

BUFFALO-RED RIVER WATERSHED DISTRICT

BARNESVILLE, MINNESOTA 56514

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MINUTES FOR MANAGERS' MEETING

July 25, 2011

The Board of Managers, Buffalo-Red River Watershed District (BRRWD), held their regular meeting on Monday, July 25, 2011, at 8:00 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.); Jerome Deal, Red River Watershed Management Board (RRWMB); Duane Erikson, Manager, Wild Rice Watershed District (WRWD); and landowner Steve Holubok.

Chairman VanAmburg called the meeting to order at 8:00 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 7/11/11 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 \$1,752,898.68 cash on hand. Albright plans to contact Clay County regarding remittal of the first half of their 2011 ditch taxes.

Other business brought before the Board included:

RRWMB. Jerome Deal, RRWMB, discussed a letter the RRWMB sent to Chairman VanAmburg last week, encouraging the BRRWD to consider rejoining. Albright mailed copies of the letter to other Managers for their review. Deal explained that the RRWMB and North Dakota's Red River Joint Water Resource District (RRJWRD) created the Red River Retention Authority (RRRA). By-laws have been approved, and the legislation is being written to define the RRRA's powers. The RRRA makes it possible for Minnesota agencies to collaborate with North Dakota agencies in the development of basin-wide water retention projects. Representative Collin Peterson has proposed \$50 million annually in federal funds for retention projects in the Red River Basin, which the RRRA will help administer. Some Legislators feel that the federal government should mandate a type of Tennessee Valley Authority (TVA) controlling agency over the Red River Basin so that the funding would be used according to federal guidelines. A North Dakota/Minnesota bi-partisan congressional delegation is working together to keep the authority over water issues at the local level. Deal explained that the state water boards/agencies are working to avoid this by pooling financial resources to provide a 50% match for the federal funding. The RRWMB has offered their 2-mil levy as a local match for the funding. If the local agencies are not able to match the \$50 million and implement the program, we could lose local control of the retention initiative. Deal hoped that the BRRWD would consider rejoining the RRWMB so that we could contribute to the local effort to raise the matching funds and be a part of the process.

Deal explained that the RRWMB has changed significantly since we left in 2003. They are working on a revision of their Governing Documents and their STar Value. He noted that local projects will have more value and should be eligible for more funding. The RRWMB plans to add a position for the Army Corps of Engineers (COE) in a regulatory/permitting role. The RRRA will have offices in West Fargo. He noted

that there will be significant changes to RRWMB relating to tax issues, as well. The RRWMB feels that it is important for the entire basin to work together. The Minnesota Board of Water and Soil Resources (BWSR) plans to encourage the Otter Tail River watershed to form a watershed district so that upstream water will also be regulated. Representative Peterson has already met twice with Otter Tail County Commissioners and lake associations regarding this issue. The RRWMB is working in conjunction with the State Legislatures to implement consistent tiling permitting regulations throughout North Dakota and Minnesota, which the RRRRA will help administer. He explained that the RRWMB's jurisdiction over a variety of issues is now under the authority of the RRRRA. He referred to a letter from the federal government regarding the need for the State Legislatures to give local governing entities the power to act in a unified approach to address water issues in the Red River Basin.

Ellefson discussed the COE Fargo Moorhead Metro Diversion upstream retention plan and the Limited Joint Powers Agreement (LJPA) that we recently signed. He felt that the Otter Tail County lake chain should be included in retention efforts for the Red River Valley. Deal said again that Representative Peterson has discussed this issue with the County and lake associations. He stressed that if the local entities fail to manage the retention effort, the federal government is anxious to step in and regulate water issues.

Ellefson commented that the BRRWD should discuss rejoining with our Advisory Committee, who has supported the BRRWD decision to stay out of the RRWMB over the years because they didn't see the benefits of a 2-mil tax levy. Deal pointed out that the BRRWD could be required to levy the 2-mil tax whether or not we are RRWMB members according to the new legislation for the RRRRA. Nelson asked if the Pelican River and Cormorant River Watershed Districts have been asked to join the RRWMB. Deal said that BWSR has recommended that the entire Otter Tail River watershed be organized into a Watershed District.

The group discussed possible retention areas within the BRRWD. Deal explained that the RRRRA will be the agency to handle project development. The member watershed districts will only have to identify potential sites, and the RRRRA will develop the project, including condemnation if necessary. Ellefson commented that the BRRWD has never had to use condemnation on a large-scale basis. There will be \$50 million/year in federal funding for retention/detention projects in the entire Red River Basin, which the region will have to match, for a total of \$100 million/year for 10 years. The RRWMB has pledged their 2-mil tax levy proceeds to help match the federal dollars along with North Dakota. There may also be a possibility that the Natural Resources Conservation Service (NRCS) will contribute to the match. Deal explained that the \$50 million wouldn't come from new taxes, but from the 2012 Farm Bill where changes have been made to the percentage crop insurance companies can take for commissions.

VanAmburg thought that we could add the RRWMB levy to the 2012 budget so that we would have time to meet with the Advisory Committee regarding this issue. Albright discussed this issue with Jerome Flottesch, Advisory Committee Chairman, who thought that the Board and Committee should meet on this issue. Ellefson didn't think we should include the levy in our budget because we have other more important funding issues to deal with including a new building project. There was an extended discussion regarding BRRWD funding needs for various administrative expenses including the new building project and adding more staff.

Deal explained that the RRWMB changed the way they handle their accounting system and now have a workable balance sheet to help with decision making. They are also working on changes regarding the member districts' local taxation requirements associated with the RRWMB 2-mil levy.

Ellefson discussed concerns about wetland projects that are difficult to develop because of the United States Fish and Wildlife Service (USFWS) easement requirements. Deal agreed and noted that these policy issues have to be addressed at the federal level. Deal commented on one of the WRWD's projects, and

WRWD Manager Duane Erickson responded. Deal also predicted that if the local administration of the federal retention funding fails, the local agencies could also lose control of drainage issues. Deal encouraged the Board to consider rejoining the RRWMB, as so much is changing in the Red River Valley, and he hoped we could be involved.

CSAH No. 52/Steve Holubok. Ellefson said that Holubok contacted him last weekend regarding two 24" dia. culverts in County State Aid Highway (CSAH) No. 52 south of Barnesville on the Clay/Wilkin County line. Holubok objected to the installation because it affects his field drainage. Albright talked to the Clay County Highway Department today regarding the culverts, who explained that the culverts were only installed on a temporary basis during the CSAH No. 52 construction. Holubok felt that since the culverts were not on the County project plans, the installation was illegal. He suggested that they could pump water from one side of the road to the other during construction, and he wanted the culverts removed. Albright pointed out that when the County finishes their project in this area, they will clean and grade the ditches, providing better drainage for Holubok. Holubok commented that there are large culverts all along the ditch up to his property and then he has just two 24" dia. and two 18" dia. culverts on the county line. The group discussed drainage patterns and culvert sizing. Holubok was upset because the County didn't notify him regarding the temporary culverts, and he was concerned about the effects of a possible heavy rainfall event on his crops. He discussed the poor condition of the downstream waterway west of the railroad tracks, which has historically restricted upstream drainage. He felt that the County will have to make sure his land isn't flooded any further.

Albright checked the County project plans, and confirmed that the culverts are only temporary. Albright suggested that he and Holubok could meet with the County to discuss his concerns. Holubok felt that the County should have contacted him before they installed the culverts, and they should be prepared to protect Holubok's land if there is a heavy rainfall. He commented that he doesn't want to burden his neighbors with more water than they can handle, and he's willing to pay for a project to protect his property. The group discussed the next steps needed to address Holubok's concerns.

Holubok's permit application (11-82) is for the installation of a berm and field ditch along the east side of CSAH No. 52 and the relocation of an approach off 100th ST to the east. He also wants to install a ditch to drain south on the west side of the Otter Rail Valley Railroad tracks/CSAH No. 52. The work should improve field drainage and handle upstream drainage onto his property. **Motion** by Ellefson to authorize Albright to contact the County regarding their temporary culverts with the understanding that if we receive a heavy rainfall, the County will be responsible for blocking them to protect Holubok's property; to schedule a meeting with the County to discuss larger culverts for Holubok on the county line; and to **table** Permit No. 11-82, subject to Manager field review. **Seconded** by Nelson. **Approved.**

Duane Erickson, WRWD Manager. Manager Erickson explained that he attended tonight's meeting to observe. He complimented the BRRWD on their success as a watershed district. He briefly discussed the RRWMB membership issue.

Permit Nos. 10-23, 10-140, Rick Thompson. The Board has scheduled a field meeting tomorrow night at 7:30 PM to review the proposed projects onsite, followed by a landowner informational meeting at 9:00 PM in the Barnesville office. Manager Nelson had concerns about possible bad weather predicted for tomorrow and suggested that if the weather is poor, the group could skip the onsite review and meet at 8:00 PM in the Barnesville office. Ellefson pointed out that there was really no need to meet with landowners if we can't do the field review. Albright suggested that whoever wishes to ride with him could meet at the office at 7:15 PM. The Board had an extended discussion regarding Thompson's drainage work and proposed projects in the W½, Section 11, Alliance Township, Clay County.

Permit No. 11-49, Craig Runck. To date, the BRRWD has not received any notification regarding the pending NRCS, BWSR, and Minnesota Department of Natural Resources (DNR) wetland/drainage issues.

Permit No. 11-71, Sam Braton. Applicant proposes to construct an 800' access road with a ditch along the east side of the SW¹/₄, Section 32, Humboldt Township, Clay County, for a new building site. The ditch will provide material for road construction. **Motion** by Hanson to approve Permit No. 11-72. **Seconded** by Paradeis Kobiela. **Approved.**

Permit No. 11-72, Roger Ellefson. Applicant proposes to remove a deteriorated 24" dia. culvert from 120th ST between Sections 9 and 16, Atherton Township, Wilkin County. Ellefson discussed the proposal with the Atherton Township Supervisors. He said that no one had any objections, and the work is already done. **Motion** by Nelson to approve Permit No. 11-72, subject to Township approval to work within their road right-of-way (r-o-w). **Seconded** by Hanson. **Approved.**

Permit No. 11-73, Brian Wang. Applicant proposes to install 157 acres of pattern tiling in the NE¹/₄, Section 8, Moland Township, Clay County, to outlet to Clay County Ditch No. 3 for which the property is assessed. **Motion** by Ellefson to approve Permit No. 11-73, subject to our standard tiling disclaimer. **Seconded** by Paradeis Kobiela. **Approved.**

Permit No. 11-74, City of Moorhead. Applicant proposes to make improvements to 28th AVE S, including grading, paving, and storm sewer. Jones discussed his review of the project design and recommended permit approval. **Motion** by Ellefson to approve Permit No. 11-74. **Seconded** by Nelson. **Approved.**

Permit No. 11-77, Clay County Highway Department. Applicant proposes to install an approach/24" dia. culvert for access to their new highway department building off CSAH No. 52 in Section 24, Barnesville Township. **Motion** by Ellefson to approve Permit No. 11-77. **Seconded** by Nelson. **Approved.**

Permit No. 11-80, Elkton Township. Applicant proposes to install 3,300' of tiling in 170th ST S between Sections 25 and 26 to outlet to Spring Creek. **Motion** by Hanson to approve Permit No. 11-80. **Seconded** by Paradeis Kobiela. **Approved.**

Permit No. 11-81, Andy Leedahl. Applicant proposes to replace an old temporary approach with a crushed PVC pipe off from County Road (C.R.) No. 53 (80th ST S) in the S¹/₂N¹/₂, Section 29, Alliance Township, Clay County. He would like to move the approach slightly to the north and replace the PVC pipe with an 18" dia. or 24" dia. corrugated metal pipe (CMP). **Motion** by Paradeis Kobiela to approve Permit No. 11-81, subject to County approval to work within their road r-o-w. **Seconded** by Hanson. **Approved.**

Ness Lake. Jones and Hanson both have contacted Joyce Stone regarding her concerns about the elevation of Lake Ness. The Board discussed the drainage patterns of the area lakes. Since Stone's property is the only one affected by the rising waters, a project might not be feasible, but she might be eligible for a possible buyout. Albright also suggested that Stone might consider flood insurance.

Later in the meeting, Hanson questioned if existing tiling can be repaired/replaced without applying for a BRRWD permit. He said that there is tiling at the outlet of Cravath Lake that is deteriorated and should be replaced to provide drainage. Albright said that it would probably be considered a repair. Hanson asked if Clay County would be able to provide Joyce Stone with any help regarding the high water concerns on her property. There is still about 6'-7' before water will enter her house walkout and about 3'-4' before her

septic system is compromised. Albright wasn't sure if the County could offer a buyout, since the water has not yet flooded her house.

Tom Trosvik Tiling Concern. Albright called Trosvik and his neighbor, Orin Sorum, regarding Trosvik's tiling project along 110th AVE in Section 32, Norwegian Grove Township, Otter Tail County. He suggested that Trosvik could drain the tile water north into a natural waterway. Sorum said he would consider this proposal and get back to us. Trosvik is willing to work with the BRRWD to reroute the tile line. The Managers discussed possible drainage routes. They feel that plugging the tile line is the last resort.

Project No. 69, Lake Alfred. Albright reported that we are waiting for the DNR to complete the Ordinary High Water (OHW) survey. Jones has the DNR Flood Damage Reduction (FDR) funding request is ready and will submit it to Pat Lynch, Financial Coordinator, DNR Waters.

Project No. 68, Lake Jacobs. Landowner John Bohn is concerned about downstream water impacts from this proposed project. Lake Jacobs will outlet to Colness Lake, which could enlarge all the nearby lakes. Bohn questions if Colness Lake is an adequate outlet for the project. Bohn is also against a project to lower Lake Annie. The affected landowners opted out of the BRRWD when it was organized. According to Bohn, they drained their low areas into the area lakes, never expecting high water problems. Now with the extended wet cycle we are experiencing, the lakes are full. Bohn doesn't think the BRRWD should help develop and fund a project for this area. Albright will be meeting with the Appraisers on 7/27/11 to wrap up their work on Lake Jacobs. The Appraisers' Report should be ready for the Board's review at the 8/08/11 meeting. Jones noted that the Army Corps of Engineers (COE) has granted a general permit for work on the Colness Lake outlet. None of the other work associated with the project requires a COE permit. Chairman VanAmburg signed the general permit on behalf of the BRRWD.

Project No. 67, HRBP Lakes Outlet. Albright noted that the Appraisers would also be working on Project 67 when they meet on 7/27/11. Once their work is completed, the Board will be able to schedule the Final Hearing. Jones reported that since this spring, the lakes have gone down approximately 1' with about 1' more to go to reach our project target elevation. Pete Lake is at elevation 1356.0. H.E. placed stop logs in the outlet structure in response to complaints that the lake was too low. Albright noted that a landowner called to complain that Pete Lake is too high and that her lot is now flooded because of our project. She wants us to drop the lake to the lowest elevation possible. Albright advised the landowner that we would be holding the Final Hearing in September/October where we will determine a final target elevation for the project.

Project No. 66, Tansem/Ranum Lakes Outlet. Due to a mix-up, our payment from the Department of Employment and Economic Development (DEED) and the DNR for the Hersch buyout was sent to the WRWD. The WRWD was notified, and they are working to correct the problem.

Project No. 65, County Line Outlet. Ellefson reported that he has talked to landowners Dan Solum and Chris Stepp regarding the proposal for the landowners to develop a project to address their water problems. Ellefson has not had time to discuss this proposal with the downstream landowners. He thinks that most of the area landowners are in favor of a project to lower the area wetlands. The Board discussed area drainage patterns and the idea of the landowners hiring their own contractor to lower the DNR wetlands east of the USFWS easement and Waterfowl Protection Area (WPA). Albright suggested that since the State Legislature has passed the 2012 bonding bill, the Board should authorize Jones to submit an application for FDR funding for the project with both options. Albright pointed out that the USFWS will require a National Environmental Policy Act (NEPA) review for whatever project alternative we choose. Ellefson offered to meet with Jeff Nichols, William Nichols Excavating, to show him the possible project site. Albright noted that Deb Stepp called the office to ask that the BRRWD hold a landowner informational

meeting regarding this proposed project. **Motion** by Hanson to authorize Jones to submit the FDR funding application for the project. **Seconded** by Ellefson. **Approved.**

Project No. 64, LaBelle/Boyer Lakes Outlet. Albright reported that LaBelle Lake is about 0.75' above the maximum drawdown elevation, and Boyer Lake is about 0.50' above the target elevation. To date, crop damages for Chad Jetvig haven't been determined.

Project No. 63, Grove Lake Outlet. The Board reviewed the elevation graph for Grove Lake. It appears that the landowners are satisfied with the lake at its current elevation.

Project No. 61, Clay County Ditch No. 11N-Improvement. At their 7/11/11 meeting, the Board authorized Albright to contact Attorney Tami Norgard, Vogel Law Firm, regarding John Leseth's non-payment of his share of the bridge replacement costs for his former farmstead. To date, Albright has not had time to contact Norgard.

Project No. 56, Manston Slough Restoration. Albright reported that Abel Farms Partnership signed their easement option. He and Jon Voz, Ducks Unlimited, met with Dennis VanWechel regarding his easement. He had concerns about the north dike alignment in relationship to an area wetland. Terry Arnhalt, who is VanWechel's renter, met with Albright last week regarding this question. Once he understood the wetland issue, he agreed to encourage VanWechel to sign the easement option. Landowner Joe Hulne has referred his easement negotiations to his renter, Joe Wulfekuhle. Albright plans to set up a meeting with him in the near future. Voz has Duane and Bonnie Stuehrenberg's Wetlands Reserve Program (WRP) application ready for signature. Albright and Voz will schedule a meeting with them as soon as possible. Shawn and Jessie Norman have indicated that they will wait until the other easement options have been signed before they will meet with the BRRWD.

Project No. 50, Cromwell Township. Albright and Manager Ellefson met with Kenneth Wouters on 7/21/11 in the BRRWD office. They discussed the easement agreement and various revisions that Wouters wanted. The Board briefly discussed the easement changes. Based on attorney/client privilege, and in accordance with Open Meeting Law, the Board went into closed session at 10:28 PM to discuss the terms of the agreement. At 10:40 PM, the Board reopened the meeting. **Motion** by Hanson to accept the revised Wouters' easement agreement and authorize VanAmburg to sign on behalf of the BRRWD. **Seconded** by Nelson. **Approved.**

Project No. 49, Oakport Flood Mitigation. The next Construction Committee meeting is scheduled for July 29, 2011. Albright sent an email message to Pat Lynch, Financial Coordinator, DNR Waters, regarding funding for the Phase 3C (\$1.5 million), which is the east coulee/Wall ST road raise. The Board opened bids for this phase in June. Clay County also sent a request to the DNR for Phase 3C funding so that they will only have to close Wall ST for one construction season. The contractor is anxious to get started. To date, Lynch has not responded.

Kris Carlson, Ulteig Engineers, Inc. (UEI), forwarded a construction report for the Board's review. He also prepared Pay Request No. 6 (\$63,163.43) to Zavoral Construction, Inc. for Phase 1A and Change Order No. 4 to increase the contract by \$42,491.82 for changes to the watermain floodproofing and additional storm sewer at the request of Moorhead Public Service. Carlson also submitted Pay Request No. 6 (\$37,615.20) to Master Construction for Phase 3B and Change Order No. 4 to increase the contract by \$2,200.00 for changes to the water service for the Ohnstad property. Carlson recommended Board approval. **Motion** by Ellefson to approve the pay requests and change orders. **Seconded** by Nelson. **Approved.**

LTP Enterprises, Inc. from Hutchinson, MN, submitted a bid to abandon/seal 12 wells in Oakport for \$9,700.00. **Motion** by Nelson to accept the bid and approve the work. **Seconded** by Hanson. **Approved.**

Crystal Creek Addition. Jones, Albright, and Manager VanAmburg met with a group of Crystal Creek landowners and Oakport Township officials regarding the slide repairs for the Crystal Creek dike. The slide repair will include moving the coulee channel, which could require wetland mitigation. Jones submitted the local/state/federal notification form to the Clay Soil and Water Conservation District (SWCD) and the COE. Mark Aanenson, H.E., conducted the wetland delineation and concluded that there are no wetland impacts associated with the coulee channel. Jones commented that if Lynn Foss, Clay SWCD, and Leo Grabowski, COE, agree, there should be no need for wetland mitigation. Albright explained that the Crystal Creek North and South projects are being developed under the BRRWD's emergency order and are nearly completed. A Final Hearing to determine assessments will be held in the future.

Albright explained a number of McCann's Subdivision residents and the Wendt Addition are interested in developing another possible flood control project for their property on the east and west sides of Oakport ST. The landowners have suggested that they could construct part of the dike on their own. They have requested that the BRRWD authorize H.E. to stake the dike alignment at the 43' elevation so that they can get an idea of what the dike will look like. Oakport Township plans to hold a landowner informational meeting once the preliminary information is available. If the McCann's residents decide to move forward, they will need to submit a petition to the BRRWD for a project. The Board reviewed an area map and discussed the proposed project. **Motion** by Nelson to authorize H.E. to do the requested staking as a Survey & Data Acquisition expense. **Seconded** by Paradeis Kobiela. **Approved.**

Project No. 46, Turtle Lake Outlet. Wade S. Opsahl, Technician, H. E., attended the Turtle Lake Association picnic on 7/16/11. Most residents were happy to see lake going down.

Project No. 39, Georgetown Levee-Improvement. The Legislature has approved \$3 million in the 2012 bonding bill specifically earmarked for the Georgetown project. Albright thought that since the state funding has been approved, the BRRWD could move forward with the project as soon as possible. An informational meeting has been scheduled for 8/11/11, 8:00 PM, in the Georgetown Community Center. The Board discussed the DNR Grant funding. Nelson asked about the pending buyouts. Albright suggested that the Board could discuss this issue with the City of Georgetown on 8/11/11. H.E. will designate a project manager who will handle the development/construction of the Georgetown project under Albright's supervision.

Project No. 38, Farmstead Ringdikes. Jones submitted Final Pay Request No. 3 (\$4,046.83) for Steve Johnson Excavation for his work on the Roger Fischer ringdike. Jones also submitted Change Order No. 2 for a net decrease of \$1,695.00 in the contract amount for less seeded areas and less ditch checks. **Motion** by Ellefson to approve the pay request and change order. **Seconded** by Hanson. **Approved.**

Project No. 32, Hawley EDA Diversion. Tom Athens, who is the attorney for the Bois de Sioux Watershed District, is interested in working with the BRRWD if we decide to pursue a suit against Sellin Brothers, Inc., regarding the repair of the damaged 60" dia. reinforced concrete (RCP) Diversion pipe. Albright will meet with Athens after 8/08/11.

Project No. 27, Clay County Ditch No. 55. Ronald Johnk has requested that the BRRWD install a 30" dia. field inlet/gate in the NW¹/₄, Section 23, Elmwood Township. **Motion** by Nelson to authorize H.E. to investigate and prepare recommendations. **Seconded** by Ellefson. **Approved.**

Project No. 14, Clay County Ditch No. 10. Opsahl has completed the tabulation of the road elevations from the 1983 project improvement and the current elevations. The Board authorized this report in response to Bill Dale's concerns about flooding problems on his farmstead related to washouts on 130th AVE N between Sections 11/14, Kragnes Township. It appears that the road is between 9"-12" lower than the 1983 ditch improvement elevation. Albright will forward the survey results to Kragnes Township.

Landowner Ronnie Tang filed a repair request for the BRRWD to clean the outlet end of County Ditch No. 10 and the inlet to the Texas crossing culvert. Water is slow to leave his fields after a rain event. **Motion** by Ellefson to authorize H.E. to investigate and prepare recommendations. **Seconded** by Hanson. **Approved.**

Project No. 1, Wilkin County Ditch No. 22. Nichols is working on the Wilkin County Ditch No. 22, Lateral No. 1 repairs. The Ernst/Nord lawsuit is scheduled for August 10-12, 2011. Albright has been subpoenaed to testify.

Mediation Project Team (PT). 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. We will need to start Fall Tour preparations in the near future.

Chuck Anderson Wetland Restoration. The Board discussed a possible wetland restoration on the Anderson property in Section 28, Elkton Township, Clay County. Albright explained that the site by itself would yield negligible wetland credits. However, there would be more credits if the entire wetland could be restored. The Poehls Family, who are very interested in a project, owns part of this area. Albright plans to meet with them, and if they agree, we could have Mark Aanenson, H.E., recalculate, and re-evaluate the site including the Poehls property.

Clay County Ditch No. 49. A bid opening for the replacement of five structures on County Ditch No. 49 has been scheduled for 8/08/11 at 8:00 PM in Barnesville.

River Keepers. River Keepers sent a request for 2012 funding associated with our Minnesota Statutes Annotated (M.S.A.) 103D.905, Subd. 3, taxing authority. **Motion** by Nelson to continue our traditional contribution of \$40,000 for 2012. **Seconded** by Paradeis Kobiela. **Approved.**

New Office. Albright noted that he discussed the building issues with Jerome Flottesch, Advisory Committee Chairman, who thought we should schedule a meeting with the Advisory Committee to discuss our options. Albright noted that he plans to contact Ted DuCharme regarding possible temporary office space in his building on Front ST in Barnesville. Don Sakry, City Building Inspector, has agreed to do an inspection of the cabinet shop building in the Commercial Park. The Board discussed funding for the building, the administrative budget, and the cost of additional staff.

Clay County Ditch No. 59 Repair. Ronald Tang filed a repair request for the BRRWD to clean the last 0.25 miles starting at the ditch outlet upstream to 40th ST N. **Motion** by Ellefson to authorize H.E. to investigate and prepare recommendations. **Seconded** by Nelson. **Approved.**

Clay County Buyouts. Heinen Environmental Services submitted a bid of \$675.00 for asbestos abatement at 10003 3rd ST S, Moorhead, which is a structure that the BRRWD bought out last year in association with the Clay County Buyout program. **Motion** by Hanson to authorize the referenced work. **Seconded** by Paradeis Kobiela. **Approved.**

Clay County Ditch No. 58 Repair. Jones presented his recommendation for repair of County Ditch No. 58 from Interstate-94 (I-94) north along the east line of Section 12, Elmwood Township, as requested by

Curt Leach. Jones estimated the repair costs at approximately \$8,000. **Motion** by Ellefson to authorize the repairs. **Seconded** by Nelson. **Approved.**

2012 Budget Hearing. The BRRWD's Annual Budget Hearing will be held on 8/22/11 at 9:00 PM in the Barnesville office. Notices will be sent next week to the newspapers for publication.

The following bills were presented for approval:

Accounts Payable	Description	Account	Amount
3D Specialties	#436455, traffic sign	Crystal Creek	\$ 141.08
Abel Farms Partnership	easement option	Pj. 56, Manston	\$ 100.00
Barnesville Phone Co.	7/25/11 billings (2)	Admin	\$ 167.41
Barnesville Record-Review	Manager ad	Admin	\$ 51.00
J&J Braton Properties, Inc.	August 2011 rent	Admin	\$ 570.00
Joel Carlson	August 2011 Lobbyist fee	Admin	\$ 850.00
John E. Hanson	Voucher #115, 5/01/11-6/30/11	Varies	\$ 1,119.07
Johnston Fargo Culvert, Inc.	#172164, culverts	Wilkin 22, Lat. 1	\$ 6,745.41
Kaste Seed, Inc.	#6527, Holubok seed/RIM	Pj. 56, Manston	\$ 6,837.50
Master Construction, Inc.	Pay Request No. 6, Phase 3B	Pj. 49, Oakport	\$ 37,615.20
Moorhead Public Service	6/07/11-7/08/11 service (2)	Pj. 49, Oakport	\$ 63.70
Northern Technologies, Inc.	#5639, density testing	Pj. 49, Oakport	\$ 14,448.24
Petty Cash	Postage, supplies, etc.	Admin	\$ 100.00
Quill	#5361394, office supplies	Admin	\$ 160.18
R.J. Zavoral & Sons, Inc.	Pay Request No. 6, Phase 1A	Pj. 49, Oakport	\$ 63,163.43
Red River Valley CPA	6/10/11-7/08/11 service (3)	Pj. 49, Oakport	\$ 277.12
RMB Environmental Labs	#152040, sample analysis	Buffalo River TMDL	\$ 270.00
RMB Environmental Labs	#152695, sample analysis	Buffalo River TMDL	\$ 1,192.00
RMB Environmental Labs	#153179, sample analysis	Buffalo River TMDL	\$ 392.00
RMB Environmental Labs	#153198, sample analysis	Buffalo River TMDL	\$ 816.00
Roger Lundberg	7/11/11 beaver control	J.D. 1, Wilkin 41, Pj. 64	\$ 2,016.57
Steve Johnson Excavation	Pay Request No. 3, Roger Fischer	Pj. 39, Ringdikes	\$ 4,046.83
TDS MetroCom	7/13/11 long distance	Admin	\$ 36.37
UEI	#22828, June 2011-Phase 2	Pj. 49, Oakport	\$ 3,236.74
UEI	#22830, June 2011-Phase 4	Pj. 49, Oakport	\$ 250.00
UEI	#22862, June 2011-Phase 3	Pj. 49, Oakport	\$ 32,670.09
UEI	#22864, June 2011-Phase 1	Pj. 49, Oakport	\$ 14,176.63
Vogel Law Firm	#64454, Lot purchase	New Office	\$ 123.00
Vogel Law Firm	#64455, Hersch Buyout	Pj. 66, Ranum/Tansem	\$ 1,927.00
Vogel Law Firm	#64526, Drainage Solutions letter	Admin	\$ 20.50
Vogel Law Firm	#64527, Leseth letter	Pj. 61, Clay 11-Imp.	\$ 20.50
Vogel Law Firm	#64528, Oakport	Pj. 49, Oakport	\$ 287.00
Vogel Law Firm	#64529, Limited JPA	COE FM Diversion	\$ 2,193.50
Vogel Law Firm	#64530, Wouters condemnation	Pj. 50, Cromwell Twp.	\$ 1,435.00
Vogel Law Firm	#64597, Kent Rod & Gun	Pj. 56, Manston	\$ 1,325.00
Wm. Nichol Excavating, Inc.	#79, repairs	Wilkin C.D. No. 41	\$ 3,947.00
Wm. Nichol Excavating, Inc.	#81, Arnold Ellefson repair	Wilkin C.D. No. 41	\$ 18,299.00
Wm. Nichol Excavating, Inc.	#81, Bekkerus repair	Clay C.D. No. 65	\$ 1,530.50
			\$ 222,620.57

Motion by Ellefson to approve the bills. **Seconded** by Paradeis Kobiela. **Approved.**

Project No. 23, Becker County Ditch No. 15. Hanson briefly discussed the 2010 ditch cleanout project. His neighbor, Craig Nelson, would like to have the cleanout extended upstream. Albright contacted Nelson today regarding this request. This work would be for Branch Nos. 5 and 6 in Sections 2 and 3, Audubon Township. There are plans to continue with the original cleaning project in these areas. There is still approximately \$20,000 in the ditch account to pay for this work. The USFWS will be billed for work on their property. Albright noted that he included Scott Kahan, USFWS, when he sent the message to Nelson, so Kahan would be aware of the proposed work.

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

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

Respectfully submitted,

John E. Hanson, Secretary