

BUFFALO-RED RIVER WATERSHED DISTRICT

BARNESVILLE, MINNESOTA 56514

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MINUTES FOR MANAGERS' MEETING September 19, 2011

The Board of Managers, Buffalo-Red River Watershed District (BRRWD), held a special meeting on Monday, September 19, 2011, at 8:00 PM in the Barnesville office to continue the 9/12/11 meeting agenda. BRRWD Managers present were Gerald L. VanAmburg, Roger G. Ellefson, Curtis M. Nelson, and Breanna L. Paradeis Kobiela. Others attending included: Erik S. Jones, Engineer, Wade S. Opsahl, and Julie Jerger, Secretary, Houston Engineering, Inc. (H.E.); and Lyle Hovland, Wilkin County Commissioner.

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.

Other business brought before the Board included:

Otter Tail/Wilkin Watershed District. Lyle Hovland, Wilkin County Commissioner, informed the Board about discussions regarding a proposal to add portions of Otter Tail and Wilkin Counties to the BRRWD. Parts of those counties have also considered creating a separate watershed district south of the BRRWD. The Board reviewed a resolution to proceed with a meeting with the Commissioners from both counties in October. The Board discussed a possible venue for the meeting and agreed on a tentative meeting date of 10/05/11 or 10/06/11. Commissioner Hovland will check on meeting dates/locations and contact the Board when he confirms the details. VanAmburg commented that office staffing would be an important issue if we enlarge the BRRWD.

Project No. 65, County Line Outlet. Jones discussed the project plans, which has two outlet elevation alternatives. He has submitted the local/state/federal agency permit application. To date, there have been no responses. Jones recently met with the Natural Resources Conservation Service (NRCS) to discuss cleaning the waterway on the Jeff Bjornson Wetlands Reserve Program (WRP) land near Interstate-94 (I-94). They have indicated that they will probably work with the BRRWD regarding our request. On 9/14/11, Jones and Managers VanAmburg, Nelson, and Ellefson met with the United States Fish and Wildlife Service (USFWS) to discuss the project design and funding. They indicated that they would try to find some funding to pay for the lower outlet alternative, but could not make any commitment. Jones noted that if we decide to install the outlet that would draw the wetlands down below the Minnesota Department of Natural Resources (DNR) Ordinary High Water (OHW) elevation, the DNR will need to hold a hearing. Jones forwarded information to the USFWS regarding the Operation and Maintenance (O&M) and Memorandum of Understanding (MOU). The Board will open bids on 9/26/11 at 8:00 PM in Barnesville. Jones noted that there has been some contractor interest. The specifications include having an operational outlet from the first basin by 12/31/11. The final project completion date is 6/30/12. The Board has scheduled an informational meeting with the landowners, townships, and counties for 10/03/11 at 7:00 PM in the Wells Fargo Bank, Barnesville. Jones thought that depending on the weather, the contractor could possibly start the project by mid-October and have the outlet operational by the end of November. Jones noted that after he revised the plans, he estimates that there is very little difference between the two alternatives. Ellefson questioned the cost differences. The DNR has agreed to fund 50% (up to \$150,000) of the project costs, and the BRRWD will contribute 25%. The Board discussed contractors who might bid the project and possible safety concerns. Ellefson discussed the high water problems the project landowners are experiencing.

Country Heritage Ditch. Kris Carlson is working on a design to repair the ditch slide in the Country Heritage Addition. Jones explained that Carlson plans to prepare three alternatives for the Board's review. The Board spent considerable time discussing Carlson's preliminary repair options and who will be responsible for the costs. The Oakport Construction Committee will discuss this issue at their next meeting.

Minch Lawsuit. Attorney Tami Norgard, Vogel Law Firm, will meet with the Board on 9/26/11 regarding the Minch Lawsuit.

Clay County Buyouts. The Board had an extended discussion regarding the buyout criteria Clay County is using for properties affected by flooding from the Red River. The homeowners are being offered 87.5% of the highest taxable market value for the last three years. There are approximately 31 properties on the buyout list. The County needs approximately \$7 million from the State of Minnesota for the buyouts with a \$1 million match from the County. They will focus on acquiring the 17 properties located in Crestwood in south Moorhead (Phase I) before moving forward with the rest of the buyouts (Phase II). The Crestwood properties cannot be protected from flooding. If all the houses are gone, the Township should be able to abandon the road. The BRRWD is involved with the project as a consultant for the DNR funding/buyouts for Clay County. The Board has been working with Brenda Zebley-Moe and Tony Karppinen regarding their high water table/flooding concerns. They are both at the top of the Phase II buyout list. There is a homeowner associated with the Georgetown Levee-Improvement project that is also on the Clay County buyout list.

Permit No. 11-03, Tom & Sue Jacobs. Applicant proposes to excavate an area for fill for a new house in the SW¹/₄, Section 17, Wolverton Township, Wilkin County. Albright and Manager VanAmburg conducted a field review on 5/16/11. Since Jacobs filed the permit, he has decided to locate the house further east away from the Red River. His main concern was about ditching someone has done on the north side of his property that diverts water to the Red River. There was a concrete spillway on his property that carried the field water in this area to the river. The unauthorized ditching on his property has created a 3' deep gully alongside the spillway. He asked the BRRWD to assist him with a repair project. VanAmburg had agreed to investigate this concern. VanAmburg said that he will visit with the former renters, who may have an idea about who did the ditching. The Board will ask Albright to follow up on this issue. **Tabled.**

Clean Water Funding (CWF) Grant Applications. The Board reviewed CWF project proposals for the Whisky Creek Sediment Pond Restoration, Hawley Buffalo River Restoration, and the Upper South Branch of the Buffalo River Best Management Practices (BMP) Implementation. Jones explained each project and the Board discussed possible BRRWD matching contributions. **Motion** by Paradeis Kobiela to authorize H.E. to submit the applications. **Seconded** by Ellefson. **Approved.** Cost sharing details will be discussed further, if the applications are approved.

Project No. 49, Oakport Flood Mitigation. Jones noted that the contractor did not have to haul in off-site fill for Phase 1A, which eliminated the need for the proposed change order that would have added to the project costs. Kris Carlson, Ulteig Engineers, Inc. (UEI), submitted a construction update for the Board's review.

Project No. 14, Clay County Ditch No. 10. Opsahl reported on his investigations regarding the 130th AVE N 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 elevations. Albright forwarded the survey results to Kragnes Township. Opsahl and Chairman VanAmburg met with landowners and Kragnes Township last Tuesday. The Township has agreed to a 50/50 cost share with the BRRWD for the repair of the township

road/ditch berm. The proposed cost is about \$4,000. **Motion** by Ellefson to make the ditch berm/road repairs and pay 50% of the costs. **Seconded** by Nelson. **Approved.**

New Office Building. The Board had an extended discussion regarding a study prepared by YHR Partners comparing new construction and cabinet shop renovation. Nelson reported that he will meet with the Cornerstone Bank property's realtor this week to determine what they would consider for an offer on the cabinet shop.

Office Staff. The Board discussed hiring a part-time office assistant and possible staff assignments. VanAmburg suggested that Albright, Jerger, and some of the Managers could meet to discuss the job description for a new staff person. The Board also had an extended discussion regarding the possible enlargement of the BRRWD and how this might affect potential Manager positions and office staff needs.

Hawley River Watch. The Board reviewed the Hawley River Watch 2012 program budget, submitted by Evelyn Ashiamah Finch, International Water Institute (IWI) Monitoring Specialist. The funding request to the BRRWD is \$894.00. The Hawley High School's in-kind contributions, which include the teacher stipend, equipment, calibration standards, IWI staff support, total \$8,190. **Motion** by Ellefson to approve the funding request of \$894.00 to the Hawley River Watch. **Seconded** by Paradeis Kobiela. **Approved.** A report will be furnished at an upcoming meeting.

Project No. 64, LaBelle/Boyer Lakes. Jerger noted that a landowner on LaBelle Lake called the office to complain that the lake elevation is too low. Opsahl commented that the Board should probably meet this winter with the area landowners to set a final lake elevation for this project. He will be checking lake elevations this week.

River Keepers Annual Water. River Keepers sent an invitation to the BRRWD to attend their annual water festival on either Wednesday, September 21, 2011, or Thursday, September 22, 2011, at the Hjemkomst Center in Moorhead.

Fill Request. Richard Powell submitted a request to obtain fill/clay from the Oakport project for a private ringdike project in north Oakport Township. **Motion** by Nelson the approve Powell's request. **Seconded** by Paradeis Kobiela. **Approved.**

Project No. 39, Georgetown Levee-Improvement. To date, there has been no word from the DNR regarding the funding (\$3 million) for the improvement project.

2011 Oakport Township Flood Costs. Opsahl explained that the BRRWD needs to submit a letter to Federal Emergency Management Agency (FEMA) stating that we authorized the 2011 flood fight expenses for Oakport Township, including payments to Jeff Schaumann and Greg Anderson for their work for the project during the flood. **Motion** by Ellefson to authorize Opsahl to prepare and submit the referenced letter to FEMA. **Seconded** by Paradeis Kobiela. **Approved.**

The following bills were presented for approval:

Accounts Payable	Description	Account	Amount
HES, Inc.	Asbestos/hazardous waste disposal	Clay Co. Buyouts	\$ 1,275.00
HES, Inc.	Asbestos/hazardous waste disposal	Pj. 49, Oakport	\$ 3,128.00
HES, Inc.	Asbestos/hazardous waste disposal	Pj. 49, Oakport	\$ 675.00
HES, Inc.	Asbestos/hazardous waste disposal	Pj. 49, Oakport	\$ 4,989.00
International Water Institute	2011 SWAG monitoring 4/01-8/31/11	Buffalo River TMDL	\$ 7,144.99
Joel Carlson	October 2011 Lobbyist fees	Admin	\$ 850.00
L&M Road Services, LLC	8/21/11 billing-brush/cattail spraying	Varies	\$ 7,165.00

Moorhead Public Service	8/05/11-9/06/11 service (2)	Pj. 49, Oakport	\$ 63.70
Petty Cash	Supplies, postage, etc.	Admin	\$ 100.00
Red River CPA	8/10/11-9/09/11 service (3)	Pj. 49, Oakport	\$ 235.28
Riley Bros. Const., Inc.	Pay Request #11, Phase 1B	Pj. 49, Oakport	\$ 37,939.33
Riley Bros. Const., Inc.	Pay Request #12, Phase 2	Pj. 49, Oakport	\$ 50,441.78
RMB Environmental Labs	#159244-sample analysis	Buffalo River TMDL	\$ 270.00
RMB Environmental Labs	#159247-sample analysis	Buffalo River TMDL	\$ 392.00
TDS MetroCom-MN	9/13/11 long distance	Admin	\$ 36.57
The Hawley Herald, Inc.	#1573, 2012 budget hearing ad	Admin	\$ 617.76
Ulteig Engineers, Inc.	#24051, August 2011-Phase 1	Pj. 49, Oakport	\$ 27,612.38
Ulteig Engineers, Inc.	#24052, August 2011-Phase 2	Pj. 49, Oakport	\$ 1,191.47
Ulteig Engineers, Inc.	#24053, August 2011-Phase 3	Pj. 49, Oakport	\$ 49,690.85
USGS	Hawley & Sabin stream gauges	M.S.A. 103D.905, Sub. 3	\$ 4,535.00
Vogel Law Firm	#69088, Georgetown buyouts	Pj. 39, Georgetown	\$ 1,266.00
Wade S. Opsahl	Reimbursement/office supplies	Admin	\$ 222.62
Wm Nichol Excavating, Inc.	#90, beaver control/repairs	Pj. 24, Wilkin 24	\$ 1,836.00
			\$ 201,677.73

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

Next Meeting. The Board of Managers, BRRWD, will hold their next regular meeting on Monday, September 26, 2011, at 8:00 PM.

Adjournment. Chairman VanAmburg adjourned the meeting at 10:29 PM.

Respectfully submitted,

John E. Hanson, Secretary