

# ***BUFFALO-RED RIVER WATERSHED DISTRICT***

BARNESVILLE, MINNESOTA 56514

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## **MINUTES FOR MANAGERS' MEETING July 08, 2013**

The Board of Managers, Buffalo-Red River Watershed District (BRRWD), held a regular meeting on Monday, July 8, 2013, at 7:30 PM in the Barnesville office. BRRWD Managers present were Gerald L. Van Amburg, Roger G. Ellefson, Curtis M. Nelson, Breanna L. Paradeis Kobiela, Troy E. Larson, and Peter V. Fjestad. BRRWD Staff attending included: Bruce E. Albright, BRRWD Administrator, Erik S. Jones, Engineer, Houston Engineering, Inc. (H.E.); and Mona Barker, Administrative Assistant; Steve Neppl and Dan Swedlund, Wilkin County Highway Department; Gary Bergan, Skree Township Supervisor; Brian Marquardt, Akron Township Supervisor; and landowners Clayton Runck, Craig Runck, Lannie Runck, Lynn Brakke, Rick Brakke, Paul Anderson, Bryan Kritzberger, Blayne Tonsfeldt, Ron Conzemius, Steve Hahn, Blane Benedict, Andy Leedahl, Donald Hoppe, Bob Westfall, John Danielson, and Doug Etten,

Chairman Van Amburg called the meeting to order at 7:30 PM. He announced that the proceedings were being recorded to aid in preparation of the minutes.

**Secretary's Report.** The Board reviewed draft minutes from the 5/28/13 regular meeting. **Motion** by Nelson to approve the minutes. **Seconded** by Fjestad. **Approved.**

**Treasurer's Report.** The Board reviewed the monthly financial statements, including the project account balance sheet, administrative disbursements, summary of income, and the accounts receivable report. Cash on hand is -\$639,363.67. We have received \$812,772.80 since the 6/10/13 meeting. The income came primarily from Clay County for the first half property tax payments. Clay County 2013 ditch/project tax proceeds have not yet been received. Additionally, two payments from the Minnesota Department of Natural Resources (DNR) are outstanding: one for the Manston Slough Restoration Project and one for the Georgetown Levee Improvement Project. Two easement checks are being held for the Manston Slough Restoration Project: C&H Farms and the Woolson Family Revocable Living Trust. Albright will bill the DNR this week for these payments. A \$400,000 payment was made on the Midwest Bank line of credit, leaving an outstanding balance of \$179,793.18. The bond sale is taking place 7/09/13 in Clay County. Bonds will be sold for eight projects: Pj. No. 39, Georgetown Levee Improvement, \$80,000; Project No. 50, Cromwell Township, \$65,000; Pj. No. 56, Manston Slough Restoration, \$1.238 million; Pj. No. 65, County Line Outlet, \$70,000; Pj. No. 70, Crystal Creek, \$100,000; Pj. No. 71, City of Moorhead, 50<sup>th</sup> AVE S, \$100,000; Pj. No. 72, Wilkin County Ditch, Lateral 3 Improvement, \$210,000; and Pj. No. 73, Country Heritage Ditch Improvement, \$60,000. Bond sale costs are estimated to be \$77,000 for a total bond sale of \$2 million. The BRRWD should receive the net proceeds in mid-August (\$1,923,000). **Motion** by Ellefson to accept the Treasurer's Report. **Seconded** by Paradeis Kobiela. **Approved.**

**Akron Township.** Albright gave a history of the area concerns. He explained that the office sent a letter to landowners in Akron and Meadows Townships in Wilkin County, summarizing the recent discussions pertaining to a 60" dia. corrugated metal pipe (CMP) the Wilkin County Highway Department installed approximately 20 years ago in County Road (C.R.) No. 169 (290<sup>th</sup> AVE) between Sections 5 and 6, Akron Township, which is larger than some of the downstream pipes. The Board invited the landowners to tonight's meeting to discuss this issue. The BRRWD has agreed to issue a joint permit to the Townships and Wilkin County to increase the size of three downstream pipes to make them equivalent to the culvert in question. Some of the neighboring landowners want the structures to be slightly larger to account for the

additional drainage which enters downstream of C.R. No. 169. Using the overhead monitors, Jones displayed a map showing the locations/sizing of the area culverts and the newly installed Wetlands Reserve Program (WRP) project in Section 5, Akron Township, which now limits flows from this area through a 24" dia. CMP. There are questions about the WRP project effects on area drainage during major flooding events.

Jones presented a number of options to alleviate the landowners' concerns about area culvert sizing. Landowner Bob Westfall discussed drainage patterns in Sections 5 and 6, Akron Township, which he claims have caused crop loss on his property in Govt. Lots 4, 5, and 6, Section 6. He is concerned that the 42" dia. culvert in C.R. No. 15 downstream of the 60" dia. CMP is not adequate. He would prefer that the County install two lines of 48" dia. pipe at this location to handle the flows. Manager Larson explained that he had understood that an agreement had been worked out with Akron Township and Wilkin County to install a second 42" dia. culvert next to the existing 42" dia. culvert, plus install a possible reducer on the 60" dia. CMP. He noted that Westfall rejected this plan. The group discussed comparative area culvert sizing, capacities, and waterway areas. Jones explained that the proposed two 42" dia. culverts would have approximately 0.2' less capacity than the 60" dia. pipe. The primary outlet for all drainage in this area is Wilkin County Ditch No. 6A.

Albright restated the current proposal:

- All culverts located downstream of C.R. No. 15, will remain the same size.
- In C.R. No. 15, remove the 24" dia. culvert and replace it with one line of 42" dia. arch equivalent.
- In 230<sup>th</sup> ST (Akron Township Road), add another line of 42" dia. pipe to the existing 42" dia. pipe.
- In Bob Westfall's field approach, the Township would install two lines of 42" dia. pipe.
- The existing 60" dia. CMP would remain in C.R. No. 169 with the understanding that the BRRWD would monitor performance. Wilkin County is also willing to install a restrictor plate on the CMP if drainage is still a problem downstream.

Larson asked if Westfall was satisfied with the agreement as stated. Westfall stated that he would agree to the proposal, but pointed out that he thought most landowners wouldn't be happy with the installation of a 60" dia. culvert upstream of their land without an equivalent outlet. He added that this issue is a good example of how a Watershed District benefits landowners. The County would not have been able to install the larger pipe without a permit and input from neighboring landowners if this area had been in a Watershed District when the pipe in C.R. No. 169 was enlarged.

Wilkin County and Akron Township submitted a BRRWD permit application to do the above referenced culvert changes. **Motion** by Ellefson to approve Permit No. 13-83 with the understanding that the BRRWD will monitor the performance of the 60" dia. CMP due to Westfall's concerns. **Seconded** by Fjestad. **Approved**.

**Permit No. 13-79, Wilkin County Highway Department.** Applicant proposes to replace an 18" dia. centerline culvert in C.R. No. 173 at the intersection of County State Aid Highway (CSAH) No. 52 between Sections 23 and 24, Tanberg Township, in C.R. No. 173 with one 24" dia. corrugated metal arch pipe (CMP-A); replace an 18" dia. field approach about 150' feet north of the intersection with a 24" dia. CMP-A. The County also wants to clean the road ditch and lower both culverts about 0.5'. The County states that the existing culverts are too small, causing water to overtop the road. **Motion** by Fjestad to approve Permit No. 13-79. **Seconded** by Larson. **Approved**.

**Project No. 30, Clay/Wilkin Judicial Ditch No. 1 (J.D. 1).** Landowners shared their concerns about the performance of J.D. 1 in light of the recent 9" rainfall event in June. Albright gave a brief description of

what happened during the 6/25/13 flooding event. He explained that the approximate 9" rainfall is considered a 500-1,000-year event, and the ditch is designed for a 10-year runoff event. Local landowners, whose property is in the middle area of the ditch system, estimated that they lost approximately 4,000 acres of crops because the flood waters stayed on their fields for several days.

Albright gave a brief history of the ditch that was improved in about 1978/1979 as a joint effort between Clay and Wilkin Counties. At that time, an overflow ditch on the county line was discussed to take higher flows directly to the Wolverton Creek/Comstock Coulee, but downstream landowners did not support this option. Another possible option could be to resize the culverts on the main ditch in Clay County before the water enters the Coulee, or possibly cleaning the ditch. The group also discussed the effects of tiling projects on area drainage and potential area retention sites. Albright mentioned that there could be the potential to install a metering process (waffle concept) to slow down high water. He noted that any changes to the ditch system would require the BRRWD to follow Drainage Law.

Andy Leedahl commented that there is already a type of waffle system on the main ditch. He thought that water coming from the south into the ditch system in Wilkin County is what's causing the high water problems in Clay County. His buildings in the S½, Section 21, Alliance Township, Clay County, took in water, which has not happened since 1975, because an earlier rainfall event occurred a few days before the 9" rainfall. Leedahl also thought that the upstream tiling projects with lift stations and deep ditches add to the local flooding problems.

Van Amburg mentioned that these issues have gotten worse during the current wet cycle, which started in about 1993. Bryan Kritzberger pointed out that we need to review area culvert sizing, as the culverts west of the ditch system were progressively carrying less and less water after the rainfall event along C.R. No. 11. Ellefson thought that maybe the ditch might need to be regraded in this stretch. Leedahl mentioned that historically J.D. 1 worked better before the land to the south in Wilkin County was added to the system. Albright mentioned that the Branches (1-4) were part of the system since the early 1900s. Kritzberger added that this type of flooding occurs whenever they get a significant rainfall. Leedahl asked if it would be possible to divert water away from the J.D. 1 in Section 29, Alliance Township, during a flood to protect his buildings from flooding. Van Amburg thought that any investigations should include this request.

Van Amburg noted that land use has changed significantly since the ditch was improved in the 1970s. The Board felt that an informational meeting should be scheduled this winter to continue this discussion. Albright suggested that H.E. could do a drainage investigation of J.D. 1. Ellefson noted that when he conducted a field review of the area after the storm, he was distressed to see the devastation the rainfall event had caused to area crops. **Motion** by Fjestad to authorize H.E. to conduct a drainage investigation of the area and for the office to schedule an informational meeting to discuss possible solutions. **Seconded** by Ellefson. **Approved.**

**Steve Hahn Drainage Concern.** Hahn discussed historic drainage problems along 2<sup>nd</sup> ST N in Oakport Township, following the June 25<sup>th</sup> rainfall event. He noted that when he brought his drainage concerns to the Township, they sent him to the BRRWD. Albright conducted a field review of this area and took photographs of the flooding problems. He explained that the landowners along 2<sup>nd</sup> ST N are assessed to Project No. 49, Oakport Flood Mitigation, and to Project No. 73, Country Heritage Ditch. There are blocks along both sides of 2<sup>nd</sup> ST N so that all the water must flow south from C.R. No. 93. He added that localized drainage is important to landowners within the Oakport dike to prevent internal flooding. Albright explained that the sizes/elevations of the driveway structures along 2<sup>nd</sup> ST N vary significantly, which is causing part of the drainage problems. He also suggested that the Board could authorize H.E. to conduct an elevation survey of the structures along the road, and then hold a meeting to present the information to the landowners. He suggested that the Board could pay for the survey from our Survey and

Data Acquisition fund. The Board agreed that whenever a subdivision is developed without an overall drainage plan, there are going to be drainage problems. **Motion** by Fjestad to authorize H.E. to conduct an investigation as referenced. **Seconded** by Nelson. **Approved**.

**Clayton Runck Drainage Concerns.** The BRRWD held an informational meeting on 06/19/13 to discuss an overall plan for drainage/flooding concerns in Section 27, Skree Township, Clay County, with the Runck family and representatives from the local, state, and federal agencies, and neighboring landowners. Chuck Melvin, United States Fish and Wildlife Service (USFWS), completed an elevation survey along 110<sup>th</sup> AVE S and forwarded the information to the BRRWD, the Runcks, and other interested parties. The Board discussed the survey results and the informational meeting issues. Albright noted that he and other agency personnel need to meet with Sharon Lean, District Conservationist (DC) Natural Resources Conservation Service (NRCS), to ask if Runck could install a larger culvert in the field approach into Barb Ronsberg's property west of the centerline structure. To date, that meeting has not taken place. Albright explained that Clayton Runck feels that there are more/larger culverts draining onto his property than there are outlets. The DNR Cease and Desist Order is still in effect preventing Runcks from doing any drainage work in Section 27.

Clayton Runck discussed his concerns about the culverts draining water from the east and his desire to install a larger culvert to convey the water downstream. The group had an extended discussion regarding the area drainage issues and the status of the wetlands on their property. Albright reiterated that a meeting with Sharon Lean, NRCS, needs to be scheduled to find out if she will allow the Runcks to install a larger culvert in light of the recent USFWS survey results. If she refuses to allow a change, the BRRWD will not be able to do much more for the Runcks.

**Rick Brakke/Blane Benedict.** Albright gave a brief history of area drainage associated with Clay C.D. No. 53. The Board reviewed the LiDAR map for the area. The landowners had concerns about the performance of the 30" dia. and a 24" dia. culverts outletting to the Sabin Coulee from C.D. No. 53 between Sections 18 and 19, Alliance Township, during the June rainfall event. Albright discussed a possible retention site on the Sabin Coulee. He'll get back to the landowners with more information.

**Project No. 34, Clay C.D. No. 41.** Blane Benedict requested that the BRRWD investigate cleaning 3 miles of C.D. No. 41 from the start of the ditch in the SW corner of Section 31, Glyndon Township, to Interstate-94 (I-94). Albright provided a repair request for his signature.

**Permit No. 13-84, Blane Benedict.** Applicant proposes to replace two existing approaches in the NW<sup>1</sup>/<sub>4</sub> and the N<sup>1</sup>/<sub>2</sub>SW<sup>1</sup>/<sub>4</sub>, Section 10, Nordick Township, Wilkin County, with one wider approach in the W<sup>1</sup>/<sub>2</sub>, Section 10 to accommodate larger machinery. The new culvert would be longer, but the size will be the same and it will be placed at the same depth. **Motion** by Fjestad to approve Permit No. 13-84 for the approach replacement, subject to Township approval to work within their road right-of-way (r-o-w). **Seconded** by Larson. **Approved**.

**Permit No. 13-72, Skree Township.** Applicant proposes to install a new 30" dia. culvert through 70<sup>th</sup> AVE S, between Sections 3 and 10, Skree Township, Clay County. Heavy rainfall washes out the road. **Motion** by Ellefson to approve Permit No. 13-72, subject to Manager field review. The Township will also need to contact the neighboring landowner, Rodney Hough. **Seconded** by Fjestad. **Approved**.

**Perry Montplaisir Update.** Manager Hanson visited the area of Montplaisir's drainage concerns in Section 18, Kragnes Township, Clay County. Hanson feels the culverts should remain open unless it is court ordered they be closed. Albright said a mailing list would be developed for an informational meeting that would include the Clay County Highway Department, Kragnes Township Supervisors and area landowners.

**Scott McCaslin Wetland Concern.** Albright contacted Emily Siira, Area Hydrologist, DNR, for an updated on the status of the DNR Ordinary High Water (OHW) survey. McCaslin has concerns about the elevation of a DNR protected wetland on property he rents in Section 14, Hamden Township, Becker County.

**Stakke Lake Control Structure.** An informational meeting is scheduled for 7/23/13, 7:00 PM, Lake Park City Center. Notices will be sent to affected landowners. Landowners around the lake have expressed concerns to the BRRWD about the lake's water quality and changing water levels.

**John and Cathy Posch Drainage Concerns.** Albright stated he has yet not followed up with the USFWS regarding their work in the NE¼, Section 10, Cromwell Township, Clay County. Chuck Melvin, USFWS, has offered to share their survey information data. Posch is concerned about drainage into a waterway and seepage problems affecting their well, buildings, and trees.

**Permit No. 13-01, Bruce Nelson.** Applicant proposes 120 acres of pattern tiling in the NW¼, Section 16, Atherton Township, Wilkin County. Nelson has discussed the proposed work with his neighbor, Mona Nicklay, who has indicated that she has no problem with him draining the water north. The NRCS has furnished setback information on the seven delineated wetland areas on the property. Nelson is signed up for the Drainage Water Management program with the Wilkin County Soil and Water Conservation District (SWCD). **Motion** by Hanson to approve Permit No. 13-01, subject to our standard tiling disclaimer. **Seconded** by Larson. **Approved.**

**Permit No. 13-20, Alden Paul Brendemuhl, Jr.** Applicant proposes 294 acres of pattern tiling in the W½, Section 33, Riverton Township, Clay County. Albright noted that Brendemuhl is stockpiling tile on the property, so the Board should try to complete their field review as soon as possible. He added that the neighboring landowners will have questions regarding this proposal because the nearest adequate outlet for this tract is nearly 4 miles away. Albright plans to contact Brendemuhl to remind him that the Board has not yet approved his permit. **Tabled,** pending Manager field review.

**Permit No. 13-59, Mill Farms/Dallas Miller.** Applicant proposes pattern tiling in the NW¼, Section 5, Western Township, Otter Tail County. Fjestad spoke with neighboring landowners in Western and Orwell Townships, who have no problem with the proposed project. **Motion** by Fjestad to approve Permit No. 13-59, subject to our standard tiling disclaimer. **Seconded** by Larson. **Approved.**

**Permit No. 13-62, Kurt Krueger.** Krueger filed a permit application to pattern tile 309.7 acres in the S½, Section 8, Manston Township, Wilkin County, to improve crop production and manage water more effectively. The NRCS has approved the project regarding wetland issues. The project will outlet via a lift station in the northwest corner of the tract to the C.R. No. 176 ditch. On 6/24/13, the Board approved this permit application subject to the BRRWD's standard tiling disclaimer, Wilkin County's permission to work in their road r-o-w, and downstream landowners' notification. Albright reported that as far as he knows, Krueger has not contacted his neighbor, Terry Czichotzki, regarding the proposed project. **Tabled.**

**Permit No. 13-73, Butch Lemke.** Applicant proposes to upsize the culvert in the Greiff driveway along C.R. No. 21, southeast of Baker in Section 32, Elkton Township, Clay County. The water is restricted as it flows to the south to Hay Creek. Lemke and Elkton Township are applying jointly to upsize the culvert and will inform Albright about the current culvert size so the Board can recommend the appropriate sized culvert. **Tabled,** pending Manager field review. Ellefson said that Todd Affield owns a 2.74 acre parcel with a house on it south of the creek. He felt Affield needed to be contacted, as a larger culvert in the Greiff driveway could affect him.

**Permit No. 13-74, Trevor Sorby.** Applicant proposes to install an approach/culvert along C.R. No. 26 in the W½, Section 3, Oakport Township, Clay County, to access his cropland. Sorby plans to match the existing area culvert sizes. **Motion** by Nelson to approve Permit No. 13-74, subject to County approval to work in their road r-o-w. **Seconded** by Fjestad. **Approved.**

**Permit No. 13-75, Menholt Farms General Partnership/Richard Menholt.** Applicant proposes approximately 1,000 acres of pattern tiling in Sections 15, 22, 23, 26, and 27, Flowing Township, Clay County. The plan is not yet complete, and NRCS has not finished their wetlands review. **Tabled.**

**Permit No. 13-76, USFWS.** Applicant proposes to restore eight wetlands in the S½, Section 33, Tansem Township, Clay County. The work would include scraping, blocking existing ditches, and removing existing drain tile. Pheasants Forever (PF) purchased the property from Larry Scheffler through the Lessard-Sams Outdoor Heritage Council (LOHC) Conservation Partners Legacy Grants (CPLG) Program. Part of the grant agreement included donating the property to USFWS as a Waterfowl Production Area (WPA). The wetlands will be restored to their historic elevations. Upland areas will be seeded to a mix of native prairie grasses and forbs. **Motion** by Ellefson to approve Permit No. 13-76, subject to the General Permit conditions for USFWS wetland restorations, adopted by the BRRWD in 2007. **Seconded** by Hanson. **Approved.**

**Permit No. 13-77, USFWS.** Applicant proposes seven wetland restorations in the W½, Section 3, Elkton Township, Clay County. This is acquired land through PF and donated to the USFWS. A large wetland to the north part of the property will be restored. The project doesn't back up to County-owned property and will not affect the landowners to the east. **Motion** by Ellefson to approve Permit No. 13-77, subject to the General Permit conditions for USFWS wetland restorations. **Seconded** by Hanson. **Approved.**

**Permit No. 13-78, USFWS.** Applicant proposes wetland restorations in the W½, Section 11, Elkton Township, Clay County. This project will not affect neighboring property. **Motion** by Ellefson to approve Permit No. 13-78, subject to the General Permit conditions for USFWS wetland restorations. **Seconded** by Hanson. **Approved.**

**Permit No. 13-80, Larry Heng** Applicant proposes 190 acres of pattern tiling in the S½, Section 35, Elkton Township, Clay County, outletting via gravity flow to Hay Creek. **Motion** by Nelson to approve Permit No. 13-80, subject to our standard tiling disclaimer. **Seconded** by Ellefson. **Approved.**

**Permit No. 13-81, Steiner & Sons, Inc.** Applicant proposes 150 acres of pattern tiling in the S½, Section 4, Andrea Township, Wilkin County, outletting via gravity flow to a natural waterway in Section 4, eventually to Wilkin County Ditch No. 34 to which he is assessed. **Motion** by Ellefson to approve Permit No. 13-81, subject to our standard tiling disclaimer. **Seconded** by Paradeis Kobiela. **Approved.**

**Permit No. 13-82, Charles Piekarski.** Applicant proposes random tiling in the S½, Section 21, Carlisle Township, Otter Tail County, outletting via gravity flow to an impounded wetland on his property. Manager Fjestad conducted a field review and recommended permit approval. **Motion** by Fjestad to approve Permit No. 13-82, subject to our standard tiling disclaimer. **Seconded** by Larson. **Approved.**

**Project No. 76, Wilkin County Ditch No. 3-Lateral.** Mike Yaggie has filed a petition to construct a lateral to Wilkin County Ditch No. 3 and has forwarded the \$10,000 bond. The Board authorized H.E. to prepare the Preliminary Engineer's Report. Jones reported that H.E. has scheduled the field survey for tomorrow.

**Project No. 75, Wilkin County Ditch No. 31-Lateral.** Albright reported that we are waiting for Jones to complete the Preliminary Engineer's Report. Jones plans to contact Steve Neppel and Dan Swedlund,

Wilkin County Highway Department, and Julie Aadland, Area Hydrologist, DNR, for initial discussions regarding the concerns about impacts on public waters.

**Project No. 74, Clay County Ditch No. 51-Lateral.** On 06/06/13, Judge Cahill dismissed Norby's appeal of the Board's Preliminary Order for the project. The 30-day appeal period of the Judge's decision has expired. Albright plans to check with the Petitioner, Roger Minch, regarding the results of the NRCS wetland review. After that, the Board would like to move forward with the project development.

**Project No. 73, Country Heritage Ditch.** H.E. submitted a Pay Request No. 1 (\$32,496.65) for Steven Johnson Excavation, Inc. **Motion** by Nelson to approve the referenced pay request. **Seconded** by Ellefson. **Approved.**

**Project No. 72, Wilkin County Ditch No. 22-Lateral No. 3.** Construction is nearing completion with only 4-5 items left on the punch list. The Board discussed 2013 temporary easements for cropland areas. No crops were lost in 2012 because harvest was completed before construction started. However, Tim Buth has asked for payment for 2013 because the project wasn't finished on time, and he had to leave his temporary easement idle again this spring. Albright suggested that Nichols might be liable for the payments since he didn't finish on time.

H.E. submitted Pay Request No. 5 (\$13,740.85) for William Nichol Excavating, Inc. **Motion** by Hanson to approve the referenced pay request. **Seconded** by Fjestad. **Approved.**

**Project No. 71, City of Moorhead 50<sup>th</sup> AVE Flood Control.** Gladen Construction, Inc. has begun work, and Jones gave a brief update.

**Project No. 70, Crystal Creek/McCann's Addition.** Albright noted that Jones forwarded a report to Robert A. Zimmerman, Engineer, City of Moorhead, regarding the newly constructed dike and potential drainage issues that will need to be addressed. The City will annex the Oakport Project area in 2015, including Crystal Creek/McCann's Addition.

**Project No. 60, Swede Grove Lake.** Albright reported that the Red River Watershed Management Board (RRWMB) will be making a determination about the allocation of their 2013 unspent funds this week. The BRRWD has submitted a pay request for Alternative Analysis funding for this project.

**Project No. 56, Manston Slough Restoration.** Albright reported that he discussed additional funding issues with Pat Lynch, Financial Coordinator, DNR Waters. Albright has also contacted the Minnesota Board of Water and Soil Resources (BWSR) to inquire about additional funding. BWSR plans to wait to see what the other agencies will contribute before making a final commitment. Jones noted that he discussed additional funding with Scott Smith, NRCS, in regards to the outlet structures. Their WRP easements will be enhanced by the construction of the project. To date, Smith has not responded. Albright inquired about possible funding from the Red River Retention Authority (RRRA). He understood that this funding is apparently reserved for RRWMB members. Albright noted that any extra funding left over in the bond sale proceeds (\$2 million) will be allocated to Manston Slough Restoration. Gladen Construction, Inc., was the low bidder with a bid of \$2,479,442.45. The Board has 60 days to award the bid (August 10, 2013), and will need to wait until we hear back from the referenced agencies regarding a firm commitment for additional funding before making a final decision.

The Woolson and C&H Farms easements have been signed. Albright has submitted the pay request for these acquisitions for the LOHC CPLG Program funding (\$350,000).

**Project No. 49, Oakport Flood Mitigation.** The Federal Emergency Management Agency (FEMA) sent their official letter certifying the dike on the east side of the Oakport Coulee, subject to a 90-day public comment period. Albright reported that there has been nothing new regarding the Fischer storage easement lease.

**Project No. 48, Clay C.D. No. 59.** Trevor Sorby submitted a repair request. Wade S. Opsahl, Technician, H.E., will investigate and provide recommendations regarding Sorby's request for the Board's review at the next meeting.

**Project No. 46, Turtle Lake Outlet.** Albright reported that both pumps are running again after a problem earlier this spring on the Long Lake siphon. The BRRWD will furnish an annual project report for the 7/20/13 Turtle Lake Association annual meeting.

**Project No. 39, Georgetown Levee.** Albright will relay the current budget status to the DNR next week. Several structures were burned by the Dilworth Fire Department. Reiner Contracting, Inc. is anxious to get back on site to complete their work. The Board discussed the budgets for the Greywind and Wambach basement construction and possible options for the landowners if the basements are not feasible.

**Mediation Project Team (PT).** The next Mediation PT meeting will be held on Thursday, July 18, 2013 at 7:00 PM, in the BRRWD office.

**Wetland Restorations.** Phil Doll, Wetland Restoration Specialist, Minnesota Waterfowl Association, forwarded a map to the office showing a possible WRP site on the Peppel/Haick property along Trunk Highway (T.H.) No. 9 near the South Branch of the Buffalo River, north of C.R. No. 182 in Sections 4 and 5, Manston Township, and Section 32, Atherton Township, Wilkin County. Jones prepared an investigation of the site for the Board's review. This issue will also be discussed at the upcoming PT meeting.

**Watershed District Enlargement.** Albright has discussed the plan update process with Brian Dwight, BWSR. Albright needs to forward information to Dwight regarding a "table of contents" for the new plan. He will also forward the new boundary review/revisions gathered when he and Manager Fjestad field reviewed the boundary to Jones, so the new boundary map can be prepared. Once the map is finalized, the BRRWD will be able to continue the hearing, make their final Order regarding the District enlargement, and forward it to the Secretary of State.

**COE F-M Diversion.** The Board briefly discussed issues regarding Moorhead's participation in the Diversion project.

**Clay C.D. Nos. 9, 32, and 33 Redeterminations.** H.E. advertised for bids to clean the ditches and install culverts. The Board discussed the two bid packages from William Nichol Excavating, Inc. and JBX LLC. After review, Jones recommended the Board award the contracts for Clay C.D. Nos. 9 and 33 to William Nichol Excavating, Inc. and the contract for Clay C.D. No. 32 to JBX LLC. **Motion** by Nelson to award the contracts per Jones' recommendation. **Seconded** by Fjestad. **Approved.**

Albright will work with Manager Van Amburg to settle the Vette appeal of his benefits.

**Elkton Township Wetland Restorations.** The office has received easement documents with revised language from BWSR. All the landowners have indicated that are willing to resign the paperwork.



**City of Wolverton.** Jones met with the City following the 6/25/13 flood to review possible options to address flooding. One of the proposals was for a ringdike, which H.E. studied earlier as part of the COE F-M Diversion project.

Ellefson noted that he reviewed the flooding in Wolverton just after the water had overtopped Trunk Highway (T.H.) No. 75 and had receded. Ellefson discussed his observations, and the Board briefly discussed the location of a possible dike.

**New Office.** Albright updated the Board on outstanding punch list items. The City has notified us that we are in violation of certain codes due to the weed growth onsite. The Board discussed several options. Albright will hire someone to mow the weeds based on availability and price. The HVAC system needs to be maintained. Agassiz Mechanical, who installed the system, proposed an annual maintenance agreement last year for spring and fall checks of the system. The annual maintenance agreement is \$748.00. **Motion** by Fjestad to accept the maintenance agreement. **Seconded** by Paradeis Kobiela. **Approved.**

**Minnesota Association of Watershed Districts (MAWD) 2013 Awards.** Preliminary nominations for MAWD awards are due by 8/02/13. In the preliminary round, a 250 word description of the project or program is required. The top 3 submissions in each category will then submit additional information. The BRRWD has many projects in progress, but to date, we don't have any projects ready to submit.

**Permitting Authority.** Albright provided an article for the Board's review about a United States Supreme Court decision regarding Watershed Districts' authority to make orders directing landowners to perform certain activities.

**Paul and Gary Johnson Drainage Concern.** Albright conducted a field review of these landowners' concerns about drainage on their property after the recent heavy rainfall along the east side of T.H. No. 9 along 145<sup>th</sup> ST in the W½NE¼, Section 16, Riverton Township, Clay County. They have requested a culvert be installed to help drain their cropland. Albright will meet with the Johnsons, and if they are interested in a project, they will need to submit a permit application.

**RRRA Meeting.** Albright attended a meeting today with the RRRA, sponsored by the RRWMB, where the featured speaker was Louis Smith, who talked about permitting, tiling projects, and Watershed District Rules. On behalf of the RRWMB, he is developing guidelines for permitting. The outcome of these discussions will be to have more uniform tiling/permitting rules on the Minnesota side in the Red River Valley. The RRWMB has prepared suggested guidelines for managing tile systems during high water events.

**The following bills were presented for approval.**

Accounts Payable	Description	Account	Amount
AmeriPride Services	June billing-rugs (2)	Admin	\$ 53.86
Barnesville Phone Co.	06/25/13 billings (2)	Admin	\$ 159.47
City of Barnesville	05/01/13-06/02/13 utilities	Admin	\$ 362.67
Clay Co. Treasurer	Becker Co. 1st 1/2 collections-Bond	Pj. 46, Turtle Lake	\$ 8,584.51
Curtis M. Nelson	Voucher # 1317, 05/01/13-06/30/13	Admin/PT	\$ 1,180.93
Dilworth Fire Department	Burn houses (5)	Pj. 39, Georgetown	\$ 5,000.00
Fuchs Sanitation	#195905, garbage	Admin	\$ 37.44
G&G Farms, Inc.	Log Jam removal-Leach site	Pj. 29, Log Jams	\$ 2,000.00
Gerald L. Van Amburg	Voucher # 1318, 05/01/13-06/30/13	Varies	\$ 1,596.03
H.E.	June billing	Varies-see attached	\$ 123,704.88
IRS	Form 941 withholding-Barker-#1024	Admin	\$ 227.47

L&M Road Services, LLC	#131, tree spraying	Varies	\$ 5,022.50
Liberty Business Sys., Inc.	#101781, 06/27-09/26/13 base rate	Admin	\$ 356.86
MN Dept. of Revenue	MN State withholding-Barker-#1025	Admin	\$ 36.00
Network Center	#0000023906, tech support	New Office	\$ 70.00
Payroll Professionals	Payroll Preparation-Barker-#50044	Admin	\$ 40.07
PERA	PERA 7/08/13 payment-Barker-EFT	Admin	\$ 148.50
Peter Fjestad	Voucher # 1321, 05/01/13-06/30/13	Varies	\$ 1,102.81
Premium Waters, Inc.	#366590-06-13	Admin	\$ 33.47
Ramona L. Barker	6/23/13-7/06/13 payroll-#50043	Varies	\$ 851.93
Randall's Excavating, Inc.	1406, snow removal	Clay Co. Ditches-varies	\$ 5,232.50
RMB Laboratories, Inc.	#198259, WQ analysis	Buffalo River TMDL	\$ 600.00
RMB Laboratories, Inc.	#198680, WQ analysis	Buffalo River TMDL	\$ 352.00
Roger G. Ellefson	Voucher # 1315, 05/01/13-06/30/13	Varies	\$ 543.04
Steven Johnson Excavation	Pay Request No. 1	Pj. 73, Country Heritage	\$ 32,496.65
Troy Larson	Voucher # 1320, 05/01/13-06/30/13	Admin	\$ 263.39
TrueNorth Steel	#FP0000000792/FPCR 00000075	Pj. 72, Wilkin 22-Lat. 3	\$ 5,663.12
UEI	#38166, thru 06/30/13, Phase 3	Pj. 49, Oakport	\$ 298.00
UEI	#38168, thru 06/30/13, levee cert.	Pj. 49, Oakport	\$ 458.00
UEI	#38176, thru 06/30/13, wetland	Pj. 49, Oakport	\$ 3,230.63
Vogel Law Firm	#109731, May billings	Admin	\$ 2,296.50
Vogel Law Firm	#109732, May billing	Pj. 49, Oakport	\$ 387.00
Vogel Law Firm	#109733, May billing	COE Diversion	\$ 322.50
Vogel Law Firm	#109734, May billing	Pj. 74, Clay 51-Lat. 3	\$ 4,401.50
Westlund Excavating	Repairs	Wilkin C.D. Nos. 40/41	\$ 1,485.00
Wm. Nichol Excavating	Pay Request No. 5	Pj. 72, Wilkin 22-Lat. 3	\$ 13,740.85
WREC	05/19/13-06/19/13 service (2)	Pj. 46, Turtle Lake	\$ 451.75
Xcel Energy	05/26/13-06/24/13 service (2)	Pj. 49, Oakport	\$ 390.68
Breanna L. Paradeis Kobiela	Voucher # 1319, 05/01/13-06/30/13	Admin/MAWQCP	\$ 578.44
John E. Hanson	Voucher # 1316, 05/01/13-06/30/13	Varies	\$ 1,708.60
			<b>\$ 225,469.55</b>

**Motion** by Hanson to approve payment of the bills, subject to fund availability. **Seconded** by Paradeis Kobiela. **Approved.**

**Special Meeting.** Paradeis Kobiela suggested that the Board hold a special meeting on Tuesday, July 16, 2013, at 7:30 PM to discuss employee issues/concerns. A final agenda will be decided upon at the beginning of the meeting. **Motion** by Paradeis Kobiela to hold a special meeting on Tuesday, July 16, 2013, at 7:30 PM. **Seconded** by Nelson. **Approved.**

**Next Meeting.** The next regular meeting is scheduled for Monday, July 22, 2013, at 7:30 PM in our Barnesville office.

**Adjournment.** Chairman Van Amburg adjourned the meeting at 11:05 PM.

Respectfully submitted,

John E. Hanson, Secretary