

BUFFALO-RED RIVER WATERSHED DISTRICT

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MINUTES FOR MANAGERS' MEETING December 28, 2015

The Board of Managers, Buffalo-Red River Watershed District (BRRWD), held their regular meeting on Monday, December 28, 2015, at 7:00 PM in the Barnesville office. BRRWD Managers present were Gerald L. Van Amburg, Mark T. Anderson, Breanna L. Kobiela, John E. Hanson, Troy E. Larson, Catherine L. Affield, and Peter V. Fjestad. BRRWD Staff attending included: Bruce E. Albright, BRRWD Administrator, and Erik S. Jones, Engineer, Houston Engineering, Inc. (HEI).

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

Secretary's Report. The Board reviewed draft minutes for the 12/14/15 regular meeting. **Motion** by Affield to approve the minutes. **Seconded** by Anderson. **Approved.**

Treasurer's Report. The Board reviewed the BRRWD's financial status. Cash on hand is \$1,164,738.49. Administrative disbursements for the year are \$328,167.59 and for this month to date are \$24,228.11. The total income for the year is \$5,273,096.83, and income since the last meeting is \$417,607.16, primarily from the Clay County 2nd half projects/ditch taxes (\$289,752.89), the State of Minnesota Market Value Credits payment (\$125,368.07), and Becker County's United States Fish and Wildlife Service (USFWS) tax credits payment (\$2,486.20). Albright noted that the office will be processing a pay request to the Minnesota Department of Natural Resources (DNR) for the Hawley Buffalo River Restoration project (Phase 2).

Albright asked the Board to authorize Anderson to sign a check to reimburse Clay County for Otter Tail County bond sale remittances they sent to the BRRWD for Project No. 63, Grove Lake Outlet (\$4,032.32). Also, the BRRWD owes Clay County for Project No. 56, Manston Slough Restoration (\$81,460.62). The Appraisers' Report for Project No. 56 split the benefits 2/3 BRRWD and 1/3 benefited landowners. After the bond sale in 2013, the landowners basically prepaid their share, so for future Project No. 56 bond sale annual payments (approximately \$210,000), the BRRWD will need to make the payments to Clay County. Clay County has asked for the payment by the end of the year, and Albright would like to mail the check tomorrow morning. Albright also asked the Board to authorize Anderson to sign another check to transfer \$182,899.05 from the Wells Fargo Bank savings account to the higher yielding Midwest Bank savings account, leaving a \$10,000 balance in Wells Fargo. **Motion** by Hanson. **Seconded** by Kobiela. **Approved.**

Other Business brought before the Board included:

Duane Boeder Complaint. Albright visited with Kevin Boeder regarding their complaint about Frank Schindler's removal of an approach in Section 33, Barnesville Township, Clay County. He also got updated addresses for the Boeder family, so they can be contacted regarding the Barnesville Township Area Drainage Study. Albright plans to draft a list of options regarding the Schindler complaint to forward to Schindler and the Boeder family for their review.

Bryan and David Henderson Waterway Concern. HEI completed the survey to determine if Ron Conzemius' farming in the waterway in the SW¹/₄, Section 27, Manston Township, on the north side of County State Aid Highway (CSAH) No. 26, restricts the natural flow of water from the Henderson property on the south side of the road in the NW¹/₄, Section 34. Jones displayed a map showing the results of the

elevation survey. Jones noted that the survey shows that Conzemius' work is currently only holding back about 0.4' of water, but Albright observed that the practice of farming through the waterway will fill in the ditch eventually and continue to impact upstream drainage. The Board discussed possibly buffering the private waterway and other drainage options. The Manston Slough Restoration project is located downstream of this area. Albright plans to set up a meeting with all the affected landowners sometime in January.

Ellefson Ditching Complaint. Albright and Manager Anderson talked with Brian Ellefson regarding their complaint about ditch work Stephen Anderson's renter did, cutting across the property line through an old fence line ridge to the west onto land Brent Ellefson farms in the SW¼, Section 11, Atherton Township, Wilkin County. Manager Anderson told Ellefson if it were his land, he would go ahead and repair the site before freezing weather makes it impossible to move dirt. Albright noted that he hadn't heard if Ellefson made the repairs. Albright also met with Stephen Anderson, who agreed that the cut through ridge should be closed. The existing private ditch that runs north-south on the quarterline is full of trees and hasn't been maintained for many years. Anderson was interested in working with the Ellefsons to solicit some price quotes to clean the private ditch. The property is assessed to Wilkin County Ditch (C.D.) No. 41.

Approach Removal Complaint. Albright plans to send a letter to Dan Nordick regarding his removal of a dry approach in the NE¼, Section 10, Deerhorn Township, Wilkin County, off from County Road (C.R.) No. 32 without a BRRWD permit. The Board took action at the 11/23/15 meeting to have the approach reinstalled next spring when conditions permit.

Clay/Wilkin County Line Drainage Concerns. HEI has completed the survey the Board authorized at their 10/13/15 meeting regarding the Luther Blilie drainage concerns on the west side of Trunk Highway (T.H.) No. 75 along the line between Wolverton and Holy Cross Townships. The survey shows that there is a better drainage outlet to the north (natural waterway) than to the west in the south road ditch along the County line. The next step will be for the BRRWD to invite the affected landowners to an informational meeting (date to be set).

Project No. 77, Clay C.D. No. 51-Lateral No. 3. BRRWD Attorney Tami Norgard, Vogel Law Firm, has submitted our response to the Norby lawsuit. To date, the Court has not scheduled a hearing date. Our insurance agent, John Hoffman, Waypoint Insurance Advisors, is still checking on which company will provide a defense.

Project No. 75, Wilkin C.D. No. 31-Lateral. Albright noted that the costs for the channel restoration work in Section 14, Connelly Township, will be allocated to the Wilkin C.D. Nos. 1C and 34 benefit areas, which use Project No. 75 as an outlet.

Project No. 56, Manston Slough Restoration. Meadows and Manston Townships notified the BRRWD that the north embankment on 190th Street and the south embankment on 230th Street are soft and will need some repair next spring. Gladen Construction Inc., the project contractor, has been put on notice regarding a possible warranty claim to repair the soft spots in the roads they reconstructed.

The Board discussed project financing. As noted in the Treasurer's Report, according to the Appraisers' Report, one-third of the funding would come from the benefited landowners, and two-thirds would come from the BRRWD through our taxation authority via Minnesota Statutes Annotated (M.S.A.) 103D.905, Subd. 3. Albright explained that when the assessments were levied, most of the local landowners paid off their taxes in one lump sum. Up until this year, there was enough money to pay the annual bond sale installments using the landowner payments. Now this reserve of funds has been depleted, so in the future, the BRRWD will have to increase our current M.S.A. 103D.905 levy for this project. At next year's Budget Hearing for Fiscal Year (FY) 2017, the Board will have to increase the M.S.A. 103D.905, Subd. 3, levy for the Manston Project from \$100,000 to \$200,000 for the next five years. We can use funds from our Red River Watershed Management Board (RRWMB) Construction Account to make up the bond payment

shortage in 2016, but going forward, the Board will have to increase the project tax levy. Albright also pointed out that he will review the final project budget to determine if the costs exceeded the bond sale amount. If so, the BRRWD will also split the overage with the local landowners at the same percentages. The Board discussed possible maintenance costs for the project, which the partner agencies could address under an Operation and Maintenance (O&M) Plan. Albright plans to have a meeting with the O&M partners after the 2016 spring runoff to discuss how the project functioned.

Project No. 49, Oakport Flood Mitigation. Albright reported that he sent letters out to all seven members of the Fischer Family regarding the Board's Phase 4 stockpile lease offer (\$650/acre or about \$21,000). He expects that by next week, all of them should have received their letters, and Albright will work with anyone who responds in an attempt to resolve this issue. The Fischers have requested \$10,000/year for the four year lease. The Board discussed possible condemnation of the stockpile temporary easement acreage (approximately 8 acres) if we can't come to an agreement on the lease rate.

There are nine elm trees in the Oakport project area that are infected with Dutch Elm disease. The City of Moorhead requires their removal. Roger Fischer Tree Service furnished a bid of \$2,244.38 to do the work. **Motion** by Anderson to authorize Roger Fischer to do the referenced tree removal. **Seconded** by Fjestad. **Approved.**

Attorney Corey Elmer, Vogel Law Firm, has about three construction easements that still need to be acquired. Because of inclement weather, Ulteig Engineers, Inc. (UEI) cancelled the preconstruction meeting scheduled for 12/01/15. They will reschedule the meeting in the near future.

Project No. 39, Georgetown Levee. The DNR approved an amendment to their grant that adds \$109,000 to cover the final project costs, which will expire on 03/31/16. Albright will prepare a final billing to the DNR to close out the project, once the DNR signs the grant amendment. The balance of the project costs will come from Federal Emergency Management Agency (FEMA) and local assessments. Wade Opsahl, Technician, HEI, is working on a final billing for FEMA.

Project No. 38, Farmstead Ring Dikes. Opsahl and Thomas Eskro, Engineer, HEI, met with some of the landowners on the ringdike list to determine their interest in a 2016 ringdike program and to complete some preliminary survey work.

Project No. 30, Clay/Wilkin Judicial Ditch No. 1 (J.D. 1). Albright has contacted landowner Bryan Kritzberger regarding the status of the diversion petition to take water west along the County line to Wolverton Creek. Based on discussions with Attorney Norgard, the petition will be redrafted using a different statute under MN Drainage Law, Chapter 103E.

Project No. 24, Wilkin C.D. No. 44. Albright is still working on a draft petition for Manston Township to abandon the north ditch, remove the centerline pipe, and relocate the ditch on the south side of 170th ST as part of the legal ditch system in Sections 3 and 10, Manston Township. This project will require a hearing with all of the ditch system landowners. In conjunction with the Mediation Project Team (PT) discussions regarding a larger river restoration in this area, other parts of the ditch system might also be affected, which would have to be addressed under separate proceedings.

Project No. 1, Wilkin C.D. No. 22. William Nichol Excavating, Inc., has completed his work on the outlet control structures on C.D. Nos. 5A, 26, and 22. The bufferstrips for all these ditches have been staked, and HCI Commercial Landscape Contractors, Inc., will complete the buffer seeding next spring. A landowner has requested that we have Lateral No. 2 cleaned next year before it is seeded. HEI will delay seeding until the repair work is completed.

Mediation PT. The next PT meeting will be held on Thursday, January 28, 2016, in the Barnesville office at 1:30 PM.

South Branch of the Buffalo River. Albright reported he and Jones are working with the Natural Resources Conservation Service (NRCS) to obtain area landowner information to move forward with the project design. We have run into some difficulties with the NRCS' processing procedures for the required release of information form. As discussed at the 12/10/15 PT meeting, Jones is investigating the possibility of restoring the river channel east of T.H. No. 9. Ross Aigner, a Wilkin Soil and Water Conservation District (SWCD) Supervisor and BRRWD PT member, felt that the BRRWD should also look at the retention capabilities in Sections 10 and 11, Manston Township.

Barnesville Township Area Study. Jones will continue to work with the pipeline companies regarding the depth of their facilities. HEI has established that 70%-80% of the pipeline in the study area is less than 30" deep. The absolute minimum pipeline depth for interstate pipelines is 30". The Williams and the New Star pipelines are both interstate.

Stony Creek Comprehensive Project. Albright reported that the DNR has issued a preliminary hazard classification for the Stony Creek off-channel impoundment. At this time, the DNR has determined that the dam should be classified as high hazard, Class 1. Jones will work with the DNR to determine if they might consider lowering the hazard classification, if the project plans include provisions to protect some of the homes located downstream of the project.

The Board will consider landowner easement values and funding sources, including the RRWMB. At the 12/14/15 meeting, the Board authorized Jones to consider different project scenarios (short and long-term flood storage) to see how the project would rank according to the RRWMB's "Star Value Method" calculations in terms of contributions to the main stem of the Red River. Jones felt his analysis should be done in January 2016.

Revised Watershed Management Plan (RWMP)/Watershed District Enlargement (WDE). Jones plans to have the draft Plans ready for the Board's review in the near future, and then present it to the Minnesota Board of Water and Soil Resources (BWSR). Following the presentation to BWSR, there is a 60-day review period. Once the draft RWMP is ready, the next BRRWD steps will be to hold the Citizen Advisory Committee (CAC) and Technical Advisory Committee (TAC) meetings.

Army Corps of Engineers (COE) F-M Diversion Authority (DA). The DA met on 12/15/15 to discuss their FY 2016 Budget, totaling \$237.5 million. The DA is made up of the six agencies who are signers of the Joint Powers Agreement (JPA), including the BRRWD, Clay County, the City of Moorhead, the City of Fargo, Cass County, and the Cass County Joint Water Resource District. Over half of the 2016 funds will come from the State of North Dakota (\$150 million). Albright noted that he forwarded copies of the budget to the Managers for their review. Several of the JPA members have already taken action to approve the budget.

The Board discussed the two separate meetings held on 12/22/15 in Hickson and Fargo where different groups discussed opposing views regarding the proposed Diversion project. Albright observed that this illustrates how divided the region is regarding this project. Van Amburg asked if the other Managers had questions regarding the budget. He noted that the DA released the budget earlier than last year, so the Board would have more time to review it.

The Board discussed the COE assumptions regarding their budget: the DNR will issue the final Environmental Impact Statement (EIS); that upstream litigation will be resolved; and that Federal appropriations and a new start will be obtained from the Federal Government. Anderson wondered if the DA would stop or delay the project if any one of these assumptions didn't occur. He also asked if the BRRWD is liable for a share of the money the DA has borrowed to date because we are a member of the DA. Albright thought that the City of Fargo signed one loan, and Cass County signed for the other loan. The Board discussed how the final costs were going to be split according to the new JPA, which will be worked on this summer. Originally, costs were suggested to be split 90/10 (North Dakota/Minnesota) and

then later, the split went to 94/6. Albright estimated that the BRRWD and the City of Moorhead have about \$140 million already invested in flood control in City of Moorhead infrastructure, Georgetown, and Oakport Township. The Board was concerned that flood control efforts in the City of Fargo are included in the DA's budget, while the City of Moorhead didn't receive any DA funding assistance for their flood work. The Board wondered if the DA could remove the City of Fargo project funding from the proposed FY16 DA budget. Jones suggested that Minnesota might be close to fulfilling their 4% share in light of the flood work we've done in the three referenced areas. Anderson felt that we have waited long enough for the DA to provide answers for some of these questions.

The City of Fargo appropriated \$25 million several years ago for upstream agencies to develop flood retention projects, which the DA is managing. From this funding source, the DA approved preliminary study (Phase 1) funding for three BRRWD upstream retention projects, including Stony Creek (\$86,800), Barnesville Township Area Drainage Study (\$60,746), and the South Branch of the Buffalo River (\$74,022). Albright forwarded the grant contracts to BRRWD Attorney Tami Norgard, Vogel Law Firm, for review. The Board discussed approving the contracts.

Fjestad and Affield agreed that in essence, nothing has changed from last year when we only approved the part of the 2015 budget that funded the DNR's EIS. Our constituents wanted the 2015 budget vote delayed until the DNR's Final EIS process is completed, which is still not finished. We also still don't know what the project is ultimately going to cost the BRRWD. Fjestad said that the BRRWD is not against flood control for Fargo, but we still need answers to our questions regarding our liability for costs. Van Amburg noted that currently, North Dakota is providing all the funds for the project.

The Board had an extended discussion about the approval of the 2016 DA budget, the methods used to develop the proposed diversion project, and the divisive nature of the proposed project. They were concerned about the BRRWD's role in regards to our membership on the JPA and to implementing our "government powers" of eminent domain to obtain property for the Diversion project. The BRRWD has been requested to take action on the budget at their January 11, 2016, meeting. They discussed scheduling a meeting with Attorney Norgard prior to that meeting. **Motion** by Affield to authorize Albright to schedule a meeting with Norgard prior to the 01/11/16 meeting. **Seconded** by Fjestad. **Approved.**

The Board agreed to table action on the DA contracts for Stony Creek, Barnesville Township Area Drainage Study, and the South Branch of the Buffalo River until their 01/11/16 meeting.

Buffalo River TMDL/WRAPS. Jim Ziegler, MPCA, has indicated that MPCA will have responses to the draft TMDL comments completed by the end of the year when they plan to have the project finished.

Upper Red River TMDL. The BRRWD and MPCA have scheduled the public informational meeting for the Upper Red River TMDL Study to fulfill the civic engagement requirement on Thursday, January 7, 2016, at 1:30 PM, in our Barnesville office. The office sent meeting notices to affected landowners/agencies, press releases to local the newspapers, and a paid advertisement to selected newspapers in the Upper Red River area.

The Board discussed the MPCA's proposed legislation regarding Tiered Aquatic Life Uses (TALU). TALU is a method of classifying rivers and streams based upon which fish and invertebrates are expected to populate healthy streams. Better data and modeling has allowed agency staff to provide better stream management and protection of fish and invertebrates. To measure the health of these communities, biologists use a tool called the Index of Biological Integrity (IBI). Currently, all streams (including drainage ditches) must meet Class 2 Water Quality Standards. The statement "including drainage ditches" is of concern to the BRRWD, who has jurisdiction over 80 legal drainage systems throughout the District. However, MPCA did state in their fact sheet that this rule does not change Minnesota Drainage Law regarding ditch repair or maintenance. The BRRWD will continue to monitor legislation in this regard.

Hawley Buffalo River Restoration-Phase 2. Jones reported that construction has ended for the year with just seeding and cleanup left to be finished next spring. He submitted Pay Request No. 2 for Sellin Brothers, Inc. in the amount of \$99,693.95 and Change Order No. 1 for a contract increase of \$7,468.25. **Motion** by Anderson to approve the referenced pay request and change order. **Seconded** by Fjestad. **Approved.** The golf course will have a bill next spring for approximately \$11,000 for repairs for re-establishing turf and reinstalling their irrigation system in the project area.

Clay and Becker CLWMP. Albright will prepare comments to forward to Clay and Becker Counties regarding their County Local Water Management Plans (CLWMP) updates.

Elkton Township Wetland Restoration. Albright tried to contact Corey Elmer, Attorney, Vogel Law Firm, who is handling the BWSR easements, but he was out of the office over the Holidays.

Chuck Anderson is still waiting for a response from Ziegler Construction's insurance company regarding his crop loss claim. Wade Opsahl, Technician, HEI, contacted the Auto Owners claim adjustor, who indicated the company needs to contact the contractor for more information.

Wilkin C.D. No. 41. Landowner Stephen Anderson filed a repair request to address breakouts along C.D. No. 41 in Section 11, Atherton Township. Albright suggested that the Board authorize HEI to conduct an investigation regarding the height of a berm along the west side of Branch No. 4 of Wilkin C.D. No. 41 in the SE¼, Section 11, Atherton Township. **Motion** by Fjestad to authorize the referenced investigation. **Seconded** by Anderson. **Approved.**

Wolverton Creek/Comstock Coulee. Albright suggested that the Board should start working on setting up the watershed management district (M.S.A. 103D.729). Ed Musielewicz, NRCS, notified Albright that the next Environmental Quality Incentives Program (EQIP) ranking and scoring period will possibly end on 08/01/16. Albright suggested that we work with the Phase 1 landowners to submit NRCS EQIP application for funding for the federal share of the project costs. He thought we should give the Phase 1 landowners their maps showing which EQIP practices will be included in the Phase I project area and then encourage them to submit an EQIP application to the NRCS.

Otter Tail River Restoration. Albright reported that the BRRWD's Resolution and request for a possible Section 1135 Habitat Restoration project was forwarded to the COE. The project would be for the COE to fund a study of the section of the Otter Tail River that they channelized and straightened in the 1950s and to consider developing an ecosystem restoration project for that waterway. Albright also suggested that the Board schedule an informational meeting this winter to discuss the possible project with the affected landowners.

Red River Basin Commission (RRBC) Annual Land & Water International Summit Conference. The RRBC is holding their Annual Conference at the Alerus Center in Grand Forks on January 19-21, 2016. The office has made reservations for Albright and Managers Hanson, Fjestad, and Van Amburg.

The Hawley Buffalo River Restoration project and the Minnesota Agricultural Water Quality Certification Program (MAWQCP) will both be recognized as RRBC's Success Stories. Albright will also make a "Lightening Talks" presentation about the MAWQCP during the Conference.

Wilkin C.D. No. 6A. Steve Ouse requested a repair of the slope erosion on C.D. No. 6A. Ouse has contacted the Wilkin County Highway Department regarding his concerns. Albright prepared a map for the Board's review, and the Managers discussed area drainage patterns. **Motion** by Anderson to authorize HEI to work with Wilkin County to investigate the erosion problem in Sections 31 and 32, Tanberg Township, and prepare repair recommendations. **Seconded** by Affield. **Approved.**

Water Laws and Regulations Seminar. A seminar will be held on February 23, 2016, in Eagan, MN, regarding surface water, Wetlands Conservation Act (WCA), Federal Wetland Protection, etc. Interested Managers can contact the office for more information.

Clay C.D. No. 50. An architect contacted the office last week to request a variance to put a number of structures and vegetation on the C.D. No. 50 right-of-way (r-o-w) on the west side of 34th ST N and north of 3rd AVE N in Moorhead for a proposed housing development. Albright thought the BRRWD would not give permission to infringe on the ditch r-o-w. UEI will submit a permit application for this proposed development.

City of Moorhead Comprehensive Flood Mitigation Improvements. The City of Moorhead received the 2015 Municipal Project of the Year award for their comprehensive flood mitigation work from the City Engineers Association of Minnesota (CEAM). Albright distributed a summary of the award application, which does a good job describing the various projects the City has completed.

H2Over Viewers LCC. Albright distributed information for the Board's review regarding a company that conducts viewing and ditch system benefits. They operate out of Argyle, MN. At the present time, the BRRWD have three Viewers who are handling our current work load. The information will be kept on file for future reference, as needed.

LCCMR 2017 Request for Proposal (RFP). BRRWD Lobbyist Joel Carlson sent information regarding the Legislative-Citizen Commission on Minnesota Resources' (LCCMR) new 2017 RFP for funding from Minnesota's Environment and Natural Resources Trust Fund beginning 07/01/17. The proposals are due by 03/21/16. Albright also informed Carlson that the BRRWD will be asking him to play a more active role at the Legislature for the BRRWD this session, as Ron Harnack, RRWMB, has indicated that he will not be working on BRRWD issues in the future since we are not RRWMB members.

SWCD Buffer Meetings. The Wilkin and Becker County SWCDs have scheduled agency informational meetings to discuss 2015 Buffer Legislation implementation. The meetings will be held at 1:00 PM on Tuesday, January 5, 2016, in Detroit Lakes and Wednesday, January 6, 2016, in Breckenridge.

CREP II. Albright distributed information to the Board regarding a new \$795 million, five-year Conservation Reserve Enhancement Program (CREP) to address clean water and wildlife habitat enhancement to be funded 80% by Federal funds and 20% by the State (Reinvest In Minnesota).

Project No. 37, Clay C.D. No. 41-Lat. 1. Jones submitted Pay Request No. 3 for American Enterprises, Inc., in the amount of \$26,094 for the outlet repairs. **Motion** by Hanson to approve the referenced pay request. **Seconded** by Kobiela. **Approved.** Jones said that the contractor still has some minor work, seeding, and cleanup to do in the spring.

The following bills were presented for approval:

Accounts Payable	Description	Account	Amount
American Enterprises, Inc.	Pay Request No. 3	Pj. 37, Clay C.D. 41, Lat. 1	\$ 26,094.00
Bruce E. Albright	12/15/15 dinner (3)- Fryin' Pan	COE Diversion	\$ 35.22
Bruce E. Albright	250 Postcards	URRW TMDL	\$ 97.50
Bruce E. Albright	12/18/15 Viewers' dinner-Lake Park	Becker CD 9/Clay CD 16	\$ 47.00
Carmen Pattengale	December Cleaning (2)	Admin.	\$ 130.00
Clay Co. Auditor/Treasurer	2015 bond sale payment	Pj. 56, Manston	\$ 81,460.62
Clay Co. Auditor/Treasurer	Transmit Otter Tail Co. bond sale coll.	Pj. 63, Grove Lake	\$ 4,032.32
Haugen's Landscaping, Inc.	Install R/W posts/signs	Varies	\$ 3,718.75
HEI	#0028201-12/07/15-12/17/15 billing	MAWQCP	\$ 1,034.00
Joel Carlson, Inc.	January lobbyist billing	Admin.	\$ 850.00
Johnson Excavation	reset Wang inlets (4)	Clay C.D. No. 3	\$ 18,136.25

Liberty Business Syst.	#223666, Contract coverage	Admin.	\$ 86.19
MN Dept. of Health	#00000318501, WQ lab fees	M.S.A. 103D. 905, Subd. 3	\$ 220.00
RESPEC	#1015-267, 10/01-10/30/15 monitoring	Red River Stressor	\$ 10,147.50
Sellin Bros., Inc.	Pay Request No. 2	Hawley Buff River-Phase 2	\$ 99,693.95
UEI	#54825, thru 11/30/15, Wetlands	Pj. 49, Oakport	\$ 6,319.60
UEI	#54824, thru 11/30/15, Phase 4	Pj. 49, Oakport	\$ 12,028.20
United States Treasury	3rd Qtr. Form 941 Late fee	Admin.	\$ 25.14
Vogel Law Firm	#166654, November billing	COE	\$ 304.65
Vogel Law Firm	#166655, November billing	Pj. 77, Clay 51-Lat. 3	\$ 2,242.50
Vogel Law Firm	#166653, November billing	Pj. 49, Oakport	\$ 207.00
West Otter Tail SWCD	#1466, 12/31/15 final billing	MAWQCP	\$ 4,064.20
West Otter Tail SWCD	#1467, 12/31/15 billing	S. Branch CWF	\$ 8,164.63
Wilkin Co. Hwy Dept.	09/01/15-11/30/15 ditch repairs	Varies	\$ 260,931.43
Wilkin SWCD	09/12/15-12/31/15	MAWQCP	\$ 42,073.66
			\$ 582,144.31

Motion by Fjestad to approve payment of the bills. **Seconded** by Affield. **Approved.**

BRRWD Rules. The Board spent the remainder of the meeting discussing an update of the BRRWD Rules. The BRRWD first adopted their Rules in May of 1979, which still remain in effect. Albright noted that the current Rules do not address subsurface drainage (tiling). The RRWMB recently provided guidelines regarding tiling rules. Other Minnesota Watershed Districts in the Red River Basin have already updated their Rules to include the recommended guidelines. In essence, the updated Rules would include language that if there is downstream flooding, an upstream landowner would need to stop his tile system until the downstream conditions improve. Albright said that during the past several years, we have had numerous complaints in this regard. The Wild Rice Watershed District is currently updating their Rules, and the Board will use their draft document as a template for future Board discussion regarding this issue. In accordance with Minnesota Watershed Law, changes to the Rules can only be completed after public notice and a hearing. Once the amended Rules are drafted, they would need to be sent to BWSR for a 45-day review. All counties and cities within the Watershed District must also be notified of the proposed changes. The proposed Rules also need to be published in the legal section of local newspapers. The BRRWD would like to complete their Rules update process this winter.

River Keepers Publication. Christine Laney, Executive Director, River Keepers, offered the BRRWD a discount on a case (44 copies) of the book, "*The Relaxed Angler's Guide to Catfishing on the Red River of the North*", which we could donate to local libraries, schools, etc. The price is \$200/case. The Board decided to decline their offer.

Affield Meeting Date Conflict. Manager Affield noted that she might have a future conflict with our monthly meeting dates. As part of her employment with the Breckenridge school system, she attends the School Board meetings. The School Board is considering changing their meeting time from the third Monday of the month to the second and fourth Mondays of the month, which would conflict with the BRRWD meetings. Affield will know the School Board decision by the end of January.

Next Meeting. The BRRWD will hold their next regular meeting and annual meeting on Monday, January 11, 2016, at 7:00 PM in our Barnesville office.

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

Respectfully submitted,

John E. Hanson, Secretary