The Board of Managers, Buffalo-Red River Watershed District (BRRWD), held a regular meeting and their annual budget hearing on Monday, September 8, 2014, at 7:00 PM in the Barnesville office. BRRWD Managers present were Gerald L. Van Amburg, Peter V. Fjestad, John E. Hanson, Breanna L. Kobiela, Mark T. Anderson, and Catherine L. Affield. Houston Engineering Inc. (HEI) Staff attending included: Bruce E. Albright, BRRWD Administrator, and Erik S. Jones, Engineer. Also attending: Terry Czichotzki and Adrian Haugrud.

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

New Manager Oath of Office. The newly appointed Clay County Manager, Mark T. Anderson, was administered the Oath of Office, Minnesota Statutes Annotated (M.S.A.) 103D.315, Subd. 1, and duly sworn into office for a three-year term. Albright will file the required documentation with the State of Minnesota. Clay County also reappointed Van Amburg for another three-year term.

Secretary's Report. The Board reviewed the draft minutes for the 08/11/14 regular Managers' Meeting. Motion by Affield to approve the minutes. Seconded by Fjestad. Approved.

Treasurer's Report. Albright presented the monthly financial statements, including the project account balance sheet, administrative disbursements, summary of income, and the accounts receivable report. Current administrative disbursements since 8/11/14 total $32,288.56 and year to date disbursements total $268,451.55. Since the 08/11/14 meeting, we received $560,975.58; primarily from the Minnesota Department of Natural Resources (DNR) ($209,089.22), the City of Moorhead for Project No. 71, 50th AVE S ($181,469.30), and the State of Minnesota for 2009 flood disaster aid ($2,857.33). The Clay Soil and Water Conservation District (SWCD) has reimbursed the BRRWD for approximately 11 erosion control projects completed with the Whisky Creek Erosion Clean Water Fund (CWF) grant ($155,626.59). Total income received to date is $3,455,845.50. Cash on hand currently is $1,238,982.51. The current accounts receivable balance is approximately $4,334,312.07 for 2014. Albright reported that pay requests will be sent to the DNR for Project No. 56, Manston Slough Restoration, and Project No. 39, Georgetown Levee. Motion by Hanson to approve the Treasurer's Report. Seconded by Kobiela. Approved. Albright also noted that with Manager Curt Nelson's retirement, someone will need to be appointed as the interim Treasurer. Motion by Fjestad to appoint Kobiela. No second. Motion by Hanson to appoint Anderson as interim Treasurer. Seconded by Kobiela. Approved. Albright will work with both Midwest Bank and Wells Fargo Bank to update the BRRWD's signature sheet to reflect the new Treasurer.

Business brought before the Board included:

South Branch of the Buffalo River Erosion Concerns. Terry Czichotzki attended the meeting to discuss the erosion issues along the South Branch of the Buffalo River on his property in Section 11, Manston Township, Wilkin County. Albright gave some of the details and history of the problems on Czichotzki's property, including flooding and erosion, as well as breakout flows affecting Carolyn Swenson's property in the NE¼, Section 6, Manston Township, Wilkin County. Breakouts from the South Branch can also overload Project No. 21, Wilkin County Ditch (C.D.) No. 13-Lateral and affect its performance. While the
BRRWD is investigating a long-term comprehensive project, the Board has also authorized Jones to provide some temporary, short-term solutions for Czichotzki and Swenson's concerns. Jones distributed handouts of his recommendations to Managers and using the overhead monitors, he discussed options to address the breakouts in the NE¼, Section 6, Manston Township, on Swenson's property. He explained that HEI conducted an elevation survey on the channel along Swenson's property. He noted that erosion is very severe where the breakouts occurred north of Swenson's land. Swenson has already enrolled 27 acres of the most affected land into the Conservation Reserve Program (CRP). Jones explained that using a flow model of the South Branch, we can predict that by installing dikes that are too high along the river bank, it could create more breakouts to the south and west, sending water overland to C.D. No. 13-Lateral. The BRRWD has committed to installing projects on the South Branch that would not increase flows at the County line. Jones' proposal would include installing a maximum 3' high dike through the erosion area. A possible long term solution to allow for higher dikes in Section 6 might be to create a storage site in Section 5 on the south side of the river to allow overflow in and out of the site in the SW¾. Jones noted that the storage site option would allow for the construction of setback levees on the Reinvest In Minnesota (RIM) easement sites all the way to County Road (C.R.) No. 30. Albright explained that Jones' recommendations were offered as a means to provide short term relief for Czichotzki and Swenson while the BRRWD develops a long term project to address the chronic sedimentation/breakout problems on the upper reaches of the South Branch of the Buffalo River in Wilkin County. Jones noted that HEI's channel profile showed that there is an average of 3'-4' of sediment along the entire reach of the river. The group had an extended discussion regarding the historic/current capacity of the river channel and options for a short term project.

The group also discussed options regarding the use of a Wetlands Reserve Program (WRP) site on land on the east side of Trunk Highway (T.H.) No. 9 for retention. The Deutsch family, who owns part of the property, has expressed a willingness to work with the BRRWD to develop a retention WRP project in this area. Jones discussed two project alternatives, and noted that this project would be similar to the Riverton Township project in Clay County, which could include an overflow structure near the South Branch to allow flows into the retention site when the water rises above a base flow elevation and a controlled outlet back into the river. The first alternative would provide about 345 acre-feet with 2" of runoff, and the second alternative, which would include more acreage, would create about 452 acre-feet, storing about 2.5" of runoff. Jones thought that the either site would provide significant potential benefit to the downstream watershed. Albright added that the Natural Resources Conservation Service (NRCS) has also expressed interest in a WRP project for this area. The group had an extended discussion regarding the development/benefits of the potential retention site. Albright will follow up with NRCS representatives and Mary Rumsey, the owner of one of the parcels in the SE¼, Section 11, about the progress of the project. A landowner informational meeting will be held later this fall to discuss options for a long term project, which could include setback levees.

**Permit No. 13-140, Troy Goltz, Goltz Farms, LLC.** Applicant plans to install pattern tiling to in the E½, Section 2, Atherton Township, Wilkin County, outletting via a lift station to Wilkin C.D. No. 41 to which the property is assessed. The applicant has provided the requested tiling plans. **Motion** by Fjestad to approve Permit No. 13-140, subject to the standard BRRWD tiling disclaimer. **Seconded** by Affield. **Approved.** Albright noted that Goltz will also submit a separate permit application to install one 6" tile line to drain a low spot on the property line between the Goltz property and Phillip Rogers' land in the same section. The water would drain west where it's not assessed to a ditch system. Rogers has agreed to the project.

**Permit No. 14-107, Matt Jirava.** Applicant proposes to install pattern tile in Sections 2 and 11, Riceville Township, Becker County, to outlet via gravity flow into C.D. No. 21. Albright has been in contact with Jirava regarding the fact that part of the land to be tiled is not assessed to C.D. No. 21. The proposed tiling on the unassessed tract will not be installed this fall. Jirava will work with the BRRWD to petition to add the unassessed land to C.D. No. 21 in the future, but he would like to install the main tile line this fall.
Jones previously expressed concerns about the proposed changes to the ditch elevation shown on the plan, but Albright pointed out that Jirava had indicated the wrong ditch on the plans, and the proposed ditch cleaning was for C.R. No. 159 road ditch, not C.D. No. 21. **Motion** by Hanson to approve Permit No. 14-107 for the installation of the mains only with standard BRRWD tiling disclaimer and County approval to work within the road right-of-way (r-o-w). **Seconded** by Anderson. **Approved**.

**Permit No. 14-113, John Boen/West Otter Tail SWCD.** Applicant proposes to install water and sediment control basins in the NE¼, Section 29, Norwegian Grove Township, Otter Tail County. Jones reviewed the plan and recommended approval of this project. **Motion** by Fjestad to approve Permit No. 14-113. **Seconded** by Kobiela. **Approved**.

**Permit No. 14-114, Charles Piekarski.** Applicant proposes to install approximately 60 acres of random drain tile with gravity outlets in the NE¼, Section 28, Carlisle Township, Otter Tail County. The water will eventually outlet to Otter Tail/Wilkin County Judicial Ditch (J.D.) No. 2, to which the property is assessed. Fjestad is familiar with the project and recommended approval. The NRCS has also reviewed and approved the project. **Motion** by Fjestad to approve Permit No. 14-114 with standard BRRWD tiling disclaimer. **Seconded** by Affield. **Approved**.

**Permit No. 14-115, Bryan Kritzberger.** Applicant proposes to lower two culverts along Clay C.R. No. 11 approximately 6" and regrade the road ditch, contingent on the landowner's survey and the existing 36" dia. culvert elevations when the drainage enters J.D. No. 1 in the SW¼, Section 29, Alliance Township, Clay County. **Motion** by Hanson to approve Permit No. 14-115, subject to downstream landowner approval and County approval to work within their r-o-w. **Seconded** by Anderson. **Approved**.

**Permit No. 14-116, Bruce Nelson.** Applicant proposes to install water and sediment control basins in the NW¼, Section 12, Lake Park Township, Becker County. **Motion** by Anderson to approve Permit No. 14-116. **Seconded** by Hanson. **Approved**.

**Permit No. 14-117, Herb Nelson.** Applicant proposes to install a 24" or 30" dia. culvert diagonally through the intersection of 110th AVE S and 210th ST S in the SW¼ corner, Section 27, and NE¼ corner, Section 33, Skree Township, Clay County. Albright and Manager Nelson conducted a field review last week. The Board discussed recent work two local landowners have completed that prompted Nelson to file his permit application to protect his buildings from flooding in the spring. A meeting is scheduled for Friday, September 19, 2014, at 9:00 AM with all the area landowners and agency personnel to discuss drainage and ditch concerns. **Tabled**, pending the outcome of the meeting.

**Permit No. 14-118, Barry Nelson.** Applicant proposes to install water and sediment control basins in the NE¼, Section 21, Lake Park Township, Becker County. **Motion** by Kobiela to approve Permit No. 14-118. **Seconded** by Affield. **Approved**.

**Permit No. 14-119, Gary Villiard.** Applicant proposes to install water and sediment control basins in the NW¼, Section 29, Cuba Township, Becker County.

**Permit No. 14-120, Curt Nelson.** Applicant proposes to install water and sediment control basins in the NW¼, Section 13, Lake Park Township, Becker County.

**Permit No. 14-121, Cameron Ullrich.** Applicant proposes to install water and sediment control basins in the SW¼, Section 12, Orwell Township, Otter Tail County. **Motion** by Fjestad to approve Permit Nos. 14-119, 14-120, and 14-121. **Seconded** by Hanson. **Approved**.

**Permit No. 14-122, Jonathan Roehl.** Applicant proposes to install 160 acres of pattern tiling in the SW¼, Section 5, Orwell Township, Otter Tail County, outletting via a lift station to J.D. No. 2 to which the land is
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assessed. The project will drain passed property owned by two other landowners before it outlets to J.D. No. 2. The Board discussed the downstream notification form status and implementation. **Motion** by Fjestad to approve Permit No. 14-122, subject to the standard BRRWD tiling disclaimer, road authority approval to work within their r-o-w, and downstream landowner notification. Fjestad will meet with the applicant regarding the downstream landowner notification process. **Seconded** by Anderson. **Approved.**

JONES will provide a draft notification letter for the Board's review at the next meeting.

**Permit No. 14-123, Tang Farms.** Applicant proposes to install 153 acres of pattern tiling in the NW¼, Section 15, Morken Township, Clay County, with three gravity outlets directly into C.D. No. 10 to which the property is assessed. **Motion** by Hanson to approve Permit No. 14-123 with the standard BRRWD tiling disclaimer. **Seconded** by Afffield. **Approved.**

**Permit No. 14-018, John and Paul Dubbels.** At their 03/10/14 meeting, the Board approved Permit No. 14-018 for pattern tiling in the S½SW¼, Section 16, Humboldt Township, Clay County, with the standard tiling disclaimer. The McEvers family (downstream landowners) has requested a copy of the permit application. We are currently awaiting a response from their attorney as to what steps they plan to take regarding the unpermitted work (outlet installation) Dubbels did on their property.

**Jeff Nord Culvert Concerns.** Nord filed a complaint with the Board on 07/14/14 regarding culverts along C.R. No. 30 in the NW¼, Section 35, Deerhorn Township, Wilkin County. Nord visited the office last week, and Albright did a field review with him and took several photographs, which he distributed to the Board for their review. One of the culverts along C.R. No. 30 is completely plugged. Michael Ernst, the neighboring land operator, visited the office the following morning and discussed the issues. Albright will forward the information to Wilkin County Highway Department with a request for them to clean out their culverts.

**Clayton Runck Drainage Concerns.** A meeting is scheduled for Friday, September 19, 2014, at 9:00 AM with all landowners in this area to discuss drainage issues in Sections 27 and 34, Skree Township, Clay County. Notices will be sent to all affected parties. There have been wetland issues involved with the Runck property, and the BRRWD, NRCS, United States Fish and Wildlife Service (USFWS), and the DNR have been working with Runck regarding the drainage work/violations. Albright noted that the operator of the property on the south side of 110th AVE S in Section 34, Skree Township, Clay County, will also be invited.

The office received a letter from Runck's attorney, James F. Lester, requesting historical information regarding all permits issued for culverts between Sections 27 and 34, Skree Township. Albright drafted a response to Lester, including a copy of the BRRWD Rules, adopted May 21, 1979. The letter explains that prior to 1979, the BRRWD has no Rules pertaining to the installation of culverts, ditches, etc., and it is the Board's opinion that the culvert(s) in question were installed prior to the adoption of the BRRWD Rules. The Board authorized Albright to send the letter.

**Permit No. 14-066, Andrew Leedahl.** A meeting was held on 09/03/14 to discuss Permit No. 14-066, which had been approved at the 06/09/14 meeting. There was some confusion about the options discussed. The current proposal includes installation of a 30" dia. plastic dual-wall culvert. The landowners in attendance at the informational meeting had agreed to this permit amendment. **Motion** by Fjestad to approve the continuation of the project with the noted culvert size/type. **Seconded** by Hanson. **Approved.** Fjestad inquired about the possible installation of two farmstead ring dikes in this area. Albright reported there would likely be Environmental Quality Incentives Program (EQIP) funding available through the NRCS for the dikes.
Catholic Church Settling Pond. The railroad has a dam on Whiskey Creek near Assumption Catholic Church on Front Street in Barnesville, which was used to fill steam engines with water in the past. Currently, the pond is full of sediment, and water has begun to undercut the dam. This issue is not within the BRRWD's purview, but Albright brought it to the Board's attention for their information. The City would be interested in restoring the pond, which used to be a skating rink.

Project No. 65, County Line Outlet. Ardean Haugrud attended the meeting to discuss this project along the Clay-Wilkin County border. Haugrud's brother, Adrian, phoned the office earlier in the day and spoke with Albright regarding concerns about an unfinished phase of the project that involved the USFWS, and draining of wetlands to the east. The USFWS hasn't done any further work on the draining the wetland since construction was completed. Albright contacted Larry Martin, USFWS, who stated they may do a complete draw down of their wetland easement site later this fall. There are two different USFWS offices in charge of the wetlands within the project area, so coordination has been a challenge. They did not have an agreement from one landowner regarding the final drawdown elevation. Once the wetland is drained down, the BRRWD will survey the wetland basin on the north side of the road (Clay County) to determine if a ridge through the basin is affecting Haugrud's property. The Board discussed the project details and possible issues. Currently, the entire wetland is at elevation 1105. Albright will have HEI check the elevations of the two basins north of the county line road. Haugrud asked who operates the gate on the upper basin. Jones said that the BRRWD would be responsible for operating the gate after a high water event. Haugrud's primary concern is that water is being drained onto his property from the east, and is not outletting properly through the project because of the noted ridge/high spot. Jones will try to have HEI survey the area in the next several weeks.

2015 Budget Hearing. The Board convened their 2015 annual budget hearing at 9:15 PM. Notice of the hearing was published in area newspapers. The Board has to consider setting the administrative fund levy, the ditch systems/project levies, and the M.S.A. 103D.905, Subd. 3, special levies for projects/programs initiated by petition.

In review of the Certificate of Apportioned Levies received from the Department of Revenue, Albright noted market values has risen throughout the BRRWD, but there were no major changes reflected in the percentage of market values pertaining to Wilkin and Otter Tail Counties. This brings into question whether or not the newly added areas were actually included in the total market value for the BRRWD. Albright sent an email to the Department of Revenue to ensure the new areas were added. We are currently waiting a response on that issue.

The BRRWD has the authority to levy a maximum of $250,000 for the general fund. The Board reviewed sheets showing the 2013 administrative expenses and 2014 expenditures to date, the 2014 income summary to date, and a proposed 2015 administrative budget. In 2013, the amount for administrative expenses exceeding the $250,000 levy was assessed to projects in a 1% fee based on a project's expenditures. Albright reviewed the administrative expenditures in the past and projected a budget of $320,000 for 2015. The Board reviewed a worksheet comparing several past years' administrative expenditures/levies. Fjestad questioned a variance for the BRRWD from the State because of the District enlargement. The BRRWD saved the new area money because they didn't have to build a new office building, hire additional staff, etc. Albright explained that we have sought special legislation to raise our administrative levy in the past, but have been met with political opposition thus far because the BRRWD is not a member of the Red River Watershed Management Board (RRWMB). Affield asked if RRWMB membership would increase our tax revenues. Fjestad noted that the BRRWD would probably double our tax revenues. Motion by Hanson to levy the maximum of $250,000 for the general fund. Seconded by Kobiela. Approved.

The Board discussed setting a separate tax levy for BRRWD insurance costs, in accordance with M.S.A. 466.06. The levy would cover BRRWD insurance premium costs, estimated at approximately $15,000-
$20,000 per year for liability insurance costs, unemployment insurance, umbrella coverage, and the new building coverage. **Motion** by Fjestad to set the 2015 insurance levy rate at $20,000. **Seconded** by Hanson. **Approved.**

The next item on the budget hearing agenda was the BRRWD's taxing authority according to M.S.A. 103D.905, Subd. 3. The Board is allowed to levy for a general fund, consisting of ad valorem tax, not to exceed 0.00798% of the taxable market value, to pay the costs attributable to the basic water management features of projects initiated by petition of a political subdivision. Historically, BRRWD has asked the Clay County Board of Commissioners to be the petitioner. The 2015 taxable market value for the BRRWD is $6,551,649,700, meaning the Board could raise up to $522,822 per levy. Albright discussed a general levy of $522,822 to be used to fund a variety of programs including County SWCDs, River Keepers, Red River Basin Commission, survey and data acquisition, water quality monitoring, and flood damage reduction site investigations. A second general levy in the amount of $450,000 will be used for Hawley Buffalo River Restoration-$130,000; Elkton Wetland Restoration-$70,000; New Office-$100,000; Clay-Becker SWCD's Hay Creek CWF-$50,000; and Project No. 56, Manston Slough Restoration-$100,000. **Motion** by Fjestad to set the general and project levies as discussed. **Seconded** by Kobiela. **Approved.**

The 2015 general levies total $1,242,822.00. In 2014, the BRRWD raised $1,108,665. Albright will find out from the State Auditor if the new watershed area has been included in the BRRWD total market values before we contact the Counties to support the M.S.A. 103D.905, Sub. 3 resolutions.

The Board briefly discussed the CWF projects in Clay and Becker Counties. They commended Peter Mead, Becker SWCD District Administrator, for his efforts to work with Clay County to promote restoration/erosion control projects. Becker County has been very successful in implementing projects, and the Board hopes that through Meads efforts, Clay County will also start making use of the CWF funding.

The Board reviewed a worksheet showing total ditch system benefits, current balances, projected year-end balances, and previous years' levies, plus a sheet showing benefits rates broken down on a per acre basis for each ditch system/project. The ditch systems/projects were color coded to assist with the review. After considerable review and discussion, the Board agreed to the following 2015 ditch/project levies:

**Clay County**

- Ditch No. 3 - $15,000
- Ditch No. 5 - $10,000
- Ditch No. 9 - $50,000
- Ditch No. 10 - $75,000
- Ditch No. 11 - $40,000
- Ditch No. 17 - $5,000
- Ditch No. 20 - $10,000
- Ditch No. 22 - $10,000
- Ditch No. 28 - $10,000
- Ditch No. 31 - $7,000
- Ditch No. 32 - $50,000
- Ditch No. 33 - $30,000
- Ditch No. 36 - $10,000
- Ditch No. 40 - $30,000
- Ditch No. 41 - $50,000
- Ditch No. 41 - Lateral 1 - $15,000
- Ditch No. 47 - $75,000
- Ditch No. 49 - $15,000
- Ditch No. 50 - $25,000

**Ditch No. 53 - $15,000**

**Ditch No. 55 - $20,000**

**Ditch No. 58 - $25,000**

**Ditch No. 59 - $50,000**

**Ditch No. 60 - $10,000**

**Ditch No. 65 - $20,000**

**Ditch No. 67 - $25,000**

**Ditch No. 69 - $20,000**

**Wilkin County**

- Ditch No. 5A - $10,000
- Ditch No. 22 - $40,000
- Lateral No. 3 Improvement - $15,000
- Ditch No. 26 - $5,000
- Ditch No. 40 - $15,000
- Ditch No. 41 - $30,000
- Ditch No. 42 - $10,000
- Ditch No. 43 - $20,000
Becker County
Ditch No. 5 - $10,000
Ditch No. 9 - $25,000
Ditch No. 10 - $17,000
Ditch No. 15 - $15,000
Ditch No. 19 - $35,000
Ditch No. 21 - $15,000

Ditch No. 9 - $25,000
Ditch No. 10 - $17,000
Ditch No. 15 - $15,000
Ditch No. 19 - $35,000
Ditch No. 21 - $15,000

Projects
No. 30, Clay/Wilkin J.D. No. 1 - $40,000
No. 38, Kragnes Ringdike - $2,500
No. 38, Anderson Acres Ringdike-$5,000
No. 39, Georgetown Levee Imp.-$30,000
No. 46, Turtle Lake Outlet - $35,000
No. 49, Oakport Flood Mitigation - $100,000
No. 50, Cromwell Township Outlet - $10,000
No. 58, Riverton Retention - $20,000
No. 62, J.D. 1, Branch 4 - $12,000
No. 64, Labelle/Boyer Outlet-$25,000
No. 65, County Line Outlet - $15,000
No. 67, HRBP Outlets - $30,000
No. 68, Lake Jacobs Outlet - $25,000
No. 71, Moorhead 50th AVE S Flood Control - $40,000

All levies will be certified with the Auditors in Clay, Becker, Wilkin, and Otter Tail Counties by September 15, 2014. **Motion** by Anderson to set all the above referenced ditch system/project levies as noted for 2015. **Seconded** by Hanson. **Approved**.

Wilkin County plans to transfer approximately 18 ditch systems in the new watershed area to the BRRWD at their Commission meeting tomorrow. The County will transfer the ditch system account balances to the BRRWD in the near future. The hearing to transfer the ditches was held on August 14, 2014, in Breckenridge.

**Project No. 75, Wilkin C.D. No. 31-Lateral.** Jones said the Environmental Assessment Worksheet (EAW) process, as required by the DNR, for restoration of the Whiskey Creek channel starting at T.H. No. 9 and continuing downstream across Section 14, Connelly Township, has been completed. Jones reported that Julie Aadland, DNR, plans to issue their permit the week of September 22, 2014. Once the DNR permit has been issued, Jones will draw up the required landowner easements.

**Project No. 74, Clay C.D. No. 51, Lateral No. 3.** The original petition was dismissed at the 08/25/14 meeting. Roger Minch has filed a new petition, which adds a lateral to the west to include drainage from the Sorby property, and a 24” pipe through the township road (100th AVE N) to include drainage from the Sauter property in Section 33, Kragnes Township. The new petition will be assigned a new project number (Project No. 77, Clay C.D. No 51, Lateral No. 3). Albright will forward the petition to the BRRWD's attorney, Tami L. Norgard, Vogel Law Firm, in accordance with Minnesota Drainage Law to get an attorney review and opinion on the adequacy of the bond and petition. Albright will check the Project No. 74 financial account balance and issue Minch a check for the remainder of his bond. Minch still needs to file a new bond for the new project.

**Project No. 73, Country Heritage Ditch.** An informational meeting will be held this winter with the affected landowners along 2nd ST in Oakport Township to discuss their culvert concerns. Steven Johnson Excavation recently completed some cleanup items on this project. There were some landowner concerns that the ditch was not performing properly after the 09/04/14 rains. Kris Carlson, Ulteig Engineers, Inc. (UEI), will review the site/concerns.

**Project No. 71, City of Moorhead, 50th AVE S.** Gladen Construction, Inc. has a few punch list items left to complete. Once the final pay request is processed, we will be able to calculate the final project costs, and assess the City of Moorhead and the local benefitted landowners in accordance with the Appraisers’ Report.

**Project No. 60, Swede Grove Lake.** A meeting will be arranged with Dave Overbo, Clay County Highway Department, to advise the County that the Board has dismissed the project.
Project No. 56, Manston Slough Restoration. Gladen Construction Inc. continues to work on the project. Weekly meetings with the contractor are being held to monitor project progress. The estimated completion date was 09/30/14. The contractor has not submitted a time extension request yet, but due to wet conditions earlier this year it does not seem likely that deadline will be met. Norgard contacted the office to notify the Board that a hearing is scheduled for September 9, 2014, at 9:30 AM at the Wilkin County Courthouse regarding the Kent Rod and Gun Club condemnation. Norgard will ask the Court to appoint three condemnation commissioners. Within 60 days, a meeting will be held in Wilkin County to allow individuals an opportunity to meet with the commissioners and contest the value which the appraiser valued the property at ($0) is not correct. The commissioners will make a recommendation to the judge on the issue of the easement value. Norgard will also be requesting the right for the BRRWD to use the land at the hearing tomorrow.

Josh Kadrmas, Engineer, HEI, project site supervisor, has picked up a few more survey shots to determine the amount of material between the culverts in the 0.38 mile of ditch east of T.H. No. 9 along C.R. No. 26, for landowner Dale Dinger. Albright recommended the ditch improvements and new culvert installations based on the analysis and will follow up with Dinger in that regard. The cost estimate for Alternate 2, including the installation of 2 culverts, if necessary, is $10,000-$12,000. Motion by Hanson to approve the ditch repair/culvert installations along C.R. No. 26 as a project expense. Seconded by Fjestad. Approved.

Wade Opsahl, Technician, HEI, has an estimate from Dakota Fence for $5,468 to build two 12’ wide double-swinging barricade gates to blockade the dam embankment from vehicular use across Dennis VanWechel’s property in the S½, Section 13, Manston Township. Motion by Hanson to approve the purchase/installation of the barricade gates. Seconded by Anderson. Approved.

Project No. 39, Georgetown Levee. All the concrete work for the Greywind house has been completed, and he should be able to move in the next few weeks, pending the necessary legal work by Corey Elmer, Attorney, Vogel Law Firm. Bob Schmidt and Sons has not yet moved the garage. This work needs to be completed so the final levee segment can be finished. Albright reviewed the Schmidt contracts and suggested forwarding the issue to Attorney Norgard to move forward with legal enforcement of the contract. The Board authorized Albright to contact Norgard.

Project No. 30, Clay/Wilkin J.D. No. 1. An informational meeting was held on 09/04/14 to discuss possible repairs in Clay County, the possible impacts of a diversion on the south side of the County line, and a project history timeline. Albright will draft a petition in the next few weeks regarding a diversion/lateral to divert water to the Wolverton Creek/Comstock Coulee. There are stretches of the ditch (gradeline) in Clay County in need of repair. Motion by Fjestad to authorize the repair work to be completed, which will require a signed spoil release form from the appropriate landowners. Seconded by Anderson. Approved.

Project No. 14, Clay C.D. No 10. HEI submitted Pay Request No. 2 for JBX LLC, in the amount of $27,810 for Phase 1 work completed to date and Pay Request No. 2 for William Nichol Excavating, Inc. in the amount of $9,639 for Phase 3 work completed to date. JBX LLC also sent an email requesting a deadline extension until 09/30/14 due to the wet weather conditions. Motion by Fjestad to approve deadline extensions until 09/30/14 for both JBX and William Nichol Excavating Inc. Seconded by Affield. Approved. Motion by Fjestad to approve both pay requests. Seconded by Anderson. Approved.

Mediation PT. The next PT meeting is scheduled for Thursday, September 25, 2014, at 7:00 PM in the Barnesville Watershed Office. Notices will be sent this week. The Fall Tour is tentatively scheduled for October 9, 2014.

Watershed District Enlargement. In accordance with the revised schedule, which has been filed with the Minnesota Board of Water and Soil Resources (BWSR) for updating the Revised Watershed Management
Plan (RWMP), one of the first steps will be to hold some kick off meetings. We will probably do that in the new area after the crops are harvested. The estimated completion date for the RWMP update process is May 31, 2015. No further work has been done on the proposed boundary changes with the Bois De Sioux Watershed District. Meetings on the boundary issue will be scheduled this winter.

**Army Corp of Engineers (COE) F-M Diversion.** Albright distributed a letter from Minnesota Governor Mark Dayton to the Diversion Authority, the Authority's response, minutes from land acquisition committees, and flow models from the COE on the Oxbow-Hickson-Bakke (OHB) ring dike. HEI is reviewing the analysis using the COE base flood elevation, and Jones hasn't completed a review using the Federal Emergency Management Agency (FEMA) flood elevation. Jones has sent an information request to Moore Engineering regarding their justification for their model results. The Board discussed the OHB ring dike issue and the proposed upper staging area and how it affects northern Wilkin and Richland Counties.

**Clay C.D. Nos. 9, 32, and 33.** Wade Opsahl, Technician, is working on the maps and reports for the redetermination of benefits. Once we have the Viewers' Reports, we can schedule the required hearings.

**Minnesota Agricultural Water Quality Certification Program (MAWQCP).** A meeting will be held with the Stearns County SWCD, in St. Cloud on September 29-30, 2014, to tour their water quality pilot area. Albright will be attending.

**Elkton Township Wetland Restoration.** The contractor is nearly finished working on this project. Albright has the BWSR easement packet from Attorney Corey Elmer. The BRRWD had acquired the easements, but then the State informed us that they required provisions that the wetland would continue if the Watershed were ever dissolved. BWSR developed the new easements, and Albright will contact the four landowners to re-sign the BRRWD easement and the new BWSR easement.

**Wilkin C.D. Nos. 41 and 42.** Hearings will need to be scheduled to add and remove lands in these two ditch systems for the Richard Scheffler tiling project in Section 13, Atherton Township, and the Curt Hovland tiling project in the SW¼, Section 5, Prairie View Township. The hearing notices need to be published three weeks prior to the hearings once a date has been set.

**Hawley Buffalo River Restoration.** The Larry Cossette property closing took place on 08/27/14. The low bidder for the project construction was Reiner Contracting, Inc. for $554,549.02, which includes the base project plus Alternative 1, less the paving and curb and gutter work. Albright detailed where the necessary funding will be coming from for this project. Jones will be holding a pre-construction meeting on September 23, 2014, at 1:00 PM in Hawley. **Motion** by Hanson to award the contract to Reiner Contracting Inc. **Seconded** by Affield. **Approved.**

**Wolverton Creek/Comstock Coulee CWF Project.** The Targeted Watershed Management Grant application was sent to BWSR. Calls for interviews should be issued in the next few weeks.

**Whiskey Creek WRP Project.** The BRRWD has been working with the NRCS on a possible WRP site on Nevis Shulstad's property in Section 26, Humboldt Township, Clay County. Jones reported that the ground is quite steep and a very tall embankment would be necessary to create a retention area, which could affect neighboring landowners, and is not a viable option. The site still has potential from a restoration perspective.

**Beau Jacobson Permit.** Jacobson previously submitted a permit to the BRRWD, but in review it was discovered that his property was in the Wild Rice Watershed District (WRWD). The WRWD will be discussing this tiling application on Wednesday, September 10, 2014, and is prepared to issue his permit as
long as the BRRWD has no objections. Albright noted that the border between the WRWD and the BRRWD will need to be corrected in the future.

**Upcoming Meetings/Hearings.** Albright distributed a list of upcoming meetings/hearings for the Board to review, including Curt Nelson's Retirement Party, which will be scheduled after harvest.

**Whiskey Creek Tributaries.** Scott and Betty Anderson visited the office to discuss the drainage on their property. A ditch was created after the installation of the project, but Anderson stated it was not effective. Jones reported on the original plan for the ditch and his current recommendations. Jones will develop a more inclusive report and present it at the 09/22/14 meeting. Jones and Van Amburg toured the area on 09/04/14.

**Clay C.D. No. 65.** Gordon Kassenborg visited the office earlier this year with concerns about a bridge east of the Buffalo River on C.D. No. 65, which is the only access point to his field. Opsahl received a quote from Jon Jerdee for $9,750 to completely replace the deck and curb. Twenty planks and curbing can be reused from a bridge being disassembled on Clay C.D. No. 31 (Stony Creek), which would reduce the cost to $7,360. **Motion** by Hanson to authorize Jerdee to complete the repairs, using the recycled materials. **Seconded** by Fjestad. **Approved.**

**Minnesota Water Resource Conference.** The conference will be held September 14-15, 2014, on the St. Paul River Center, St. Paul.

**Second Conference on Climate Adaptation.** Linda Kingery requested an update on the grant proposal. No word has been received from the Minnesota Pollution Control Agency (MPCA). The conference will be held on November 6, 2014, at the Hyatt-Regency in Minneapolis. Van Amburg suggested it would be worthwhile for Managers to attend this conference. Barbara Wiseman, Minnesota Department of Agriculture, contacted Albright about serving on the Steering Committee for a Minnesota Research Digital Library, which he declined. Albright suggested Van Amburg would be a good choice. Van Amburg will contact Wiseman for further information.

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

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<th>Accounts Payable</th>
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**Motion** by Kobiela to approve payment of the bills. **Seconded** by Anderson. **Approved**.

**Otter Tail/Wilkin J.D. No. 2.** Fjestad questioned the status of the HEI survey for J.D. No. 2. Jones estimated he would have information ready for the Board's review at the next meeting.

**Next Meeting.** The next regular meeting will be held on Monday, September 22, 2014, at 7:00 PM in our Barnesville office.

**Adjournment.** **Motion** by Anderson to adjourn. **Seconded** by Affield. **Approved.** Chairman Van Amburg adjourned the meeting at 10:45 PM.

Respectfully submitted,

John E. Hanson, Secretary