

BUFFALO-RED RIVER WATERSHED DISTRICT

BARNESVILLE, MINNESOTA 56514

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MINUTES FOR MANAGERS' MEETING

June 27, 2011

The Board of Managers, Buffalo-Red River Watershed District (BRRWD), held their regular meeting on Monday, June 27, 2011, at 7:00 PM in the Barnesville office. BRRWD Managers present were Gerald L. VanAmburg, Roger G. Ellefson, John E. Hanson, Curtis M. Nelson, and Breanna L. Paradeis Kobiela. Others attending included: Bruce E. Albright, BRRWD Administrator, Erik S. Jones, Engineer, and Julie Jerger, Secretary, Houston Engineering, Inc. (H.E.); Dr. Karlyn Eckman and Alec Albright, Student Researcher, Water Research Center, University of Minnesota, St. Paul (U of M), Sheila Carlson, River Watch Educator, and landowner Jim Myers.

Chairman VanAmburg called the meeting to order at 7:20 PM. He announced that the proceedings were being recorded to aid in preparation of the minutes.

Social Indicators Survey Presentation. At 7:20 PM, Dr. Karlyn Eckman and Alec Albright, Student Researcher, Water Resources Center, U of M, gave a presentation regarding the results from the Social Indicators Survey (SIS) conducted for the BRRWD in conjunction with the BRRWD's Total Maximum Daily Load (TMDL) water quality pilot study. Dr. Eckman discussed the social indicators project, which measures social trends/changes (income, health, life expectancy, etc) related to government programs. Using the Social Indicator Planning and Evaluation (SIPES) Framework, the Environmental Protection Agency (EPA) Region 5, including six states (Minnesota, Michigan, Illinois, Indiana, Ohio, and Wisconsin), commissioned a regional team to create a method to evaluate the social outcomes of the Clean Water Act. Their work began in 2005 and ended in April 2011. SIPES is a framework of 14 indicators that are linked to groups of questions for two (urban and agricultural) questionnaires. The local partner designs the questionnaire and administers the survey. Molly MacGregor, Detroit Lakes Minnesota Pollution Control Agency (MPCA), helped create the questionnaire for the BRRWD pilot project. Three other surveys were conducted in Minnesota. The BRRWD's survey is the most extensive one conducted to date in the State of Minnesota.

Alec Albright explained how the BRRWD's survey was implemented. Our target sample group was rural residents within the BRRWD. We obtained potential survey recipient addresses from the four county Auditor's offices and drew names proportionally according to the percentage of residents from each county within the BRRWD: Clay County 40%, Becker County 30%, Otter Tail County 15%, and Wilkin County 15%. The survey data was collected through a 4-stage mailing process. First, a letter was sent to the recipient notifying them that a questionnaire would be mailed to them, and then the actual survey was mailed. If the survey wasn't returned within approximately a week, a first reminder postcard was sent, followed by a second reminder. The first wave mailing started in July 2010, and a second wave (December 2010) was conducted to obtain a statistically meaningful database. Albright entered the responses into an online database on the Social Indicators Data Management and Analysis system (SIDMA) interactive website. The total expenditure for the survey was \$44,708.19.

Approximately 2,040 surveys were distributed and 522 were returned. Wilkin County had the highest percentage of responses with approximately 34%. Becker County's response rate was 23.9%, Clay County was 24.8%, and Otter Tail County was 21.9%. Questions included how many years a respondent had owned their property, if the respondent was actively involved with agriculture or not, and the size of the

agricultural acreage owned. The survey also asked if the respondent thought the quality of life in a community is dependent upon good local water quality, to which most agreed/strongly agreed. Most respondents indicated they would be only willing to pay slightly more to protect water quality. Several questions also pertained to landowners' practices/awareness regarding grassed waterways or runoff retention on their property. Landowners indicated that constraints regarding their use of best management practices (bmps) included a lack of installation information or demonstration sites. The responses showed the participants had a very high level of trust in local government, primarily the BRRWD and the Soil and Water Conservation Districts (SWCD). Dr. Eckman and Albright recommended that because of the landowners' trust in the BRRWD and SWCD, joint landowner outreach and education programs regarding bmps would probably be very effective.

Some problems encountered with the survey included county mailing list inaccuracies, the length and complexity of the questionnaire, and difficulty with data interpretation/SIDMA access. Dr. Eckman pointed out that Alec Albright was very valuable when it came to entering the data into the SIDMA software. As Dr. Eckman noted previously, the BRRWD's SIS project was the most extensive survey conducted in Minnesota to date, and there is a large amount of raw survey data left to process. The SIPES project was defunded in April 2011, so work on the SIS project has also stopped. To date, they have not prepared a final report for the survey. The Board felt that we should pursue additional funding to finish the process. If necessary, VanAmburg suggested that the Board could provide a request to the Water Resources Center and the MPCA for funding to complete the SIS. VanAmburg asked if the Power Point Presentation would be available. Albright will provide a copy of tonight's presentation for the BRRWD's use. Dr. Eckman said that with the BRRWD's support, she would continue to look for additional funding to complete the work on the dataset and prepare a final report. She thanked the Board for their funding match and the opportunity to work on the SIS project. The Board thanked Dr. Eckman and Alec Albright for their work.

Secretary's Report. The Board reviewed draft minutes for the 6/13/11 regular meeting. **Motion** by Paradeis Kobiela to approve the minutes. **Seconded** by Nelson. **Approved.**

Treasurer's Report. The Board reviewed the BRRWD's financial status. We currently have \$1,458,545.73 cash on hand. Since the last meeting, we received \$93,110.57. Becker County remitted their 2011 first half property/ditch taxes (\$91,710.57), including bond and maintenance taxes for Project No. 46, Turtle Lake Outlet. The remainder of our income came from Lee Gray, who purchased a buyout property associated with Project No. 49, Oakport Flood Mitigation (\$1,350.00), and a rent payment from Brad and Lanessa Hersch (\$150).

Other business brought before the Board included:

Permit No. 10-23, Rick Thompson. The Board discussed scheduling a special Manager field meeting to review the neighborhood drainage problems in the SW¹/₄, Section 11, Alliance Township, Clay County. The Board discussed how to coordinate the field meeting and a landowner meeting. They also had an extended discussion regarding the area drainage issues. The Board agreed to schedule a Manager field review at 7:30 PM onsite on Tuesday, July 26, 2011, followed by a landowner informational meeting at 9:00 PM. The office will mail notices to affected landowners.

Permit No. 11-08, American Crystal Sugar Company. Applicant proposes to install drain tile on their Glyndon beet piling station in the NE¹/₄, Section 22, Glyndon Township, Clay County, to help dewater the site. Albright and Manager VanAmburg conducted a field review on 6/23/11 and determined that there was an adequate outlet to the South Branch of the Buffalo River. **Motion** by

Ellefson to approve Permit No. 11-08, subject to the BRRWD's standard tiling disclaimer. **Seconded** by Paradeis Kobiela. **Approved.**

Permit No. 11-25, Kevin and Dennis Jerger. Applicants propose to install a larger culvert in their driveway along County Road (C.R.) No. 188 (130th ST) in the NE¼, Section 19, Atherton Township, Wilkin County, to reduce driveway overtopping from the South Branch of the Buffalo River during highwater events. Dan Swedlund, Wilkin County Highway Department, has agreed to install the new culverts and has requested that the Board recommend a size. Swedlund would also like to replace the overflow culvert in C.R. No. 188 just west of the driveway with the same size pipe in an attempt to protect the county road from overtopping. Ellefson and Albright conducted a field review on 6/17/11. They determined that no one else would be affected by the work and recommended 36" dia. culverts. **Motion** by Ellefson to approve Permit No. 11-25, subject to the referenced culvert sizing. **Seconded** by Nelson. **Approved.**

Permit 11-47, Carl Altenbernd. Applicant proposes to install an approach with a 24" dia. corrugated metal pipe (CMP) off County State Aid Highway (CSAH) No. 11 in the SW¼, Section 29, Elmwood Township, Clay County, to access a new building site. The Clay County Highway Department has already approved the request. As no one else will be affected by the work, Albright recommended permit approval **Motion** by Nelson to approve Permit No. 11-47. **Seconded** by Hanson. **Approved.**

Permit No. 11-49, Craig Runck. Applicant proposes to clean the ditch on the west side of 220th ST S in Section 27, Skree Township, Clay County. Runck's project would continue the ditch cleanout Randy Bjornson did last fall south to 110th AVE S. He would also like to remove an 18" dia. culvert in 220th ST S. Currently, the Minnesota Department of Natural Resources (DNR) has a Cease and Desist Order for any drainage work in Section 27 in response to work Runck completed last year, which is under investigation for a possible wetland violation by the Cass County Natural Resources Conservation Service (NRCS). The Board and the environmental agencies involved with this issue met on 3/08/11 in Barnesville and made an agreement that no work would be done in this area until the DNR lifts their Cease and Desist Order and the NRCS completes their review. **Tabled**, pending receipt of notice from NRCS and DNR regarding the possible wetland violation determinations and the lifting of the Cease and Desist Order.

Permit No. 11-50, Maier Farms. Applicant proposes to install a dike along the north side of their property along CSAH No. 32 in the NW¼, Section 8, Deerhorn Township, Wilkin County, to contain flows in the road ditch. Ellefson and Albright conducted a field review on 6/17/11 and found no problems with the proposed work. **Motion** by Ellefson to approve Permit No. 11-50. **Seconded** by Hanson. **Approved.**

Permit No. 11-58, Jay Leitch. Applicant proposes to improve diking around his house/garage along the Red River in Section 21, Oakport Township, Clay County. Albright and Manager VanAmburg conducted a field review on 6/14/11. They determined that the dike will be small, and it won't affect anyone. **Motion** by Paradeis Kobiela to approve Permit No. 11-58. **Seconded** by Ellefson. **Approved.** The applicant should check with the City of Moorhead regarding their permitting process.

Permit No. 11-59, Minnesota Department of Transportation (MNDOT). Applicant proposes to apply bituminous milling and overlay to Trunk Highway (T.H.) No. 32 from T.H. No. 10 to the Norman County line, including bridge repairs and culvert replacements. Jones reviewed the proposal and recommended permit approval. **Motion** by Hanson to approve Permit No. 11-59. **Seconded** by Nelson. **Approved.**

Permit No. 11-60, MNDOT. Applicant proposes to remove/replace bridge decks on Interstate-94 (I-94) over the South Branch of the Buffalo River in Section 21, Glyndon Township, Clay County. **Motion** by Ellefson to approve Permit No. 11-60. **Seconded** by Paradeis Kobiela. **Approved.**

Permit No. 11-61, City of Moorhead. Applicant proposes to construct a clay levee to protect River's Edge Subdivision to the 44' river stage (500-year flood event) in the NW¼, Section 28, Oakport Township, Clay County. Jones reviewed the proposal and recommended permit approval. **Motion** by Hanson to approve Permit No. 11-61. **Seconded** by Paradeis Kobiela. **Approved.**

Permit No. 11-62, Tom Herfindahl. Applicant proposes to install pattern tiling in the NW¼, Section 1, Cuba Township, Becker County. Hanson and Albright conducted a field review on 6/20/11 and recommended permit approval. Three neighboring landowners are working together on this joint project, and the Board has already approved permits for the other landowners. **Motion** by Hanson to approve Permit No. 11-62, subject to our standard tiling disclaimer. **Seconded** by Ellefson. **Approved.**

Permit No. 11-63, Randy Dickhaus. Applicant proposes to clean/regrade the ditch along 220th ST N to lower water in a United States Fish and Wildlife Service (USFWS) easement in the NE¼, Section 22, Cromwell Township, Clay County. Dickhaus is working with Chuck Melvin, USFWS, who has approved the work. The USFWS did the survey and staking. The Township and NRCS have also approved the proposal. **Motion** by Nelson to approve Permit No. 11-63. **Seconded** by Paradeis Kobiela. **Approved.**

Permit No. 11-64, Cromwell Township. Applicant proposes to replace a deteriorated 15" dia. CMP in 200th ST N between Sections 8 and 9 with a used 18" dia. CMP. The neighboring landowner has approved the proposal. **Motion** by Nelson to approve Permit No. 11-64. **Seconded** by Paradeis Kobiela. **Approved.**

Permit No. 11-65, Gerald Zimmerman. Applicant proposes to install pattern tiling in the N½NE¼, Section 21, Morken Township, Clay County, with an outlet control structure to Clay County Ditch No. 10 to which it is assessed. **Motion** by Ellefson to approve Permit No. 11-65, subject to our standard tiling disclaimer. **Seconded** by Hanson. **Approved.**

Permit No. 11-66, Jim Sheridan. Applicant proposes to install a crossing with an 18" dia. CMP to access his property south of Lake Three in the NE¼, Section 10, Parke Township, Clay County. Currently, the county road in this area is underwater. Because of line-of-site distance concerns, the County won't give a permit for an approach on the west side of Sheridan's property. **Motion** by Paradeis Kobiela to approve Permit No. 11-66. **Seconded** by Hanson. **Approved.**

Permit No. 11-67, Clay County Highway Department. Applicant proposes to install an approach with an 18" dia. culvert off CSAH No. 12 into Section 31, Moorhead Township. Albright and Manager VanAmburg conducted a field review on 6/23/11 and recommended permit approval. **Motion** by Nelson to approve Permit No. 11-67. **Seconded** by Ellefson. **Approved.**

Ness Lake. Joyce Stone, a property owner on Ness Lake west of Pump Lake, called with concerns about water overtopping C.R. No. 119 and threatening her property/house in Eglon Township, Clay County. The Board reviewed LiDAR photos and a map of the area. Albright noted that the 2010 Pump Lake outlet repairs should have helped this area. Jones presented his review of a potential outlet for the lake. He felt that an outlet project wasn't feasible due to the drainage patterns and downstream lakes' elevation. He thought that we should have Ordinary High Water (OHW) elevations conducted for the downstream lakes, which are all landlocked. The Board discussed the possibility of developing a project and potential funding. Manager Hanson suggested that we could conduct a field review of the area. Hanson will furnish Stone with a copy of Jones' analysis.

Trosvik Tiling Concern. Albright hasn't had time to meet with Tami Norgard, Attorney, Vogel Law Firm, regarding Tom Trosvik's tiling project along 110th AVE in Section 32, Norwegian Grove Township, that he installed last summer without a BRRWD permit. The tile outlets onto Orrin Sorum's property, and he has expressed concerns regarding wet field conditions caused by the tile. Albright sent Norgard some area maps. He displayed an elevation map of the area. The Board discussed possible outlets for the tiling.

Project No. 69, Lake Alfred. H.E. is still waiting for the DNR to complete the OHW elevation survey. If the State Legislature doesn't approve a 2011 Flood Damage Reduction (FDR) bonding bill, funding for this project might not be available.

Project No. 68, Lake Jacobs. Jones is working with Leo Grabowski, Army Corps of Engineers (COE), who has indicated that no COE permit will be required. The DNR has indicated that a DNR permit will not be required for the project and has also approved funding for the project. We are waiting for the Grade and Fill permit from Otter Tail County. Jones reported that the only permitting issue is from the Otter Tail County Highway Department to work on their right-of-way (r-o-w) to install a culvert through C.R. No. 21. The permit fee is \$250, which is reimbursable when the project is completed. Albright noted that Opsahl thought he could get the Appraisers' Report completed in the next couple of weeks. Albright suggested that we could tentatively schedule the Final Hearing on 7/21/11, pending receipt of the Appraisers' Report. Jones noted that the easement documents are ready except for r-o-w payment values. Jones visited with landowner Dan Thompson, who would like to see the lake lowered a few feet before fall. Jones thought that this goal is achievable.

Lake Annie. Albright noted that the petition to add the area around Lake Annie and Grenna Lakes to the BRRWD has been forwarded to the Otter Tail County Board of Commissioners, who will schedule it on their meeting agenda for further discussion.

Project No. 67, HRBP Lakes Outlet. Albright plans to meet with the Appraisers next week to hopefully wrap up their work on this project. Opsahl has the draft benefit maps prepared. Albright suggested that the Final Hearing could be scheduled for sometime in August. The Board will discuss scheduling the hearing at their 7/11/11 regular meeting.

Jones reported that the current elevation for Helgeson Lake is 1371.04. Pete Lake is at elevation 1355.56. Opsahl has raised the Pete Lake outlet, and Jones noted that with additional flow from the upstream lakes and possible rain, Pete Lake should come up. The Board discussed lake residents' concerns about Pete Lake's elevation. Jones noted that it will take some time to equalize the elevation of the area lakes.

H.E. hasn't prepared a Final Pay Request for Ackling Construction. There is still some cleanup work to complete.

Project No. 66, Ranum/Tansem. Albright closed on the Hersch buyout on 6/14/11 with funds coming from the DNR, BRRWD, and the Department of Employment and Economic Development (DEED). Brad and Lanessa Hersch will remain in the house until their new house is built. They have paid their July rent. Albright noted that the office will bill Wynn Consulting for reimbursement for the DEED and DNR funding.

Project No. 65, County Line Outlet. There is currently no USFWS funding available to help pay for an enhanced project for this area. The DNR completed the OHW survey on the DNR protected waterbodies lying east of the USFWS Waterfowl Protection Area (WPA), and it appears that we could lower those wetlands about 4' without a DNR permit. Albright explained that if the BRRWD decided to construct the project to lower the USFWS wetland easement and WPA approximately 4', the USFWS would still require

a National Environmental Protection Agency (NEPA) and USFWS internal review of the proposed project. The same process would be required if the landowners decided to construct a ditch to drain the area water to Wilkin County Ditch No. 41. The USFWS supports a proposal to lower the area wetlands almost completely, which would still require the review process. The Board discussed a possible landowner project to lower the DNR protected wetlands. Ellefson will talk with the area landowners to see if they are interested in constructing their own project. Albright suggested the Board could schedule a landowner meeting to discuss a possible project and issues that still need to be addressed. In addition, there is no DNR FDR funding for this project.

Project No. 64, LaBelle/Boyer Lakes Outlet. Jones reported that Boyer Lake is at elevation 1322.01, and Labelle Lake is at elevation 1310.92. Justin Johnson, Technician, H.E., removed debris from the trash rack on LaBelle Lake. The Board discussed scheduling a meeting with the landowners for sometime in August to set a final elevation for Boyer Lake and to discuss shoreline restoration. Albright noted that we could invite the DNR, Becker Planning & Zoning, and the Becker SWCD to discuss shoreline restoration.

Becker County Ditch No. 9. H.E. has completed the r-o-w drawings for the 2010 cleanout on County Ditch No. 9 for Marlace Fahrlander (Loren Jetvig) and Kevan Nelson's additional temporary r-o-w payment Project No. 64, LaBelle/Boyer Lake Outlets. Jones displayed a map showing the location of the additional r-o-w. The Board discussed the additional cleaning on County Ditch No. 9 in conjunction with Project No. 64, LaBelle/Boyer Lake Outlets and the allocation of the costs for using County Ditch No. 9 as an outlet for Project No. 64. **Motion** by Ellefson to pay \$300/acre for the additional Project No. 64 temporary r-o-w. **Seconded** by Hanson. **Approved.** The Board also discussed crop damages/spoil replacement sustained by a number of downstream landowners on County Ditch No. 9 last year related to the operation of Project No. 64. **Motion** by Ellefson to also pay these damages. **Seconded** by Hanson. **Approved.**

Project 63, Grove Lake. Albright reported that Grove Lake's elevation 1327.56, with a target elevation of 1325.0.

Project No. 61, Clay County Ditch No. 11-Improvement. Albright noted that he will try to set up a meeting for some of the Managers to meet with Duane Walker, who would like to discuss the ditch erosion/slumping along his property. The office sent a second pay request to John Leseth for his share of the bridge replacement costs for his former farmstead. There has been no response.

Project No. 56, Manston Slough Restoration. John Voz, Ducks Unlimited (DU) plans to schedule a meeting with landowner Dennis VanWechel regarding the Wetlands Reserve Program (WRP) enrollment. The State's potential shutdown could affect project development.

State Government Shutdown. The Board reviewed a letter from the DNR regarding the impending State Government shutdown, and how it will affect work on our ongoing projects. It appears that work on most BRRWD projects can continue with the understanding that the BRRWD might be liable for expenses incurred during a possible shutdown. Albright will discuss this issue with Kris Carlson, Ulteig Engineers, Inc. (UEI), regarding Project No. 49, Oakport Flood Mitigation, which is the only major project under construction at this time with DNR FDR funding. He will also send a copy of the DNR's letter to Oakport Township and Clay County for their review.

Project No. 50, Cromwell Township. Appraiser Rose M. Hoefs will attempt to complete the Kenneth Wouters appraisal sometime this week. It appears that Wouters is reluctant to schedule a time for Hoefs to access their property to conduct the appraisal. According to Wouters' Attorney Roger Minch, no BRRWD staff is allowed on the Wouters' property.

Project No. 49, Oakport Flood Mitigation. Albright will prepare a list of the buyout properties we have to sell at auction this summer/fall. Opsahl is working on cleaning up the sites where houses were moved last fall.

Crystal Creek. Albright and Manager VanAmburg conducted a field review on 6/14/11. Mark Aanenson, H.E., will be working on the wetland delineation later this week for repair of the slough area. Albright explained that two homeowners whose property is not involved with the project are opposed to it because they don't want the dike in front of their houses (Crystal Creek North). Since we don't need easements from these homeowners, the Board felt that we should go ahead with project despite their concerns in the interest of public health and safety.

Project No. 46, Turtle Lake Outlet. Opsahl plans to apply an aquatic chemical to address an algae buildup on the fish barrier. Since the siphon valve was removed, Turtle Lake is down about 1.6' at elevation 1362. The Turtle Lake Association's Annual Meeting and Picnic is scheduled for 7/16/11. Opsahl will attend and provide a report and lake elevation graphs.

Project No. 39, Georgetown. Albright and Manager Nelson met with the City of Georgetown on 6/22/11 to discussed concerns about state funding and buyouts. If there is no bonding bill passed this year, the Georgetown project will not be built in 2011. If the Governor calls a Special Session, and they pass a bonding bill, there is still a chance the project could move forward. After reviewing the list of potential buyouts and the appraisals, the City recommended that the BRRWD not move forward with individual buyouts until there is funding secured to follow through with all them. **Motion** by Nelson to put the buyout process on hold until we have funding in place for the entire project. **Seconded** by Paradeis Kobiela. **Approved.** The City would like the Engineer to continue work on the project plans and specifications and the easement drawings so they can start working on the easement acquisitions. The City would like the BRRWD to pursue the acquisition of a tract of land on the east side of T.H. No. 75 for the project dike alignment and storm water facility, since it is currently for sale.

Project No. 38, Farmstead Ringdikes. Albright submitted a preliminary bill to Ron Harnack, Red River Watershed Management Board (RRWMB) for the 2009/2010 ringdike expenditures. Harnack approved the expenditures, which total \$62,774.82, and Albright will submit a final bill this week to the RRWMB and the participating landowners.

Opsahl has prepared a proposal to retrofit the gates on Jon Evert's farmstead ringdike. The approximate cost will be \$4,000, which the BRRWD would split with Evert on a 50/50 basis. **Motion** by Ellefson to approve the repairs. **Seconded** by Nelson. **Approved.**

Project No. 32, Hawley EDA Diversion. Because of a conflict of interest with Vogel Law Firm, the BRRWD will need to find different representation if we decide to follow through with a lawsuit against Sellins Brothers regarding the repair costs for the damaged 60" dia. CMP Diversion pipe. At the last meeting, Ellefson suggested we contact Attorney Tom Athens. Albright noted that Athens is practicing in Fergus Falls and he has left a phone message for him. The City of Hawley has suggested the BRRWD send a letter to Sellin Brothers notifying them that we plan to hire another contractor to complete the repairs and sue Sellins for the resulting costs.

Project 29, Buffalo River Logjams. Earlier this year the BRRWD was informed that there could be 2011 Emergency Watershed Protection (EWP) funding available from NRCS for logjams and erosion sites. Albright had planned to schedule an aerial survey to locate potential repair sites. Recently, Scott Smith, NRCS, told Albright to postpone work on this project because the Federal government has unappropriated some of the EWP funding.

Project No. 1, Wilkin County Ditch No. 22-Lateral No. 3. The Ernst/Nord lawsuit is scheduled for August 10-12, 2011. To date, a meeting has not been scheduled with the Lateral No. 3 landowners regarding a possible improvement project.

Mediation Project Team. The next PT meeting is scheduled for 8/25/11 at 7:30 PM in the MSUM Science Center near Glyndon. Meeting notices will be sent.

Army Corps of Engineers (COE) Metro Flood Study. The attorneys are redrafting the Joint Powers Agreement (JPA) to reword the funding/cost share language. The Moorhead City Council is meeting tonight to review the JPA. There are still concerns regarding how the Minnesota votes and veto powers should be divided between the City of Moorhead, Clay County, and the BRRWD. The Board had an extended discussion regarding this issue and the upstream storage proposal. The next Metro Workgroup meeting is scheduled for 7/21/11. The BRRWD will discuss the JPA at their 7/11/11 meeting.

Becker County Ditch No. 5. A hearing was held on 6/21/11 regarding the USFWS petition to restore a drained wetland basin on County Ditch No. 5 in Sections 21, 22, 27, and 28, in Audubon Township, to improve wildlife habitat and biodiversity. The office prepared the Order to approve the project for the Board's signature. **Motion** by Hanson to approve the petition and authorize VanAmburg to sign the Order on behalf of the Board. **Seconded** by Ellefson. **Approved.**

Clay County Ditch No. 49. Albright, Jones, and Jeremy McLaughlin, H.E., met with Nathan Gannon, Clay County Highway Department, regarding the plans to replace the road centerline structures on County Ditch No. 49. The State has approved two of the five structure plans. McLaughlin will have the plans and specifications for the structure replacements ready for the Board's review at our 7/11/11 meeting. The BRRWD will coordinate the bidding for all five structures. A bid opening is tentatively planned for the 8/08/11 BRRWD meeting.

New Office Building. The Building Committee met on 6/15/11. John Murray, H.E., gave an Information Technology (IT) presentation with a cost estimate of approximately \$50,000. Architect Margaret Follingstad, YHR Partners, provided an estimate of \$567,000 for the building. Ellefson suggested that we should have a special meeting, including the Advisory Committee to approve the final plan and budget. The Board discussed the building costs. Albright suggested that we need to prepare a draft building project budget and a financing proposal. He feels that we will probably not be able to be in the new building until next spring. Since our office lease ends in September, Albright suggested that we will need to find temporary office space until we can move into the new building.

Wilkin SWCD Grant Match. Don Bajumpaa, District Manager, Wilkin SWCD, sent the BRRWD a letter requesting a match for the Farm Bill Assistance Grant. This grant provides a stipend to fund Craig Lingen's field technician position. Last year, the Board contributed \$2,250 for this grant match. **Motion** by Ellefson to approve the referenced contribution for \$2,250. **Seconded** by Nelson. **Approved.**

Pedro Rodriguez Complaint. Ellefson reported that Rodriguez has an ongoing concern regarding water along C.R. No. 9 ditch and his property. The Board briefly discussed this issue. Albright noted that the ditch survey has already been completed, and he will send Rodriguez another copy. The area drains to Project No. 37, Clay County Ditch No. 41-Lateral No. 1. The issue is really a County/landowner problem. The drainage doesn't work due to a number of driveway culverts that are improperly placed for grade and size.

Clay County Ditch No. 39. Gerald Zimmerman is collaborating with North Dakota State University (NDSU) on an experimental sub-irrigation tiling project that would temporarily appropriate Clay County

Ditch No. 39 water. Albright, Jones, and Manager VanAmburg met with Zimmerman onsite on 6/23/11 to discuss his proposal to trap water in the ditch with a dam to irrigate his field during dry periods. He plans to install some type of barrier to divert water from the ditch to a reservoir tank to irrigate his cropland via tiling. The Board felt that they could approve the proposal as long as Zimmerman understands that the project is just a one-time experimental arrangement, and that he will be responsible for any damages to the ditch system. The Board thought the obstruction in the ditch would have to be removed by 9/15/11. Nelson suggested that the office should prepare an agreement for Zimmerman's signature stating the deadline and restrictions. **Motion** by Hanson to approve Zimmerman's project, subject to the conditions stated in the Agreement. **Seconded** by Ellefson. **Approved.**

The following bills were presented for approval:

Accounts Payable	Description	Account	Amount
Albin Warling	2010 crop damages	Becker C. D. No. 9	\$ 384.00
Barnesville Phone Co.	6/25/11 billings (2)	Admin	\$ 167.41
Becker County Auditor/Treas.	2011 assessment fees	Pjs. 46/64, C.D. Nos. 5/9/15	\$ 1,661.00
Brady Mattson	2010 crop damages	Becker C. D. No. 9	\$ 294.00
Chad Jetvig	2010 crop damages	Pj. 64, LaBelle/Boyer	\$ 99.00
Clay Co. Auditor/Treasurer	Becker Co. bond collections	Pj. 46, Turtle Lake	\$ 8,631.19
Fitzgerald Const., Inc.	#15843, snow/repairs	Clay C.D. No. 40	\$ 1,793.82
Fitzgerald Const., Inc.	#15844, snow/repairs	Clay C.D. No. 40	\$ 2,691.55
Fitzgerald Const., Inc.	#15845, snow/repairs	Clay C.D. No. 40	\$ 607.92
Harold J. Rotunda	2010 Audit	Admin	\$ 1,900.00
J&J Braton Properties, LLC	July 2011 office rent	Admin	\$ 570.00
Joe Rents	2011 flood pumps (1/3)	Crystal Creek	\$ 8,849.86
Joe Rents	2011 flood pumps (2/3)	Pj. 49, Oakport	\$ 17,699.71
Joel Carlson	July Lobbyist fees	Admin	\$ 850.00
Kevan Nelson	2010 crop damages	Pj. 64, LaBelle/Boyer	\$ 318.00
Loren Jetvig	2010 crop damages	Becker C. D. No. 9	\$ 156.00
Mattson Excavating, Inc.	#364, ditch cleaning	Becker C. D. No. 9	\$ 3,080.00
MN Homeland Security	Clay 53 rebate	2006 FEMA	\$ 35,150.30
Moorhead Public Service	5/07/11-6/07/11 service (2)	Pj. 49, Oakport	\$ 63.70
Petty Cash	Postage, supplies, etc.	Admin	\$ 100.00
RMB Environmental	#149185, sample analysis	Buffalo River TMDL	\$ 1,179.00
RMB Environmental	#149529, sample analysis	Buffalo River TMDL	\$ 906.00
Roger Lundberg	6/13/11 beaver control	Pj. 1, 8, 24, Clay 32, Hay Crk	\$ 2,230.41
RRVCPA	5/10/11-6/10/11 service (3)	Pj. 49, Oakport	\$ 339.02
Sellin Brothers, Inc.	#9697, spoil leveling	Clay C.D. No. 28	\$ 8,617.50
Sellin Brothers, Inc.	#9698, cleaning	Clay C.D. No. 22	\$ 5,735.00
TDS MetroCom	6/13/11 long distance	Admin	\$ 18.38
Tom Herfindahl	2010 crop damages	Becker C. D. No. 9	\$ 192.00
Westlund Excavating	Ditch repairs	Varies	\$ 4,072.50
Wilkin SWCD	Farm Bill Assistance (5%)	M.S.A. 103D.905, Subd. 3	\$ 2,250.00
			\$ 110,607.27

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

Next Meeting. The Board of Managers, BRRWD, will hold their next meeting on Monday, July 11, 2011, at 8:00 PM.

Adjournment. Chairman VanAmburg adjourned the meeting at 11:20 PM.

Respectfully submitted,

June 27, 2011
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John E. Hanson, Secretary