

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

BARNESVILLE, MINNESOTA 56514

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## **MINUTES FOR SPECIAL MANAGERS' MEETING**

**July 20, 2009**

The Board of Managers, Buffalo-Red River Watershed District (BRRWD), held a special meeting on Monday, July 20, 2009, at 8:00 PM in the Barnesville office. BRRWD Managers present were Roger G. Ellefson, Curtis M. Nelson, and Gerald L. VanAmburg. Others attending included: Bruce E. Albright, BRRWD Administrator, Erik S. Jones, Engineer, and Julie Jerger, Houston Engineering, Inc. (H.E.).

Manager Ellefson called the meeting to order at 8:03 PM. He announced that the proceedings were being taped to aid in preparation of the minutes. Ellefson explained that this special meeting is to catch up on pending permit applications and other business that could not be covered at the 7/13/09 regular meeting due to time spent on Oakport Flood Mitigation project.

### **Business brought before the Board included:**

**Permit No. 07-51, Mike Lewis.** To date, Ellefson and Albright have not had time to meet with Lewis to discuss the used 60" dia. culvert he installed in 2007 without a BRRWD permit on the west side of Trunk Highway (T.H.) No. 9 in the NE¼, Section 2, Barnesville Township. The neighboring landowner, Ronald Erdman, feels that the culvert will cause problems, as it is crushed in the middle, limiting capacity, and in a poor location. He continues to call the office periodically to check on the status of this issue. Ellefson felt that since the culvert conveyed water during the past spring flood, perhaps it could be left in place. The office has sent Lewis a letter regarding options to correct this problem, including installing another used culvert to the crossing that the BRRWD has left over from a project on Wilkin County Ditch No. 43. The Board had an extended discussion regarding this issue. Ellefson will try to contact Lewis in the near future.

**Tabled.**

**Permit No. 08-30, Scott VanWechel.** Albright has not had time to contact Don Bajumpaa, District Manager, Wilkin Soil and Water Conservation District (SWCD) or Julie Reberg, District Conservationist, Natural Resources Conservation Service (NRCS), regarding possible wetlands in Sections 10, 11, 12, Mitchell Township. He also plans to mail H.E.'s report regarding a possible ditch improvement project for Wilkin County Ditch No. 22, Lateral No. 3, to the affected landowners. He will include an explanation regarding costs to see if anyone is interested in filing a petition for the ditch improvement. The project cost estimate is \$141,940, which includes the acquisition of additional right-of-way (r-o-w). **Tabled.**

**Permit No. 08-77, Frank Schindler.** The Board held a meeting with the affected landowners and the County last winter regarding Schindler's proposal to replace a 36" dia. corrugated metal pipe (CMP) in 140<sup>th</sup> ST S, between Sections 32 and 33, Barnesville Township, Clay County, with a 48" dia. CMP. In 2007, H.E. completed a hydraulic analysis on Schindler's crossing and the next downstream culvert in County Road (C.R.) No. 21. A more thorough project for the entire area will be presented to the Mediation Project Team (PT). H.E.'s recommendations included increasing the culvert sizes for both downstream crossings. In addition, the proposed work would include filing a Minnesota Department of Natural Resources (DNR) permit application as both crossings are on protected waters. **Tabled.**

**Permit No. 08-88, John Kava.** Applicant proposes to install approximately 300' of berm along the north edge of his field in the N½, Section 11, Atherton Township, Wilkin County, to prevent County State Aid

Highway (CSAH) No. 32 water from draining through his field. Kava also proposes to install 3 to 4 shallow field inlets into the CSAH No. 32 ditch on the east side of his field and to clean/regrade the ditch along the west side of his field along 260<sup>th</sup> AVE to drain north. The 260<sup>th</sup> AVE township ditch is full of large trees and needs cleaning. Manager Nelson and Wade Opsahl, Technician, H.E., conducted a field review of the application on 4/24/09. Nelson felt that the installation of the berm would not be a problem, but the field inlets should be gated to prevent erosion and water backup in the field. It appears that the proposed ditch cleaning should not be a problem because the elevation of the existing culvert along C.R. No. 32 will only allow for minimal cuts. **Tabled** pending review by Manager Ellefson.

**Permit No. 08-98, Ronald Jerger.** Applicant proposes to install an approach and 18" dia. culvert with a flapgate east of the section line ditch in the north ditch r-o-w of 180<sup>th</sup> ST in the W½, Section 9, Manston Township, Wilkin County. Presently, water causes crop loss when it backs up to the east, escapes from the road ditch, and flows into Jerger's field. An alternative would be to build up diking on the south end of the field to T.H. 9. Either option would accomplish the same goal. Jerger would like to keep the water in the main ditch and prevent it from backing into his field. Opsahl and Manager Nelson field reviewed the application on 4/24/09. Nelson felt that continuing the dike on the south end of Jerger's field seems sensible. Jerger should probably install a small, gated culvert to allow the road ditch to drain back into ditch. Albright and Manager Ellefson met with Jerger on 7/16/09. The neighboring landowner, Louis Krueger, also joined the field meeting. He agreed to the work as long as Jerger doesn't put up a berm that would cause water to flow west onto Krueger's property. **Motion** by Nelson to approve Permit No. 08-98, subject to the following conditions: Jerger must get Township approval to work within their road r-o-w, and the elevation of the approach/berm should be lower than Krueger's field road west of the project so that water is not forced to flow into his field. **Seconded** by VanAmburg. **Approved.**

**Acting Secretary.** Since Manager Hanson was absent, Albright suggested the Board should appoint an acting Secretary. **Motion** by Nelson to appoint Manager VanAmburg. **Seconded** by Ellefson. **Approved.**

**Permit No. 09-27, Robert Softing/Bruce Nelson.** Applicant proposes to remove a north/south 12" dia. pipe through 110<sup>th</sup> AVE S between Sections 25/36, Skree Township, and to reinstall the same culvert in an east/west direction in 240<sup>th</sup> ST S between Sections 25, Skree Township, and Section 30, Parke Township. Currently, the water drains south along the west side of 240<sup>th</sup> ST S, and eventually into a land-locked basin that is currently full and overflowing. The proposed culvert relocation will direct drainage from the southeast corner of Section 25, east in the north ditch along 110<sup>th</sup> AVE to Nelson Lake, which eventually drains into Stony Creek. The neighboring landowners contacted Albright with concerns about the proposal. The Board briefly discussed the application and because of the neighboring landowner concerns, they felt it should be field reviewed. **Tabled** pending Manager field review.

**Permit No. 09-28, Brandon Anderson.** Applicant proposes to install a small culvert through 150<sup>th</sup> ST in Section 21, Elkton Township, Clay County, to drain standing water in his building site on the west side of the road in Downer. In the past, Anderson has pumped water from the west to the east side of 150<sup>th</sup> ST S, where it drains south to CSAH No. 10, and eventually west to T.H. No. 9. This spring's highwater events inundated Anderson's property, causing a wet yard, drowned out grass/trees, etc., and he is anxious to end the chore of constantly pumping water to protect his property. **Tabled,** pending Manager field review.

**Permit No. 09-43, Clay County Highway Department.** Applicant proposes to replace a functionally obsolete bridge in Section 32, Elkton Township, with two lines of 12' x 4' reinforced concrete pipe (RCP) with 92 square feet (sq. ft.) of waterway opening over Hay Creek. The existing bridge has 102 sq. ft. of waterway area. Clay County hired H.E. to complete a hydraulic analysis of the existing structure, as requested by the DNR. Jones found that during flood events, the bridge receives breakout water from Clay County Ditch No. 17/Hay Creek east of Interstate-94 (I-94), which adds about 81 square miles (sq. mi.) of

drainage area to this structure. Clay County had only considered the local area drainage, which is only about 2 sq. mi. In order to meet DNR Floodplain criteria, H.E. modified the original proposed structure to include a small overflow section. Jones recommended permit approval with the addition of the overflow section. **Motion** by Nelson to approve Permit No. 09-43, subject to the adoption of Jones design revision and DNR approval to work in protected waters. **Seconded** by VanAmburg. **Approved.**

**Permit No. 09-44, Leslie Dunham.** Applicant proposes to install a culvert in an existing dry field approach in the southwest corner of the E½SE¼, Section 25, Skree Township, Clay County. The culvert would allow water to flow naturally west during high water events. The culvert would also take some pressure off the downstream property in Section 36, Skree Township, owned by Robert Softing. **Tabled,** pending Manager field review.

**Permit No. 09-50, Steven F. Thompson.** Applicant proposes to rebuild a property line dike in the SW¼, Section 10, Alliance Township, Clay County. The dike is located along an old fence between the property owned by Thompson and Mark Rustad. When Rustad build his ringdike, the contractor used material from the fenceline, which altered area drainage. Thompson would like to replace the fill along the fenceline to prevent flooding in his field. **Tabled,** subject to Manager field review and discussion with Rustad.

**Permit No. 09-51, Joe Wulfekuhle/Tom Arnhalt.** Applicants propose to remove a 24" dia. culvert in the northwest corner of Section 17, Manston Township, Wilkin County, and replace it with a 30" dia. pipe between Sections 17 and 18, Manston Township, to drain water west along Arnold Korbel's property. On 7/16/09, Albright and Manager Ellefson conducted a field review of the project area. Neighboring landowner Louis Krueger was also present, and he indicated that he had no problem with the proposed project. **Motion** by VanAmburg to approve Permit No. 09-51, subject to Township approval to work within their road r-o-w. **Seconded** by Nelson. **Approved.**

**Permit No. 09-52, Jay Nord.** Applicant proposes to remove a dry approach in the southwest corner of Section 21, Deerhorn Township, Wilkin County, and regrade 0.5 miles of ditch along 180<sup>th</sup> AVE to drain water north to protect the Carl Nord farmstead. Water will drain north to Wilkin County Ditch No. 5A, for which it is assessed. Nord will work with the NRCS to set an elevation on the proposed approach culvert, so that a small wetland in the area will not be affected. **Motion** by VanAmburg to approve Permit No. 09-52, subject to Township approval to work within their road r-o-w, NRCS approval to work in the proximity of a wetland area, and Manager field review. **Seconded** by Nelson. **Approved.**

**Permit No. 09-53, Jay Nord.** Applicant proposes to regrade one mile of ditch along 130th ST on the north line of Section 21, Deerhorn Township, Wilkin County, to install an approximate 0.05% grade. The work will involve lowering two approach/driveway culverts. The water will drain to Wilkin County Ditch No. 5A, for which it is assessed. **Motion** by VanAmburg to approve Permit No. 09-53, subject to Township approval to work within their road r-o-w. **Seconded** by Nelson. **Approved.**

**Permit No. 09-55, Minnesota Department of Transportation (MNDOT).** Applicant proposes to mill and resurface approximately seven miles of T.H. Nos. 10 and 75 in the Moorhead area due to roadway surface failure caused by the 2009 spring flood. One 24" dia. culvert will be replaced with a culvert of the same dimension. MNDOT will open bids for the project on 7/24/09. **Motion** by Nelson to approve Permit No. 09-55. **Seconded** by VanAmburg. **Approved.**

**Permit No. 09-56, James C. Braton., Jr.** Applicant proposes to install a culvert in a washed out ditch to repair erosion and provide access for farm machinery on the north/south sixteenth line of the NE¼, Section 6, Prairie View Township, Wilkin County. Albright felt that the culvert could also help prevent future

ditch erosion and he recommended permit approval. **Motion** by Nelson to approve Permit No. 09-56. **Seconded** by VanAmburg. **Approved.**

**Permit No. 09-57, Master Construction Company.** Applicant proposes to install an approach with a 24" dia. culvert along the KOA Campground property to access a Newman sign off C.R. No. 14 in the SW¼, Section 14, Moorhead Township, Clay County. Albright and Manager Olson conducted a field review and found no problems with the project. **Motion** by VanAmburg to approve Permit No. 09-57, subject to County approval to work within their road r-o-w. **Seconded** by Nelson. **Approved.**

**Permit No. 09-58, Dean W. Tonsfeldt.** Applicant proposes to install a stormwater retention pond for Dean's Bulk Service in the NW¼, Section 29, Humboldt Township, Clay County, along T.H. No. 34 east of Barnesville. Potentially, if the bulk service business did have a fuel spill, the proposed pond will catch the site's runoff. Josh Kadrmas, H. E., designed the pond. **Motion** by Nelson to approve Permit No. 09-58. **Seconded** by VanAmburg. **Approved.**

**Permit No. 09-59, Todd Shasty.** Applicant proposes to install an 18" dia. x 22' long culvert to access his new house on Lot 5, Block 1, in the Borgen Fields Subdivision in SE¼, Section 10, Oakport Township, Clay County. **Motion** by Nelson to approve Permit No. 09-59, subject to Manager field review to be sure the adjacent culverts match the proposed structure sizing. **Seconded** by VanAmburg. **Approved.** Jones will check to see what culvert size was called for in the subdivision plans.

**Permit No. 09-60, Orrin Sorum.** Applicant proposes to install approximately 665' of 6" tile along the edge of his field in the E½, Section 11, Norwegian Grove Township, Otter Tail County, to connect upstream tile drainage into a grassed waterway. Sorum used to be able to drive through the waterway and cut hay, but now the upstream tiling keeps the area wet. The proposed tile will carry the upstream flows to a permanent grassed waterway. **Motion** by Nelson to approve Permit No. 09-60. **Seconded** by VanAmburg. **Approved.**

**Permit No. 09-61, Cromwell Township.** Applicant proposes to remove a 30" dia. overflow pipe in 220<sup>th</sup> ST N between Sections 22 and 23, Cromwell Township, Clay County, and replace it with a single line of 43" x 27" corrugated metal arch pipe (CMP-A). The new larger culvert will equalize flows to prevent road overtopping and water backup onto adjacent fields. Because the United States Fish and Wildlife Service (USFWS) has easements in this area, Albright checked with them regarding the proposal. The USFWS recommended installing a 36" dia. arch pipe or equivalent. **Motion** by VanAmburg to approve Permit No. 09-61, for the referenced CMP-A, subject to USFWS review/recommendations. **Seconded** by Nelson. **Approved.** The Board recommended field verification of the pipe elevations, which Wade Opsahl, Technician, H.E., can furnish.

**Permit No. 09-62, Ronald Butenhoff.** This permit application to replace an 18" dia. culvert in the N½SW¼, Section 7, Barnesville Township, Clay County, with a new 24" dia. pipe, has been administratively withdrawn.

**Permit No. 09-63, MNDOT.** Applicant proposes to replace an existing 71" x 84' CMP-A with a 65" x 84' reinforced concrete arch pipe (RCP-A) in T.H. No. 32, approximately 3 miles south of Hitterdal between Sections 21 and 22, Highland Grove Township, Clay County. The existing culvert has failed, creating a sag in the road. The culvert is located on Clay County Ditch No. 16. The Board reviewed an area map. Jones explained that the smaller structure should not reduce drainage capacity because the concrete pipe has smooth walls, making it more hydraulically efficient. **Motion** by Nelson to approve Permit No. 09-63, with the stipulation that it be installed at the same elevation as the existing pipe. **Seconded** by VanAmburg. **Approved.**

**Permit No. 09-64, Mark Ekre.** Applicant proposes to install random tile lines in the S $\frac{1}{2}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 1, Skree Township, and the S $\frac{1}{2}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , Section 33, Eglon Township, Clay County, to reduce groundwater seepage associated with a high water table in this area. The seepage keeps the low areas wet and delays field work. The NRCS has reviewed and approved the work. **Tabled**, pending Manager field review.

**Permit No. 09-65, MNDOT.** Applicant proposes to replace the existing 36" x 54' RCP in T.H. No. 32, approximately 0.5 miles south of Rollag between the NE $\frac{1}{4}$ , Section 33, and the NW $\frac{1}{4}$ , Section 34, Parke Township, Clay County, with a new 36" x 60' RCP. The only change is the additional length, which is needed for the installation of a new safety apron. The existing culvert is deteriorated, creating a sag in the roadway. **Motion** by VanAmburg to approve Permit No. 09-65. **Seconded** by Nelson. **Approved.**

**Permit No. 09-66, Matt Ness.** Applicant proposes to install a culvert in an approach off from old T.H. No. 75 along the Burlington Northern/Sante Fe (BNSF) Railroad tracks to provide drainage for his cropland in the E $\frac{1}{2}$ NE $\frac{1}{4}$ , Section 5, Wolverton Township, Wilkin County. **Motion** by Nelson to **table** Permit No. 09-66, pending Manager field review. **Seconded** by VanAmburg. **Approved.**

**Kenneth Schellack Drainage Complaint.** Albright talked with Schellack this morning regarding the status of his complaint about ditch work that Ron Erdman completed for Curt Stubstad in the NE $\frac{1}{4}$ , Section 8, Elkton Township, Clay County. Wade Opsahl, Technician, H.E., and Albright plan to conduct an area survey this week to check the ditch work and establish the natural ground elevations. Schellack hasn't heard from Sharon Lean, District Conservationist, NRCS, who has also determined that there may be a wetland violation associated with the work.

**Minch/Johnson Lawsuits.** Based on attorney/client privilege, and in accordance with Open Meeting Law, the Board went into closed session at 9:20 PM to discuss the status of these issues. At 9:35 PM, the Board reopened the meeting.

**Dana Nelson Tiling.** Dana Nelson and a contractor allegedly installed new drain tile for 240 acres in the S $\frac{1}{2}$ , Section 10, Trondhjem Township, Otter Tail County. Part of the tract is not within the BRRWD boundaries, and this water should not be draining into our jurisdiction. In addition, Nelson did not obtain a BRRWD permit for his project. Last week, Nelson told Albright that the work only replaced old tile. According to BRRWD Rules, if the work only replaced existing tile, no BRRWD permit is needed, as it would be considered maintenance.

**Project No. 30, Clay/Wilkin Judicial Ditch No. 1 (J.D. 1).** In the fall of 2002, area landowners did some cleaning along C.R. No. 32 in Sections 4 and 3, Deerhorn Township. A downstream landowner, Michael Peet, complained about the work, and felt the cleaned ditches would move more water too fast to the west. In response to these concerns about flooding, the BRRWD and the Wilkin County Highway Department installed a 36" dia. restrictor plate on the 42" dia. culvert east of Peet's farmstead under CSAH No. 3 between Sections 5 and 6, Deerhorn Township, on a temporary basis until a long-term solution to the area drainage problems could be found. Last year, the BRRWD ordered in Project No. 62, Clay/Wilkin J.D. 1, Branch No. 4-Improvement and Extension, which also drains water from this area. Upstream landowners have requested that the BRRWD have the restrictor plate removed, now that Branch No. 4 has been improved. The opening on the plate is plugged with cattails and debris.

Albright noted that the BRRWD minutes will probably show that the restrictor plate was only supposed to be on the pipe temporarily. Albright suggested that we check the minutes regarding this agreement. He will also discuss this issue with the area landowners to see if they still feel the restrictor plate is necessary.

**Adrian Haugrud Wetland Concern.** Jones filed his report regarding H.E.'s investigation of a possible outlet to address water problems along the county line in Section 34, Humboldt Township, Clay County. The cost estimates run from approximately \$70,000 to \$115,000. The cheapest option is a temporary outlet that will allow the water to drain to the west. After the wetland is lowered, the BRRWD would only have to purchase easements from the affected landowners for the low flow outlet channel. The Board had an extended discussion regarding the various options, local drainage patterns, and funding sources. Jones discussed the possible wetland impacts along the optional routes and agency permitting. He has filed a request with the DNR to obtain an Ordinary High Water (OHW) survey elevation determination for the area wetlands. H.E. will schedule an informational meeting to discuss the proposed project with area landowners. H.E. will mail the meeting notices.

**Tansem/Ranum Lakes Highwater Complaints.** Jones filed his report regarding H.E.'s study along T.H. No. 34, involving Ranum and Tansem Lakes and Brad Hersch's property in the NW¼, Section 26, Tansem Township, Clay County. He presented five options to address Hersch's concerns, which range in cost from approximately \$78,000 to \$277,000. The options include an outlet for the area lakes (\$277,900), a home buyout for the Hersches (\$160,000), a Hersch ringdike (\$78,000), relocation of house (\$120,000), and the last alternative would be to do nothing. The group had an extended discussion regarding the project alternatives and possible funding sources. Albright noted that H.E. submitted a Minnesota Recovers application for a possible home buyout for the Hersches. Jones will send the Hersches a copy of his study for their review. Both Tansem Township and the MNDOT roadways are also affected by the highwater problems and could benefit from a project that would lower the area lakes. H.E. will schedule a landowner meeting to discuss the highwater issue and determine if there is local support for a project to lower the lakes. Jones has already requested that the DNR conduct an OHW survey for the area lakes. He will also discuss the permitting issues for a possible project with the DNR.

**Peterson Assistance Request.** Arne Peterson is interested in assistance following high water damage to his house along C.R. No. 180<sup>th</sup> AVE in Section 28, Deerhorn Township, and this summer. The Board issued Permit No. 09-54 to Karlo Etten, who operates the NE¼, Section 28, Deerhorn Township, and Wilkin County, to install culverts and reslope the north ditch of 180<sup>th</sup> AVE. A plugged culvert caused water to back up into Etten's field and Peterson's farmstead. Funding might be available from the Minnesota Recovers program.

**Phillip Rogers Wetlands Reserve Program (WRP).** Rogers has proposed a possible WRP project site on his property in the SW¼, Section 5, Humboldt Township, Clay County. The BRRWD would be interested in developing the site with the NRCS so that it could incorporate both flood damage reduction (fdr) and natural resource enhancement (nre) features. H.E. is investigating the proposal. The LiDAR data from the International Water Institute (IWI) Digital Elevation Modeling (DEM) collect is now available and will be used to evaluate the potential for a project on Rogers' property. **Tabled.**

**Project No. 64, LaBelle/Boyer Lakes Outlet.** MNDOT has formally requested that the BRRWD add Boyer Lake to our LaBelle Lake Outlet project. Jones filed the Preliminary Construction Plans for an outlet for East and West LaBelle Lakes and Boyer Lake. He noted that the estimated project cost is approximately \$270,000. The Board discussed the proposed design and reviewed the construction plans and maps. Jones will forward the plans to DNR and MNDOT for their review. The Board would like to meet with the landowners to discuss the proposed project and possible funding. H.E. will schedule the landowner informational meeting and mail the notices.

**Project No. 63, Grove Lake Outlet.** Jones submitted Pay Request No. 5, including approximately \$11,750.00 in change orders, for Johnson Excavation totaling \$20,553.44. The outlet is finished and operational, and the grass seeding is established. Albright noted that the landowners have expressed

satisfaction with the project. Haugrud's road is out of the water about 1'. **Motion** by VanAmburg to approve the referenced pay request and change order. **Seconded** by Nelson. **Approved.**

The Board briefly discussed Kern Kuhlmann's crop loss claim because he alleges that the project restricted his access to his field this spring.

**Project No. 62, Clay/Wilkin J.D. 1, Branch 4-Improvement/Extension.** Jeff Nichol, William Nichol Excavating, has not finished work on the project. Tom Arnhalt has filed a repair request to replace an 18" dia. culvert/flapgate, which was installed last fall with a 24" dia. pipe/gate. The heavy rainfall in June showed that the second pipe from west end of his field handles the majority of the runoff from the NW1/4, Section 18, Deerhorn Township, and should be larger. Arnhalt suggested that the culvert should be changed before the contractor finishes the project and completes his seeding. **Motion** by Nelson to approve the requested repair, subject to Manager field review. **Seconded** by VanAmburg. **Approved.**

**Project No. 61, Clay County Ditch No. 11-North.** The contractor has reset the culvert east of John Leseth's driveway. Leseth has requested to meet with Opsahl to discuss inlet pipes for his property. Nathan Gannon, Clay County Highway Department, is preparing an agreement for the Leseth's ringdike.

The Board discussed combining approximately six BRRWD projects into one bond sale. There could be as much as a \$30,000 savings in fees, etc. if we group the sales. Albright explained that the office has been extremely busy recently with the Oakport Project, but would try to find time to complete the bond sale transcripts as soon as possible. The Board discussed how to assist the staff with the workload. Jones suggested that H.E. could assist with scheduling meetings and mailing notices for the three upcoming informational meetings. Albright noted that Wilkin County is considering establishing a watershed district for the southern portion of the County. They could either add part of the area to the BRRWD or organize a new separate district. Albright suggested that the BRRWD may need to find a larger office space, or we may need to consider building to accommodate more staff and to provide better facilities for meetings and storage for our files/records.

**Project No. 58, Riverton Township Retention.** The contractor is moving his equipment onto the site. The completion deadline is 8/01/09.

**Project No. 56, Manston Slough Restoration.** Albright noted that the DNR has requested documentation that the Board has given Albright the authority to sign paperwork on the Board's behalf for transactions pertaining to the former Holubok property in the SE1/4, Section 20, Manston Township, Wilkin County, T135N R46W. **Motion** by VanAmburg to authorize Albright to sign the required documents. **Seconded** by Nelson. **Approved.**

Albright suggested that the Board authorized H.E. to prepare a site plan/specifications for the demolition of the Holubok building site, septic system, well sealing, etc. **Motion** by Nelson to authorize H.E. to prepare a demolition proposal, as referenced. **Seconded** by VanAmburg. **Approved.**

Tom Arnhalt has signed his easement for the project, and he would like to receive his payment by 9/01/09, as he is involved with a land exchange transaction. The DNR will reimburse the BRRWD for 50% of his payment. The group discussed the project timeline. They also discussed how to expedite project development and delegate tasks, such as easement acquisition. Albright noted that Rick St. Germain, H.E., has completed the outlet structure design, and will be working on finalizing the Engineer's Report. VanAmburg commented that he would be willing to meet with landowners regarding easement acquisition. Jones will discuss the easement work with St. Germain.

**Project No. 50, Cromwell Township Highwater Investigation.** Jones has filed his report regarding the Muriel Grefsrud request for help with flooding on her farmstead. His cost estimate for a project to address her concerns is approximately \$189,000. The project would outlet to the southeast to the Hawley Diversion project. Clay County would have to conduct a wetland delineation review before any further design work is done. Jones will send the report to Grefsrud for her review.

**Project No. 49, Oakport Flood Mitigation.** Albright met with our realtor, Fran Snelgrove, last week to discuss the cleanup work for the Sieben property. A number of repairs will be needed prior to placing the house on the market, including carpet replacement, interior painting, refinishing the wood floors, outdoor landscaping, and a complete house cleaning. Snelgrove is soliciting bids for the repairs, which could total approximately \$40,000. Mike Staber is interested in purchasing the property, and Albright will meet with him at the Sieben house tomorrow to do a walk through. Depending on how much acreage the BRRWD sells with the house, the realtor felt we could sell the property for as much as \$400,000.

Master Construction submitted a bid of \$30,000 each to demolish the Fetzer, Grundyson, and Howitson houses with the stipulation that if the Dilworth Fire Department used them for a controlled burn as a training exercise, he would deduct \$10,000 each from his bid. However, in order to get a permit to burn the houses, the Fire Department contacted Bruce Jaster, Clay County Environmental Services Inspector, who advised them that he would have to inspect the houses for hazardous materials. It appears that Jaster found asbestos in the Grundyson house, which will have to be removed before it can be burned or demolished. Albright checked with a firm who does this work, and they quoted an estimate of about \$6.00-\$7.00/sq. ft. to remove the asbestos. There is about 700 sq. ft. of asbestos in the house. The Board discussed the need to remove the material and agreed that we need to have a certified firm do the work. **Motion** by VanAmburg to authorize H.E. to arrange for a certified firm to remove the asbestos in the Grundyson house. **Seconded** by Nelson. **Approved.**

**Revised Watershed Management Plan (RWMP).** The Minnesota Board of Water and Soil Resources (BWSR) has approved the BRRWD's request for a grant extension until 12/31/09. **Motion** by VanAmburg to accept the grant extension deadline. **Seconded** by Nelson. **Approved.**

**Clay County Ditch No. 49.** The Final Hearing Continuation is scheduled for 7/21/09 at 7:30 PM in the Moorhead City Hall. Ellefson noted that a gentleman contacted him today regarding the proposed ditch benefit rate for his son's property. Ellefson suggested that the concerns be relayed to Albright. Albright called him and explained how the Viewers allocated their proposed benefits.

Albright noted that when the hearing is reopened tomorrow night, the Viewers will present the three changes they made to their Report. He advised the Board to limit discussion to the Viewers' Report and the final hearing issues. Following the conclusion of the hearing, the Board can then address concerns regarding the proposed structure changes. Upstream landowners feel that since the Board approved the installation of a larger culvert on the ditch outlet for Keith Brendemuhl when the Board ordered the culvert changes in 2001, the BRRWD now needs to move forward with the rest of the proposed culvert changes so that their drainage is also improved. Downstream landowners are opposed to increasing the upstream structures' sizing. Albright went through the history of the Board's actions and provided a copy of the Board's Order made in 2001 regarding the structure changes. The Board had an extended discussion regarding this issue.

**Mediation PT.** The next PT meeting will be held on 7/23/09 at 7:30 PM at the MSUM Science Center.

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**Clay County BRRWD Manager.** Albright noted that Clay County has received at least one application for Manager Olson's position. Albright will meet with the County Commissioners tomorrow regarding a replacement for Manager Olson.

**Next Meeting.** The Board of Managers, BRRWD, will hold their next regular meeting on Monday, July 27, 2009, in the Barnesville office at 8:00 PM.

**Adjournment.** Chairman Ellefson adjourned the meeting at 11:30 PM.

Respectfully submitted,

John E. Hanson, Secretary