

BUFFALO-RED RIVER WATERSHED DISTRICT

BARNESVILLE, MINNESOTA 56514

114 FRONT STREET SOUTH – PO BOX 341

PHONE 218-354-7710

MINUTES FOR MANAGERS' MEETING October 24, 2011

The Board of Managers, Buffalo-Red River Watershed District (BRRWD), held their regular meeting on Monday, October 24, 2011, at 7:00 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: Erik S. Jones, Engineer, Wade S. Opsahl, Technician, and Julie Jerger, Resident Secretary, Houston Engineering, Inc. (H.E.); Bill Gottenborg, Biology Teacher, Hawley High School; Evelyn Ashiamah-Finch, Monitoring Specialist, International Water Institute (IWI); Courtney Albright, Abby Sperr, Kayla Hoeft, and Sam Germolus, Hawley High School River Watch Team, Sheila Carlson, and landowners: Terry Eidem and Noreen Thomas.

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

Hawley River Watch Team. At 7:00 PM, the Hawley High School River Watch Team gave a Power Point presentation of their 2011 water quality monitoring results. There are nine team members, and their advisor is Hawley Biology Teacher, Bill Gottenborg. Evelyn Ashiamah Finch, IWI, supervises the sampling procedures/reporting. The group gathered water quality samples from six sites along the Mainstem of the Buffalo River near Hawley from April through October 2010, except July, and snow moisture content data during the winter. The students measured physical parameters at the sampling sites, including temperature, conductivity, dissolved oxygen, pH, turbidity, and stream flow trend analysis. At their 9/19/11 special meeting, the Board approved an \$894.00 contribution to the Hawley River Watch program for 2011 sampling expenses. The Team's sampling data is used for the BRRWD's Total Maximum Daily Load (TMDL) Study.

Secretary's Report. The Board reviewed draft minutes for the 9/19/11 special meeting. **Motion** by Nelson to approve the minutes. **Seconded** by Paradeis Kobiela. **Approved.**

Treasurer's Report. The Board reviewed the BRRWD's financial status. We currently have \$474,126.20 cash on hand. We have received \$28,841.24 since the 10/11/11 meeting. We received \$25,000 from the Minnesota Board of Water and Soil Resources (BWSR) Clean Water Fund (CWF) for Wolverton Creek and \$3,653.94 from the Red River Watershed Management Board (RRWMB) for the 2012 Mediation Project Team (PT) expenses reimbursement (7/01/11-9/30/11). The remainder of our income (\$187.30) came from a refund for Project No. 49, Oakport Flood Mitigation.

Other business brought before the Board included:

Manager Nelson commented that someone should check with the applicants for permits that have been pending since last year to see if they still want to do their proposed projects. There are a number of applications that the Board has tabled, which he felt we should either deny or process. Nelson pointed out that other permitting agencies try to complete their approval process within 60 days after application receipt.

Bruce E. Albright, BRRWD Administrator, was absent from tonight's meeting, but provided written comments/recommendations to Chairman VanAmburg regarding a number of pending permit applications/agenda items.

Permit No. 11-13, Robert Schultz. Applicant proposes to install an overflow culvert in a dry approach in the southwest corner of Section 21, Humboldt Township, Clay County, to allow water to flow north in the ditch and to protect his building site from flooding from the upstream Nichols Wetlands Reserve Program (WRP) site. Jones discussed the survey H.E. completed for this area. Albright recommended a 15" dia. culvert be installed at elevation 98.0 (assumed datum) to allow for 6" of fill over the top of pipe, which will place the culvert 1' higher than the invert for the centerline culvert under Trunk Highway (T.H.) No. 34. **Motion** by Ellefson to approve Permit No. 11-13. **Seconded** by Nelson. **Approved.**

Permit No. 11-49, Craig Runck. Applicant proposes to clean the ditch on the east side of 220th ST S in Section 27, Skree Township, Clay County. Runck's project would continue the ditch cleanout Randy Bjornson did in this same area last fall south to 110th AVE S. He would also like to remove an 18" dia. culvert in 220th ST S. The BRRWD and the other agencies endorse removing the culvert if the land in Section 27 comes out of the Conservation Reserve Program (CRP). Currently, the Minnesota Department of Natural Resources (DNR) has a Cease and Desist Order for any drainage work in Section 27, Skree Township, in response to work Runck completed last year. The Cass County Natural Resources Conservation Service (NRCS) investigated Runck's work for a wetland violation and recently made a determination, which Runck appealed. The Board and the environmental agencies involved with this issue met on 3/08/11 and made an agreement that no work would be done in this area until the Minnesota Department of Natural Resources (DNR) lifts their Cease and Desist Order and Runck's NRCS appeal is resolved. **Tabled**, pending notice from NRCS and DNR regarding the results of Runck's appeal and the lifting of the Cease and Desist Order.

Permit No. 11-75, Tom Arnhalt. Applicant proposes to regrade the ditch along County State Aid Highway (CSAH) No. 26, including lowering the approach outlet in Section 34, Manston Township, Wilkin County. Jerger noted that Arnhalt called the office today to check on the permit status. He said that the ditch was already cleaned, and he would like to get the culvert reset. **Motion** by Nelson to approve Permit No. 11-75, pending manger field review and County approval to work within their road right-of-way (r-o-w). **Seconded** by Hanson. **Approved.**

Permit No. 11-98, Detroit Lakes Wetland Management District (WMD)/United States Fish and Wildlife Service (USFWS). Applicant proposes to install a tile line to lower the wetland elevation along CSAH No. 2 in Section 23, Hamden Township, Becker County. Manager Hanson noted that the operator of the neighboring land, Scott McCaslin, feels the tile should be lower than the proposed elevation and would like to meet with the BRRWD, the USFWS, and the DNR to discuss this issue. The BRRWD approved the permit on 8/22/11, but Hanson thought that they haven't started the work. Albright plans to schedule a meeting with the referenced agencies and McCaslin to continue discussions on this issue. **Tabled.**

Permit No. 11-139, Moorhead Public Service. Applicant proposes to install an earthen levee around their substation in the NW¹/₄, Section 16, Kurtz Township, Clay County. Jones reviewed the application and recommended approval. **Motion** by Paradeis Kobiela to approve Permit No. 11-139. **Seconded** by Hanson. **Approved.**

Clay County Ditch No. 49. Terry Eidem filed a repair petition to clean about three miles of County Ditch No. 49 so that the new structures the BRRWD recently installed will operate properly. Several upstream landowners signed the petition. Eidem suggested that landowners might go ahead with the cleanout work, if the BRRWD doesn't move forward with their request. Eidem explained that he has a tile lift station

outletting into County Ditch No. 49, and the ditch condition hinders his project operation. Opsahl observed that the structure replacements were controversial, and the downstream landowners will likely object to a ditch repair. He said that the culverts were set on the original clay grade, and the sediment in the ditch is topsoil that has washed in since the last repair several years ago. VanAmburg noted that this ditch system contributes water to the Buffalo River prior to the peak flood crest. **Motion** by Nelson to approve the repair request for County Ditch No. 49. **Seconded** by Paradeis Kobiela. **Approved.** Opsahl will try to find a contractor yet this fall, depending on the weather. He will send permission to deposit spoil forms to the ditch system landowners. He's concerned that the downstream landowners will not permit us to deposit spoil on their property.

Lee Thomas Diversion. Noreen Thomas discussed a proposal to extend their existing farmstead ringdike along the Buffalo River north of Kragnes. They have been working with the Clay Soil and Water Conservation District (SWCD) to develop the project plan. Jones explained the project plans. Noreen Thomas explained that the existing ringdike works well, but the river is eroding the bank adjacent to the ringdike, and they are concerned about the dike's integrity. Thomas proposes to install a barrier in the field to prevent further river erosion. They also plan to plant native grasses, trees, etc., to tie in to the existing ringdike to protect their house.

Jones had concerns that the dike could impact area flood staging, causing possible breakouts further downstream or upstream. He would like to take a closer look at the proposal before recommending permit approval. Noreen asked if the BRRWD would consider contributing funds to their project. The Board discussed similar river erosion sites where the BRRWD contributed 25% funding. Thomas had two bids for the project, averaging \$6,600. **Motion** by Ellefson to approve the permit, pending review by H.E. to determine if the project will cause other breakouts. If Jones recommends permit approval, the BRRWD will contribute 25% to the project funding. **Seconded** by Hanson. **Approved.** Jones thought that H.E. could get the review done this week.

New Office. Nelson requested that the new office discussion be moved up on the agenda. Margaret Follingstad, YHR Partners, had the preliminary plans and specifications ready for distribution to a few area builders for their suggestions about how to possibly reduce the building costs. Follingstad has given the plans to a local Barnesville builder for his review. She did not provide a copy for the Board's review. The Board had an extended discussion regarding the differences between costs for remodeling the cabinet shop/new construction. Nelson complained about the time it has taken to develop new construction plans. He also noted that the temporary office is not handicap accessible. Hanson suggested that Foltz and Morton Buildings should have a chance to review the plans. VanAmburg encouraged the Board to plan for the future needs of the Watershed District. Ellefson felt that the Advisory Committee should have a chance to tour the inside of the cabinet shop. The Board decided to invite the Advisory Committee to view the cabinet shop on either 11/07/11 or 11/08/11 at 7:00 PM. VanAmburg will contact Follingstad to check on her availability. Nelson will contact the realtor to unlock the building. Once the meeting date is finalized, Jerger will post the special meeting notice in the office and on the BRRWD's Website. The Board agreed to make a decision regarding new construction or remodeling by the 11/14/11 meeting.

Project No. 71, City of Moorhead. Jones noted that the Preliminary Engineer's Report has been forwarded to the DNR and BWSR for comments. **Motion** by Nelson to appoint Lauren Peterson, Arvid Thompson, and Eddie Bernhardson as Appraisers. **Seconded** by Hanson. **Approved.** The project schedule is to have the Appraisers' Report finished by 12/31/11.

Project No. 70, Crystal Creek/McCann's Addition. Jones reported that the contractor has completed the ditch resloping in Crystal Creek South, and Opsahl noted that there is still some seeding and cleanup work to finish.

Project No. 69, Lake Alfred. Jones reported that the DNR has finished the Ordinary High Water (OHW) determination. It appears that the lake is about 7' above the OHW elevation. The next steps will be to complete the project design and develop a preliminary cost estimate.

Project No. 68, Lake Jacobs. Jones noted that the easements were all signed, and H.E. will begin construction staking at the end of the week. The contractor, Johnson Excavation, is working on the Jason Wang ringdike this week and plans to start the Lake Jacobs project next week.

Project No. 67, HRBP Outlets. The Board reviewed a graph showing the lakes' elevations. Opsahl gave a brief explanation of the elevation information. Jones noted that he has contacted the Minnesota Department of Transportation (MNDOT) regarding the partially plugged centerline culvert under Trunk Highway (T.H.) No. 34.

Project No. 66, Tansem/Ranum Lakes Outlet. Nelson suggested that the office should contact the Wild Rice Watershed District (WRWD) regarding the funds they owe us from the Hersch buyout. Wynn Consulting inadvertently included our Department of Employment and Economic Development (DEED) payment for the Hersch buyout (\$81,250) in their check to the WRWD.

Project No. 65, County Line Outlet. Jones reported that all the affected landowners have agreed to their easements, except Nevis Shulstad. The contractor hasn't started the work. Jones met with Dan and Kevin Solum regarding their easement, and they plan to sign their easement as soon as they have time to come to the office. Currently, Jones has been working with the NRCS regarding the Bjornson Reinvest In Minnesota (RIM)/WRP easement. The USFWS is reviewing the Memorandum of Understanding (MOU) and Operation and Maintenance (O&M) plans.

Project No. 64, LaBelle/Boyer Lake Outlets. Opsahl met with Loren Jetvig regarding a crossing on his property between Little Boyer and East LaBelle Lakes. Sellins Brothers, Inc. plans to start on the repairs next week. Both Boyer Lake and LaBelle Lake are still dropping even though the outlets are closed because of the dry weather.

Project No. 63, Grove Lake Outlet. Opsahl reported that there appears to be some debris that got past the trap rack and is plugging the outlet pipe. The outlet control box might have some logs in it. He plans to use an underwater camera to check the pipe restriction.

Project No. 56, Manston Slough Restoration. VanAmburg reported that representatives of Lessard-Sams Outdoor Heritage Council (LOHC) Conservation Partners Legacy Grants (CPLG) Program toured the project on their own, and had concerns about the project because they didn't understand the proposed project or the project status. VanAmburg thought that we should contact the LOHC to be sure they understand the project benefits. Ellefson questioned if any of the easement options for this project are expiring. The Board discussed project development and easement acquisition.

Project No. 50, Cromwell Township. The contractor, H & S Contracting, Inc., completed the repairs for Wouters' driveway today. He hasn't been back to finish the project. Opsahl noted that the Grefsrud house is now for sale. By the next meeting, the project could be finished.

Project No. 49, Oakport Flood Mitigation. The Board reviewed a construction update from Kris Carlson, Ulteig Engineers, Inc. (UEI). Master Construction, Inc. has submitted a bid to do the cleanup work for Phase 3B at the contract rate. They estimated the work at about 30 hours, or 2-3 days. The work includes repair of the Ohnstad driveway and an excavation site near the water tower. **Motion** by Hanson to authorize Carlson to hire Master Construction, Inc., to complete the referenced repairs. **Seconded** by Paradeis Kobiela. **Approved.**

Project No. 46, Turtle Lake Outlet. Opsahl noted that Long Lake has risen to the same elevation as Turtle Lake, but this has not affected Turtle Lake's level, which has remained stable at the DNR amended OHW. Opsahl plans to restart the Long Lake siphon after deer hunting to get the water level back to the target elevation, and then shut down both siphons for the winter.

Project No. 39, Georgetown Levee-Improvement. Opsahl met with Mayor Traci Goble, City of Georgetown, and Rick St. Germain, H.E., to discuss a few basic clean up items they would like completed before winter. The cost of the work would be covered by 2011 spring flood Federal Emergency Management Agency (FEMA) funding. The Georgetown City Council has a meeting scheduled for 11/07/11, and they would like representatives from the BRRWD and H.E. to attend.

Albright completed three closings last week, including Lester Nelson, David Wambach, and Daniel Lemke. The Board discussed the grain elevator's participation in the project development proceedings.

Project No. 38, Farmstead Ringdikes. Jones reported that Johnson Excavation is working on the Jason Wang Ringdike. Construction should be completed in the next two weeks.

Project No. 32, Hawley EDA Diversion. Attorney Tom Athens contacted the office today to report on the status of their investigation of Sellins Brothers, Inc.'s liability for the 60" dia. deteriorating culvert. The Board discussed completing the culvert repairs next summer under better conditions.

Project No. 23, Becker County Ditch No. 15. Jones sent the USFWS a repair request for the stretch of County Ditch No. 15 on the Hamden Slough National Wildlife Refuge (NWR), according to the 1991 maintenance agreement. Jones gave them two options: the BRRWD could do the work as a USFWS expense, or they could do the work on their own.

Project No. 19, Becker County Ditch No. 21. Opsahl contacted Chad Mattson to complete the repair work Jerry Matter has requested. He sent a letter to Matter and his neighbor, David Molacek, to let them know that Mattson will be starting next week. Matter would also like the BRRWD consider cleaning the Buffalo River for one mile downstream of the County Ditch No. 21 outlet. He said that the river is dry, and now would be a good time to get the work done. The Board discussed the possible benefits of a river cleanout. Jones pointed out that the DNR is going to ask for an elevation survey. Opsahl noted that we have an existing survey that we could use. **Motion** by Hanson to apply for a DNR permit to clean the Buffalo River downstream of the County Ditch No. 21 outlet. **Seconded** by Ellefson. **Approved.**

Project No. 14, Clay County Ditch No. 10. Opsahl noted that Johnson Excavation will be starting the road/ditch berm raising in the next few weeks.

Clay County Ditch No. 9. American Enterprises will be starting the ditch repair work tomorrow. The work includes installation of Styrofoam blocks to shore up slide areas along the ditch and CSAH No. 12.

Wolverton Creek/Comstock Coulee. Jones reported that Jeff Nichol, William Nichol Excavating, will try to finish the outlet repair work next week. Nichol plans to work on the Livdahl property first. H.E. completed the construction staking last week. Jones and Opsahl conducted a review of the last year's work. Jones noted that some touch-up work should be done to one of the rock riffle installations. The rest of the project looks good.

Becker County Ditch No. 9. Opsahl noted that there are two 60" dia. culverts in Tom Herfindahl's driveway that need to be replaced. The site is located downstream of Project No. 64, LaBelle/Boyer Lakes Outlet. The BRRWD usually cost shares 50/50 for this type of project. The work could still be done this

fall. Jones suggested that the culverts could be replaced with arch pipes. **Motion** by Hanson to cost share 50/50 on the referenced crossing replacement. **Seconded** by Nelson. **Approved.**

Becker County Ditch No. 5 Repair. At their 10/11/11 meeting, the Board approved a repair request from Gloria Kuehl to replace an existing 30" dia. private crossing. Kuehl will install the culvert, and the BRRWD will furnish the culvert as a ditch system expense. Jones reviewed the request and recommended a 30" dia. culvert.

Clay County Ditch No. 20 Repair. At the 10/11/11 meeting, the Board approved a request from Phil Robley to replace a driveway culvert on Clay County Ditch No. 20 that has washed out during recent spring flood. The BRRWD will furnish the new pipe as a ditch system expense, and Robley will install the pipe at his expense. Jones reviewed the request and recommended a 48" dia. culvert.

Clay SWCD Conservation Staff. The Clay SWCD recently informed the BRRWD about a proposal from Pheasants Forever, Inc. (PF), to place a PF Farm Bill biologist in the Clay SWCD office to promote and market conservation programs by personally contacting landowners for a \$10,000 per year contract fee. The Clay SWCD forwarded a request for the BRRWD to consider partnering with them to pay for this position, which would be similar to the one we support financially for Craig Lingen's work with the Wilkin SWCD. The Clay SWCD's current funding need is \$5,000 (6-month charge). The Board discussed the request and agreed to contribute \$2,000 to funding this position. **Motion** by Paradeis Kobiela to contribute \$2,000, as referenced. **Seconded** by Nelson. **Approved.**

Clay County Ditch No. 49. VanAmburg signed Change Order No. 1 for the County Ditch No. 49 structure replacement project. The Board approved the Change Order at the 10/11/11 meeting.

Clay County Buyouts. The Board reviewed a Clay County buyout tracking sheet. Two individuals who contacted the BRRWD regarding their high water/ground water problems, Brenda Moe and Tony Karppinen, are already under contract for County buyouts.

Dennis Hasbargen Culvert Installation. The Board sent a letter to Dennis Hasbargen on 10/12/11 regarding his illegal culvert installation in the intersection of 190th ST and 180th AVE, Section 21, Mitchell Township, Wilkin County. The Board directed Hasbargen to remove the culvert by 11/01/11. Jerger mentioned that Hasbargen called the office to request a meeting with the Board regarding this issue.

Project No. 16, Stinking Lake. The DNR has scheduled a meeting on 11/02/11 in Detroit Lakes at 10:00 AM to review the O&M plan. Albright and Jones will attend.

Watershed District Enlargement. Jerger noted that Otter Tail County called today to schedule a meeting with Albright to discuss a proposal to add parts of middle Wilkin County and western Otter Tail County to the BRRWD.

Project No. 62, Clay/Wilkin Judicial Ditch No. 1 (J.D. 1), Branch 4 Improvement/Extension. At their 9/26/11 meeting, the Board approved Dean Paschke's request for the removal of temporary 24" dia. restrictor plate on the existing 42" dia. culvert in County Road (C.R.) No. 3 in the southwest corner of Section 5, Deerhorn Township, Wilkin County. Jones reported that William Nichol Excavating removed the plate today.

New Administrative Assistant. The Board discussed a variety of issues surrounding the hiring of an additional BRRWD Administrative Assistant, including wages, etc. The Board agreed that Albright and Jerger could screen the applicants and submit two or three candidates for the Board's review. Jerger noted that we have received a number of applications for the position.

Red River Basin Flood Damage Reduction Work Group (RRBFDRWG). Jones noted that Paul Wannarka, DNR, Red River Basin Coordinator, sent out information regarding an opening on the RRBFDRWG's Citizen Advisory Committee.

Blue Eagle Lake Meeting. Rolland Holm, Barnesville Parks and Recreation Board, has scheduled a meeting tomorrow morning to discuss Blue Eagle Lake issues at 10:30 AM, Barnesville City Hall Council Chambers. Jim Wolters, DNR Fisheries, and Leslie George, DNR Weed Permits, will attend, as well as, Josh Kadrmas, H.E.

COE F-M Diversion. The Board discussed possible BRRWD involvement with procuring COE access to properties within the BRRWD for surveys/appraisals in association with the Diversion upstream retention proposal. Jones will attend the next WorkGroup meeting to represent BRRWD.

The following bills were presented for approval:

Accounts Payable	Description	Account	Amount
American Enterprises, Inc.	#946, slope repair	Crystal Creek	\$ 26,625.00
Bottom Line, LLC	Oakport ST dike	Crystal Creek	\$ 8,500.00
Brian Rafevold	Easement	Pj. 68, Lake Jacobs	\$ 272.10
City of Dilworth	Mowing/cleaning	Pj. 33, Clay 50	\$ 6,425.00
Doris Brundage	November office rent	Admin	\$ 750.00
Haugen's Landscaping, Inc.	#146, ditch cleanup	Pj. 35, Clay 47	\$ 225.00
Joel Carlson	November Lobbyist fee	Admin	\$ 850.00
MAWD	Annual Meeting registrations (6)	Admin	\$ 1,230.00
Mid States Secure Storage	November rent	Admin	\$ 74.00
Moorhead Public Service	9/06/11-10/07/11 utilities (2)	Pj. 49, Oakport	\$ 63.70
Northern Technologies, Inc.	#6356, 9/04/11-10/01/11	Pj. 49, Oakport	\$ 19,377.36
Petty Cash	Postage, supplies, etc.	Admin	\$ 200.00
Phyllis Treinen	Easement	Pj. 68, Lake Jacobs	\$ 2,596.50
Phyllis Treinen	Easement option	Pj. 68, Lake Jacobs	\$ 100.00
Rachel Contracting, Inc.	Pay Request No. 1, Phase 3C	Pj. 49, Oakport	\$ 267,507.82
RMB Laboratories, Inc.	#162153, analysis	Buffalo River TMDL	\$ 270.00
RMB Laboratories, Inc.	#162806, analysis	Buffalo River TMDL	\$ 1,208.00
RMB Laboratories, Inc.	#163165, analysis	Buffalo River TMDL	\$ 710.00
RMB Laboratories, Inc.	#163172, analysis	Buffalo River TMDL	\$ 450.00
RMB Laboratories, Inc.	#163343, analysis	Buffalo River TMDL	\$ 662.00
Roger Lundberg	10/17/11 beaver control	Clay 58/60, Wilkin 41 Pjs. 30/31	\$ 3,618.61
Rothsay Farmers Coop	#B51849, 75 ac. roller rent	Pj. 56, Manston	\$ 487.50
RRVCPA	9/10/11-10/10/11 service (3)	Pj. 49, Oakport	\$ 253.97
Stuart Bjorgan	Mowing	Clay 21/47, Pj. 16	\$ 2,250.00
TDS MetroCom	10/13/11 long distance	Admin	\$ 22.27
TrueNorth Steel	#8502323, Leiseth	Clay C.D. No. 33	\$ 5,199.47
Ulteig Engineers, Inc.	#24655, Phase 1	Pj. 49, Oakport	\$ 39,461.49
Ulteig Engineers, Inc.	#24656, Phase 2	Pj. 49, Oakport	\$ 345.00
Ulteig Engineers, Inc.	#24657, Phase 3	Pj. 49, Oakport	\$ 48,580.91
West Otter Tail SWCD	#992, Holubok RIM Seeding	Pj. 56, Manston	\$ 2,482.00
Westlund Excavating	Signs/posts/culvert	Clay 40, Pjs. 58, 61, 63	\$ 1,818.75
			\$ 442,616.45

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

Next Meeting. The next regular meeting will be held on Monday, November 14, 2011, at 7:00 PM.

October 24, 2011

Page 8

Adjournment. Chairman VanAmburg adjourned the meeting at 10:30 PM.

Respectfully submitted,

John E. Hanson, Secretary