

BUFFALO-RED RIVER WATERSHED DISTRICT

BARNESVILLE, MINNESOTA 56514

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MINUTES FOR MANAGERS' MEETING March 23, 2009

The Board of Managers, Buffalo-Red River Watershed District (BRRWD), held a regular meeting on Monday, March 23, 2009, at 8:00 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 Jones, Engineer, and Julie Jerger, Houston Engineering, Inc. (H.E.); Merlyn Strom, City of Barnesville, and landowners: Kevin Olsgaard, John Leseth, Ed Gilbertson, Harvey Gilbertson, and Tim Thompson.

Manager Ellefson called the meeting to order at 8:10 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 3/09/09 regular meeting. Manager Nelson noted one minor correction. **Motion** by Nelson to approve the minutes, subject to correction. **Seconded** by Hanson. **Approved.**

Treasurer's Report. The Board reviewed the BRRWD's financial status. Since the last meeting, we have received approximately \$530,000 from Minnesota Department of Natural Resources (DNR) Waters for the Hurner buyout (\$234,000.12) and general expenses (\$287,443.32) associated with Project No. 49, Oakport Flood Mitigation. We also received \$13,385 from the Clay Soil and Water Conservation District (SWCD) as reimbursement for bills we paid to H.E. for work on the Wolverton Creek Clean Water Legacy (CWL) project. We currently have \$1,319,049.00 on hand.

Project No. 61, Clay County Ditch No. 11 North-Improvement. Petitioners John Leseth and Kevin Olsgaard presented a letter with 10 signatures regarding the ditch system landowners' concerns about the design and alignment for the improvement of County Ditch No. 11N. The landowners petitioned for the ditch improvement in July 2000 to deepen the ditch and lower the outlet culvert on the west end. They object to the current design that was developed in conjunction with an improvement project for County State Aid Highway (CSAH) No. 8, where the road will be moved north to address slumping/erosion problems. The ditch alignment will also move slightly south so that the ditch will still parallel CSAH No. 8. Leseth claims that the proposed ditch will have four "bends". He objects to the County's design, stating that "a straight ditch is more efficient" than the proposed design. According to Leseth, a straight ditch would also require less maintenance because there will be less chance for erosion. Leseth objects to losing more cropland to the ditch right-of-way (r-o-w) (permanent and temporary) and decreased crop productivity on his property due to additional spoil placement.

Albright noted that the Final Hearing for the County Ditch No. 11 North project will be held on Monday, March 30, 2009, at 7:30 PM, in the Moorhead Council Chambers. He suggested that the Board take Leseth's concerns under consideration and authorize Jones to review the issue and provide recommendations at the Final Hearing. Albright added that Leseth's concerns are an engineering issue that the Board is not able to respond to without review. Ellefson asked if Jones was familiar with the ditch design and the alleged bends. Jones explained that the ditch curves slightly to avoid impacts to Leseth's farmstead while maintaining the required distance from the new road alignment.

Leseth discussed his view of the County's attempt to address the slumping problems in the road ditch, and the reason for the resulting ditch realignment. He explained how he thought the County should have designed the road repairs. He complained about the increased costs of the ditch project because more dirt will have to be excavated and deposited on nearby property. Leseth claims that the bridge east of his farmstead will have to be moved 15' south of its current position in order to match the proposed ditch alignment.

The group discussed Leseth's concerns about the ditch r-o-w on his property. Jones will provide information regarding this issue at the Final Hearing. The Viewers suggested that if more r-o-w is required from Leseth, the BRRWD should make the decision to purchase it from him. Clay County appraised permanent r-o-w at \$3,000/acre and temporary r-o-w at \$150/acre/year (3 years), and Leseth has agreed to their offer for the road project. Leseth noted that he had no problem with selling the BRRWD the required one-rod grassed bufferstrip r-o-w, but was concerned about the added excavation quantities that will be created by moving the ditch alignment. He said that his cropland productivity will suffer if added spoil from the project is placed on it. He mentioned that he has consulted five different engineers who criticized the County's road project design. The Board took the landowners' letter under advisement. They plan to discuss this issue further at the Final Hearing on 3/30/09 after Jones makes his recommendations.

Gilbertson Culvert Concern. Ed and Harvey Gilbertson discussed their concerns about the status of an 18" dia. culvert through 13th ST in the City of Barnesville that drains their agricultural land on the east side of 13th ST west to a 6" storm sewer drain in a residential subdivision. Ed Gilbertson called the BRRWD office on 3/16/09 to report that a City employee used a street sign to plug the culvert on the east side to protect the houses west of 13th ST. Manager Nelson, two City Councilmen, and the Gilbertsons field reviewed the site last week. Jerger noted that Barnesville Mayor Fred Dahnke visited the office today regarding this issue. The City has a meeting this evening, but they will try to send a representative to discuss this issue (Strom). The Gilbertsons have Conservation Reserve Program (CRP) acreage on the east side of 13th ST in Section 29, Humboldt Township. Ed Gilbertson emphasized that a solution must be found to this problem before the CRP contract expires next year, as drainage will be even more important when the acreage is cropped.

In 1998, Del Peterson applied for a BRRWD permit (98-23) to develop Del Acres 7th Addition in the SE¼, Section 30, Humboldt Township. Ed Gilbertson was given copies of two letters the BRRWD sent to Peterson regarding this issue. The first was sent on 5/15/98 requesting more information regarding the proposed project. The second letter was sent on 6/04/98, to notify Peterson that the Board had approved his permit at their 6/03/98 special meeting with the following conditions: (1) Drainage from the existing 18" dia. culvert, located in the township road between Sections 29 and 30, be allowed to flow unrestricted on the outlet (west) end. (2) The Board of Managers felt that the proposed 6" diameter storm sewer is undersized to handle the culvert drainage. (3) In order to accomplish the conditions set forth in #1, installation of a swale between the homes in the subdivision, to allow for excess run-off, might be necessary. (4) The project still requires Township approval to work within their road r-o-w. The letter stressed that the 18" dia. culvert could not be blocked, and the developer must make provisions to handle the run-off from this culvert. The Board also noted in the letter that they reserved the right to enforce the above referenced stipulations should problems arise regarding the culvert drainage. Albright noted that the City has two options: either leave the pipe open to allow Gilbertson's property to drain properly, or come up with an alternative plan for the Section 29 field drainage. He added that the City should work with Gilbertsons on this issue.

Harvey Gilbertson commented that water can flow north along the east side of 13th ST when the culverts are open. He said that once the ice and snow melted in the ditch, the water on their property drained north to the new storm sewer culvert, which outlets to Whisky Creek just north of the Wells Fargo Bank. The group discussed the installation of the 6" storm sewer drain on the west side of 13th ST. Ellefson pointed

out that the BRRWD requested that the developer install a larger drain, but he refused to do so. Since the storm sewer drain is not adequate, Ellefson felt that a swale should be installed between the houses in the subdivision to divert water to the street storm drain.

Merlyn Strom, City of Barnesville, arrived at the meeting at 8:30 PM.

Ellefson noted that according to BRRWD Rules, cities within the BRRWD are required to submit a drainage master plan, which Barnesville has never done. The City could use an overall drainage plan as a reference when they consider city expansion projects. Albright mentioned that in the past, when the City considered this issue, they usually tabled it because the cost was prohibitive.

Albright commented that if the City had just made a courtesy call to the Gilbertsons prior to blocking the pipe, they probably wouldn't have objected to the action, as an emergency condition did exist with water encroaching on one of the houses in the subdivision. Strom agreed that the City should have contacted the Gilbertsons. He also noted that he will contact Ulteig Engineers, Inc. (UEI), Barnesville City Engineer, regarding a city drainage master plan. A Joint Powers meeting is scheduled in the near future, and he suggested that the City could add this issue to the meeting agenda. Ed Gilbertson commented that he was not interested in meeting with the Joint Powers Board, as he was in Humboldt Township. He referenced past disagreements he has had with the City. Harvey Gilbertson noted that he's owned the property for 65 years. The culvert has always been there, and the SW¹/₄ has always drained west. The group discussed possible solutions to the drainage problem.

Ed Gilbertson stated that, from the discussion, he understood that the BRRWD felt this drainage problem was up to the City of Barnesville to address with his family. Albright said that the City should develop a satisfactory drainage plan and understand that they can't block drainage from this property. Nelson noted that according to BRRWD Rules, the City can't legally block the culvert, and they would need a BRRWD permit for any work they plan to do to address this problem permanently. Ed Gilbertson stressed the fact that the CRP contract expires next year, and the area will be cropped, which will add to the runoff problem. Strom felt that the City of Barnesville could work on a drainage plan for this area and reach an agreement with the Gilbertsons.

2009 Spring Flood. Albright updated the Board regarding the flooding situation and how the BRRWD has been involved in the flood fight. He reported that the office has taken many phone calls from concerned landowners, and Wade Opsahl, Technician, H.E., has been busy working with local contractors to open iced in ditches/culverts with backhoes. On Friday/Saturday (March 28-29), it is predicted that the river might crest at 40'-41', which is 1.5' higher than the 1997 flood. Albright said that the flood has hit Oakport Township very hard. Opsahl has stopped both the Turtle Lake and the Grove Lake Outlets. He added stop logs to the Stony Creek Detention outlet, but water is currently going over the emergency earthen spillway, just as it did in 1997. Opsahl also closed the gates on Stinking Lake Detention. Albright noted that the gates are closed on the Kragnes ringdike. Opsahl had a contractor build a dike on the Ries property in Oakport Township. He plans to bring a pump to the site to start pumping internal water out of the Kragnes area. To date, the Buffalo River hasn't started to back up into Kragnes.

Albright noted that Army Corps of Engineers (COE) plans to raise the Georgetown dike 2'. The project was built to the 1997 flood elevation. The cleanup costs will need to be paid for by the City. The Board discussed possibly leaving the extra material on the levee and just seeding over it. Olson discussed flood control efforts in south Moorhead.

Albright reported on the phone calls and fieldwork that the office has coordinated during the flood. Landowner Jim Thompson said the water was as high as he had ever seen it. Jon Evert called about

opening up Clay/Wilkin Judicial Ditch No. 1 (J.D. 1) with a backhoe. Opsahl checked on J.D. 1 and determined that it should open on its own.

Joe Gilbertson had a flapgate on his farmstead ringdike that froze open last fall, and water was able to infiltrate the interior of his dike. As soon as Gilbertson's son notified the office, Jerger alerted Opsahl, who was onsite within 30 minutes. He requisitioned a 6" diameter Clay County pump to remove the internal water and had the culvert packed to be sure it stays closed. He has been checking and manning the pump on a daily basis. The Board discussed the newspaper articles written about Gilbertson's flooding problems. Albright noted that ringdike owners must understand that once the construction project is completed, the landowner is responsible for routine dike maintenance, including checking flapgates in the fall.

The Deerhorn Creek project levees in Wilkin County overtopped. Albright noted that the project was built for the 25-year event. Renee Hirsch called the office to report that water was overtopping the township road and getting close to their home. Ellefson noted that Hirsch had called him because the night before, their neighbor who lives upstream of the levee project, opened the flapgates on the culverts across from her house. She went out and closed the flapgates after the neighbor left because when the gates are opened, high water can escape from the levee system and cause flooding in their farmyard. This neighbor has repeatedly tampered with these flapgates, even though an H.E. elevation survey proved that the project does not affect his property because it is nearly 7' higher than the bottom of the project culverts. The Board discussed the common practice of tampering with the project structures district-wide and noted that this type of activity is a violation of BRRWD Rules. If the landowner persists in this activity, the BRRWD might have to take legal action against him. The renter of the land on the east side of the township road across from the Hirsch farmstead removed a culvert/approach in the east road ditch without a permit last fall. Ellefson felt that if the approach had been there, it might have slowed the water enough to keep it from overtopping the township road. The Board discussed our policy of removing ice/snow blocks from our ditch systems only if homes or properties are endangered. We don't want to open ditches unnecessarily and cause more flooding downstream. Albright noted that we have followed that policy very closely this spring. Olson reported on Clay County Ditch No. 32 conditions near Sabin on the Kline property.

According to Moorhead Mayor Voxland's research, there has never been a crest on the Red River in March. Governor Pawlenty has declared Wilkin and Clay County disaster areas. Albright felt that it was likely the Federal Emergency Management Agency (FEMA) will make a disaster declaration for the entire area in the near future.

Albright gave the Board an update on the flood fight in Oakport Township. He met today with UEI, Township Chairman Greg Anderson, Randy Rick, Oakport Property Manager, and Opsahl. Rick has the sewers plugged on the buyout properties to prevent backflow. Some of the houses have water in the basement because the sump pumps just can't keep up. Plans are to dike the Ries house and cut/plug the sewer line on the Fetzer house to prevent a sewer system loss in the area. A hay bale/earthen dike has been constructed around the Brentwood subdivision.

Other business brought before the Board included:

Permit No. 07-130, Harmen Tande. Albright mentioned that he and Manager Ellefson visited with landowner Gaylen Dick in Hankinson last week when they attended a Red River Basin Commission meeting. They explained to Dick that the petition that he, Harmen Tande, and Benjamin Dick filed for a legal ditch system along the north line of Sections 5 and 6, Riverton Township, does not meet legal requirements. The three petitioners don't own enough land in the area to file the petition. They will also need Dan Johnson and/or Rodney Wyland's participation, as Drainage Law requires that the petitioners make up 60% of the owners of the property adjacent to the proposed new ditch or are the owners of 60% of

the property adjacent to the proposed project. Dick is still interested in pursuing the legal ditch system option. **Tabled.**

Permit No. 09-08, Clay County Highway Department. Applicant proposes to reconstruct 4.65 miles of CSAH No. 11 from CSAH No. 18 to CSAH No. 26. The work includes culvert replacements on Clay County Ditch Nos. 3 and 65. The road will be moved east away from the Buffalo River in Section 8, Moland Township. For the culvert change on County Ditch No. 3, after review, Jones found that this structure could be installed by permit. For County Ditch No. 65, the County proposes to replace the CSAH No. 11 bridge crossing with a 154" x 97" reinforced concrete arch pipe (RCPA) with 82 square feet (sq. ft.) of waterway area and realign CSAH No. 11 with CSAH No. 26 to address public safety issues. Jones found that the proposed structures should have adequate capacity, and the ditch grades appear to be reasonable and recommended permit approval. **Motion** by Hanson to approve Permit No. 09-08. **Seconded** by VanAmburg. **Approved.**

Permit No. 09-11, City of Moorhead. Applicant proposes to extend the asphalt street section with curb and gutter for approximately 900' to 28th AVE S for the Horizon Shores 5th Addition. The underground improvements include the installation of storm sewer pipe to drain an area within the 36th ST S r-o-w and watermain installation within the Clay County Ditch No. 47 r-o-w. The work is necessary for the development of residential, commercial, and institutional property in the new subdivision. Jones reviewed the proposal and recommended permit approval subject to the following conditions: 1.) Applicant should restore vegetation on the ditch r-o-w as soon as possible. 2.) Permit approval should be subject to the BRRWD's standard utility disclaimer. **Motion** by VanAmburg to approve Permit No. 09-11, subject to the referenced conditions. **Seconded** by Nelson. **Approved.**

Permit No. 09-13, Clay County Highway Department. Applicant proposes to reconstruct one mile of CSAH No. 86 from Trunk Highway (T.H.) No. 10 to the north with some isolated repairs in the next two miles between Sections 1 and 2, Riverton Township. The existing road is dangerous and deficient and receives heavy commercial traffic from a number of area gravel pits. The new road section will consist of a 24' paved roadway with 4' paved shoulders and 2' gravel shoulders. The road repairs will be from 170' to 500' in length and will have a 36' top width. Ditches will have 8' bottom widths and 4:1 sideslopes. The ditch elevations will be lower than the existing ditch and road r-o-w will be widened to match the proposed wider road and ditch section. The County will furnish and install the new culverts, and the centerline culverts will be extended to accommodate the wider road section. Culvert sizes will not change. Jones recommended permit approval subject to Manager field review. **Motion** by Hanson to approve Permit No. 09-13. **Seconded** by VanAmburg. **Approved.**

Permit No. 09-14, Moorhead Public Service. Applicant proposes to directional bore an 8" dia. steel or PVC pipe to encase three power lines and two inner-ducts under Clay County Ditch No. 47. The service lines will be installed at a minimum of 48" below the bottom of the ditch in the SW¼, Section 23, Moorhead Township, on the north side of CSAH No. 52. **Motion** by Nelson to approve Permit No. 09-14, subject to the BRRWD's standard utility disclaimer. **Seconded** by Olson. **Approved.**

Minch/Johnson Lawsuits. Based on attorney/client privilege, and in accordance with Open Meeting Law, the Board went into closed session at 9:35 PM to discuss the status of these issues. At 9:45 PM, the Board reopened the meeting.

LaBelle/Duck Lakes Outlet. Albright has scheduled a meeting with Chad and Loren Jetvig on 3/26/09 in Lake Park. Manager Hanson will also attend. The group will discuss the rising levels on LaBelle Lake and the LaBelle Lake outlet channel. **Tabled.**

NP AVE Bridge. The City of Moorhead plans to replace the NP AVE bridge over the Red River. Their engineer, SRF Consulting, Inc., sent the BRRWD a request for comments. The Board had no comments.

Project No. 63, Grove Lake Outlet. Kern Kuhlmann called the office last week to report that Maple Lake's elevation is up. According to the Operation Plan, Opsahl stopped the Grove Lake Outlet on 3/16/09, and the outlet will remain closed until the downstream floodwaters recede. Otter Tail County forwarded the Conditional Use Permit (CUP) for the project. The permit will need to be posted on site.

Project No. 61, Clay County Ditch No. 11-North. The Board briefly reviewed Leseth's comments from earlier tonight. Jones will check on his concerns and present the information at the 3/30/09 Final Hearing.

Project No. 56, Manston Slough Restoration. Albright reported that the Environmental Assessment Worksheet (EAW) has been distributed for review. It was sent to the Environmental Quality Board (EQB) for publication in the 3/23/09 edition of the *EQB Monitor*. The comment period will expire on 4/22/09.

The Board discussed an issue regarding tree harvesting on the former Holubok property. Earlier this year, the office allowed a local landowner to clean up deadfall on the farmstead, but now they have requested permission to cut standing trees. Don Schultz, DNR, has no objections to the request. He felt that it would be better to have the trees harvested before DNR takes possession of the property, as there will be more regulations regarding this activity once they are the owner. Albright will investigate the value of the lumber on the farmstead before the Board decides if individuals can harvest the trees. **Tabled.**

Project No. 49, Oakport Flood Mitigation. The Board discussed project funding. It appears that State Senator Keith Langseth has authored a bill for \$22 million in flood damage reduction funding, and State Representative Morrie Lanning introduced a bill for \$12.5 million for the Oakport project. Governor Pawlenty supports flood damage reduction, but may veto Langseth's bill in light of the current economic crisis. Pat Lynch, Financial Coordinator, DNR Waters, notified Albright that DNR has \$300,000 available for Oakport. Jerry Ries is ready to go ahead with his buyout. **Motion** by Hanson to authorize the Ries acquisition. **Seconded** by Nelson. **Approved.**

Albright noted that Jessie Swanson, who owns property along the Oakport Coulee, wants the BRRWD to build a ringdike for her property. Albright commented that most of the buyout properties should avoid severe water damage. Since some of the basements are wet, we will have to postpone the 5/07/09 auction sale. A house showing was planned for 4/17/09. Albright expects that later in the week, as the flood crest approaches, we will have to disconnect electricity and gas lines to our buyout properties.

Project No. 38, Farmstead Ringdikes. Albright expects increased requests for ringdikes following the 2009 flood. After discussion with Jones, the Board went on record as not supporting Jeremy and Bobbi Kuipers (White House) request to raise CSAH No. 5 near Kragnes because of the potential impacts to the other Kragnes properties. According to H.E.'s hydraulic evaluation, about 700' of CSAH No. 5 would have to be lowered approximately 0.75' on the east side of the Kuipers' property to mitigate the increase of surface water from the proposed road raise.

Project No. 32, Hawley EDA Diversion. Midwest Testing has completed their evaluation of the integrity of the 60" dia. pipe. Jones is still working on recommendations with alternatives to address the pipe deterioration. The office sent the City of Hawley a copy of Midwest's report.

A meeting has been scheduled for 4/16/09 at 6:00 PM in the Hawley City Hall to discuss the Buffalo River Stream Bank erosion issue with the Hawley City Council, Eglon Township, the Hawley Golf Course, the DNR, and the BRRWD.

Project No. 19, Becker County Ditch No. 21. Jerry Matter would like to meet with the Detroit Lakes Wetland Management District (WMD) regarding his request for an additional outlet culvert in the west ditch berm on the south side of 320th ST in the NW¼, Section 15, Riceville Township. Scott Kahan, USFWS, informed Albright that Riceville Township will need to approve work in their road r-o-w. He also questioned who would be responsible for future ditch maintenance.

Mediation PT. The 3/26/09 PT meeting has been cancelled due to water over the road at the MSUM Science Center. The office will notify the PT members that the meeting is postponed until the flood emergency is over. The RRWMB/RRBFDRWG March Conference is scheduled for 3/31/09 in the Northland Inn, Crookston. Jones and Albright will prepare a 10-minute presentation regarding the BRRWD's PT current activities. Managers VanAmburg, Nelson, Hanson, and Olson plan to attend.

Clay County Ditch No. 49. The Board discussed the 3/17/09 redetermination of benefits hearing. The main topic at the hearing was the recommended culvert resizing for the County Ditch No. 49 structures. The Brendemuhl family is opposed to enlarging the structures. On May 29, 2001, the Board made an Order to adopt the 2/26/01 H.E. hydraulic capacity report recommending a number of culvert resizing/replacements on the ditch system. The County had requested the culvert changes and the BRRWD held a hearing on 5/21/01 regarding this issue. At the 3/17/09 hearing, the Board agreed to hold a separate meeting on the culvert issue, as it was not relevant to the redetermination of benefits hearing. The Viewers will meet in the next few weeks to review a couple of landowner concerns regarding benefits. As soon as the Viewers' Report is finalized, the Board will schedule a date to continue the hearing regarding the redetermination of benefits. Once a new benefit area has been established, the Board will be able to take up the culvert issue. A number of ditch system landowners are in favor of the culvert changes.

Clay County Ditch No. 5 Repair. Robert Gjerdingen filed a petition last fall for the BRRWD to investigate and repair erosion slides along the lower 4,000' of the ditch system. Ditch bank slumping has narrowed the ditch bottom, causing increased erosion. H.E. prepared ditch repair recommendations. Gjerdingen recently notified the office that he is in the process of selling his property, and he thought the Board should work with the new landowner regarding the repairs.

Minnesota Statutes Annotated (M.S.A.) 103D.905, Subd. 3. Albright included a summary sheet for our increased taxing authority under this statute with the materials we distributed to the Legislators at the State Capital during the Minnesota Association of Watershed Districts (MAWD) Legislative Breakfast. The Board discussed Legislative support for our request. Our Lobbyist, Joel Carlson, feels that the taxing authority should be included in the Omnibus Tax bill. Hanson asked for copies of the summary to distribute to the Becker County Commissioners. VanAmburg thought that the Board should meet with our State Legislators on an individual basis to explain the reasoning for our request for this taxing authority.

Fargo Southside Flood Control (FSSFC) Project. The Southeast Cass Water Resource Board has sent letters to all the Minnesota landowners associated with the proposed project, asking for permission to access their property to conduct the Environmental Assessment (EA). For those that don't give permission, the BRRWD may need to follow-up.

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

Robert Schultz Drainage Concern. Albright noted that the water is down, and Schultz's house on the north side of T. H. 34 across from the Galaxie Supper Club east of Barnesville in the southwest corner of Section 21, Humboldt Township, Clay County, is safe from flooding at this time.

Hamden Slough National Wildlife Refuge (NWR). Jones reviewed the United States Fish and Wildlife Service (USFWS) 2009 Annual Water Management Plan and recommended its approval. **Motion** by Hanson to approve the plan. **Seconded** by Nelson. **Approved.** Scott Kahan, USFWS, Detroit Lakes WMD, notified Albright that they plan to keep all the stoplogs in place until the flood crest has passed.

USFWS Wetland Operation. Scott Kahan, USFWS, notified Albright that they plan to operate their sites to allow the wetlands to be temporarily lowered for emergencies to protect property and human health.

Grant Agreements. The Minnesota Pollution Control Agency (MPCA) forwarded two grant agreements for the Board's review and signature. One agreement is for a Surface Water Assessment Grant for water quality monitoring, and the other was for the One Water Pilot Program in conjunction with the BRRWD's watershed-wide Total Maximum Daily Load (tmdl) project. **Motion** by VanAmburg to authorize Ellefson to sign the agreements on behalf of the BRRWD. **Seconded** by Olson. **Approved.**

Clay County Ditch No. 55/CSAH No. 10. The Board discussed the flooding problems on the Margo Brady property in the southeast corner of the N½, Section 20, Elkton Township. Jones has received two estimates to bore an 18" dia. culvert through CSAH No. 10. Midwest Borings, Inc., bid was \$23,760, and Ernst Trenching, Inc., bid was \$14,400. Jones had the Minnesota Department of Transportation (MNDOT) permit application for the culvert installation ready for the Board's signature. **Motion** by Nelson to accept the bid from Ernst Trenching, Inc. (\$14,400) and to authorize Ellefson to sign the MNDOT permit application. **Seconded** by VanAmburg. **Approved.**

The following bills were presented for approval:

Accounts Payable	Description	Account	Amount
Bruce E. Albright	3/12/09 Viewers' dinner	Pj. No. 56/61, Becker 10/19	\$ 37.24
Bruce E. Albright	MAWD meals/lodging	Admin.	\$ 650.85
Clay County Treasurer	2/14/09 snow removal	Clay C.D. No. 21	\$ 588.02
E. Robert Olson	#0904, 1/01/09-2/28/09	Varies	\$ 554.10
J&J Braton Properties	April 2009 office rent	Admin.	\$ 540.00
Joel Carlson	April Lobbyist fees	Admin.	\$ 850.00
Randy Rick	Jan./Feb. Property Manager	Pj. 49, Oakport	\$ 890.00
Red River Valley Coop	2/10/09-3/10/09 (Skalicky)	Pj. 49, Oakport	\$ 69.86
TDS MetroCom	3/13/09 long distance	Admin.	\$ 21.60
The Forum	#CL01495035, notice	Clay C.D. No. 49	\$ 105.68
UEI	#4162, 4165, 4326	Pj. 49, Oakport	\$ 62,996.88
Vogel Law Firm	#4965, 4966, 4967, 5019	Pjs. 49, 56, Admin, Minch	\$ 6,023.86
			\$ 73,328.09

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

Next Meeting. The Board of Managers, BRRWD, will hold their next meeting on Monday, April 13, 2009, in the Barnesville office at 8:00 PM.

Adjournment. Chairman Ellefson adjourned the meeting at 10:35 PM.

Respectfully submitted,

John E. Hanson, Secretary