

BUFFALO-RED RIVER WATERSHED DISTRICT

BARNESVILLE, MINNESOTA 56514

123 FRONT STREET SOUTH – PO BOX 341

PHONE 218-354-7710

MINUTES FOR MANAGERS' MEETING

April 26, 2010

The Board of Managers, Buffalo-Red River Watershed District (BRRWD), held their regular meeting on Monday, April 26, 2010, at 8:00 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, Zach Herrmann, Engineer, and Julie Jerger, Administrative Assistant, Houston Engineering, Inc. (H.E.); and landowners: Brad Hersch, Mike Hustad, and Jerry Butenhoff.

Chairman Ellefson called the meeting to order at 8:05 PM. He announced that the proceedings were being recorded to aid in preparation of the minutes.

Secretary's Report. The Board reviewed draft minutes for the 3/22/10 BRRWD meeting, and the 4/05/10 Clay County Ditch No. 9 Minnesota Department of Transportation (MNDOT) Petition hearing. **Motion** to approve the minutes by Nelson. **Seconded** by Paradeis Kobiela. **Approved.**

Treasurer's Report. The Board reviewed the BRRWD's financial status. Albright reported that we currently have \$2,749,795.73 on hand. The Clay Soil and Water Conservation District (SWCD) paid \$20,000 to the BRRWD for the Hawley Buffalo River Bank Restoration project from their Minnesota Board of Water and Soil Resources (BWSR) grant.

Other business brought before the Board included:

Project No. 66, Tansem/Ranum Lakes Outlet. Brad Hersch notified the Board that he and his wife are interested in a home buyout. To be eligible for Federal Emergency Management Agency (FEMA) assistance, regulations require that the structure has had water on the first floor, documented substantial damages, and be located in a mapped floodplain. Albright didn't think Hersch had much of a chance to qualify for FEMA funds. The group discussed other funding options, including a State of Minnesota Flood Damage Reduction (FDR) grant, the Natural Resources Conservation Service (NRCS) Environmental Quality Incentives Program (EQIP), or the Red River Basin Commission's (RRBC) Agricultural Watershed Enhancement Program (AWEP) program. The BRRWD levied approximately \$250,000 to assist Clay County to buyout rural farmsteads that were damaged by the recent flooding. Albright noted that the last time he contacted Kristin Sailer, FEMA, she indicated that FEMA currently has no funding available. VanAmburg asked if Hersch would be interested in moving the house. Hersch explained that soil conditions are so wet that it would be hard to move. If this wet cycle continues, they would still have problems accessing the site, or if the township closes 280th ST S, west of their place, they'll have no access. Albright discussed MNDOT's participation in the proposed project and other current high water problem areas. He noted that if MNDOT decided to be involved, the project could take on new life. Hersch felt that MNDOT and he would be the main beneficiaries of a project to lower the water in his area. If MNDOT prefers to raise their road instead of participating in an outlet project, a project is probably not going to happen. Albright offered to contact the DNR, NRCS, and FEMA to investigate possible buyout funding sources, and will let Hersch know how they respond.

Michael Hustad Highwater Complaint. Albright gave a brief history of Hustad's concerns about the highwater situation on his property in the northwest corner of Section 6, Norwegian Grove Township, Otter Tail County. Manager Ellefson and Albright conducted a field review a few weeks ago and noted that County Road (C.R.) No. 127, which Clay County maintains, is now washed out. The Board approved a motion to send Clay County a letter advising them that they should have filed a BRRWD permit application to repair this road, and they should consider installing a culvert. Last week, the road washed out from wave action, and Clay County raised it again. Hustad explained that the road acts as a dam, holding water on his property. Last year, he lost rental income and had feed expenses for his livestock because of lost pasture. Hustad said that Jon Evert told him there was a culvert in the road at that location, which must be blocked. Ellefson discussed his field review observations. When the County widened the road, Ellefson thought they might have covered up the culvert. Ellefson suggested that we contact Clay County to investigate the status of the existing culvert. Albright thought the County could install a new culvert at the level of the washout. It shouldn't hurt downstream landowners if the culvert is at the washout level. Hustad has lost about 15-20 acres of his pasture this year from the highwater. Albright will send a letter to David L. Overbo, Engineer, Clay County Highway Department, this week to explain their options regarding this issue.

Permit No. 10-23, Rick Thompson. Jerry Butenhoff discussed his concerns about a project that his neighbor, Rick Thompson, installed last fall in the W¹/₂, Section 11, Alliance Township, Clay County. Albright gave a brief history of the events regarding this drainage dispute. Albright and Manager Ellefson conducted a field review on 4/09/10. Albright noted that a neighboring landowner, Mark Rustad, had also called the office regarding Thompson's work. He read the 4/19/10 letter that the office sent to Thompson last week, which referenced several work items Thompson agreed to complete last fall when Albright and Managers Nelson and Ellefson met with the affected landowners in the field on 9/01/09. In the letter, Albright had several questions for Thompson, including why the spoil from the road ditch cleanout was used to create a berm along the south and west sides of Thompson's field; why the agreed upon culvert was never installed in the southeast corner of his property; and why Thompson had not removed the approach/18" dia. culvert in the southwest corner of his property along C.R. No. 15 according to last fall's agreement. After receiving the letter, Thompson called the office to make an appointment to visit with Albright.

Ellefson questioned if Butenhoff would get enough drainage for his field if Thompson removed the existing 18" dia. culvert in the southwest corner of his property and installed a 30" dia. arch pipe in his approach. Butenhoff would now prefer to have Thompson move his approach to the east/west road so Butenhoff's field can drain with no restrictions. Ellefson asked if Thompson should lower the berm in his field. Butenhoff felt that Thompson wouldn't agree to lower the berm.

After an extended discussion regarding neighborhood concerns about Thompson's projects, Albright suggested that we will have to schedule a special meeting with all the affected landowners and the Board to resolve this issue. Prior to this meeting, the other Managers should field review the area.

Permit No. 09-131, Detroit Lakes Wetland Management District (WMD)/USFWS. Albright visited with Shawn May, United States Fish and Wildlife Service (USFWS), regarding a wetland restoration project on Becker County Ditch No. 5, in Sections 21, 22, 27, and 28, Audubon Township. According to Drainage Law, the USFWS must document that they have easements from the landowners to restore the proposed wetland. Currently, they are still in the process of obtaining those easements. Jones will complete his review of the plan after USFWS finalizes their application. A ditch hearing will be required at some point. **Tabled.**

Permit No. 10-09, Clay County Highway Department. Applicant proposes to replace a bridge over the Buffalo River on C.R. No. 91 in Sections 17 and 20, Moland Township, Clay County. Jones reviewed the proposal and concluded that the hydraulic analysis is not consistent with the FEMA modeling. Clay County plans to address this issue. Herrmann noted that the bridge should be hydraulically sufficient. **Tabled**, pending receipt of the revised plans.

Permit No. 10-14, Bill Austin. Applicant proposes to extend or leave the existing culvert/approach and/or add a second culvert and approach near the 1/16th line along 100th AVE and the north side of Section 29, Elkton Township, Clay County. He also plans to install a new culvert along 140th ST S in the southwest corner of Section 16, Elkton Township. The work is needed to widen the existing crossings to accommodate larger farm machinery. **Tabled** pending Manager field review.

Permit No. 10-16, Howard Pender, Jr. Applicant proposes to install 160 acres of patterned tiling in the NW¼, Section 28, Skree Township, Clay County. **Tabled**, pending field review.

Permit No. 10-17, City of Moorhead. Applicant proposes to construct the Prairie Meadows 3rd Addition in the NW¼, Section 28, Moorhead Township, Clay County. Utilities and street improvements, including water main, storm and sanitary sewer, will be developed for 42 lots in the new subdivision. **Tabled**, pending Jones' review and recommendations.

Permit No. 10-18, Robert Softing. Applicant proposes to install patterned tiling on 10 acres in the NW¼NE¼, Section 36, Skree Township, Clay County, to address highwater wetland seepage. **Tabled** pending field review.

Permit No. 10-19, Kevin and Dan Solum. Applicants propose to install 60 acres of patterned tiling in Section 27, Prairie View Township, Wilkin County. They would like to start the work as soon as possible. The Board reviewed the tiling plans. The tiling would outlet to the C.R. No. 30 ditch and eventually drain to Wilkin County Ditch No. 43, to which the property is assessed. **Motion** by Nelson to approve Permit No. 10-19. **Seconded** by Hanson. **Approved.**

Permit No. 10-21, D. N. Eppler. Applicant proposes to construct a road to the Spring Prairie Cemetery in Section 24, Spring Prairie Township, Clay County. The Board reviewed the project plans, which include the installation of an approach off from 57th AVE N into the cemetery and raising the road into the cemetery site, which might have potential wetland impacts and require additional culverts. Eppler has been advised to check with the Clay SWCD regarding wetland impacts. Albright will schedule a meeting with Eppler to field review the proposal. **Tabled.**

Permit No. 10-22, Margo Brady. Applicant proposes to install tiling in her farmyard in the corner of 140th ST S and County State Aid Highway (CSAH) No. 10 near Downer to get rid of excess water and make the farmstead and driveways more usable. Jeff Lavine, who will be installing the tile, discussed the project with Albright. The Board reviewed the tiling plan, which will outlet on the west end of the property with a lift station into the north CSAH No. 10 road ditch. **Motion** by Hanson to approve Permit No. 10-22. **Seconded** by VanAmburg. **Approved.**

Richard Peppel Drainage Concern. The Clay County Highway Department contacted the BRRWD office with concerns that the BRRWD had allowed Otter Tail County to drain excess water from their Lake Olaf outlet project into the Clay County road ditch south of Barnesville. Albright clarified this misunderstanding with the County. Water from Lake Olaf is be pumped south to the Pelican River, and the project is not within the BRRWD boundaries.

DNR Comment Form. The Minnesota Department of Natural Resources (DNR) forwarded a copy of a MNDOT permit application to reconstruct a culvert in Section 9, Audubon Township, on an unnamed creek and wetland. The Board commented that no BRRWD permit is required for the referenced maintenance work.

David Sogge Letter. The office received a letter and photographs from David Sogge regarding their ongoing dispute with their neighbors. He requested that the office send him a copy of the 12/14/09 meeting minutes where his neighbors, the Thesings, agreed to install a culvert through their driveway on Sogge's property. The Board discussed this issue and felt that they should no longer be involved with this neighborhood dispute, as the drainage area is less than five acres, and the parties aren't interested in compromise. The Board directed Albright to provide a copy of the minutes to Sogge, and a letter to the Thesings regarding their agreement to install the culvert in a final attempt to mediate this conflict. Albright will check with Clay County regarding the condition of the C.R. No. 86 road ditch adjacent to Sogge's property.

Minch/Johnson Lawsuits. Based on attorney/client privilege, and in accordance with Open Meeting Law, the Board went into closed session at 9:15 PM to discuss the status of this issue. At 9:17 PM, the Board reopened the meeting.

Project No. 67, HR Outlet. Albright will schedule an informational meeting when time is available.

Project No. 65, County Line Outlet. To date, we still have not received an official response from MNDOT regarding the use of the Interstate-94 (I-94) road ditch to convey water from the proposed project outlet to Wilkin County Ditch No. 41, Branch 5. Currently, water is flowing naturally to the west over the Prairie View Township road (310th AVE) to the I-94 ditch. Wade Opsahl, Technician, H.E., arranged for William Nichols Excavating, Inc., to clean Branch 5 of Wilkin County Ditch No. 41 last Friday. Last week, Kevin and Dan Solum contacted the office with a request for some drainage work east of this area. Ellefson commented that the Board should address Adrian Haugrud's farmyard highwater problems. Albright agreed and noted that once Project No. 64, LaBelle/Boyer Lakes Outlet is completed, the office will have more time to focus on some of these other problems.

Project No. 64, LaBelle/Boyer Lakes Outlet. The Final Hearing has been scheduled for Monday, May 3, 2010, at 7:30 PM in the Lake Park High School Theater. Hearing notices will be sent tomorrow. Ellefson signed the final hearing notice. A bid opening has been scheduled for 8:00 PM on 5/10/10 during the BRRWD's regular meeting. H.E. will mail the final plans and specifications to a list of contractors, and a bid advertisement will also appear in The Forum next week. Because of the emergency declaration, the BRRWD is not required to publish the bid letting notice. Easement letters and maps were mailed to the downstream landowners last week.

Albright noted that Pat Lynch, DNR, contacted the office to notify the BRRWD that the DNR will not help fund this project. Albright informed Jane Butzer, MNDOT, regarding the DNR's funding decision. She didn't think MNDOT would contribute anymore funding to the Boyer Lake project and questioned why MNDOT would have to contribute to the Labelle outlet project. The BRRWD has committed to contributing 25% of the total project costs. MNDOT will be assessed for approximately 60% of the costs. Albright and Opsahl will meet with the Appraisers to finalize their work this week.

Project No. 63, Grove Lake. Steve Strandlien contacted the office regarding beaver dams located west of Jason Lass' driveway downstream of the Grove Lake outlet on C.R. No. 35. The project was restarted about 3 weeks ago. The lake is currently 14" above the target elevation. Opsahl still plans to have a contractor extend the outlet structure further out into the lake to avoid excess siltation in the pipe.

Project No. 58, Riverton Township Retention. Nanik Construction, Inc. has completed the cleanup work. H.E. submitted the Final Pay Request for \$13,849.57, which includes no retainage, to close out Nanik's contract. Opsahl would like to hire a different contractor to complete some touch up on the access road, which would not be part of the contract. He thinks the spillway should be lowered slightly to allow more water into the project. **Motion** by VanAmburg to approve the referenced pay request to Nanik Construction, Inc. and authorize the change order to modify the spillway. **Seconded** by Paradeis Kobiela. **Approved.**

Project Easements. BRRWD Attorney Tami Norgard, Vogel Law Firm, has prepared the certification paperwork to record the BRRWD's easements for Project No. 57, City of Moorhead/I-94 Flood Control, Project No. 51, Clay County Ditch No. 68, and Project No. 42, Clay County Ditch No. 67. **Motion** by Hanson to authorize Ellefson to sign the paperwork to record the project easements. **Seconded** by Paradeis Kobiela. **Approved.**

Project No. 56, Manston Slough Restoration. The Army Corps of Engineers (COE) notified the office that the project is covered under a general permit for wetlands. The preliminary wetland determination paperwork is ready for BRRWD signature. **Motion** by Nelson to authorize Ellefson to sign the referenced paperwork. **Seconded** by Paradeis Kobiela. **Approved.**

Project No. 54, Whisky Creek Tributaries. When Brian Durensky cleaned the ditch along C.R. No. 25, he placed spoil on Virgil Holt's Conservation Reserve Program (CRP) acreage, contrary to NRCS recommendations and Holt's wishes. David L. Overbo, Engineer, and Tim Carpenter, Clay County Highway Department, contacted Albright about Durensky's work on the County road right-of-way (r-o-w). They plan to contact him regarding this issue.

Project No. 50, Cromwell Township Highwater Investigation. Landowner Kathy Meissner sent a letter to the BRRWD requesting an outlet for their property upstream of the City of Hawley in Cromwell Township. The Board discussed the high water concerns in this area.

Project No. 49, Oakport Flood Mitigation. The concrete garage floor in the Streifel house is in poor condition and should be repaired if we hope to sell it. Realtor Fran Snelgrove recommended we accept the bid that Chad Ohnstad submitted for \$2,900 for the work. The Board agreed that the house should be repaired. **Motion** by VanAmburg to accept Ohnstad's bid to replace the floor in the Streifel garage. **Seconded** by Paradeis Kobiela. **Approved.**

Albright explained that the person who purchased the Sieben property from the BRRWD didn't switch the utilities to his name, and the BRRWD has been paying the bills for the last few months. After some investigation, Albright contacted the utility companies, and they will refund the payments the BRRWD made after the property sale and they will contact the new owner for payment.

Snelgrove also suggested that we reduce the price on the Streifel house by \$10,000 to \$129,900 to make it easier to market. **Motion** by VanAmburg to lower the selling price as recommended. **Seconded** by Hanson. **Approved.**

Ulteig Engineers, Inc. (UEI) has submitted a wetland credits application for 8.018 acres of credits for the project. The cost to purchase the credits is \$104,671.40. The permit applications have been submitted. BWSR has a transaction handling charge of \$1,542.15.

Vogel Law Firm notified the BRRWD of a conflict of interest regarding the Paul and Ashley Hodge house acquisition. At this time, Vogel is also representing the Hodges in negotiations with their lenders, and they have asked the BRRWD to sign a consent form to allow Vogel to continue to represent the Hodges to

resolve their Wells Fargo mortgage issues so that our acquisition of the property can be facilitated. **Motion** by Hanson to authorize Ellefson to sign the waiver of conflict of interest form. **Seconded** by Paradeis Kobiela. **Approved.**

Albright reported that the contractors are working, and there is a construction committee meeting on Friday. A closing date to acquire the Jensen property has been scheduled on June 15, 2010. A meeting to discuss Jesse Swanson's ringdike has been scheduled for April 27, 2010, at 7:00 PM. Managers VanAmburg and Paradeis Kobiela will attend. Kris Carlson, UEI, will also attend.

Pat Lynch, Financial Coordinator, DNR Waters., has indicated that currently the BRRWD has no FDR funding allocated for projects in 2010. We need \$5 million this year to finish all the phases on the project except Phase 4. The Board discussed project funding. They plan to contact State Senator Keith Langseth to discuss this issue further. Kris Carlson will have the Phases 1B and 4 plans and specifications ready for the next BRRWD meeting. The Board felt that if there is no funding, we shouldn't bid any more phases.

Project No. 47, Clay County Ditch No. 53. FEMA notified the office that we must close out our 2006 FEMA flood repair paperwork before we can apply for 2010 flood repair funding. The Board discussed the pending erosion slide repair on Askegaard's property. Opsahl has suggested that we skip this work, as it has not gotten worse, and Askegaards have already seeded their field. We could return the funding for this site and finalize the 2006 FEMA paperwork. The Board agreed not to do this repair, and Opsahl will submit the final paperwork.

Project No. 46, Turtle Lake Outlet. The siphons continue to operate. The DNR has decided to allow us to continue to operate the project during the two weeks that we normally need to stop the Long Lake siphon for DNR walleye seeding.

Project No. 39, Georgetown Levee. Albright and Rick St. Germain, H.E., met with the City of Georgetown regarding the levee improvement project on 4/19/10. The Board discussed the costs for H.E.'s proposals, which were between \$2.5 million and \$4.9 million. Kent Lokkesmoe, DNR, has indicated to the Wild Rice Watershed District that the Cities of Hendrum, Pearly, and Shelly should submit proposals for approximately \$1 million. Albright felt that we won't be able to get \$5 million for Georgetown. The Board thought that realistically, we should design a project that will cost around \$1 million, which would be similar to the amount the other communities might receive. Albright and St. Germain will meet again with Georgetown this week.

Project No. 38, Farmstead Ringdikes. Opsahl met with the NRCS last week regarding their EQIP program. The ringdike list is getting longer. Albright would like to have 5-6 ringdike projects ready to build this year when funding becomes available. Albright will work with Opsahl in this regard.

Project No. 37, Clay County Ditch No. 41-Lat No. 1. Concordia College has turned over the small strip of land along the ditch r-o-w at the intersection of 15th AVE N and Trunk Highway (T.H.) No. 75, which Concordia did not initially deed to the Church of the Nazarene, Moorhead. To date, the Church has not followed up with the BRRWD regarding this project and their need for a ditch system crossing. The Minnkota Power Cooperative plans to revise the language of their easement agreement regarding the installation of power lines on our ditch r-o-w. To date, Minnkota has not sent any new paperwork to the BRRWD regarding this issue.

Project No. 32, Hawley EDA Diversion. The Board would like to meet with the City of Hawley regarding the 60" dia. pipe. Albright delivered H.E.'s recommendations regarding this issue to the City last week. To date, there has been no response. Ellefson thought Jones should set a date for the meeting and contact the affected parties to let them know when the meeting will be held in Barnesville.

The Board discussed a redetermination of benefits for Project No. 32. Ellefson felt that we should expand the benefit area so that some of the upstream areas suffering from highwater problems could drain to this project. Herrmann pointed out that we could gate the upstream areas to retain water until the main project is drained down during high water events. Albright read a letter from David and Kathy Meissner regarding the high water problems for "Cemetery Road", located upstream of the Hawley Diversion project. The Board also discussed Muriel Grefsrud's high water concerns in this same area. **Motion** by VanAmburg to redetermine benefits for the Hawley Diversion project, including directing the Appraisers to consider the option to include potential benefits for the lands involved with Project 50, Cromwell Township Highwater Investigation, if this area is developed into a project. **Seconded** by Paradeis Kobiela. **Approved.**

Project No. 29, Buffalo River Logjams. None of the logjam removal work under the Emergency Watershed Protection (EWP) contracts were completed before the spring flood occurred. Opsahl will have to reassess the logjam locations. We were waiting for data from the DNR's low altitude high resolution aerial photography flight on 4/16/10, so we could use the photos to find the location of the new logjams. Herrmann thought the information might be available next week.

Project No. 8, Stony Creek Detention. Landowner Jerry Tenderholt contacted the office regarding his water problems on this project. He complained that ever since this project was constructed 25 years ago, his property has been wet, and he didn't have problems with beaver dams or goose predation on his crops. Albright explained that Tenderholt's property is at elevation 1150 and is 15' higher than the permanent pool (elevation 1135). Albright invited Tenderholt to tonight's meeting. Currently, he is being assessed \$1,200/acre on his Clay County taxes for swampland. The Board reviewed an elevation map of the project area showing Tenderholt's property in relation to the project wetlands. They felt that Tenderholt should contact the Clay County Assessor regarding his property values.

On 4/14/10, Albright conducted a field review of Gordon Gilbertson's property. The Board reviewed his photographs showing cattails in the project channel. Albright suggested that the Board consider cleaning about 1,000' on the project channel to remove some high spots. **Motion** by Hanson to authorize the referenced work. **Seconded** by Paradeis Kobiela. **Approved.**

Mediation Project Team (PT). Don Schultz, DNR, organized a meeting regarding their Working Lands Initiative (WLI) on 4/13/10. Herrmann attended the meeting and provided a brief report. The WLI program targets areas where grass and wetlands habitat could be restored. Using CRP and Wetlands Reserve Program (WRP) funding, the program would enhance easement payment alternatives within a target area. Normally, target areas are about 4-9 square miles (sq. mi.), but Schultz was interested in developing a 20 sq. mi. area on the upper reaches of the South Branch of the Buffalo River in Wilkin County and northwest Otter Tail County. Landowner participation in the program would be voluntary. The SWCDs would be involved in marketing the program, which will offer an annual payment. One problem with this proposal is that currently Wilkin County isn't an approved county for WLI funds. The group asked if the BRRWD would be interested in providing financial support to the proposal. The DNR and the USFWS are cooperating on the WLI, and they would like to see the BRRWD financially invested in the proposed project. John Hansel, NRCS, has already started to get background wetland information for this area. Albright was concerned that the project should be presented to the landowners when the program details have been finalized. At this time, the State has not approved this area in Wilkin County for the WLI program. **Motion** by VanAmburg for the BRRWD to go on record in support of the WLI effort. **Seconded** by Hanson. **Approved.**

The next PT meeting is scheduled for Thursday, June 17, 2010, at 7:00 PM at the MSUM Science Center, Glyndon.

Revised Watershed Management Plan (RWMP). BWSR has scheduled an open house hearing from 5:00 PM until 7:00 PM on 5/05/10 in Hildebrand Hall, Barnesville. Albright discussed how the meeting will be handled. Either Albright or Jones will present the Plan, and the Board has been asked to testify in support of the RWMP. Jones and Albright met with Brian Dwight and Pete Waller, BWSR, last week to go over the RWMP comments. Jones will have the BRRWD's responses to those comments completed by the hearing date. Henry VanOffelen, Natural Resource Scientist, Minnesota Center of Environmental Advocacy (MCEA), has finished and submitted the natural resource inventory. His work will be included in the RWMP as an appendix. The DNR provided a letter in support of the RWMP, and the BRRWD Advisory Committee gave their support of the Plan at their recent annual meeting. The Board discussed the 3/30/10 RWMP hearing in Hawley and the City of Hawley's concerns regarding the watershed management district (wmd) feature. The Clay County Commissioners, who attended the Hawley meeting, supported the BRRWD's inclusion of the wmd language in our RWMP. There has been no further contact from Hawley since the meeting.

Pump Lake Erosion. The Board discussed a washout problem on the Karen Plemel property in Section 31, Lake Park Township, Becker County. It is suspected that the lake's natural outlet may have been intentionally plugged, causing the lake to erode out to the south. If the erosion continues another 100', Pump Lake could drain rapidly. The Becker SWCD and the DNR have scheduled a meeting on 5/20/10 at 1:00 PM at the intersection of C.R. No. 1 and T.H. No. 10.

River Keepers. River Keepers will be hosting a group through the International River Keepers from Moldova in Eastern Europe, who will be arriving on 5/02/10. They are participants in the Sister Rivers project that has developed relationships between American and Moldovan partners, focusing on the Dniester River in Eastern Europe and the Red River of the North. There is a "mixing of the waters" ceremony planned. On 5/06/10, the group will visit the BRRWD, where they will observe the River Watch Team taking water quality samples, and tour some of our project sites, such as Whisky Creek and Manston Slough. The BRRWD activities will end with supper at the Galaxie Supper Club in Barnesville.

Hay Creek/Stinking Lake. The NRCS received a bid for bufferstrip seeding from Harlen Hendrickson, CRO's Custom Services, for \$14,837.95. The Becker SWCD recommended that we accept this bid and notify Hendrickson. **Motion** by VanAmburg to approve the referenced bid. **Seconded** by Nelson. **Approved.**

COE Metro Area Study. The Board discussed the recent Metro Task Force meeting. Senator Byron Dorgan and a COE representative toured the area. Senator Dorgan has pointed out that because of the community's success in fighting floods, our benefit/cost ratio is reduced. He also said that there are about 65 approved projects ahead of the Metro Diversion proposal at the federal level for funding. Dorgan thought that the region should organize an agreement between cities/states to form a Joint Powers Board authority.

Representative Collin Peterson has suggested that the Federal government should allocate \$1 billion for water retention projects in the Red River Basin. Albright suggested that the Board authorize H.E. to prepare a report regarding several potential larger projects for retention/detention sites. VanAmburg agreed that we should be ready with identified projects if funding becomes available. The Board discussed possible retention sites. Herrmann noted that the new LiDAR data would make an investigation much easier. The Board had an extended discussion regarding this issue. **Motion** by VanAmburg to authorize H.E. to prepare the referenced report. **Seconded** by Nelson. **Approved.**

New Office. At their 4/22/10 annual meeting, the BRRWD Advisory Committee unanimously recommended that the BRRWD investigate a new facility where we could host from 80-100 meeting attendees. The Board discussed the possible purchase of 2-3 lots in the Barnesville Commercial Park.

They also discussed the office design. The lots cost \$1,950 each. Karen Lauer, Barnesville Economic Development Authority (EDA), contacted Albright regarding the availability of the lots. VanAmburg thought we should take an option on the lots. The Board discussed issuing a district wide bond sale for building construction. **Motion** by Hanson to make an offer on Lots 2 and 3 with an option on Lot 4, and contact an architect for information regarding lot sizing, building design, etc. **Seconded** by Paradeis Kobiela. **Approved.**

ADA. The Association of Watershed District Administrators (ADA) has scheduled a two-day workshop on May 4 and 5, 2010, at the Maplelag Resort, Detroit Lakes. Albright will not attend due to pending workload.

Clay County Ditch Nos. 17 and 31, Hay/Stony Creek Repairs. Albright and Harlan Manston conducted a field review of these two ditch systems. It appears that both systems are in need of repairs. Albright provided photographs for the Board's review. **Tabled.** Opsahl will discuss the damage sites with FEMA.

Clay County Ditch No. 34 Repair Request. James Ernst has requested that the Board authorize H.E. to conduct a survey of County Ditch No. 34 to evaluate the height of the north spoil bank/berm along the ditch in Section 21, Barnesville Township, Clay County. The 2010 spring flood overtopped the berm in about six locations, washing away material, and setting up the area for future overtopping. He asked that once H.E. completes the survey, the BRRWD authorize the recommended repairs. **Motion** by VanAmburg to authorize H.E. to conduct a survey and present their repair recommendations. **Seconded** by Paradeis Kobiela. **Approved.**

MAWD 2010 Summer Tour. The Minnesota Association of Watershed Districts (MAWD) has scheduled their 2010 Summer Tour for June 24-26, 2010, in Bloomington, MN, hosted by Nine Mile Creek Watershed District. Managers VanAmburg, Hanson, Paradeis Kobiela, and Nelson will attend.

The following bills were presented for approval:

Accounts Payable	Description	Account	Amount
Arne Heggedal/Gerald Krog	Wetland credits	Pj. 49, Oakport	\$ 104,671.20
Barnesville Phone Co.	4/25/10 billings (2)	Admin	\$ 167.30
Berdella Kragnes	Right-of Way	Clay County Ditch No. 49	\$ 3,200.00
Bruce E. Albright	4/22/10 Advisory meal	Admin	\$ 407.37
Daily News	Hearing notices	RWMP	\$ 71.82
Edwin Johnson, Jr.	Advisory Committee mileage	Admin	\$ 20.00
Elmer G & Alys D. Oberg	Right-of Way	Clay County Ditch No. 49	\$ 3,200.00
Ernest Oberg	Right-of Way	Clay County Ditch No. 49	\$ 2,800.00
H&S Contracting, Inc.	#2010-00065, spoil leveling	Clay County Ditch No. 40	\$ 365.00
H&S Contracting, Inc.	#2010-00080, spoil leveling	Pj. 51, Clay 68	\$ 780.00
H&S Contracting, Inc.	#2010-00081, slope repair	Clay County Ditch No. 35	\$ 390.00
Houston Engineering, Inc.	#0003807, FIS remapping	M.S.A. 103D.905, Subd. 3	\$ 5,249.00
J&J Braton Properties, LLC	May 2010 office rent	Admin	\$ 540.00
Jody E. Eidenschink	Right-of Way	Clay County Ditch No. 49	\$ 3,200.00
Joel Carlson	May Lobbyist fees	Admin	\$ 850.00
John Boen	Advisory Committee mileage	Admin	\$ 15.00
Joy Eidem	Right-of Way	Clay County Ditch No. 49	\$ 2,400.00
Keith A. Brendemuhl	Right-of Way	Clay County Ditch No. 49	\$ 6,600.00
MN Board of Water & Soil	WCA transaction fee	Pj. 49, Oakport	\$ 1,543.15
MN DNR	#204446, permit fees	Pj. 64, LaBelle/Boyer	\$ 150.00
Moorhead Public Service	Utilities (5)	Pj. 49, Oakport	\$ 153.54
Nanik Construction	Final Pay Request	Pj. 58, Riverton	\$ 13,849.57

Northern Technologies, Inc.	#3766, 2/28/10-4/03/10	Pj. 49, Oakport	\$ 395.30
Petty Cash	Postage, supplies, etc.	Admin	\$ 100.00
Red River Valley Coop	3/26/10-4/10/10 service (6)	Pj. 49, Oakport	\$ 343.26
Red River Valley Cooperative	#68422, utility relocations	Pj. 49, Oakport	\$ 63,000.00
Riley Bros. Const. Inc.	Phase 1B, Pay Request No. 4	Pj. 49, Oakport	\$ 4,750.00
Riley Bros. Const. Inc.	Phase 2, Pay Request No. 4	Pj. 49, Oakport	\$ 18,050.00
RMB Environmental Laboratories	#117794, BRIWM-S	BRRWD TMDL	\$ 427.50
RMB Environmental Laboratories	#118135, BRIWM-S	BRRWD TMDL	\$ 285.00
RMB Environmental Laboratories	#118347, BRIWM-S	BRRWD TMDL	\$ 65.50
Robert Scherzer	Advisory Committee mileage	Admin	\$ 45.00
Stanley J. DeJong	Right-of Way	Clay County Ditch No. 49	\$ 340.00
State of Minnesota	Easement	Pj. 49, Oakport	\$ 6,013.50
TDS MetroCom	4/13/10 long distance billing	Admin	\$ 54.02
Terry J & Joy J Eidem	Right-of Way	Clay County Ditch No. 49	\$ 2,060.00
TRN Abstract & Title	#6179772, Tim Fischer	Pj. 49, Oakport	\$ 155.00
TRN Abstract & Title	#6180674, Hoff/Dyrendahl	Pj. 49, Oakport	\$ 155.00
Ulteig Engineers, Inc.	March billings (4)	Pj. 49, Oakport	\$ 64,921.50
Vogel Law Firm	#33322, March billing	Pj. 39, Georgetown	\$ 1,586.00
Vogel Law Firm	#33323, March billing	Pj. 49, Oakport	\$ 27,601.62
Vogel Law Firm	#33324, March billing	F-M Metro Area Task Force	\$ 3,480.00
			\$ 344,451.15

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

Next Meeting. The Board of Managers, BRRWD, will hold their next regular meeting on Monday, May 10, 2010, in the Barnesville office at 8:00 PM.

Adjournment. Chairman Ellefson adjourned the meeting at 11:35 PM.

Respectfully submitted,

John E. Hanson, Secretary