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The Board of Managers, Buffalo-Red River Watershed District, will hold their next regular meeting on **Monday, June 22, 2020, at 7:00 PM** in the Barnesville office. Due to the Coronavirus or COVID-19, we are going to do an electronic meeting in accordance with Minnesota Statutes Annotated Section 13D.021. The conference line information is: Toll Free 1-833-403-3948 or Local 701-499-9476. Access Code 2503. Conference PIN 1401. We thank you for your understanding during these difficult times and look forward to returning to a normal meeting format as conditions allow.

**Proposed Agenda**

Call Meeting to Order 7:00 PM

**Approval of Agenda**

**Secretary's Report**
- Approve draft 6/8/20 meeting minutes
- Approve draft 2/28/20 Wilkin C.D. No. 27 Informational meeting minutes

Treasurer's Report
- Review account status.

Citizens to be Heard

COVID-19. BRRWD action plans.

Permits:
- F-M Diversion Authority Revised Project.
  - BRRWD Permit denial, Status of DA lawsuit.
  - Status of DNR Contest.
- MCCJPA Update. **Elect BRRWD representative.**
- See list of 2019/2020 applications.

Projects/Ditches:
- Pj. 28, Clay C.D. No. 2. T.H. No. 9 ditch cleaning. **Authorize MNDOT permitting.**
- Pj. 34, Clay C.D. No. 41. **Approve Change Order.**
- Becker C.D. No. 5. Jay Lake Dam. **Approve repair recommendation.**
- Becker C.D. No. 19. Rock and Rice Lake. **Authorize detailed hydraulic analysis.**
- Clay C.D. No. 11N. Dean Meyer Bridge Concern. **Approve hydraulic analysis and repair.**
- Buffalo River Streambank Restoration. Troy Wyland bank sloughing. **Authorize design work.**
- Elkton Wetland Credits. **BWSR Purchase of Credits.**

Other:
- BRRWD RWMP. **Request plan extension from BWSR.**
- Duane Hanson Drainage Concerns. **Repair Recommendation.**
- Larry Henry Ditch Cleaning Request.
- HR Committee Report.
- **Bills**
- Upcoming calendar items
- Next Meeting Agenda Items

Next Meeting - Monday, July 13, 2020, 7:00 PM, Barnesville.

Adjournment

John E. Hanson, Secretary

*Items in bold indicate action items.*
The Board of Managers, Buffalo-Red River Watershed District (BRRWD), held their regular meeting on Monday, June 8, 2020, at 7:00 PM in the Barnesville office. Due to the Coronavirus protocols for public meetings, the Board held an electronic meeting in accordance with Minnesota Statutes Annotated (M.S.A.) Section 13D.021. BRRWD Managers present in the office were Mark T. Anderson, Peter V. Fjestad, Catherine L. Affield, Troy E. Larson, John E. Hanson, and Gerald L. Van Amburg. BRRWD staff attending were Kathleen K. Fenger, Interim Administrator, Erik S. Jones, Engineer, and RaeAnn E. Berg, Administrative Assistant, Houston Engineering, Inc. (HEI). Others attending via conference line included Attorney Brent Edison, Vogel Law Firm, Archie Tanner, Riverton Township Supervisor, and landowner Don Nelson.

BRRWD Vice President Fjestad called the meeting to order at 7:02 PM and announced the proceedings were being video recorded to aid in the preparation of the minutes. He conducted a roll call of the Managers and asked all the online attendees to state their names for the record.

Agenda. Fjestad asked for comments or additions to the meeting agenda. Items added: Turtle Lake Outlet project update, Minnesota Department of Natural Resources (DNR) Contested Case update, and Project No. 79, Wolverton Creek Restoration, grant agreement review. With those additions, motion by Larson, seconded by Affield to adopt the agenda. Approved by unanimous roll call vote.

Election of Officers. In light of Clay County’s recent decision to remove Jay Leitch from the BRRWD Board of Managers, the Board considered their options for reorganization. After a brief discussion and consideration of comments from Attorney Edison, motion by Anderson, seconded by Larson to appoint Peter Fjestad to be the BRRWD's Acting President, and Cathy Affield to be Acting Vice President, pending the appointment of a new Clay County Manager. Approved by unanimous roll call vote.

Secretary's Report. The Board reviewed draft minutes for the 5/26/20 regular meeting. Affield noted corrections to the minutes. Motion by Affield, seconded by Anderson to approve the minutes, subject to correction. Approved by unanimous roll call vote.

Treasurer's Report. The Board reviewed the BRRWD's 6/8/20 financial statements, including the project account balance sheet, administrative disbursements, and summary of income.

- Cash on hand: $1,978,790.72.
- Income received since the 5/11/20 meeting totaled $625,936.70 and for the year, totals $954,857.76.
- Current Administrative Disbursements since 5/11/20 totaled $34,810.30, and the total for the year is $185,419.33.

Van Amburg discussed the expenses incurred to date for the Diversion Authority (DA) lawsuits. Currently, the account balance is at a negative $261,658.84. He pointed out that we transferred $100,000 into this account in December 2019, so we have spent more than $350,000 already on this litigation. Tonight's bill list contains additional invoices for both the permit denial lawsuit (Fremstad Law Firm, $22,611.50) and the DNR contested case (Larry Prather, $19,950.00). He felt the Board should be aware of how much the DA lawsuits are costing the BRRWD. Anderson agreed the Board should be aware of the costs and commented that lawsuits can be expensive. Motion by Van Amburg, seconded by Larson to approve the Treasurer's Report. Approved by unanimous roll call vote.

Bank Signatories and Credit Card. Fenger asked the Board to authorize Administrative Assistant RaeAnn Berg to be added as a signer on the Midwest Bank accounts and for Berg to have a BRRWD credit card in her name. The Board discussed Fenger's recommendation. Motion by Anderson, seconded by Van Amburg to add Berg as a bank account signatory and to obtain a second office credit card in her name. Approved by unanimous roll call vote.
COVID-19 BRRWD Action Plan. The Board discussed options for holding the Becker County Ditch (C.D.) No. 15 ditch system hearing for the Hamden Slough Restoration structure repairs to be in compliance with COVID-19 protocols. The United States Fish and Wildlife Service (USFWS) has asked the Board to expedite the public hearing so they can move forward with the repair project. Staff will handle the meeting arrangements.

Other Business brought before the Board included:

Permit No. 19-003, FM Diversion. Attorney Edison reported on the BRRWD's DNR contested case. In regard to the lawsuit costs discussed earlier in the meeting, Edison explained the Attorneys are trying to be as economical as possible, but the case preparation has required a significant effort in staffing and time. The contested case hearing began today (6/8/20) via video with attendees logging in remotely, using WebEx. The DA witnesses were the first to testify. Additional DA and Richland/Wilkin Joint Powers Authority (JPA) witnesses will testify on Wednesday and Thursday. The BRRWD witnesses could start on Friday and might continue into next week. Edison noted if anyone else wants to watch the proceedings online, they should let him know by 8:30 AM, and he'll work with the Administrative Law Judge to provide access.

The next Minnesota-Clay County Joint Powers Agreement (MCCJPA) meeting will be held on 6/25/20 at 1:00 PM. They are currently uncertain if it will be held in person or virtually. The group discussed appointing a new BRRWD representative for the MCCJPA. Motion by Larson, seconded by Van Amburg to appoint Manager Anderson to serve on the MCCJPA. Approved by unanimous roll call vote.

Permit No. 20-012, Dennis Aksamit. Applicant proposes to install 158 acres of pattern tile in the SE¼, Section 27, Akron Township, Wilkin County, outletting to Wilkin C.D. No. 3 to which the property is assessed. Aksamit forwarded a revised tile plan eliminating the need for a lift station. The project will outlet along the road ditch along the Ross Johnson property in the SW¼, Section 27, Akron Township. Aksamit provided a signed downstream landowner approval notification form from Johnson. Jones recommended permit approval, subject to our standard tiling disclaimer.

Permit No. 20-035, Michael Steiner. Applicant proposes to install a new gravity tile line along the west side of the field from the existing gravity outlet near a waterway on the south end of the field to a new lift station installed in the northwest corner of the NW¼, Section 3, Andrea Township, Wilkin County. Discharge from the new lift station is proposed to send the pumped tile water west along the south side of the township road, eventually to Wilkin County Ditch No. 3. Larson had questions about the proposed outlet. Jones recommended the Board postpone action on this permit, pending Manager field review. Action Postponed.

Permit No. 20-036, Wilkin County Highway Department. Applicant proposes replacement of an existing wooden bridge in the NE¼, Section 35, Akron Township, with a 12' x 6' reinforced concrete box culvert (RCB). The new structure will provide slightly better hydraulics. Larson noted there is an undersized culvert downstream of this structure through the township road. Jones suggested the County should investigate the hydraulics at the downstream township road crossing. Depending on the replacement size, the cost of upgrading this culvert might qualify for State Township Bridge funds. Jones recommended permit approval.

Permit No. 20-037, Don Yaggie. Applicant proposes to tile the NE¼, Section 22, Nordick Township, Wilkin County. This project is in conjunction with Thomas Radig's tiling permit (20-022). They both worked with their neighboring landowners to obtain downstream landowner approval for their tiling projects, subject to the landowners' request to turn off the pumps during downstream flooding. Jones recommended permit approval, subject to our standard tiling disclaimer and noting the downstream landowners' concerns.

Permit No. 20-038, Todd Andresen/Becker Soil and Water Conservation District (SWCD). Applicant proposes to install Natural Resources Conservation Service (NRCS) designed water and sediment control basins in the NE¼, Section 23, and the NW¼, Section 24, Hamden Township, Becker County, with surface intakes and underground outlet. The project will also involve a culvert change in the township road. Jones noted the project
will only affect Andresen's property and recommended permit approval, subject to township approval to work within their road right-of-way (R/W).

**Permit No. 20-039, Wilkin County Highway Department.** Applicant proposes replacement of an existing bridge on C.D. No. 3 in the NE¼, Section 31, Akron Township, with a 12’ x 6’ RCB. The new structure hydraulics will match the adjacent area drainage structures. Jones recommended permit approval.

**Permit No. 20-040, Tyson Trosvik, Trosvik, Inc.** Applicant proposes to install a perforated 12” dia. main tile line in the NE¼, Section 1, Tanberg Township, Wilkin County, to provide an improved outlet for existing tile in Section 6, Trondhjem Township, Otter Tail County. Jones recommended permit approval.

**Permit No. 20-042, Bill Riestenberg.** Applicant proposes to replace a deteriorated culvert in the NE¼, Section 33, Oscar Township, Otter Tail County, sized to match the new 15” dia. upstream culvert the Township recently installed. He also plans to add random tile lines to existing tile in Sections 29, 33, and 34, Oscar Township. The Section 33 tile will outlet to a low area in the field, and the tile in Sections 34 and 29 will drain to the existing tile outlets along the township road ditch. Jones recommended permit approval.

**Permit No. 20-044, Luther Blilie.** Applicant proposes to install a field entrance off County Road (C.R.) No. 30 for Sandra Bolgrean in the NE¼, Section 34, Deerhorn Township, Wilkin County, with an 18” dia. corrugated metal pipe (CMP). The Wilkin County Highway Department has already granted a permit for the work. The culvert sizing matches the adjacent culverts. Jones recommended permit approval, subject to County approval to work within their road R/W.

**Motion** by Larson to approve Permit Nos. 20-012, 20-036 through 20-040, 20-042, and 20-044, subject to the referenced disclaimers and conditions. **Seconded** by Hanson. **Approved** on a unanimous roll call vote.

**Becker C.D. No. 19.** Jones discussed a letter from Holmesville Township requesting the culverts between Rock and Rice Lakes on Rock-Rice Road on the C.D. No. 19 system be replaced, as they are undersized and deteriorating. The structures are 43” x 27” (36” dia. equivalent) and 53” x 43” (48” dia. equivalent) culverts with an 18 sq. ft. total waterway area. The downstream culvert at the outlet of Rice Lake has a waterway area of 34.2 sq. ft. The landowners are concerned about low water levels on the lakes, especially Rock Lake. Jones explained the dam on Buffalo Lake has the most effect on the lakes’ elevations. He recommended an additional culvert could be added in Rock-Rice Road or the existing culvert could be upsized to increase the waterway area to 35 sq. ft. to match the downstream crossings. Jones suggested a meeting be setup with the Township to determine how they would like to proceed and how the costs could be shared. The structures could possibly be configured to qualify for State Township Bridge funds.

**Clay County Ditch Channel Liner Repairs.** Key Contracting, Inc. has completed approximately 60% of the channel liner repairs for C.D. Nos. 41, 47, and 50. Jones submitted Pay Request No. 1 in the amount of $91,836. **Motion** by Anderson, **seconded** by Larson to approve the referenced pay request. **Approved** by unanimous roll call vote.

**Project No. 56, Manston Slough Restoration.** Jones explained the Project Management Team, which was set up in accordance with the Project Partners' Memorandum of Understanding (MOU), held a meeting on 6/4/20 to discuss the concerns about the ongoing maintenance problems for the fish barrier on a waterbody on Henry Baumgartner's property in Deerhorn Township, Wilkin County, associated with the Manston Slough project. If periodic monitoring takes place to ensure fish don't become a problem, the group agreed the structure could be removed. Jones recommended the Board authorize him to amend the project’s DNR permit and to hire a contractor to remove only the fish barrier component of the structure. **Motion** by Larson, **seconded** by Van Amburg to authorize the referenced changes to the MOU and to remove the fish barrier, as a project expense. **Approved** by unanimous roll call vote. Jones will contact both the property owner and the renter to inform them of the Board’s decision.

The Board also discussed some options to improve the connection between the USFWS structure in C.R. No. 26 to the north wetland basins on DNR property. The work would include some excavation and vegetation removal on the DNR
property. In addition, the Management Team wants to provide a better connection of the wetland basins west of the Wilkin C.D. No. 13-Lateral to fill the Moist Soils Unit on the site and to improve water level management in this area of the project. Jones recommended the Board authorize the survey to develop a plan for the Management Team's review, as a project expense. The DNR suggested that they could pay for the excavation and vegetation removal with Duck Stamp funds. Motion by Van Amburg, seconded by Affield to authorize HEI to conduct the survey as referenced, as a project expense. Approved by unanimous roll call vote.

The agencies plan to draw down the pool elevation to control vegetation this year, according to the operation and management plan.

**Project No. 78, Clay-Wilkin Judicial Ditch (J.D.) No. 1.** Dennis Drewes, Inc. submitted Final Pay Request No. 6 in the amount of $25,457.88, which includes Change Order No. 2 for $6,132 for additional riprap and Class 5 aggregate. Motion by Anderson, seconded by Larson to approve the referenced final pay request/change order to Dennis Drewes, Inc. to close out the project contract. Approved by unanimous roll call vote. Anderson noted Drewes did a really good job on the project.

**Project No 79, Wolverton Creek Restoration.** Sellin Brothers, Inc. submitted Pay Request No. 11 for Phase 1 construction in the amount of $191,956.81. Motion by Anderson, seconded by Hanson to approve the pay request. Approved by unanimous roll call vote.

The Board discussed Jones' proposal to address the Mark Krupich driveway issue, which will be addressed in a future change order. He suggested gravel be added to re-crown the driveway, and in the stretch of driveway where water now overtops, to install a flatter slope off the driveway to slow the water, making it less erosive. Riprap would be installed to armor the channel around the pipes. Krupich would like larger culverts in the driveway, but Jones explained larger culverts are cost prohibitive. Jones suggested we try the proposed plan, which should cost approximately $5,000, and watch for good used pipes coming out of other construction projects that could be installed in the future, if necessary. The Board discussed the frequency of the driveway overtopping. Jones explained the project will not prevent the driveway from overtopping, but it shouldn't happen as often.

Gladen Construction, Inc., LaPorte, MN, was the low bidder on Phase 2 with their bid of $864,833. The Board awarded the contract to Gladen at an earlier meeting. Jones submitted the construction contract for the Board's signature. Motion by Anderson, seconded by Affield to sign the contract with Gladen for Phase 2 construction. Approved by unanimous roll call vote.

The Minnesota Board of Water and Soil Resources (BWSR) has agreed to extend the deadline for the BRRWD's FY2016 Targeted Watershed grant ($1.4 million) for Wolverton Creek. Jones submitted the grant agreement for signature. Motion by Larson, seconded by Hanson to authorize Fenger to sign the BWSR grant agreement extension on behalf of the Board. Approved by unanimous roll call vote.

Fenger explained the Board needs to designate a signee for the Todd Blilie Reinvest In Minnesota (RIM) easement documents with BWSR. Motion by Anderson, seconded by Affield to designate Fenger to sign the easement documents on behalf of the Board. Approved by unanimous roll call vote.

**Whiskey Creek Enhancement.** Jones explained that a few years ago, the BRRWD was selected to receive a Minnesota Pollution Control Agency (MPCA) 319 Grant for the Whiskey Creek Enhancement project. Jones worked with MPCA on a workplan and budget for the project. He has prepared an official proposal to submit to MPCA to apply for the funding. The anticipated 319 grant amount is $280,000. BWSR Clean Water Funds (CWF) obtained by the Wilkin SWCD are expected to provide the required 40% non-federal grant match. Motion by Anderson, seconded by Affield to authorize Jones to submit the referenced MPCA grant funding application. Approved by unanimous roll call vote.

**Wilkin/Otter Tail J.D. No. 2.** The construction deadline was today (6/8/20). Due to high water levels last fall/winter, the ditch flows were still high this spring, so work on the spring erosion, slope repair and added rock protection areas were delayed. States Borders Construction, Inc., submitted a request to the Board to extend the contract deadline until
7/15/20. The extension would also allow the contractor to complete the pipe installations requested for the upstream areas. **Motion** by Larson, **seconded** by Hanson to approve the contract extension. **Approved** by unanimous roll call vote.

**Project No. 46, Turtle Lake Outlet.** Anderson noted Turtle Lake property owners contacted him with questions about the recent work done on the siphon system and their project tax assessments. Jones reported Wade S. Opsahl, Technician, HEI, recently installed the new compressor, a venturi valve, and other various components, which represents the main project expenditures this year. Jones noted the Turtle Lake project has a page on the BRRWD's website where landowners can check on the lake elevations.

**Rustad Drainage Investigation.** Jones gave a letter report, prepared by Bennett Uhler, Engineer, HEI, with the field survey results HEI conducted to gather information about the existing drainage conditions through the community of Rustad. The Board reviewed a plan to address the landowners' concerns. The **Opinion of Probable Cost** for the proposed drainage improvements is approximately $67,000. After an extended discussion, the Board directed Jones to share the survey information and proposed plan with the landowners. The landowners could develop a drainage improvement project by petition according to Drainage Law (M.S.A. 103E.202) or a BRRWD permit. The Board could also develop the project according to Watershed Law (M.S.A. 103D.602). Anderson noted the landowners would probably need help from the BRRWD to deal with the Burlington Northern Sante Fe (BNSF) Railroad issues.

**Paul Friederichs Drainage Concern.** Jones reported Fenger and he met with Paul and Chad Friederichs regarding the excavation work Bob Yaggie completed in Section 22, Sunnyside Township, along Wilkin County State Aid Highway (CSAH) No. 17 and 370th ST. Using the overhead monitors, Jones explained Yaggie's work and the landowners' concerns. The Board was concerned about Yaggie not having a permit for the work. Jones contacted Yaggie to discuss how to address his drainage violations. Yaggie plans to contact Friederichs to discuss potential fixes for the area drainage and then submit a joint BRRWD permit application. Staff will contact Paul Friederichs to be sure Yaggie has addressed his concerns.

**Drainage Violation.** The Board had an extended discussion regarding the results of the survey HEI conducted to investigate alternative repairs for a drainage violation committed last year by Duane Hanson in Section 16, Riverton Township, Clay County. Staff will forward the information to Hanson, the Township, and the neighboring landowners for review. Archie Tanner, Riverton Township Supervisor, noted Hanson expects the Township to be responsible for doing the work and paying for all the costs. The Township Supervisors don't think Hanson will be cooperative. Tanner will provide the survey information for the Township's review at their meeting tomorrow night.

**River Watch Budget.** The Board reviewed the proposed 2020-2021 River Watch Budget. The total program cost is $5,553.80. **Motion** by Anderson, **seconded** by Larson to approve the proposed River Watch budget. **Approved** by unanimous roll call vote.

**HR Committee Report.** Affield asked Fenger if she thought the current office staffing was adequate. Fenger said staff is currently keeping up with the work. Once the COVID restrictions are lifted and we are able to schedule ditch hearings, staffing needs might have to be reevaluated.

Affield reported on the HR Committee activities since the last meeting regarding the transition of the three current HEI office staff members to BRRWD employees. She solicited an opinion letter on whether the current BRRWD staffing arrangement creates a conflict of interest issue from Attorney Edison, who is representing the BRRWD on the DNR Contested Case. Affield contacted Eide Bailey regarding an analysis of HEI contracted staff versus BRRWD inhouse staff costs. Van Amburg contacted a couple of other companies from Minneapolis/St. Paul who could conduct the cost comparison analysis, and he visited with staff from Eide Bailey. None of the firms he talked to have ever done an analysis of this kind, so he felt whoever the HR Committee hires, we will have to work with them to be sure they provide an accurate comparison. Fenger suggested the HR Committee should solicit proposals from the firms, so the Board knows what they're going to get. The Board had an extended discussion regarding the cost comparison process.
The following bills were presented for approval:

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<th>Accounts Payable</th>
<th>Description</th>
<th>Account</th>
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<td>American Enterprises Inc.</td>
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<td>Dennis Drewes Inc.</td>
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<td>Pj. 78, J.D. No. 1</td>
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<td>Fremstad Law Firm</td>
<td>May Billing &amp; Retainer</td>
<td>COE</td>
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<td>HEI</td>
<td>June Billing</td>
<td>Varies-See attached</td>
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<td>Key Contracting, Inc.</td>
<td>Pay Request No. 1</td>
<td>Clay C.D. Nos. 41, 47, 50</td>
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<td>Larry J. Prather</td>
<td>Consulting Fee</td>
<td>COE</td>
<td>$19,950.00</td>
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<td>Varies</td>
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<td>#10666564, May Water Billing</td>
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<td><strong>$576,447.71</strong></td>
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Motion by Anderson, seconded by Van Amburg to approve payment of the bills. Approved by unanimous roll call vote.

BRRWD 60th Anniversary. The Board briefly discussed possible options to recognize the BRRWD’s 60th Anniversary.

Upcoming Calendar Items. Anderson asked if the office would email a weekly event reminder to the Managers.

Next Meeting Agenda Items. No items were noted.

Next Meeting. The next regular BRRWD meeting is scheduled for June 22, 2020, at 7:00 PM in our Barnesville office via teleconferencing, depending on the COVID-19 meeting restrictions.

Adjournment. Acting President Fjestad adjourned the meeting at 9:13 PM.

Respectfully submitted,

John E. Hanson, Secretary
BUFFALO-RED RIVER WATERSHED DISTRICT
Minutes for Landowner Informational Meeting
Wilkin County Ditch No. 27
February 28, 2020

The Board of Managers, Buffalo-Red River Watershed District (BRRWD), held a landowner informational meeting regarding the proposed Wilkin County Ditch (C.D.) No. 27 retrofit on Friday, February 28, 2020, at 8:30 AM in the Wilkin County Environmental Office, Breckenridge, MN. BRRWD Managers present were Peter V. Fjestad, and Gerald L. Van Amburg. BRRWD Staff attending included Bruce E. Albright, Administrator, Kathleen K. Fenger, Assistant Administrator, and Erik S. Jones, Engineer, Houston Engineering, Inc. (HEI). Others attending included: Eric Klindt, Wilkin County Commissioner; Don Bajumpaa, District Manager, and Craig Lingen, Resource Specialist, Wilkin County Soil and Water Conservation District (SWCD); Steve Neppl, Assistant Engineer, and Tim Christopher, Maintenance Superintendent, Wilkin County Highway Department; Steve Marty, Lake Region Electric Cooperative (LREC), Paige Rudick, Wahpeton Daily News; and landowners Dennis Hasbargen, Chuck Schreiber, Karlo Etten, Vance Johnson, Michael Friedrichs, Jeff Moore, Gary Preston, John W. Bertram, Werner Weinrich, Dustin Moore, Bryan Albertson, and Kelly Etten.

BRRWD Administrator Bruce E. Albright called the meeting to order at 8:30 AM. He announced that the proceedings were being recorded to aid in the preparation of the minutes and passed an attendance sheet.

Albright gave a brief summary of the 2012 expansion of the BRRWD to include the middle portion of Wilkin County and a portion of western Otter Tail County. Following that proceeding, Wilkin County transferred jurisdiction of their ditch systems to the BRRWD. He discussed the efforts to retrofit the ditch systems in this same area a few years ago in conjunction with the Wilkin County Highway Department. Last summer, the Wilkin and Otter Tail SWCDs suggested they could reallocate funds from the Otter Tail SWCD Buffer Aid grant ($150,000) and the Wilkin SWCD Clean Water Fund (CWF) grant ($100,000) to retrofit Wilkin C.D. No. 27. The BRRWD held a landowner informational meeting last fall (9/20/19) to discuss the possible repair project. The general consensus of the landowners who attended the meeting was to go ahead with the work in 2020. The grant funding will have to be returned to the State if it isn't used by the end of the year.

Albright noted the Viewers' Report is available for the landowners' review, which includes a map showing the breakdown of the various benefit rates. The BRRWD could consider a redetermination of benefits for the ditch system if the landowners feel the benefit map isn't correct. Albright explained the benefit rates range from $1.25/acre to $10/acre, and the total ditch system benefits equal $54,000. He discussed the budget Jones presented at the 9/20/19 informational meeting. At that time, the total estimated cost of the proposed retrofit was approximately $591,000. The County Highway Department thought if they did the work, we could take 25% off Jones’ estimate. The new revised estimate is $206,925, which reflects the 25% County reduction and the Minnesota Board of Water and Soil Resources (BWSR) grants. Albright explained the project cost multiplier (project cost/total ditch system benefits) is 3.83. Albright noted the benefited landowner payments could be spread out over at least 3 years. With or without the retrofit, he added the benefited landowners will still have to pay about $134,775 just to establish the required one-rod grassed buffers on both the ditch laterals, which includes the necessary right-of-way (R/W) acquisition and seeding costs. Albright thought there could be other grant money available to help offset the buffer costs. He added that the BRRWD is acting on behalf of the ditch system landowners, and the landowners are the ones to decide what should take place on the ditch system.

Chuck Schreiber asked if the landowners would gain any additional drainage capacity from the project or is the proposed project just for cosmetic value. He didn't think that the ditch system needed more capacity because of the significant elevation gradient or "fall" already present. He thought the high project costs would not be acceptable to most of the landowners who don't need better drainage. He asked if the BWSR grants could only be used to install the buffers and side inlets. Don Bajumpaa, District Manager, Wilkin SWCD, noted that the BWSR grants can only be used to cover up to a maximum of 75% of the overall project costs with 25% to be paid locally. Albright noted that the landowner's
suggestion could be considered. The landowner commented that currently, the ditch is nearly self-cleaning for most of the alignment.

Karlo Etten asked how the grant funding is allocated between the two counties. Bajumpaa explained that typically, the SWCDs will receive an allocation of grant funding that is specific for their county. However, there are grant provisions that recognize that watershed boundaries don't always lie within a county boundary. Otter Tail and Wilkin Counties have areas in common but are not physically within their jurisdictional boundaries. In these instances, the State allows the SWCDs to work in partnership when they have an area in common, like a watershed. The funding available through the West Otter Tail SWCD was allocated for the State Buffer Rule effort to help farmers and others install buffer strips along rivers and ditch systems. West Otter Tail SWCD has a surplus of buffer aid funding available. Wilkin and West Otter Tail SWCDs are allowed by the State to enter into a "pooling" agreement to use those funds for a project of public benefit outside of their county.

Given the 75% limit on the BWSR grant, Etten asked if the landowners still have to pay the 25% local share, no matter how much the project costs. Albright said that the landowners would have to cover 25% of the project costs. There was a brief discussion regarding using the local share for a possible Wilkin County Road (C.R.) No. 19 repair. Tim Christopher, Wilkin County Highway Department, explained that the section of the road along C.D. No. 27 is not in their 5-year construction plan.

Bajumpaa asked if the BRRWD already has a R/W along the ditch. Albright explained that when the ditch was initially built, the County acquired R/W that was filed in the ditch system records. Over the years, in some areas, this R/W isn't even covering the original ditch footprint anymore. HEI is in the process of surveying the ditch system boundary, which includes the original acreage plus any new land needed to satisfy the State Buffer Rule (one-rod or 16.5'). The BRRWD will file the new ditch R/W with the Auditor, so that the ditch system will have a current R/W record on file. When the BRRWD completes this effort for all 96 ditch systems within the District, the ditch systems will have new current R/W recorded for each ditch. Albright added that the landowners can report any new R/W the BRRWD acquires to the County Assessor, who can remove that acreage from the landowner's property taxes or reduce the tax rate. The buffer strip is perpetual and prescriptive, meaning the R/W is there only for ditch system use.

Dennis Hasbargen asked if the cost for ditch cleaning/resloping would be over and above the $134,000 for the buffer installation costs. Albright said that the referenced cost would only pay for the buffer installation. He added that these costs are still only estimates. According to the plans, there are a few areas with a significant amount of sediment that could be removed. Hasbargen agreed that it only makes sense to clean those areas at the same time as the buffer installation. He said that he would be willing to pay for the cleanout along his property, and the BRRWD could pay for the buffers. Bajumpaa pointed out that landowners should consider working with the SWCD to address those areas with potential for erosion. Side inlets and resloping the ditches isn't included in the $134,000. Albright and Bajumpaa thought that there could be buffer aid funding available again in 2020.

A landowner in Section 26, Foxhome Township, noted that the buffers are already in place on his property, and he and his father don't want side inlets.

Another landowner asked what the purpose of the buffer strip would be on the upstream ends of the ditch since there's no erosion on the high ground. Albright commented that the buffer installation is simply mandatory according to the 2015 Buffer Law that advanced the previous long-standing ditch law buffer requirements. Jones explained that any extra material taken to reestablish the ditch bottom would be used to cover the side inlet culverts to prevent erosion that is created by current open field ditch inlets. The landowner asked about the difference between the culverts versus ditches. Jones explained that it has been shown that inlet culverts can reduce erosion/sedimentation. Albright added that field ditches have a natural tendency to cut down and erode into the ditch. Inlet culverts eliminate the creation of gullies in the fields and erosion into the ditch. Bajumpaa added that culverts help establish a permanent inlet elevation/bench. The BRRWD and the SWCD would work with the landowners on pipe sizing and placement.

Albright summarized the landowners' suggested project changes:
• Install the buffers according to the 2015 Buffer Rule
• Limit channel repairs to only those areas where needed
• Side inlet installations for willing landowners

There was an extended discussion regarding the proposed ditch repairs, including changes to the ditch slope along C.R. No. 19 on the east branch that would move the ditch east about 40' into the field. Etten commented that the roads and approaches along the new alignment would have to be altered to allow for road safety. Bajumpaa suggested that since this road work is not scheduled to be done in the next 5-6 years anyway, maybe the County and the SWCDs could work together to find future grant funding for the C.R. No. 19 repairs to keep the local expenses as low as possible.

Albright suggested the BRRWD could have HEI analyze the landowners' proposal for a limited project to use the BWSR/County funding and then prepare a comparison between the full project and the limited project for the landowners' consideration. He thought that a letter could be prepared with the new information and sent to the landowners for their review and comment.

Albright noted that the SW¼, Section 13, drains into the ditch system, while the NW¼, Section 25, drains south to the Otter Tail River. A redetermination of benefits hearing to correct these discrepancies could be handled at the same time as the ditch system repair hearing.

Etten, who farms on the west side of Sections 15 and 22, pointed out that they have never had washouts in their field inlets until the ditch was cleaned and the backslope was changed slightly to get the ditch to work better, but the grass wasn't reestablished and washouts started occurring on the high ground. They used rocks to fill in the gullies. He asked if there are other options other than inlet culverts to address the erosion/sedimentation problems. Albright thought that any reasonable options could be explored.

Etten questioned what would happen if a landowner doesn't comply with the buffer installation. Jones explained a one-rod grassed buffer strip has been a requirement for all ditch systems since 1977. Albright added that Drainage Law states that the Watershed District must enforce the one-rod grassed buffer strip rule. If someone works up, or in some other way, encroaches on the buffer, the District will notify the landowner to restore it, or the District will restore it and then apply the cost of the work to their County property taxes. Bajumpaa explained that for the Buffer Rule effort in Wilkin County, the Bois de Sioux Watershed District and the BRRWD have agreed to assume the enforcement authority for all the legal ditch systems. The County Board of Commissioners have enforcement authority for the protected waters.

There was a general discussion regarding the application of the Buffer Rule. Hasbargen felt that installing a grassed buffer along the ditch on his property wasn't necessary. He objected to the Buffer Law and wanted to know how to change it. Albright noted that only the State Legislature could change the Law. He added that as the buffer authority, the BRRWD or the SWCD could review individual situations regarding the buffer requirement.

Commissioner Klindt thought the BRRWD couldn't move forward with a project that costs more than the total ditch system benefits without a redetermination of benefits. He thought that even though the process would be expensive, holding a hearing would allow all ditch system landowners to have a chance to comment on the changes. He also thought that a project of this magnitude should have consent of 50% of the landowners or 50% of the land like the Bois de Sioux Watershed District handles their repair projects. Albright explained the BRRWD has always followed Minnesota Drainage Law, which requires 51% for a new ditch or 26% for a ditch improvement or new lateral. A repair project can be developed through landowner petition, or by Board action.

Dennis Hasbargen asked if the BRRWD would force the project on the landowners. Albright said that if they object to the project, the BRRWD would not move forward.

Bryan Albertson asked if all the ditch system landowners had to help pay for the project, even if they already seeded their buffer. Albright said the project costs would be paid by the entire ditch system benefit area. Bajumpaa asked Albertson if he received cost-share funding. Albertson said that he did.
Albright said the next steps will be to work with the Highway Department and the SWCD to prepare the requested comparison of project options, send the information to the landowners, and wait for their response. He reiterated that the Board would not force a project on the landowners if they did not want to proceed. He added that if anyone wanted to talk directly to Jones, they are free to visit with him following the meeting.

There being no further comments or questions, Albright adjourned the meeting at 9:38 AM.

Respectfully submitted,

John E. Hanson, Secretary
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<tr>
<th>Permit #</th>
<th>Applicant</th>
<th>Project Description</th>
<th>Location</th>
<th>Date of Status</th>
<th>Status</th>
<th>Comments</th>
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<tr>
<td>20-035</td>
<td>Michael Steiner</td>
<td>Change outlet from gravity to lift station and install tile line from current outlet to lift station</td>
<td>NW1/4, Sec. 3, Andrea Twp., Wilkin Co. 133-45</td>
<td>6/8/2020</td>
<td>Tabled</td>
<td>Pending DS landowner notification.</td>
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<td>20-046</td>
<td>Pheasants Forever c/o Tyler Zimmerman</td>
<td>This project is to restore 15 wetlands by means of sediment removal in ditch plug construction.</td>
<td>S1/2, Sec. 22, Highland Grove Twp., Clay Co. 140-44</td>
<td>6/9/2020</td>
<td>Complete</td>
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<td>20-047</td>
<td>Pheasants Forever c/o Tyler Zimmerman</td>
<td>Restore one wetland by constructing a ditch plug with rock spillway.</td>
<td>NW1/4, Sec. 28, Tansem Twp., Clay Co. 137-44</td>
<td>6/9/2020</td>
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<td>20-048</td>
<td>Archie Tanner</td>
<td>Widen an existing field approach and lengthen the existing 30&quot; dia. culvert in the approach to get to a 40' total length.</td>
<td>SW1/4 SE1/4, Sec. 17, Riverton Twp., Clay Co. 139-46</td>
<td>6/12/2020</td>
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# Proposal and Acceptance

**Submitted To:** Houston Engineering  
**Attention:** Luke  
**Date:** 6/19/2020  
**Project:** 2020 BRRWD Channel Liner Repairs SITE 235 Slide Area at 28th Street and 2nd Ave N.  
**Total Price:** **$16,140.00**

**Key Contracting, Inc., hereby submits an estimate for all labor and materials for:**

<table>
<thead>
<tr>
<th>Description</th>
<th>Measure</th>
<th>Quantity</th>
<th>Unit Price</th>
<th>Amount</th>
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<tbody>
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$16,140.00

All materials are guaranteed as specified. All items are tied.  
All work shall be completed in a workman like manner and according to standard practice.  
Any alteration or deviation from the specifications shall be upon written change orders only.  
This proposal shall be deemed to be withdrawn unless accepted in writing within 30 days.

Dated as noted above.  

**Accepted on:_______________**

---

**Steve Carr**  
Key Contracting, Inc.  
Contact: Steve Carr

\Server\Shared\Steve Carr\BRRWD CO
Key Contracting, Inc.
245 7th Avenue NE
West Fargo, North Dakota 58078
Phone: (701) 238-8192
Fax: (701) 356-0166
Internet: keycontracting.com

Proposal and Acceptance

Submitted To: Houston Engineering
Attention: Luke
Date: 6/19/2020
Project: 2020 BRRWD Channel Liner Repairs SITE 234
Ramp at 28th Street and 4th Ave N.
Total Price $4,974.00

Key Contracting, Inc., hereby submits an estimate for all labor and materials for:

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<th>Unit Price</th>
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<td>sf</td>
<td>16</td>
<td>$100.00</td>
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<td>cy</td>
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<td>$165.00</td>
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<td></td>
<td></td>
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<td>$4,974</td>
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</table>

All materials are guaranteed as specified. All items are tied.
All work shall be completed in a workman like manner and according to standard practice.
Any alteration or deviation from the specifications shall be upon written change orders only.
This proposal shall be deemed to be withdrawn unless accepted in writing within 30 days.

Dated as noted above.

Accepted on:____________________

Steve Carr
Key Contracting, Inc.
Contact: Steve Carr
Cell (701) 371-1284

\Server\Shared\Steve Carr\BRRWD CO
Product Specification - TriAx® TX130S Geogrid

Tensar International Corporation reserves the right to change its product specifications at any time. It is the responsibility of the person specifying the use of this product and of the purchaser to ensure that product specifications relied upon for design or procurement purposes are current and that the product is suitable for its intended use in each instance.

General
1. The geogrid is manufactured from a punched polypropylene sheet, which is then oriented in three substantially equilateral directions so that the resulting ribs shall have a high degree of molecular orientation, which continues at least in part through the mass of the integral node.
2. The properties contributing to the performance of a mechanically stabilized layer include the following:

<table>
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<tr>
<th>Index Properties</th>
<th>Longitudinal</th>
<th>Diagonal</th>
<th>General</th>
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<tr>
<td></td>
<td>33 (1.30)</td>
<td>33 (1.30)</td>
<td>Rectangular Triangular</td>
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<tr>
<td>Rib pitch (6), mm (in)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rib shape</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Aperture shape</td>
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Structural Integrity

- Junction efficiency (3), %: 93
- Isotropic Stiffness Ratio (5): 0.6
- Radial stiffness at low strain (2), kN/m @ 0.5% strain (lb/ft @ 0.5% strain): 200 (13,708)

Durability

- Resistance to chemical degradation (6): 100%
- Resistance to ultra-violet light and weathering (7): 70%

Dimensions and Delivery

The TX geogrid shall be delivered to the job site in roll form with each roll individually identified and nominally measuring 3.0 meters (9.8 feet) and/or 4.0 meters (13.1 feet) in width and 75 meters (246 feet) in length and 4.87 meters (16 feet) in width by 100 meters (328 feet) in length.

Notes
1. Unless indicated otherwise, values shown are minimum average roll values determined in accordance with ASTM D4759. Brief descriptions of test procedures are given in the following notes.
2. Nominal dimensions.
3. Load transfer capability determined in accordance with ASTM D6637 and ASTM D7737 and expressed as a percentage of ultimate tensile strength.
4. The ratio between the minimum and maximum observed values of radial stiffness at 0.5% strain, measured on rib and midway between rib directions.
5. Radial stiffness is determined from tensile stiffness measured in any in-plane axis from testing in accordance with ASTM D6637.
6. Resistance to loss of load capacity or structural integrity when subjected to chemically aggressive environments in accordance with EPA 9090 immersion testing.
7. Resistance to loss of load capacity or structural integrity when subjected to 500 hours of ultraviolet light and aggressive weathering in accordance with ASTM D4355.

Tensar International Corporation
2500 Northwoods Pky,
Atlanta, Georgia 30009
Phone: 800-TENSAR-1
www.tensarcorp.com

This specification superseded any and all prior specifications for the product designated above and is not applicable to any product shipped prior to January 31, 2014. Tensar and TriAx are trademarks of Tensar International Corporation or its affiliates in the US and many other countries. TriAx® geogrid and the use thereof are protected by U.S. Patent No. 7,961,122. Patents or patent applications also exist in other countries. Final determination of the suitability of the above mentioned information or product for the use contemplated, and its manner of use are the sole responsibility of the user. Tensar International Corporation disclaims any and all express, implied or statutory warranties, including but not limited to, any warranty of merchantability or fitness for a particular purpose regarding this product or the Company’s other products, technologies or services. The information contained herein does not constitute engineering advice.
June 8, 2020

Board of Managers
Buffalo-Red River Watershed District
PO Box 341
Barnesville, MN 56514

Subject: Repair Recommendation
Jay Lake Dam, Becker County Ditch No. 5
HEI Project No. 1915_045

Dear Managers:

The outlet structure for Jay Lake on Becker County Ditch No. 5 is failing and in need of repair. It is in the NE ¼ of Section 28, Audubon Township. The existing dam was repaired in 1996 but much of this structure predates that repair. The structure consists of a 24” diameter riser approximately three feet high with a 12” x 78’ conduit outlet. The metal pipe has significantly rusted and deteriorated, causing some erosion of the soil along the pipe.

I would recommend the replacement of this structure incorporating a poly coating on the pipe to help extend the life of the structure. The opinion of probable cost for doing this repair is $10,000 - $12,000.

If you have any questions or comments, feel free to give me a call at (701) 499-2055.

Sincerely,
HOUSTON ENGINEERING, INC.

Erik S. Jones, PE

ESJ:wo
H:\J:\1915_045\6-5-20.doc
To: Buffalo-Red River Watershed District
Re: Property Access at 2085 110th Ave S. Moorhead

6-11-2020

Dear district board, I am writing you concerning the access to my property at the address listed above. To access my property there is an old bridge that was probably built 40 plus years ago. About 6-7 years ago when I bought the property there were some repairs done to the south side of the bridge. At that time repairs were needed as I was in the process of building my house and I needed it to be safe for concrete trucks to cross. Even with the repairs that were done there were issues getting the truck drivers to cross the bridge as they were worried about its weight limits. With some help from Wade at Houston Engineering we were able to talk the drivers into crossing it so that I could get my house completed. Things have been great since the work was completed and there have been no issues with the bridge, as I have always tried to make sure that trees and grass to not encroach on the wood to help with it’s life span.

This spring however I have noticed that on the north side of the bridge it has started to lean inward, and it appears as if there are a few boards that on the verge of breaking. I am writing this letter to request either repairs or replacement of the bridge with culverts be done. I am planning on doing some more concrete work at my property this fall and I am worried that I will not be able to get the company to allow their drivers to cross the bridge due to the risk of it falling. Also due to the age of the bridge there are some concerns that it may someday fail while my wife or I are crossing it either alone or with our 3 boys. The county is going to be replacing the surface on county road 8 (110th Ave S) this year. When the road is completed, the county will be laying an asphalt apron to about where the bridge currently is. This matter is somewhat time sensitive as it would be best to have this project completed prior to the road being completed.

I would appreciate the opportunity to discuss this project with anyone, and I also welcome anyone that may want to come and see my concerns with the current bridge to do so.

I can be reached on my mobile phone at 701-793-5443

Thanks

[Signature]
Dean Meyer
June 19, 2020

Buffalo Red-River Watershed District Managers
1303 4th Avenue NE, PO Box 341
Barnesville MN 56514

RE: Technical Assistance Request

Dear Managers,

On May 7, 2020, Kevin Kassenborg, Clay SWCD District Manager made a request to you for technical assistance for a streambank erosion problem along the Buffalo River for landowner Greg Johnson, which you approved. The Clay SWCD has received two additional requests for similar issues.

The first is from Troy Wyland whose property located in Moland Township, Section 28. A site visit was conducted on June 16th by Erik Jones, Kathy Fenger and myself. Mr. Wyland requested further assistance as this problem continues to erode the riverbank and could eventually endanger his residence.

The second request was from Sidney Smith. His property is located in Highland Grove Township, Section 33. On June 19th a site visit was conducted by Erik, Kathy and myself. Mr. Smith also requested technical assistance.

The Clay Soil and Water Conservation District (SWCD) staff would like to work with Erik on these projects and request his technical assistance, pending the Board’s approval.

If you have any questions or concerns, please call me at 218-287-2255.

Thank you for considering our request.

Lynn Foss
Water Resource Technician
Clay SWCD

E Lynn.Foss@clay.mnswcd.org  W https://claycountymn.gov/swcd  F https://www.facebook.com/claymn.swcd.5

AN EQUAL OPPORTUNITY EMPLOYER
Resolution to Extend
the Buffalo-Red River Watershed District
Revised Watershed Management Plan

WHEREAS, Minnesota Statutes, §103D.401, Watershed Management Plan, authorizes Minnesota Watershed Districts to develop and implement a Watershed Management Plan, and

WHEREAS, Minnesota Statutes, §103D.405, Revised Watershed Management Plan, authorizes Minnesota Watershed Districts to develop and implement a Revised Watershed Management Plan every 10 years, and

WHEREAS, Buffalo-Red River Watershed District currently has a state approved Revised Watershed Management Plan that covers the period of June 23, 2010 through June 23, 2020, and

WHEREAS, Buffalo-Red River Watershed District is currently updating the Watershed Management Plan in accordance with Minnesota Statutes §103D.405, and

WHEREAS, the Buffalo-Red River Watershed District and its partners began the planning process for the Buffalo-Red River Watershed comprehensive watershed management plan (CWMP) in 2018, and

WHEREAS, the Buffalo-Red River Watershed CWMP covers all of the extents of the Buffalo-Red River Watershed District, which the District plans to adopt as their plan, and

WHEREAS, the Buffalo-Red River Watershed CWMP development process has been delayed due to the ongoing COVID-19 pandemic, and

WHEREAS, the Buffalo-Red River Watershed District and its partners have begun the approval process for the CWMP, and expect its final approval by the Minnesota Board of Water and Soil Resources late in 2020 or early 2021, and

WHEREAS, Buffalo-Red River Watershed District assures continued effort toward completion of the CWMP, and

WHEREAS, the Minnesota Board of Water and Soil Resources has authorization to grant extensions pursuant to Minnesota Statutes §103B.3367;
NOW, THEREFORE, BE IT RESOLVED, the Buffalo-Red River Watershed District Board of Managers requests from the Minnesota Board of Water and Soil Resources an extension of the effective date of the current Revised Watershed Management Plan until March 2021, in order to complete the update process in accordance with Minnesota Statutes §103D.405.

Dated this 22nd day of June, 2020.

__________________________________________
President

ATTEST:

__________________________________________
Secretary
# Billing Summary
## June 22, 2020

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<td>Witness Testimony</td>
<td>COE</td>
<td>$2,550.00</td>
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<td>Joel Carlson</td>
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<td>$850.00</td>
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<td>Liberty Business Systems</td>
<td>#419357, Contract Overage</td>
<td>Admin.</td>
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<td>Michael W. &amp; Sara B. Aigner</td>
<td>Permanent Easement Payment</td>
<td>Pj. 79, Wolverton CRK</td>
<td>$78,592.69</td>
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<td>MN DNR</td>
<td>#2010-0535, permit fee</td>
<td>Pj. 56, Manston Slough</td>
<td>$300.00</td>
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<td>MPS</td>
<td>05/02/20-06/02/20, Service (4)</td>
<td>Pj. 49 Oakport</td>
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<td>RMB Environmental Labs.</td>
<td>#502658, Water Analysis</td>
<td>MSA 103D0905, Sub. 3</td>
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<td>Valley Excavating</td>
<td>Snow Removal</td>
<td>Clay C.D. #58</td>
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<td>Vogel Law</td>
<td>#257367, May Billing</td>
<td>COE</td>
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<td>Wilkin SWCD</td>
<td>#2020-79, Wilkin C.D. Seeding</td>
<td>Various</td>
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<td>Sir Speedy</td>
<td>#111542, Exhibit Copies</td>
<td>COE</td>
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$137,829.91
### July 2020

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**Schedule of Events (as of 6/18/20)**

- **July 2-3**: Independence Day Holiday, Office closed
- **July 13**: BRRWD Meeting, 7:00 PM, Barnesville
- **July 27**: BRRWD Meeting, 7:00 PM, Barnesville