The Board of Managers, Buffalo-Red River Watershed District (BRRWD), held their regular meeting on Monday, November 8, 2010, at 7:00 PM in the Barnesville office. BRRWD Managers present were Roger G. Ellefson, Gerald L. VanAmburg, John E. Hanson, Breanna Paradeis Kobiela, and Curtis M. Nelson. Others attending included: Bruce E. Albright, BRRWD Administrator, Erik Jones, Engineer, and Julie Jerger, Administrative Assistant, Houston Engineering, Inc. (H.E.); and Steve Dalen, Pinnacle Water Management, Inc.; Bethany Kurz, Energy & Environmental Research Center (EERC); and landowners: Carol Quinnild, Paul Quinnild, Steven Akers, Greg Grommesh, Roger Wagner, Evelyn Karppinen, Tony Karppinen, Willie Kahler, Max Peppel, Dean Akers, Jim Myers, Lyle E. Hovland, David Grommesh, Jim Thompson, Dan Thompson, Vicky Thompson, Larry Hovland, Steve Borgquist, Bonnie Harry, Thomas Harry, Gene Zsedeny, Linda Zsedeny, Lee Hovland, Matt Hovland, Gerald Bergquist, Richard Thompson, Steven F. Thompson, Frank Schindler, Ronald Butenhoff, and Jerry Butenhoff.

Chairman Ellefson called the meeting to order at 7:00 PM. He announced that the proceedings were being recorded to aid in preparation of the minutes.

**Clay County Ditch No. 54 Repair Petition.** Albright gave a brief history of Clay County Ditch No. 54. Originally built in 1954, the two-mile long ditch is located in Sections 29 and 30, Barnesville Township, and outlets to a Minnesota Department of Natural Resources (DNR) protected waterway in Section 25, Alliance Township. In 2004, when ditch system landowners filed a repair petition, the BRRWD authorized H.E. to prepare a study of the ditch, which they filed on 6/14/04. The 2004 survey showed that there was 0.3’ to 1.4’ of sediment in the channel with an average depth of 0.7’ throughout the channel. The survey also showed that part of the perceived problem with the ditch stems from the fact that landowners are not utilizing their inlets efficiently. The centerline structures appeared to be adequate and did not need work at this time. The Engineer recommended that the field inlet issues be addressed with the landowners, and that the ditch could be cleaned according to the survey. Albright explained that because of the heavy workload over the past several years, the BRRWD did not follow through with the recommendations until this fall, when the petitioners again requested that the BRRWD move forward with the work. Wade Opsahl, Technician, H.E., mailed permission to deposit spoil forms to the ditch system landowners directly adjacent to the ditch. In response to that request, concerned landowners contacted the BRRWD office regarding possible downstream impacts from the proposed repair. Albright pointed out that the repair will only return the ditch to its 1954 configuration. He said that Steve Akers was in the office on 11/01/10 to voice his concerns about the project. At that time, Albright alerted H.E. to wait with any work until after tonight's meeting.

Ellefson thought that the concerns were probably coming from landowners on the downstream DNR protected waterway in Alliance Township. He explained that the BRRWD has an obligation to the County Ditch No. 54 landowners to maintain the ditch system. They pay into the system and have a right to expect that the BRRWD will keep the ditch in working order in accordance with Minnesota Drainage Law, Chapter 103E.

Albright thought that this area is similar to the area northwest of Barnesville where breakouts and flooding in the Whisky Creek Tributaries area was an ongoing problem. In 2006, through the Mediation Project Team (PT), the BRRWD developed a project for Whisky Creek that included retention sites, diking,
channel cleaning, etc. Albright added that back in 1984, in response to drainage concerns in Barnesville and Alliance Townships, the BRRWD authorized a comprehensive survey of structure sizes, etc., in this area. So, there have been ongoing concerns for a long time. Last spring, the BRRWD asked H.E. to provide a concept report to investigate a potential water management project for the noted DNR tributary to Whisky Creek in Alliance and Barnesville Townships in Clay County and Atherton Township in Wilkin County. This tributary enters Whisky Creek just upstream of the confluence of Whisky Creek with the South Branch of the Buffalo River in Section 10, Alliance Township. H.E.'s recommendations were based on the Revised Watershed Management Plan (RWMP) runoff reduction goals for the Whisky Creek Drainage area, which is between 8,000 and 9,000 acre-feet. This drainage area is 76.2 square miles (sq. mi.). The drainage area for the Barnesville Township tributary to Whisky Creek is 21.4 sq. mi. In his concept report, Jones estimated that the preliminary runoff reduction goal for the project area would be 2,250-2,500-acre-feet. The BRRWD's PT recommended that the BRRWD move forward with this project. The Board has decided to wait to develop a project until some of our ongoing projects are completed.

Roger Wagner said he had heard that the BRRWD planned to widen and deepen County Ditch No. 54. He asked why the County State Aid Highway (CSAH) No. 2 ditch wasn't cleaned this summer. For a long time, he's observed drainage problems in this area involving the Greg Grommesh and Krull properties. Lyle Hovland discussed the County's survey for this area, which he requested, and indicated that he is ready to move forward with the work, as soon as his contractor is available. Greg Grommesh asked the Board to complete the County Ditch No. 54 repair at our 10/12/10 meeting. Wagner complained that the County raised their road near the Barry farm between Sections 23/24, Alliance Township. Jerry Butenhoff said that one mile west of there, the County also raised the road nearly 1'. When he discussed the issue with the County, they told him that he could apply to install more culverts, but they would not lower the road.

When Opsahl sent out permission to deposit spoil forms, the landowners decided to complain about the cleanout proposal. Steve Akers has serious concerns about the proposed project because of the downstream affects. He said that cleaning the ditch won't help the drainage problems, and only pushes more water on the downstream neighbors.

Jim Thompson felt that the project should start by Trunk Highway (T.H.) No. 52 on the South Branch of the Buffalo River channel, which should be cleaned. Ellefson explained that cleaning County Ditch No. 54 would provide more channel capacity. He didn't think that the repair should make the water flow faster. He added that the BRRWD has no authority to clean the DNR protected waterway or the South Branch of the Buffalo River. Ellefson went on to explain that the last 15 years have been the wettest in our recorded history. Because area wetlands are full, we have no natural retention available. Ellefson discussed the BRRWD's current area highwater projects and District-wide drainage problems.

Steve Thompson pointed out that water should drain where it is assessed to go, not overland, or backing up onto neighboring property.

Ellefson explained that the BRRWD is obligated to maintain the ditch and would only approve a cleanout to restore the ditch bottom to the original configuration, according to H.E.'s survey.

Albright mentioned that the BRRWD has the authority to clean the natural waterway up to one mile downstream of a legal ditch system to provide an adequate outlet. Under that authority, we would only be able to clean up through the Barry and Kahler properties, but not to the Butenhoff and Thompson lands. He noted that the BRRWD's RWMP calls for 2,500 acre-feet of storage in this area.

Jim Thompson asked who would pay for the County Ditch No. 54 repair project. The project cost estimate is approximately $15,000. Albright explained the ditch system landowners would be assessed for the
project in Sections 28, 29, and 30, Barnesville Township. Thompson is not in the ditch system benefit area. He complained that if the ditch is cleaned, he will take all the water coming from the project at a faster rate.

Steve Akers felt the Board should look at the actual problems instead of following the Engineer's recommendations. He felt the Board should start the cleanout at the outlet, not upstream.

Rick Thompson asked if we had a culvert size inventory in this area. He would like the Board to gather this information. Ellefson discussed area drainage patterns, noting that there is 50' of fall in approximately 0.5-1.0 miles off the beach ridge west of T.H. No. 9. He feels that sometimes, larger culverts can help control water by keeping it in the ditches, rather than washing out roads.

Jerry Butenhoff asked if the County has the authority to raise their road because of overtopping. He questioned if they should be required to leave a spillway where the road elevation used to be lower. Albright noted that we did have an issue where Wolverton Twp and Wilkin County raised roads over Wolverton Creek, which caused area flooding. The BRRWD did require that they restore the overflow road elevations.

Albright noted that this area is a defined watershed with a 21.4 sq. mi. drainage area. We have conducted numerous studies that show that it would benefit from the installation of retention. VanAmburg questioned if there would be possible retention sites in this area. Jones said that H.E.'s study did identify several potential retention sites. Nelson noted that most of the area's natural retention sites are full. Jim Thompson pointed out that he can't take any more water on his property.

The group discussed a possible cleanout project for the DNR protected waterway in Alliance Township. Ellefson noted that landowners have the right to remove debris from the channel. Jones explained the process to clean/restore public waters.

The group discussed Wilkin County Ditch No. 13 and the Buffalo River sedimentation. Thompson blamed the ditch configuration for the sedimentation in the ditch and the Buffalo River. Ellefson felt County Ditch No. 13 was working well. Albright discussed the features of the Whisky Creek Tributaries project, which was developed in cooperation with the BRRWD's Mediation PT.

VanAmburg noted that drainage in this area has been an ongoing problem for many years. He questioned if the PT should take this area on as a potential project area.

Butenhoff discussed current area drainage patterns and possible retention sites.

Dave Grommesh noted that water sits in his field until the high water is gone along Clay County Ditch No. 34 (Whisky Creek). If County Ditch No. 54 were cleaned back to grade, the low water could drain. Hovland agreed that the ditch cleanout won't address the high water issue, but it will help drain out the low water. Grommesh added that any work along CSAH No. 2 could send more water onto their property in the SW¼, Section 22, Barnesville Township. He felt the water should go where it is assessed.

Jim Thompson pointed out that low water stands in front of his house. Ellefson commented that Grommesh and Hovland are losing cropland because of the water. An extended discussion followed regarding excess water in the entire area and drainage patterns.

Ellefson noted that the cleanout plans would bring the ditch back to original specifications. He asked Jones if there were any changes from the original grade. Jones reiterated that the work would only clean the ditch to the original grade. The Board approved a motion at their 10/12/10 meeting to clean the ditch. Butenhoff asked if the Board could contact Clay County regarding their work to raise the roads in Alliance Township.
November 8, 2010

by his property. Pending available time this winter, Albright will follow up with the County regarding this issue. Butenhoff felt that the ditch cleanout probably wouldn't affect his area too much.

Jim Thompson asked the Board to leave the last 300 yards of ditch in Section 25, Alliance Township, out of the repair project so he doesn't have to lose crop productivity from spoil placement on his field. The Board agreed to consider Thompson's comments, as long as his request doesn't affect the operation of ditch. Jones said the survey shows that there is only a small amount of sediment in the ditch in this area. He pointed out that his recommendations are based on 2004 survey data, so there could be more sediment in the ditch now. Ellefson pointed out that everybody has to share water, and cleaning the ditch will restore the ditch capacity and keep more water in the waterway. The Board agreed that they wanted to move forward with the ditch cleanout.

**EERC "Waffle" Presentation.** Steve Dalen, Pinnacle Water Management, Inc, and Bethany Kurz, EERC, made a presentation regarding the "Waffle Concept". Dalen briefly explained that he and Kurz have been making presentations regarding the Waffle to various organizations over the past few months. Kurz gave a brief history of the development of the Waffle concept, which implements temporary distributive springtime water retention/storage on agricultural land. Landowners would be compensated for using their property for storage. Field trials were implemented in North Dakota and Minnesota. Road stability was a preliminary concern, but it appears that this will not be an issue. Water evaporation and infiltration help remove about 40% of the water volume from the springtime flood impacts. Kurz explained that the concept would include storing water as far upstream in the watershed as possible. The EERC would like to implement a larger pilot project. Kurz explained that they have used the recent LiDAR collect to conduct a preliminary assessment about where water could be stored. Kurz used her computer to show the Board the location of potential storage areas. Albright mentioned that Manager VanAmburg and he attended a meeting with General Walsh, Army Corps of Engineers (COE), regarding the F-M Diversion. He briefly discussed the COE's retention goals. Their goal is approximately 100,000 acre-feet upstream of Fargo/Moorhead with about 20% reduction in the "middle" contribution area. The group had an extended discussion regarding landowner payment options and water storage issues. Dalen asked the Board to consider supporting the development/implementation of the "waffle" distributed retention concept as a flood damage reduction tool, and to participate in the Pilot Project. He suggested that the Board might also send BRRWD Managers and/or staff to the Legislature in support of the Pilot Project. The Board will schedule a special meeting to meet with Dalen and Kurz when we have more time to discuss this issue.

**Lake Jacobs Outlet.** Dan Thompson discussed a highwater issue on Lake Jacobs in Norwegian Grove Township, Otter Tail County. Roads/driveways are underwater, and water is encroaching on a number of lakeshore property and septic drain fields. The proposed project area would include Sections 22, 23, 26, and 27, south of Olaf Lake and north of T.H. No. 108 on the eastern boundary of the BRRWD. Thompson noted that he has already discussed this issue with Jones. There are some concerns about how an outlet project would affect downstream landowners, and they are also hoping the BRRWD would participate in a potential project. Thompson discussed how the high water is affecting the area. Larry Hovland only has about 75' before water will enter his septic drain field. Thompson explained that the proposed project would install drain tile to move water south and west through Lake Colness. Jones discussed the size of piping, possible project route, potential wetland/protected water issues, and the need to obtain downstream landowner permission. The Board reviewed area maps and discussed the project development process with the landowners. Ellefson discussed possible funding. Thompson commented that the landowners are more worried about losing their houses than they are about project costs. Ellefson talked about our current lake outlet projects. The first steps to develop a project would include preparing a preliminary design, appointing Appraisers, obtaining agency permitting, etc. The project would outlet to Deerhorn Creek and the Wilkin County Ditch Nos. 42 and 43 systems. The Lake Jacobs landowners are not in the benefit areas for these ditches because it is a landlocked basin without an outlet.
Albright pointed out that several downstream landowners have already contacted the office with their concerns about routing water across their property. He suggested that we should schedule an informational meeting in the next two weeks. Jones will need to submit the DNR funding request as soon as possible. The DNR still has some 2010 funding available. The meeting could be held in Hildebrand Hall on 11/23/10 at 7:00 PM. **Motion** by VanAmburg to schedule the meeting as referenced and to authorize Jones to apply for DNR funding. **Seconded** by Paradeis Kobiela. **Approved.** Ellefson would like to conduct a field review of the project. The office will mail meeting notices to the affected landowners.

**Karppinen Ringdike.** H.E. opened preliminary bids for the Karppinen ringdike on 11/05/10. Steven Johnson Excavation, Inc., had the apparent low bid for $34,368.00 for the earthen portions of the dike. Karppinen has agreed to be responsible for building the landscape timber floodwall on the side nearest to the river (south) on his property. The group discussed the ringdike design, funding options, and potential dike certification. The portion of the dike with the floodwall might not meet the DNR's standard ringdike program requirements. Karppinen doesn't qualify for Environmental Quality Incentives Program (EQIP) funding, which is targeted for farmers, and Albright noted that the 2010 ringdike funding has already been allocated. The Board discussed possible DNR and BRRWD cost sharing. Karppinen indicated that he will probably construct his dike in 2011, as it is already getting late in the season. H.E. could submit a funding application to the DNR for 2011 for the entire project. Jones will have to provide justification to the DNR for the deviation from the standard ringdike requirement when he submits the funding request and project plans to the DNR.

**Project No. 39, Georgetown Levee.** Albright has sent a funding request to the DNR for an additional $500,000 funding for Georgetown per the Board's direction at our 10/25/10 meeting. The BRRWD has $11,425.93 left in unencumbered funds from our current DNR grant for this project that should be spent by 12/31/10. John Myers questioned the status of a possible buyout for his Georgetown property. Albright explained that to date, there is no new information regarding the DNR funding. The group discussed other possible buyouts and the appraisal/buyout process.

**Secretary's Report.** The Board reviewed draft minutes for the 10/25/10 and 5/10/10 regular meetings. Nelson and Paradeis Kobiela noted minor corrections. **Motion** by Nelson to approve the minutes, subject to correction. **Seconded** by Paradeis Kobiela. **Approved.**

**Treasurer's Report.** The Board reviewed the monthly financial statements, including the project account balance sheet, administrative disbursements, summary of income, and the accounts receivable report. Albright reported that we currently have $1,150,265.24 cash on hand. Since the 10/12/10 meeting, we have received a total of $1,908,585.20, of which $1,752,015.714 came from the DNR for general expenses related to Project No. 49, Oakport Flood Mitigation, and $29,319.37 from Kenneth Hodnefield for his share of the local costs associated with the Natural Resources Conservation Service (NRCS) Emergency Watershed Protection (EWP) buyout for his property in Wolverton Township. The NRCS also forwarded $13,759.58, as their final share of the Hodnefield EWP buyout. The Federal Emergency Management Agency (FEMA) sent our 2010 Disaster payment, which amounted to $60,575.46. Becker, Wilkin, and Otter Tail Counties have paid their second-half 2010 tax collections, and we received $36,941.62 from the State of Minnesota for our first-half 2010 Market Value Credits. **Motion** by VanAmburg to approve the Treasurer's Report. **Seconded** by Hanson. **Approved.**

**Permit No. 10-84, MNDOT.** Applicant proposes to replace a bridge on T.H. No. 9 over Clay County Ditch No. 3 between Sections 16 and 17, Spring Prairie Township, with one line of 14’ x 6’ reinforced concrete pipe (RCP). Jones noted at the last meeting that the structure sizing was acceptable, but that the flowline should be verified. MNDOT has agreed to adjust their plans subject to the revised design. H.E. conducted a survey last week to determine the ditch gradeline elevations for setting the proposed RCB.
November 8, 2010

Motion by Nelson to approve Permit No. 10-84, subject to Jones' recommendations. Seconded by Hanson. Approved.

Permit No. 10-98, Detroit Lakes WMD/USFWS. Applicant proposes to restore a small wetland in Section 30, Highland Grove Township, Clay County. Jones discussed his review of the plans and recommended permit approval. Motion by Paradeis Kobiela to approve Permit No. 10-98. Seconded by Hanson. Approved.

Permit No. 10-99, Detroit Lakes WMD/USFWS. Applicant proposes to restore a small wetland in Section 29, Cuba Township, Becker County. Jones reviewed the plans and recommended permit approval. Motion by Paradeis Kobiela to approve Permit No. 10-99. Seconded by Hanson. Approved.

Permit No. 10-100, Detroit Lakes WMD/USFWS. Applicant proposes to install tile after the outlet for a wetland restoration on Doug Askelson's property in Section 31, Hamden Township, Becker County. Jones reviewed the plans and recommended permit approval. Motion by Paradeis Kobiela to approve Permit No. 10-100. Seconded by Hanson. Approved.

Permit No. 10-131, Clay County Highway Department. Applicant proposes to reconstruct CSAH No. 52, including the roadway and utilities within the City of Barnesville, and reconstruct the roadway with ditch grading and culvert/inlet replacement in the rural areas from the City of Barnesville south to the Clay/Wilkin County line. This part of the project, designed by Ulteig Engineers, Inc. (UEI), only covers work from 2nd AVE NE south to the Clay-Wilkin County line. No additional impervious surfaces will be created. Jones discussed the project plans. Phase 1 should be completed by 7/01/11, and Phase 2 by 8/15/11. Ellefson questioned if the Phase 2 ditch cleaning will improve drainage for the southeast part of the City. Jones thought that we could work with the County to address the drainage concerns in this area. Jones recommended permit approval. Motion by Hanson to approve Permit No. 10-131. Seconded by VanAmburg. Approved.

Permit No. 10-132, Ryan Nelson. Applicant proposes to add a culvert and raise the driveway approximately 2' in the NW¼, Section 3, Kragnes Township, Clay County, to prevent overtopping/eroding of his driveway, which overtops every spring from flooding along the Buffalo River. Jones reviewed the application and found that the proposed 2' driveway raise could have upstream impacts. He suggested that if Nelson only raised his driveway about 0.9', the project wouldn't impact the 10-year floodplain. Jones noted that 0.9' would protect Nelson's driveway from the 10-year flood with no significant impacts. Jones would like to discuss this permit application with Tim Magnusson, Clay County Planning & Zoning, who is in charge of floodplain management. Tabled.

Permit No. 10-137, Howard Pender, Jr. Applicant proposes to install 50 acres of patterned tiling at 70' spacing, to outlet to the lateral of Clay County Ditch No. 55 in the SE¼, Section 24, Elmwood Township. Albright noted that there appears to be an adequate outlet. Motion by VanAmburg to approve Permit No. 10-137. Seconded by Hanson. Approved.

Permit No. 10-139, Kirk Watt. Applicant proposes to lower an 18" dia. field ditch culvert to improve field drainage in the SE¼, Section 30, Barnesville Township, Clay County, in conjunction with the Clay County Ditch No. 54 repair project. Motion by VanAmburg to approve Permit No. 10-139. Seconded by Paradeis Kobiela. Approved.

Permit No. 10-141, Spring Prairie Colony. Applicant proposes to install pattern tiling with a main east-west line outletting to an unnamed waterway in the SW¼ and the E½NW¼, Section 32, Keene Township, Clay County. An upstream wetland is seeping, and they plan to add laterals to the main line to intercept
this seepage and lower the area water table. **Motion** by Paradeis Kobiela to approve Permit No. 10-141. **Seconded** by Hanson. **Approved.**

**Robert Norby Diking Complaint.** The Board reviewed two letters from Norby regarding his denied permit applications. VanAmburg hasn't been able to set up a meeting with Norby regarding his dike work in Section 22, Kragnes Township, Clay County. He will continue to try to contact him.

**Clayton Runck Drainage Violation.** The Board discussed Clayton Runck's work in Section 27, Skree Township, Clay County. The DNR issued a Cease and Desist Order to his son, Craig Runck, but Clayton continues to work in the area. The Board discussed if we should turn Runck's violations over to the Clay County Attorney for prosecution. We had planned to meet with the affected landowners and agencies after 11/15/10 to discuss drainage patterns and area ditching along 110th AVE S, but Runck will be out of town for several days after 11/18/10, so Albright will try to schedule a meeting when Runck returns.

**William Davis Culvert Request.** Davis wants to install a wider approach and a larger culvert in Section 19, Riverton Township, Clay County, to carry flows from increased drainage from the east. **Tabled,** pending field review.

**Permit No. 09-20, Maynard Hughes.** Applicant would like to have a flapgate on the 24” dia. culvert north of his driveway along C.R. No. 19, so that water will go around their farmstead instead of into a wetland near his property. When the road was constructed, the County used the ditch as a borrow site to create a ditch along the road to redirect the water from going through his field. The ditch is slow to open in the spring, so he can open a gate in his ditch berm to the north, and water goes across his field. Last year, water filled up the wetland and overtopped/washed-out the township road (120th ST). At the 4/13/09 meeting, the Board approved Permit No. 09-20, subject to Manager field review and the approval of Wilkin County Highway Department. Hughes recently called to find out the status of his permit application. He would like the BRRWD to send a copy of the approved permit to the County. Albright conducted a field review today and discussed his findings. He questioned what the proposed work would accomplish, but felt that it wouldn't hurt anything. The Board authorized Albright to forward the approved permit to Wilkin County with a letter from the Board, so the work can be completed. Apparently, Hughes has taken some complaints from his neighbors about water overtopping 120th ST in the southeast corner of Section 10, Prairie View Township. Hughes feels the proposed gate may help reroute the water away from the wetland/road.

**Project No. 67, HRBP Outlet.** Jones reported that Ackling Construction Company has started installing the pipe between Grove and Pete Lakes. Jones noted that he will submit a Change Order for more rock. The pipe will require extra rock to provide a better base for the outlet pipe since the area is so wet. Jones estimated that the project should be operational in the next couple of weeks. He noted that he has been working with one Pete Lake landowner regarding his easement language. Albright will schedule a meeting to get the Appraisers started.

**Project No. 64, LaBelle/Boyer Lakes Outlet.** Albright and Managers Hanson and Ellefson still plan to meet with Chad Jetvig's regarding his crop damages. Currently, the Boyer Lake outlet has been stopped to allow the contractor time to finish the Becker County Ditch No. 9 repair. Plans are to restart the project possibly next week. Right now, Boyer Lake is down approximately 3’. Loren Jetvig also wants to meet regarding crossing and easement payment concerns. Sheldon and Carolyn Johnson still have not signed their easement.

**Project No. 63, Grove Lake Outlet.** Tom Langseth has contacted the office with concerns about his assessments for the project. He has also contacted the Minnesota Board of Water and Soil Resources
(BWSR) to see if Otter Tail County could have some representation on the Board and increase the number of Managers from five to seven. Albright forwarded information regarding the Appraisers' Report and benefit area to Langseth.

**Project No. 61, Clay County Ditch No. 11 N.** Several landowners have called the office regarding concerns about their assessments. Albright sent information to landowner Lois Selberg regarding her assessment. The Board discussed the benefit area. John Leseth is dissatisfied with the project and has not paid his share of the private entrance for his former farmstead.

**Project No. 56, Manston Slough Restoration.** Albright will meet with Bridget Jacobson, DNR, on 11/17/10 to finalize the DNR's purchase of the former Holubok property. Landowners continue to sign and return their easement options. The office has not had time to contact those landowners who have not signed their options.

**Project No. 50, Cromwell Township Highwater Investigation.** Jones reported that the contractor has bored the pipe through C.R. No. 33 and started installing the tiling this week. The contractor should be getting close to the Grefsrud property by next week. Jones will apply for a temporary United States Fish and Wildlife Service (USFWS) permit to drain water to lower the wetland on the Grefsrud property, as soon as Phase 1 is completed. The first phase of the project does not include the property owned by Kenny Wouters, who doesn't support the project. The Board will work with the USFWS and upstream landowners this winter to determine a permanent wetland elevation on the Wouters property and to obtain the remaining easements. Phase 2 of the project will be completed next spring.

**Project No. 49, Oakport Flood Mitigation.** The next Construction Committee meeting has been scheduled for 11/12/10. The office received an offer of $100 for a set of solar panels from a greenhouse on one of the buyout properties. Albright and Manager VanAmburg will check the condition of the panels on Friday. Construction is starting to wind down for the season. Master Construction has erected a temporary dike with the wet clay, to allow the material to dry and to provide spring flood protection for the Brentwood Addition (Phase 3B).

Albright closed on the Anda property on 11/11/10, and the office sent pay requests to the DNR for this buyout and for general expenses. At the 10/12/10 meeting, Lee Gray agreed to pay $1,200 for one of the buyout houses. The office sent a Bill of Sale to Gray for his signature. He called the office with questions regarding the deadline for moving the house.

H.E. submitted demolition/restoration quotes from Master Construction for four lots along Broadway ST NW. The bid was for $8,000 each, for a total of $32,000. **Motion** by Hanson to accept the referenced bids. **Seconded** by Paradeis Kobiela. **Approved.**

Odegaard Addition resident Ann Dolence plans to come the next Construction Committee meeting to discuss a ringdike request from her and a number of her neighbors who elected not to take buyouts and now are concerned about the next flood. The Board felt that the project was nearly completed and there isn't any project funding left for requests of this nature. There is also no more 2010 ringdike funding available.

**Project No. 38, Farmstead Ringdikes.** Opsahl prepared a summary regarding the ringdike construction status. H.E. submitted pay requests for Steve Johnson Excavation, Inc. for ringdikes for Hal Mikkelsen ($7,293.43) and Roger Fischer ($25,042.50) and Mattson Excavating, Inc. for the Ryan Nelson ringdike ($19,223.25). The total request is for $51,559.18. **Motion** by Nelson to approve the referenced pay requests. **Seconded** by VanAmburg. **Approved.**
**Project No. 32, Hawley EDA Diversion.** Attorney Tami Norgard, Vogel Law Firm, has prepared a cost share agreement for the Hawley Diversion project regarding the repair of the 60" dia. RCP. The Board reviewed the agreement and a letter from the City of Hawley, agreeing to the proposal. **Motion** by VanAmburg to approve the proposed cost sharing agreement and to send the document to the other affected parties for their signatures. **Seconded** by Hanson. **Approved.** Motion by Nelson to authorize Ellefson to sign the agreement. **Seconded** by VanAmburg. **Approved.**

**Project No. 29, Buffalo River Log Jam Removal.** Albright is working on the NRCS EWP final billing for the log jam removal projects.

**Mediation PT.** The Board decided to schedule the next PT meeting for Thursday, December 9, 2010, at 1:30 PM, MSUM Science Center. Albright noted that the Red River Basin Flood Damage Reduction Work Group (RRBFDRWG) has changed their billing cycle from quarterline to monthly, and they also changed the billing categories from Administrative and Engineering to one category for Project Team Support. Albright will follow up with the RRBFDRWG on this issue.

**COE Metro Flood Study.** General Walsh, COE, met with the local officials involved with the Fargo-Moorhead Diversion project today. Albright and Manager VanAmburg attended. Flood mitigation was one of the topics of discussion.

**Red River Basin Commission (RRBC) Long Term Flood Storage (LTFS).** Rick St. Germain, H.E., has completed the BRRWD water retention study for the RRBC LTFS. The information will be forwarded to Charlie Anderson, RRBC, to include in his study. The Board had a brief discussion regarding the retention study findings. They also discussed lowering the existing retention sites' elevations within the BRRWD this fall to allow for more bounce next spring.

**Minnesota Association of Watershed Districts (MAWD).** MAWD has scheduled their Annual Meeting for December 2-4, 2010, at the Arrowwood Conference Center, Alexandria. The Manager's reservations have been submitted. The Board discussed appointment of delegates and alternates. **Motion** by Nelson to appoint Hanson and Paradeis Kobiela as the BRRWD's delegates with VanAmburg as alternate. **Seconded** by VanAmburg. **Approved.** The Board decided not to have a booth at the trade fair due to workload.

**Drainage Forum.** The 11th Annual Drainage Research Forum will be held on 11/23/10 in Owatonna at Cabela's. The Forum will focus on drainage and water management in the upper Midwest.

**Wilkin County Ditch No. 41 Repair Request.** Brian Durensky filed a repair request for Wilkin County Ditch No. 41 to clean 0.5 miles of the ditch along the east side of T.H. No. 9 in the SW¼, Section 15, Atherton Township. Ellefson noted that there should also be ditch inlet culverts installed in this area. **Motion** by VanAmburg to approve the repair request and the referenced inlet pipes. **Seconded** by Paradeis Kobiela. **Approved.**

**Request for Information.** City of Hawley Attorney Zenas Baer has requested information regarding two issues: the BRRWD's use of M.S.A. 103D.905, Subd. 3, and Craig Seter's assessments for Project No. 58, Riverton Township Retention. Albright forwarded the information for both items to Baer.

**Clay County Ditch No. 35.** Dan Fiandaca is asking for about $5,000 damages regarding activity last spring where a contractor cut the west ditch berm in two spots north of County Road (C.R.) No. 18 during the flood, which caused flooding on Fiandaca's standing corn crop. Manager VanAmburg and Albright field reviewed the area today. Fiandaca plans to attend the 11/22/10 BRRWD meeting to discuss this issue further. VanAmburg felt the contractor was responsible since the BRRWD and H.E. did not authorize the
work. The cuts were closed immediately after the BRRWD was contacted. To date, Master Construction, Inc., has not rectified the issue with the Fiandaca.

**RWMP.** BWSR forwarded a corrected RWMP grant contract for the Board's signature. There was an error on the dollar amount. Ellefson signed the revised document.

**2006 FEMA.** The office forwarded the final paperwork to close out the 2006 FEMA Disaster account.

**Annual Conference.** The Minnesota Association of Floodplain Managers is holding their 2010 Annual Conference on November 17-19, 2010, at the Bigwood Event Center in Fergus Falls.

**2010 Area I Envirothon.** Duane Grossman, Chairman, Becker Soil and Water Conservation District (SWCD), sent a letter to the Board thanking us for our $200 contribution to their Envirothon.

The following bills were presented for approval:

<table>
<thead>
<tr>
<th>Accounts Payable</th>
<th>Description</th>
<th>Account</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arthur L. Anderson</td>
<td>50% culvert reimbursement</td>
<td>Pj. 23, Becker 15</td>
<td>$ 900.00</td>
</tr>
<tr>
<td>Breanna Paradeis Kobiela</td>
<td>Voucher #10-28, 9/01/10-10/31/10</td>
<td>Varies</td>
<td>$ 781.89</td>
</tr>
<tr>
<td>Curtis M. Nelson</td>
<td>Voucher #10-26, 9/01/10-10/31/10</td>
<td>Varies</td>
<td>$ 814.42</td>
</tr>
<tr>
<td>Gerald L. VanAmburg</td>
<td>Voucher #10-27, 9/01/10-10/31/10</td>
<td>Varies</td>
<td>$ 1,332.70</td>
</tr>
<tr>
<td>H.E.</td>
<td>October 2010 billing</td>
<td>Varies</td>
<td>$ 77,623.78</td>
</tr>
<tr>
<td>HES, Inc.</td>
<td>#542103, asbestos inspection</td>
<td>Pj. 49, Oakport</td>
<td>$ 1,525.00</td>
</tr>
<tr>
<td>Hough, Inc.</td>
<td>Georgetown-Jackson demolition</td>
<td>Pj. 39, Georgetown</td>
<td>$ 13,875.00</td>
</tr>
<tr>
<td>IRS</td>
<td>3rd Qtr. Form 941 taxes</td>
<td>Admin</td>
<td>$ 1,617.98</td>
</tr>
<tr>
<td>John E. Hanson</td>
<td>Voucher #10-25, 9/01/10-10/31/10</td>
<td>Varies</td>
<td>$ 761.84</td>
</tr>
<tr>
<td>Judy Iten</td>
<td>Lot 2010-5A security deposit</td>
<td>Pj. 49, Oakport</td>
<td>$ 1,250.00</td>
</tr>
<tr>
<td>Mattson Excavating, Inc.</td>
<td>Pay Request No. 3, Ryan Nelson</td>
<td>Pj. 38, Ringdikes</td>
<td>$ 19,223.25</td>
</tr>
<tr>
<td>MAWD</td>
<td>Annual Meeting reservation (6)</td>
<td>Admin</td>
<td>$ 1,155.00</td>
</tr>
<tr>
<td>Paul M. &amp; Teresa D. Tschakert</td>
<td>Easement option</td>
<td>Pj. 56, Manston</td>
<td>$ 100.00</td>
</tr>
<tr>
<td>Petty Cash</td>
<td>Postage, supplies, misc.</td>
<td>Admin</td>
<td>$ 100.00</td>
</tr>
<tr>
<td>Premium Waters, Inc.</td>
<td>#366590-10-10</td>
<td>Admin</td>
<td>$ 16.55</td>
</tr>
<tr>
<td>RMB Laboratories, Inc.</td>
<td>137563, BRIWM-S</td>
<td>Buffalo River TMDL</td>
<td>$ 190.00</td>
</tr>
<tr>
<td>Roger G. Ellefson</td>
<td>Voucher #10-24, 9/01/10-10/31/10</td>
<td>Varies</td>
<td>$ 455.57</td>
</tr>
<tr>
<td>Roger Lundberg</td>
<td>11/01/10 billings</td>
<td>Varies</td>
<td>$ 2,788.00</td>
</tr>
<tr>
<td>Steve Johnson Excavation</td>
<td>Pay Request No. 1, Hal Mikkelsen</td>
<td>Pj. 38, Ringdikes</td>
<td>$ 7,293.43</td>
</tr>
<tr>
<td>Steve Johnson Excavation</td>
<td>Pay Request No. 1, Roger Fischer</td>
<td>Pj. 38, Ringdikes</td>
<td>$ 25,042.50</td>
</tr>
<tr>
<td>Subsurface, Inc.</td>
<td>Clean pipe/excavation</td>
<td>Clay County Ditch No. 20</td>
<td>$ 1,972.50</td>
</tr>
<tr>
<td>Tim T. Crompton</td>
<td>5412 5th ST NW, security deposit</td>
<td>Pj. 49, Oakport</td>
<td>$ 3,000.00</td>
</tr>
<tr>
<td>Wm Nichol Excavating, Inc.</td>
<td>#58, FEMA site #29</td>
<td>Clay County Ditch No. 31</td>
<td>$ 786.00</td>
</tr>
<tr>
<td>WREC</td>
<td>9/19/10-10/10/10 service (2)</td>
<td>Pj. 46, Turtle Lake</td>
<td>$ 401.74</td>
</tr>
<tr>
<td>Xcel Energy</td>
<td>9/23/10-10/24/10 electrical (4)</td>
<td>Pj. 49, Oakport</td>
<td>$ 35.81</td>
</tr>
</tbody>
</table>

Motion by Nelson to approve payment of the bills. Seconded by Paradeis Kobiela. Approved.

Next Meeting. The Board of Managers, BRRWD, will hold their next regular meeting on Monday, November 22, 2010, at 7:00 PM.

Adjournment. Chairman Ellefson adjourned the meeting at 11:45 PM.

Respectfully submitted,

John E. Hanson, Secretary