removal	Pj. 29, Log Jams	\$ 500.00
Sellin Brothers, Inc.	#8701, Buffalo River bank repairs	Hawley Buff River Rest.	\$ 20,000.00
State of Minnesota	Easement	Pj. 49, Oakport	\$ 4,086.00
Stuart Bjorgan	Tree/brush removal	Pj. 51, Clay 68	\$ 590.00
TDS MetroCom-MN	12/13/09 long distance	Admin	\$ 50.79
TRN Abstract & Title F-M	Abstract updates (14)	Pj. 49, Oakport	\$ 2,170.00
Vogel Law Firm	#24792, 24791, Nov. billing	Admin/Pj. 49	\$ 26,266.00
Wm. Nichol Excavating, Inc.	#21, slide repairs	Clay C.D. No. 9	\$ 1,505.00
Wm. Nichol Excavating, Inc.	#22, culvert work	Wilkin C.D. No. 22	\$ 5,180.00
WREC	10/18/09-11/18/09 service (2)	Pj. 46, Turtle Lake	\$ 256.55
Xcel Energy	#219473601, 6116 Broadway	Pj. 49, Oakport	\$ 11.47
Ziegler Construction, Inc.	Dike repairs/culverts	Pj. 39, Georgetown	\$ 5,233.69
			\$ 258,756.43

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

Becker SWCD Award. The Becker Soil and Water Conservation District (SWCD) presented the BRRWD with the "Conservationist of the Year" certificate of appreciation and plaque for our work with them on the Hay Creek/Stinking Lake Clean Water Legacy (CWL) Grant to install sediment control basins/bufferstrips in Becker and Clay Counties. *The Farmer Magazine* sponsored the award.

Next Meeting. The Board of Managers, BRRWD, will hold their annual meeting on Monday, January 11, 2010, in the Barnesville office at 7:00 PM.

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

Respectfully submitted,
John E. Hanson, Secretary