The Board of Managers, Buffalo-Red River Watershed District (BRRWD), held their regular meeting and Annual Budget Hearing on Monday, August 22, 2011, at 8:00 PM in the Barnesville office. BRRWD Managers present were Gerald L. VanAmburg, Roger G. Ellefson, Curtis M. Nelson, John E. Hanson, 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.); and landowners: Chris Stepp and Adrian Haugrud.

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 7/25/11 regular meeting. Hanson noted two corrections to the minutes, and Nelson had a one minor correction. He also had questions about a reference in the minutes a Vogel Law Firm billing. Albright referred to the Vogel invoices for clarification. Motion by Paradeis Kobiela to approve the minutes, subject to correction. Seconded by Ellefson. Approved.

Treasurer's Report. The Board reviewed the BRRWD's financial status. We currently have $1,473,762.97 cash on hand. We have received $333,870.76 since the 8/08/11 meeting. Clay County remitted their 2011 first half ditch taxes ($327,558.85), including bond and maintenance taxes for Project No. 46, Turtle Lake Outlet ($5,911.91). The remainder of our income came from rent payments associated with Project No. 49, Oakport Flood Mitigation, and Project No. 66, Ranum/Tansem Lakes Outlet.

Other business brought before the Board included:

Project No. 65, County Line Outlet. Landowners Chris Stepp and Adrian Haugrud asked the Board for an update regarding the project. The Board discussed the progress with obtaining state funding. The Minnesota Department of Natural Resources (DNR) has agreed to provide 50% state funding (up to $150,000) for the project. The Board decided to move forward with the County Line Outlet project, instead of the Lake Alfred because it is closer to being "shovel-ready". Albright explained that we could build the United States Fish and Wildlife Service (USFWS) preferred plan, which would lower the wetlands nearly dry, because Jones submitted this project as one package to the DNR with two alternative outlet elevations. The most expensive option is the USFWS preferred plan with a cost estimate of $300,000. Albright discussed this project with Jim Leach, USFWS, regarding a possible contribution to this project in 2011. Jones also provided cost estimate and design information to Leach. The USFWS might have some funds available at the end of their fiscal year on 9/30/11 to contribute to this project. Because this is an emergency project, the USFWS could issue 30-day permits to construct/operate the project during their project permit review, and the Final Hearing could be held later this coming winter. Albright suggested that we could open bids at the end of September or early October. The Board had an extended discussion regarding the project design/alignment. Ellefson suggested that it might be better to install an open ditch and avoid the downstream wetland impacts instead putting in a tiled outlet. Another option might be to install a shallower tile line. Ellefson suggested that the Board could open bids for the project with two alternative outlet elevations at their 9/26/11 regular meeting. Jones had the local/state/federal application form for water/wetland projects ready for VanAmburg's signature. The Board also directed Jones to start the USFWS permitting process. Motion by
Nelson to authorize H.E. to advertise for a bid opening on 9/26/11 and to start the permitting process; and to authorize VanAmburg to sign the referenced application form. **Seconded** by Ellefon. **Approved.**

**2012 Budget Hearing.** The Board convened their 2012 annual budget hearing at 9:00 PM. Notice of the hearing was published in area newspapers. The Board had to consider setting the administrative fund levy, the ditch systems/project levies, and the Minnesota Statutes Annotated (M. S. A.) 103D.905, Subd. 3, special levy for projects/programs initiated by petition.

The BRRWD has the authority to levy a maximum of $250,000 for Administration Funds. The Board reviewed sheets showing the 2010 year-end administrative expenses, 2011 expenditures to date, and a proposed 2012 budget. **Motion** by Ellefson to set the 2012 Administrative levy at the maximum rate of $250,000. **Seconded** by Nelson. **Approved.**

The Board discussed setting a separate tax levy for BRRWD liability insurance costs, according to M.S.A. 466.06. The levy would cover BRRWD insurance premium costs, estimated at approximately $15,000-$20,000 per year. Albright suggested setting the 2012 levy at $15,000. **Motion** by Hanson to levy $15,000 for 2012 liability insurance costs. **Seconded** by Paradeis Kobiela. **Approved.**

The next item on the budget hearing agenda was the BRRWD's taxing authority according to M.S.A. 103D.905, Subd. 3, based on 0.00798 percent of the taxable market value to pay costs attributable to the basic water management features of projects/programs implemented by petition. The Board reviewed previous years' budget for the use of this tax. According to statutes, this levy can be applied on a per project basis, and could raise a maximum of $388,867.00 per project.

The Board reviewed a proposed budget worksheet and briefly discussed a general assessment for projects throughout the District, according to M.S.A. 103D.905, Subd. 3, which could be distributed as follows:

<table>
<thead>
<tr>
<th>Proposed Budget for 2012 Projects/Programs</th>
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<tbody>
<tr>
<td>Pj. 38, Farmstead Ringdikes</td>
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<td>Pj. 56, Manston Slough Restoration</td>
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<td>Pj. 65, County Line Outlet</td>
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<td><strong>Total</strong></td>
<td>$388,867.00</td>
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</table>

**Motion** by Ellefon to levy the maximum amount ($388,867), as referenced, subject to a petition from the Clay County Board of Commissioners, requesting the levies. **Seconded** by Hanson. **Approved.**

The Board also discussed other possible projects for which we could levy according to M.S.A. 103D.905, Subd. 3, including a proposed wetland restoration project on the Chuck Anderson/Lamb properties. The Lamb family is very interested in the project, which has significant restoration potential if they participate with Anderson. Another neighboring landowner, Nick Manston, also might be interested in participating in the project. Mark Aanenson, H.E., has estimated the banking credits at approximately 83.3 acres. Albright suggested that the Board consider a second M.S.A. 103D.905, Subd. 3, levy for wetland banking. **Motion** by
Hanson to set a $300,000 levy to fund a Wetland Mitigation Account to provide money to acquire wetland banking credits. **Seconded** by Ellefson. **Approved.**

Nelson discussed setting a levy to provide a fund for the new office project. The Board discussed various ways to finance a new office. **Motion** by Nelson to levy $100,000 in accordance with M.S.A. 103D.905, Subd. 3, for one year for building funding. **Seconded** by Hanson. **Approved.**

The Board reviewed a worksheet showing total ditch system benefits, current balances, project year-end balances, and previous years' levies, plus a sheet showing benefits rates broken down per acre for each ditch system. The ditch systems/projects were color coded to assist with the review.

After considerable review and discussion, **motion** by Nelson to approve the following 2012 ditch/project levies. **Seconded** by Ellefson. **Approved.**

**Clay County:**
- Ditch No. 2-$20,000
- Ditch No. 3-$10,000
- Ditch No. 9-$10,000
- Ditch No. 10-$25,000
- Ditch No. 11-$25,000
- Ditch No. 12-$20,000
- Ditch No. 16-$2,000
- Ditch No. 17-$5,000
- Ditch No. 20-$5,000
- Ditch No. 21-$25,000
- Ditch No. 22-$12,000
- Ditch No. 28-$20,000
- Ditch No. 31-$5,000
- Ditch No. 32-$20,000
- Ditch No. 33-$8,000
- Ditch No. 35-$15,000
- Ditch No. 36-$40,000
- Ditch No. 40-$40,000
- Ditch No. 41-Outlet-$25,000
- Ditch No. 41-Lat. 1-$25,000
- Ditch No. 41-Lat. 2-$10,000
- Ditch No. 49-$50,000
- Ditch No. 50-$10,000
- Ditch No. 53-$5,000
- Ditch No. 54-$20,000
- Ditch No. 55-$20,000
- Ditch No. 58-$15,000
- Ditch No. 59-$20,000
- Ditch No. 60-$25,000
- Ditch No. 63-$15,000
- Ditch No. 68-$5,000

**Becker County:**
- Ditch No. 5-$10,000
- Ditch No. 9-$10,000
- Ditch No. 15-$10,000
- Ditch No. 21-$5,000

**Wilkin County:**
- Ditch No. 5A-$20,000
- Ditch No. 13-$25,000
- Ditch No. 22-$20,000
- Ditch No. 26-$2,000
- Ditch No. 41-$20,000
- Ditch No. 44-$25,000

**Projects**
- Clay-Wilkin J.D. 1-$30,000
- Turtle Lake Outlet-$50,000
- Oakport Flood Mitigation-$75,000
- Riverton Township Retention-$15,000
- Whisky Creek-$20,000
- J.D. 1, Branch 4-$10,000
- LaBelle/Boyer Lake Outlets-$80,000

**New Office.** The Board had an extended discussion regarding the status of the new office location. Our office lease is over at the end of the month, and we have to move. Albright has investigated possible rental spaces in Barnesville. The McAllister building on Front Street across from our existing office seems to be...
the best option. The monthly rent is $750, plus utilities. Albright also suggested that we will probably need to rent a 10' x 20' storage unit for $74/month to store our excess office equipment.

Renting the cabinet shop in the Commercial Park would cost $2,500 per month, plus utilities. Don Sakry, Barnesville Building Inspector, looked through the shop, but provided no written report. He indicated that there could be some issues if we were to use the building for meeting space. The Board reviewed the draft lease for the cabinet shop. Margaret Follingstad, YHR Partners, provided an estimate of approximately $3,000-$5,000 to review the shop plan and provide a cost comparison with the new building construction. She would bring in a mechanical engineer and other experts to inspect the building and provide recommendations. Hanson thought it would be a good idea to have this information. Ellefson thought we should scale back the new office design. Currently, the development of plans and specifications for the new building project is on hold. The City hasn't acted on our building permit because they are waiting for the drainage plan from H.E., which is also on hold. **Motion** by Hanson to authorize the expenditure of up to $5,000 for YHR Partners to assess the possible renovation of the cabinet building and provide a cost comparison with the proposed new building construction. **Seconded** by Ellefson. **Approved.** The Board will discuss this issue with their Advisory Board when we hold the Fall Tour in September. **Motion** by Hanson to authorize Albright to enter into a lease for the McAllister building and storage unit. The Board will review and sign the lease agreement at their next meeting. **Seconded** by Paradeis Kobiela. **Approved.**

At 10:30 PM, Manager Nelson left the meeting.

**Clay County Ditch No. 49 Structure Replacements.** After tabulation of the bids received at the 8/08/11 bid opening, Jones recommended that the Board award the contract for the County Ditch No. 49 structure replacements to Steven Johnson Excavation, Inc., Otter Tail, MN, based on their bid of $102,480. **Motion** by Hanson to award the contract to Johnson Excavation, Inc. **Seconded** by Paradeis Kobiela. **Approved.**

**Crystal Creek.** Albright and Jones will meet with Jeff Schaumann tomorrow morning. Work on Crystal Creek South is almost completed, except the slide repair, which will include rerouting the natural channel to complete the repairs. The Army Corps of Engineers (COE) has indicated that there are no wetland impacts associated with the plan to move the channel according to their criteria. The Technical Evaluation Panel (TEP) consisting of Steve Hofstad, Minnesota Board of Water and Soil Resources (BWSR) and Lynn Foss, Clay Soil and Water Conservation District (SWCD) will review the area this week.

The Board discussed the Crystal Creek North project, which might include moving Clay County Ditch No. 67 to the north to accommodate the dike. There are more homeowners located south along the river who would also like the BRRWD to provide staking for a 44.5' dike. Jones will start the creation of preliminary plans. The Board thought that the landowners south of Crystal Creek should probably develop this project traditionally, not as an emergency project.

**Glyndon Waterway.** Landowner Chad Jacobson contacted Albright regarding the condition of the waterway east of Glyndon. He feels the BRRWD should consider a project to address this problem. The Board thought that they could hold an informational meeting this winter.

**Upper Red-Lower Otter Tail Watershed District.** BWSR will hold a hearing on Wednesday, September 7, 2011, at 6:00 PM in Rothsay High School gymnasium regarding a petition to establish a new watershed district for approximately 430 square miles of Wilkin and Otter Tail Counties between the BRRWD and the Bois de Sioux Watershed District.

**2011 BWSR Academy.** BWSR is hosting their annual training event on October 25-27, 2011, at the Breezy Point Convention Center.
2011 MAWD Awards. Applications for the Capital Improvement Project of the Year and the Watershed Program of the Year are due by 10/07/11. The Board decided not to submit an application this year.

Project No. 49, Oakport Flood Mitigation. Ulteig Engineers, Inc. (UEI) will be holding the preconstruction meeting for Phase 3C on Wednesday, August 16, 2011. The Board authorized Chairman VanAmburg to sign the Minnesota Pollution Control Agency (MPCA) General Stormwater Permit for Phase 3C. The fee is $400. Kris Carlson, UEI, provided a written update regarding the Oakport project for the Board's review. There will be a Construction Committee meeting on Friday, September 2, 2011.

2006 FEMA Flood. The Federal Emergency Management Agency (FEMA) notified the BRRWD that they will be closing our 2006 Flood Disaster Application. We will receive a final payment of $29,235.41. Once we receive the payment, the office will allocate the funds to the appropriate ditch/project accounts.

Project No. 39, Georgetown Levee. The Board discussed potential project funding and the revised estimated cost of the project. They reviewed a buyout analysis that Albright prepared to score/rank the buyout properties and discussed the ranking criteria.

Project No. 68, Lake Jacobs Outlet. The Final Hearing has been scheduled for 9/08/11 at 8:00 PM in Hildebrand Hall, Barnesville. The hearing notice was sent today to the Pelican Press. The Board discussed scheduling a bid opening. Motion by Hanson to authorize H.E. to advertise a bid opening for 9/12/11. Seconded by Paradeis Kobiela. Approved. The easements are prepared and ready to distribute.

Project No. 32, Hawley EDA Diversion. Albright met with Attorneys Tom Athens and J. J. Kline. They feel we could move forward with a case against the original contractor regarding repairs to the 60" dia. corrugated metal pipe (CMP) associated with the Diversion project. The Attorneys recommended that the BRRWD send a letter to the contractor asking them to reconsider the proposed 5-way split of the costs to repair the culvert and to respond within 10 days. Motion by Hanson to authorize Attorneys Athens and Kline to send the referenced letter to the contractor. Seconded by Ellefson. Approved.

Lisa Jetvig and John Young, Jr., City of Hawley, contacted Albright to let the BRRWD know that they would like us to resubmit the Clean Water Fund (CWF) streambank project application to BWSR. They have scheduled a meeting on 9/01/11 at 4:00 PM, in Hawley to discuss a variety of issues, including their restoration project. The CWF application deadline is 9/20/11.

Permit No. 11-84, Kevin and Brad Nelson. Applicant proposes to install patterned tiling for 125 acres in the SE¼, Section 3, Glyndon Township, Clay County. The outlet is Project No. 51, Clay County Ditch No. 68. Motion by Ellefson to approve Permit No. 11-84. Seconded by Paradeis Kobiela. Approved.

Permit No. 11-85, Hawley Township. Applicant proposes to install a new 18" dia. culvert in the southeast corner of Section 36, according to USFWS requirements. Albright and Manager Nelson reviewed the proposal this spring. Motion by Hanson to approve Permit No. 11-85. Seconded by Paradeis Kobiela. Approved.

Permit No. 11-86, David Kragnes. Applicant proposes to install 100 acres of pattern tiling in the S½, Section 30, Morken Township, Clay County. The project will outlet to County Ditch No. 39. Motion by Paradeis Kobiela to approve Permit No. 11-86. Seconded by Hanson. Approved.

Permit No. 11-87, David Kragnes. Applicant proposes to install 225 acres of pattern tiling in the S½, Section 28, Morken Township, Clay County. The project will outlet to County Ditch No. 39. Motion by Paradeis Kobiela to approve Permit No. 11-87. Seconded by Hanson. Approved.
Permit Nos. 11-89 through 11-97, USFWS. The USFWS proposes to restore a number of wetlands on their Wildlife Production Areas (WPA). Albright suggested that we issue a general permit with a list of criteria for permit approval. The Board had a discussion regarding the criteria. Motion by Ellefson to approve the referenced permits, subject to the BRRWD's standard wetland restoration criteria. Seconded by Hanson. Approved.

Permit No. 11-98, USFWS. Applicant proposes to install a tile line to lower water levels 1' along County State Aid Highway (CSAH) No. 12 in Sections 14 and 23, Hamden Township, Becker County. Motion by Hanson to approve Permit No. 11-98. Seconded by Paradeis Kobiela. Approved.

Permit No. 11-99, Tom Jacobs. Applicant proposes to install a tile line to lower water levels 1' along County State Aid Highway (CSAH) No. 12 while traveling north into a natural waterway across Sorum's property. Motion by Paradeis Kobiela to approve Permit No. 11-99. Seconded by Ellefson. Approved.

Permit No. 11-102, Paul Anderson. Applicant proposes to lower the culvert in a field approach in the northeast corner of his field in the E½, Section 17, Alliance Township, Clay County. The culvert drains to Project No. 30, Clay/Wilkin Judicial Ditch No. 1 (J.D. 1). Motion by Ellefson to approve Permit No. 11-102. Seconded by Hanson. Approved.

Permit Nos. 11-103, 11-104, 11-105, 11-106, Chad Johnson. Applicant proposes to install drain tile in various locations on his property in Flowing and Riverton Townships, Clay County. He will be submitting the drainage plans in the near future. Tabled, pending receipt of more information.

Permit No. 11-107, Ronnie Tang. Applicant proposes to install pattern tiling in the SW¼, Section 23, Flowing Township, Clay County. The outlet is Clay County Ditch No. 10. The water will have to travel approximately 0.5 miles along 150th ST S. Motion by Hanson to approve Permit No. 11-107, subject to downstream landowner and Township approval, and the proper maintenance of the 150th ST ditch. Seconded by Paradeis Kobiela. Approved.

Permit No. 11-108, Lyle Picotte. Applicant proposes to install random tiling in low areas in the E½, Section 12, Roberts Township, Wilkin County. The outlet will be to Wilkin County Ditch No. 26. Tabled, pending further information.

Permit No. 11-109, Howard Pender. Applicant proposes to install 18" dia. CMP in an approach off 120th ST to drain to Clay County Ditch No. 55. Motion by Ellefson to approve Permit No. 11-109. Seconded by Paradeis Kobiela. Approved.

Tom Trosvik Tiling Concern. Albright noted that Orin Sorum has agreed to the proposal for Tom Trosvik to drain his tile water north into a natural waterway across Sorum's property in Section 32, Norwegian Grove Township, Otter Tail County. Albright will contact Trosvik.

Project No. 71, City of Moorhead/50th AVE S Flood Control. Albright noted that the City plans to start this project next year, and the BRRWD can hold the hearing this winter.

Clay County Ditch No. 9. Albright, Jones, and Opsahl discussed the repair County Ditch No. 9 along County Road (C.R.) No. 12 while the Clay County Highway Department has the road closed for their round-about project on Trunk Highway (T.H.) No. 75/C.R. No. 12. The repairs will include the installation of Styrofoam blocks to address the slumping problem and prevent future slides. The estimated costs for the blocks will be approximately $7,000. The total repair costs are estimated at $10,000-$15,000. The repairs will be completed as a ditch system expense. Motion by Paradeis Kobiela to approve the referenced repair. Seconded by Hanson. Approved.
Wilkin County Ditch No. 40. The Minnesota Department of Transportation (MNDOT) has repaired the slides on County Ditch No. 40 along T.H. No. 9 south of Barnesville.

Project No. 50, Cromwell Township. Albright noted that H.E. will need to contact the contractor to get a schedule for the project work. We will need to revise Lorilee Petermann's easement to allow the contractor to enter her property to access the work site. The materials are on site.

Project No. 46, Turtle Lake Outlet. The Turtle Lake siphon has been stopped and the lake is at elevation 1361.25. Long Lake is at elevation 1361.15, and the siphon will be stopped next week.

Project No. 64, LaBelle/Boyer Lakes Outlet. Jones reported that the lakes are close to the target draw down elevations. The contractor has finished the cleanup work. H.E. will file the final pay request at the 9/12/11 BRRWD meeting.

Project No. 67, HRBP Lakes Outlet. Jones reported that the outlet at T.H. No. 34 is at elevation 1370.41, and Pete Lake is at elevation 1355.89.

Project No. 63, Grove Lake. Grove Lake is at elevation 1327.0, which is about 2' above the maximum drawdown elevation.

Clay County Ditch No. 10. A Kragnes Township meeting to discuss the road/ditch berm elevations in regards to Bill Dale's flooding concerns will be held on 9/13/11. Albright will not be available, but Opsahl and Manager VanAmburg plan to attend.

Project No. 1, Wilkin County Ditch No. 22. The BRRWD has scheduled an informational meeting with the ditch system landowners to discuss possible Lateral No. 3 improvements for Tuesday, August 30, 2011, at 8:00 PM in the Barnesville office.

Mediation Project Team (PT). The next PT meeting will be held 8/24/11. The Fall PT Tour has been scheduled for 9/29/11 at 2:00 PM in the Galaxie Supper Club, Barnesville. The Board agreed to invite the BRRWD Advisory Committee to meet prior to the Fall Tour at 1:00 PM at the Galaxie to discuss the new office options.

Clay County Buyouts. Albright reported on funding for Clay County to buyout properties in the floodplain. The State of Minnesota has allocated $5 million to the County for the buyouts with a $1 million matching. The first 17 properties on the list are in the Crestwood Addition. There are currently 31 homeowners requesting County buyouts. The Board discussed the payment rate proposed by the County.

Project No. 38, Farmstead Ringdikes. Johnson Excavation, Inc., Ottertail, MN, was the low bidder for the Dick Wang Natural Resources Conservation Service (NRCS) Environmental Quality Incentives Program (EQIP) ringdike with his bid of $32,987.75. Jones recommended that the Board award the contract to Johnson Excavation. Motion by Ellefson to award the contract as recommended. Seconded by Hanson. Approved.

The following bills were presented for approval:

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<th>Accounts Payable</th>
<th>Description</th>
<th>Account</th>
<th>Amount</th>
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<tbody>
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<td>Pj. 68, Lake Jacobs</td>
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<td>Wm. Nichol Excavating, Inc.</td>
<td>#84, Lateral No. 2 repairs/Ernst</td>
<td>Pj. 1, Wilkin 22</td>
<td>$3,328.00</td>
</tr>
<tr>
<td>YHR Partners</td>
<td>#8737, 6/01/11-6/30/11</td>
<td>New Office</td>
<td>$650.00</td>
</tr>
</tbody>
</table>

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

**Next Meeting.** The Board of Managers, BRRWD, will hold their next meeting on Monday, September 12, 2011, at 8:00 PM.

**Adjournment.** Chairman VanAmburg adjourned the meeting at 12:15 AM.

Respectfully submitted,

John E. Hanson, Secretary