The Board of Managers, Buffalo-Red River Watershed District (BRRWD), held a regular meeting on Monday, January 23, 2012, 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: Bruce E. Albright, BRRWD Administrator, Erik S. Jones, Engineer, and Julie Jerger, Resident Secretary, Houston Engineering, Inc. (H.E.); and Margaret Follingstad, Architect, YHR Partners.

Chairman VanAmburg called the meeting to order at 7:05 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 6/03/10 special meeting. **Motion** by Hanson to approve the minutes. **Seconded** by Ellefson. **Approved.**

**Treasurer's Report.** The Board reviewed the BRRWD's financial status. Since the 1/09/12 meeting, our total receipts were $12,833.21 and cash on hand is $635,209.97. **Motion** by Paradeis Kobiela to approve the Treasurer's Report. **Seconded** by Ellefson. **Approved.**

**Other business brought before the Board included:**

**New Office.** Architect Margaret Follingstad, YHR Partners, reported that several area contractors are interested in our new building construction. The project plans and specifications went out for bids last week, and the bid notice appeared today in several local newspapers and contractor publications. The BRRWD will open bids on 2/09/12 at 3:00 PM in the City Hall, Barnesville. Plans and specifications are available for inspection in the BRRWD office. Follingstad noted that the cost saving alternatives the Building Committee had requested were included in the bid specifications. The Board discussed other possible alternatives and the bidding process. Follingstad also discussed supervisory services that YHR Partners could provide during construction.

**Moorhead Public Service (MPS) Transmission Line.** Jones reviewed a project proposed by MPS to install an overhead electrical transmission line within the easement area of Clay County Ditch No. 47. The line would connect to the existing transmission system near 20th AVE S along the west side of the ditch system, then going southeasterly paralleling the Burlington Northern/Sante Fe (BNSF) Railroad tracks down to 50th AVE S with some route variations. The powerline will run approximately 10' off the BNSF property line into the ditch easement area, paralleling the tracks. At some locations, the route of the line would be within the west ditch slope. Jones didn't feel that the overhead lines would affect future ditch maintenance or possible future ditch projects. Jones recommended permit approval, subject to our standard utility disclaimer. He also noted that MPS should keep the power poles as close as possible to the BNSF property line so as not to encroach on the ditch easement any more than absolutely necessary. Further, no poles should be placed in the ditch bottom and any fill placed in the ditch during construction will need to be removed. **Motion** by Hanson to approve the permit, subject to Jones' recommendations. **Seconded** by Paradeis Kobiela. **Approved.**
City of Moorhead Interstate-94 (I-94) Ramp Reconstruction. Jones reviewed a proposal from the City of Moorhead to reopen the I-94 westbound on-ramp and the eastbound off-ramp that were removed as part of the new 34th ST Interchange. Jones determined that the project wouldn't affect Clay County Ditch No. 30, which runs along the north side of the I-94 right-of-way (r-o-w). He discussed the proposal with the project engineering company, SRF Consulting Group. Since drainage along the west side of SE Main north through the westbound on-ramp won't be changed, the City will not need to submit a permit application for the project. The Board agreed.

Permit No. 11-49, Craig Runck. The Board discussed a letter to Craig Runck from the Natural Resources Conservation Service (NRCS) regarding their involvement in any possible projects in Section 27, Skree Township, Clay County. The NRCS informed Runck that they only have jurisdiction over wetland issues, and they will not be involved in actual drainage projects in this area unless they have wetland impacts.

Project No. 72, Wilkin County Ditch No. 22, Lateral No. 3-Improvement. The office is working on a mailing list and notice for the Preliminary Hearing, which is scheduled for Thursday, February 16, 2012, at 7:00 PM in Hildebrand Hall, Assumption Catholic Church, Barnesville. Albright reported that the Appraisers would be meeting on Thursday, January 26, 2012, to continue their work.

Project No. 71, City of Moorhead. Albright reported that this project is on hold while the City reviews other options regarding flood control.

Project No. 70, Crystal Creek. The Appraisers will continue their work on this project on Thursday. The next step, after the Appraisers' Report is filed, would be to schedule a final hearing. Albright explained that the work under the emergency provision has been completed, and any further work would need to be initiated as a new project.

Project No. 68, Lake Jacobs Outlet. The lake is currently at elevation 1309. Jones estimated that the project will probably be at the target elevation (1307-1308) by the end of the month. As soon as the Appraisers review the questions raised at the final hearing and complete their work, the Board will have to continue the hearing and make a Final Order. The office will submit a pay request to the Minnesota Department of Natural Resources (DNR) for approximately $57,000 this week.

Project No. 67, HRBP Outlets. The Appraisers plan to work on their report at their meeting on Thursday.

Project No. 66, Tansem/Ranum Lakes Outlet. Albright is working on pay requests to Wynne Consulting and the DNR for the Hersch home buyout. Nelson noted that the Hersches recently moved to their new house along Trunk Highway (T.H.) No. 34.

Project No. 65, County Line Outlet. The Appraisers will also be working on this project when they meet on Thursday. Wade Opsahl, Technician, H.E., is focusing his work this week on preparing the Appraisers' Reports. The project has reached its natural runout elevation, and there is only minimal drainage leaving the wetlands. The United States Fish and Wildlife Service (USFWS) is reviewing the Operation and Maintenance (O&M) Plan and the Memorandum of Understanding (MOU) documents. Doug Wells, USFWS, submitted a permit application to the DNR to lower the USFWS wetlands below the Ordinary High Water (OHW) elevation. Ellefson suggested that H.E. should check the downstream channel at the outlet for possible icing.

Landowner Jeff Bjornson has requested that we provide a ditch crossing with a 24” dia. pipe so that he can access his field in the future. Susan Jennen called the office to discuss the easement signing process for her property, as she owns the land with a number of her siblings. Kevin and Dan Solum have bought the Blankenship property via a contract for deed.
**Project No. 64, LaBelle/Boyer Lake Outlets.** The Board discussed holding a meeting with the environmental agencies and landowners regarding shoreline restoration and water quality issues. The BRRWD plans to schedule the informational meeting sometime this winter. Jones noted that water is no longer draining from either lake.

**Project No. 61, Clay County Ditch No. 11.** Albright will meet with Attorney John Boulger regarding our efforts to recover payment from John Leseth's for his share of the cost to install culverts for his farmstead access road.

**Project No. 56, Manston Slough Restoration.** Albright reported that Minnesota Board of Water and Soil Resources (BWSR) and NRCS are considering making funding available from the Wetlands Reserve Program (WRP) and Reinvest In Minnesota (RIM). With this additional money, the state funding level will be at 75%.

Albright and VanAmburg met with Duane Stuehrenberg regarding his easement. The Board discussed Stuehrenberg's concerns regarding the proposed project and reviewed project maps. Albright will discuss this issue with the project engineer, Rick St. Germain, H.E. The Managers also discussed the other pending easement acquisitions and landowners' questions regarding crop insurance eligibility.

**Project No. 50, Cromwell Township Outlet.** The USFWS signed the O&M and MOU last summer. Jones reviewed the documents and recommended that the Board could also approve and sign the agreements. **Motion** by Ellefson to authorize VanAmburg to sign the documents on behalf of the BRRWD. **Seconded** by Nelson. **Approved.**

Lorilee Petermann has signed her revised easement, and her payment is on tonight's bill list.

**Project 49, Oakport Flood Mitigation.** The Board discussed funding needed to complete the project in 2012. A revised cost estimate will be forwarded to Pat Lynch, Financial Coordinator, and Kent Lokkesmoe, DNR. We will need approximately $4.9 million to finish the project.

The Board reviewed the Red River Watershed Management Board (RRWMB) member watershed districts' funding requests. The House Capital Investment Committee will hold a hearing regarding these requests during the Minnesota Association of Watershed Districts (MAWD) Legislative Breakfast to be held March 7-8, 2012, in St. Paul.

A meeting has been scheduled for Tuesday, February 7, 2012, with the Country Heritage ditch homeowners to discuss their concerns. The Oakport Construction Committee (VanAmburg/Paradeis Kobiela) will attend.

**Project No. 39, Georgetown Levee-Improvement.** The Board discussed the property acquisitions. Clay County will include several of our Georgetown buyout properties in their next auction sale. The Appraisers are working on their report. H.E. is working on the easement drawings, so that we can move forward with the easement acquisitions. The Board had an extended discussion about the status of the easement acquisition process. Project Manager Gabe Bladow, H.E., contacted Albright regarding six properties that still need appraisals. Albright suggested that the properties should all be scheduled for appraisal at the same time. Albright and Ellefson may need to meet with several landowners to get their approval to conduct an appraisal.

**Project No. 38, Ringdike.** The Board discussed the final 2011 billings. There is no additional state funding currently allotted for ringdikes at this time. Albright felt we should be able to finalize all billings in the next several weeks.
**Project No. 32, Hawley EDA Diversion.** Jones is working on the specifications for the 60” dia. reinforced concrete pipe (RCP) repair. The Board decided to revise the funding agreement to include the four parties who are willing to participate, and then to solicit bids from a contractor to repair the deteriorated pipe this spring. Continuation of the Final Hearing for the redetermination of benefits will be held this winter.

**Project No. 19, Becker County Ditch No. 21.** Jones is working on a DNR permit application to clean the Buffalo River downstream of Becker County Ditch No. 21 outlet. The Board discussed developing a larger project for this area.

**Mediation Project Team (PT).** The PT met on 1/19/12. The next scheduled meeting is on March 22, 2012. Rick St. Germain, H.E., will make a presentation regarding the Long Term Flood Study (LTFS). The Red River Basin Flood Damage Reduction Work Group (RRBFDRWG)/RRWMB Annual Conference is scheduled for March 13-14, 2012, in Moorhead.

The BRRWD nominated Eddie Bernhardson for the Citizen Representative position on the RRBFRWG. To date, no decisions have been made.

**Watershed District Enlargement.** BWSR has tentatively scheduled the hearing to review a request to enlarge the BRRWD to include the central part of Wilkin County and parts of Otter Tail County for 2/23/12 at 6:30 PM in Hildebrand Hall, Assumption Church, Barnesville. BWSR will publish the hearing notice in local newspapers.

**New Administrative Assistant.** At their last meeting, the Board decided on the candidate they wanted for the Administrative Assistant position. Albright contacted her last week, but to date, she has not responded.

**Hawley Buffalo River Restoration.** The Army Corps of Engineers (COE) is interested in this project as a possible mitigation site for the proposed Fargo-Moorhead Diversion Project. Jones noted that the COE was also interested in our Upper South Branch of the Buffalo River retention study for possible sites. Another COE mitigation project might include work on Wolverton Creek.

**COE F-M Diversion.** The Board had an extended discussion regarding the status of the project, the ongoing negotiations regarding the potential upstream impacts from the project, and local landowners' concerns about the project. The City of Moorhead has submitted a pay request for the BRRWD's Phase 4 Feasibility Study contribution ($350,000), which is on tonight's bill list. The BRRWD's legal and engineering costs associated with this project can be deducted from the payment.

**Buffalo River Total Maximum Daily Load (TMDL).** Albright participated in a conference call this morning with the Minnesota Pollution Control Agency (MPCA) and H.E. representatives, as a follow up to the 1/17/12 TMDL Water Quality Workshop held in Barnesville. A press release was sent to the area newspapers. Attendee comments will be published on the BRRWD's Website.

**Wolverton Creek/Comstock Coulee Clean Water Fund (CWF).** The Board discussed the project status. Jones prepared maps for distribution to the various Counties/agencies to facilitate bufferstrip easement acquisitions. The semi-annual CWF project report needs to be submitted to BWSR by 2/01/12.

**Wetland Restorations.** The Board discussed options for the Elkton Township Wetland Credit Banking project. Easement documents will be prepared for the participating landowners this week.

**PRAP.** The Managers are working on the BWSR Performance Review and Assistance Program (PRAP) report.
**Wetlands Reserve Program.** Jones prepared a map that identifies and prioritizes sites on the Upper South Branch of the Buffalo River area. The PT will review this information at their next meeting. The Board discussed possible problems with obtaining property for potential WRP sites. Jones thought that the design could be revised if there are landowners who aren't interested in participating in the program.

**2011 Dam Inspections.** The Board discussed the results of the 2011 dam inspections, as submitted by Opsahl. The report noted only a few minor repairs. H.E. has also submitted the 2010 Ditch System Inspection reports for the Board's review.

**Project No. 31, Clay/Wilkin Judicial Ditch No. 1 (J.D. 1).** Opsahl completed the 2011 project inspection with the J.D. 1 Ditch System Committee. The Committee noted that the ditch is in the best condition that they have seen in many years.

**Red River Retention Authority (RRRA).** The Board briefly discussed the status of the RRRA.

**Drainage/Wetland Conference.** The Rinke Noonan Law Firm is hosting a drainage workshop in St. Cloud on 2/23/12.

**Governor's Initiative.** The Board discussed a new state funded agricultural water quality certification program designed to encourage farmers to implement best management practices to improve water quality.

**Form W-2 and 1099s.** Albright distributed the Managers' W-2 forms. The office is working on the Form 1099 recipient list data and will deliver it to Salber & Associates for processing and distribution by 1/31/12.

The following bills were presented for approval:

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Motion by Nelson to approve the bills. Seconded by Paradeis Kobiela. Approved.

**Next Meeting.** The next regular meeting will be held on Monday, February 13, 2012, at 7:00 PM.
Adjournment. Chairman VanAmburg adjourned the meeting at 10:10 PM.

Respectfully submitted,

John E. Hanson, Secretary