

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

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## MINUTES FOR MANAGERS' MEETING June 13, 2016

The Board of Managers, Buffalo-Red River Watershed District (BRRWD), held their regular meeting on Monday, June 13, 2016, at 7:00 PM in the Barnesville office. BRRWD Managers present were Gerald L. Van Amburg, John E. Hanson, Mark T. Anderson, Breanna L. Kobiela, Catherine L. Affield, Troy E. Larson, and Peter V. Fjestad. Others attending included: Bruce E. Albright, Administrator, and Erik S. Jones, Engineer, Houston Engineering, Inc. (HEI); Nathan Strand, Barnesville River Watch Program Advisor, and landowners: Troy Goltz and Jay Nord.

Chairman Van Amburg called the meeting to order at 7:08 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 05/23/16 and the 07/27/09 regular meetings. Affield noted one correction. **Motion** by Anderson to approve the minutes, subject to correction. **Seconded** by Affield. **Approved.**

**Treasurer's Report.** The Board reviewed the BRRWD's monthly financial statements, including the project account balance sheet, administrative disbursements, summary of income, and the accounts receivable report. Cash on hand is \$540,582.14. Administrative disbursements for the year total \$152,807.57. Current accounts receivable for 2016 totals \$8,149,835.44. Our income to date is \$1,847,453.17. Income this month totaled \$1,206,289.82, including payments from Clay County for delinquent 2015 ditch/project tax collections (\$4,569.52); Otter Tail (\$48,977.21) and Wilkin Counties (\$658,712.74) for 2016 ditch/project/property tax collections; the Minnesota Department of Natural Resources (DNR) for Project No. 49, Oakport Flood Mitigation (\$491,045.84); and the Wilkin Soil and Water Conservation District (SWCD) for the Minnesota Agricultural Water Quality Certification Program (MAWQCP) (\$2,648.21). Other income included a rental fee payment from Stoneridge Software, Inc. for the use of our office (\$100), monthly bank account interest payments (\$11.30), and HEI office rent (\$225).

Albright noted that we made use of the Midwest Bank line of credit last week for a couple of days to cover the 05/23/16 bills. Within a day after accessing the funds, we received the DNR payment for Oakport, and Albright paid off the outstanding loan amount, including \$27.96 of interest expense. Midwest Bank will renew the line of credit on 07/01/16. Albright mentioned that Clay County traditionally forwards their property tax collections by the beginning of July, and they usually don't remit their ditch/project tax proceeds until September. He will contact the County to see if they could expedite those payments. Albright will bill the DNR for Oakport and Hawley Buffalo River Restoration expenses this week, and he thought we might receive payment as early as next week. He suggested that we could hold the R. J. Zavoral and Sons, Inc. check for Oakport construction for a few days until we receive reimbursement from the DNR, or if necessary, we could draw on the line of credit. Albright also mentioned that there are a couple of landowners who still have outstanding bills on the Accounts Payable list that he plans to contact. **Motion** by Hanson to approve the Treasurer's Report. **Seconded** by Affield. **Approved.**

### **Other Business brought before the Board included:**

**Permit No. 16-052, Troy Goltz.** Applicant proposes to install tiling on land he rents from Frank Farrar in the S½ and NW¼, Section 31, Prairie View Township, and the N½, Section 6, Tanberg Township, Wilkin

County, outletting via a lift station in the northwest corner of the NW¼, Section 31, Prairie View Township, to Wilkin County Ditch (C.D.) No. 43 on the north side of County Road (C.R.) No. 30. All of the property is assessed to drain south to C.D. No. 40. About 40 acres in the northwest corner of Section 31 drains naturally northwest to C.D. No. 43, but the remainder of the land drains west and south to C.D. No. 40. Goltz explained the tiling plan and tile sizing. He is working with the Natural Resources Conservation Service (NRCS) to mitigate the smaller area wetlands, and he will put nonperforated pipe through several larger wetland sites. Goltz would like to move forward with installing the tile main as soon as possible while the site is dry. Albright explained that the tile won't affect the current surface drainage. Approximately 40 acres in the northwest corner could be removed from C.D. No. 40 completely and be added to C.D. No. 43. The rest of the project acreage (547 acres) will be tiled north to C.D. No. 43, but the surface drainage will still drain naturally to C.D. No. 40. Albright pointed out that the water will eventually end up in the same place because C.D. No. 40 enters C.D. No. 43 further downstream in Section 34, Atherton Township.

Albright explained that in order to approve the proposal, we will have to determine if C.D. No. 43 is an adequate outlet and go through the petition process to add the tile drainage to C.D. No. 43. Albright will work with Goltz to prepare two petitions for that process: to add 587 acres in Section 31, Prairie View Township, and the N½, Section 6, Tanberg Township, to C.D. No. 43 for tile drainage at \$20/acre, leaving that land in C.D. No. 40 for surface drainage, but changing the benefit rate from \$40/acre to \$20/acre, and remove the north 40 acres in Section 31 from C.D. No. 40 completely. This change would not affect the current benefit rate of \$40/acre for the three quarters. The Board is required to hold a ditch system hearing for these changes, followed by a 30-day appeal period. He thought it could take up to 90 days to complete the process. The Board discussed if they should allow Goltz to move forward with the project before holding the hearing and the risks Goltz runs if someone should object to adding the referenced land to the ditch system after the tile project was completed. **Motion** by Anderson to table Permit No. 16-052, and authorize the office to make the referenced modifications to the Wilkin C.D. Nos. 40 and 43 ditch system benefits as quickly as possible. Goltz can go forward with his project with the understanding that the process to add/remove land from the ditch systems needs to be completed before the BRRWD can officially issue the permit. **Seconded** by Fjestad. **Approved**.

Jones noted that Goltz should be aware that there is 62.5' of right-of-way (r-o-w) on both sides of the centerline of C.D. No. 40 on the south line of his project, which includes the Lawndale Trout Stream channel. Goltz mentioned that the south road ditch of C.R. No. 30 needs cleaning. Albright explained that the road ditch is under Wilkin County Highway Department jurisdiction, and Goltz should contact them to obtain a permit to clean the ditch. A BRRWD permit is not required for ditch cleaning.

**Permit No. 16-045, City of Dilworth.** Applicant proposes to remove an existing ditch block with gates on two 48" dia. culverts in the Orchard Estates ringdike. The ditch block is no longer needed. The City wants to do the work for maintenance purposes. Jones reviewed the proposal and recommended approval.

**Permit No. 16-046, Nate Thompson.** Applicant proposes to install three NRCS designed water and sediment control basins and tiling in the N½, Section 28, Parke Township, Clay County. Jones reviewed the proposal and recommended approval.

**Permit No. 16-047, Mattson Brothers, Inc.** Applicant proposes to install six NRCS designed water and sediment control basins in the NW¼, Section 20, Cuba Township, Becker County. The outlet will extend across the road into the NE¼, Section 19, Cuba Township. NRCS has obtained permission from the downstream landowner in Section 19 to do the work on his property. Jones explained that Ellingson Companies will install the tile, and the applicant will build the embankments for the inlet structures on the sediment control basins. Jones recommended approval.

**Permit No. 16-048, MNDOT.** Applicant proposes to mill and overlay Trunk Highway (T.H.) No. 10 through Glyndon in the N½, Section 11, Glyndon Township, Clay County, along with the installation of sidewalks,

ramps, new signal system, and a permanent structural snow fence along the north side of T.H. No. 10 and at the west limits of Glyndon. Jones recommended permit approval.

**Permit No. 16-049, J&S Nord LLC.** Applicant proposes to install random tile in the SW<sup>1</sup>/<sub>4</sub>, Section 25, Wolverton Township, Wilkin County, outletting to C.D. No. 22, to which the land is assessed.

**Permit No. 16-050, J&S Nord LLC.** Applicant proposes to install random tile in the SE<sup>1</sup>/<sub>4</sub>, Section 24, Wolverton Township, Wilkin County, along the west line of the section and the south line along C.R. No. 186 to pick up wet areas and tie into an existing lift station outletting to the C.R. No. 186 road ditch, eventually draining to Wilkin C.D. No. 5A Lateral, to which it is assessed.

**Permit No. 16-051, Pheasants Forever, Clay County Chapter.** Applicant proposes to install a dry approach and parking lot off of 220<sup>th</sup> ST S on the high point in the SE<sup>1</sup>/<sub>4</sub>, Section 22, Skree Township, Clay County, to allow hunting access to the DNR's Skree Wildlife Management Area (WMA). Water will flow north and south from this approach. The DNR has approved the proposal.

**Motion** by Fjestad to approve Permit Nos. 16-045 through 16-051. Approval is subject to the applicable standard disclaimers, state/federal agency permitting requirements, and road authorities' permission to work within their road r-o-w. **Seconded** by Kobiela. **Approved.**

**Duane Boeder Complaint.** Albright visited with Frank Schindler last week to discuss the Boeder family's complaint about his removal of a dry approach on their property in the SW<sup>1</sup>/<sub>4</sub>, Section 33, Barnesville Township, Clay County. Schindler suggested that he would be willing to reinstall the approach if the Boeder family provided a 24" dia. culvert so that water doesn't backup from this location onto his property. Brian Kritzberger volunteered to clean up the site with his backhoe, but currently, the Boeders aren't allowing anyone access to their property. In addition, the Boeder family needs to clean the ditch on the north side of 180<sup>th</sup> AVE S along their Conservation Reserve Program (CRP) acreage for approximately 553'. Prior to the CRP seeding, the road ditch filled in with sediment from wind erosion, causing the water to back up onto the Schindler property to the east. Albright will contact the Boeder family in the near future regarding these issues.

**Clay/Wilkin County Line Drainage Concerns.** Albright forwarded a draft petition to landowners Matt Ness, Mark Askegaard, and Luther Blilie for review for a potential new legal drainage system along the north line of Section 6, Wolverton Township, Wilkin County, on the south side of the county line west of T.H. No. 75. If they decide to go ahead with the petition, they will need to obtain the signatures of the landowners where the proposed ditch will be located and post a \$10,000 petitioners' bond with the BRRWD.

**Tansem Township Drainage Concern.** Tansem Township replaced a culvert last fall in 255<sup>th</sup> ST just south of T.H. No. 34. They contacted the BRRWD to report that water was not draining west from the new culvert to 250<sup>th</sup> ST, and the new pipe was partially submerged. Albright sent a letter to landowner Craig Andvik in the W<sup>1</sup>/<sub>2</sub>, Section 29, regarding the Township's concerns about the cause of the blockage. At their 05/23/16 meeting, the Board authorized HEI to conduct a survey of the wetland/natural waterway on Andvik's property between the new pipe in 255<sup>th</sup> ST and 250<sup>th</sup> ST, which has over 20' of fall between the two pipes. HEI has completed the survey. The ditch profile shows that high spots in the ditch will hold back about 6" of water in the culvert and should possibly be cleaned. Albright asked Jones for more detailed data to possibly identify the location of the blocks. Once he has that information, he will mail the survey to the Township and Andvik.

**Project No. 77, Clay C.D. No. 51-Lateral No. 3.** Negotiations continue between Robert Norby and the Minch Family regarding the purchase of Norby's property in Section 28, Kragnes Township, Clay County, where the proposed lateral was to be built. The Board discussed Norby's offer to drop the lawsuit against the BRRWD if the Managers were willing to pay him \$50,000. The Board decided to refer the offer to our insurance company, Liberty Mutual Insurance, regarding any possible payments to Norby in an effort to settle

the lawsuit. Albright reported that Liberty Mutual Insurance recently offered Norby a payment of \$2,000. To date, he has not responded.

**Project No. 56, Manston Slough Restoration.** Albright noted that with the current dry weather, there have been no problems with the Township roads. When we get some significant rainfall, we will work with the Townships/County to review their concerns about soft spots along the project embankment.

HEI will contact Bob Bjerke, B&J Landscaping, to mow his native grass seeding to keep the weeds/trees down. As part of Bjerke's native seeding contract, Bjerke will furnish maintenance for two years and will not get payment in full for his work until the natives are established.

Fjestad asked about a site west of the control structure, which was seeded to a food plot last year. Albright thought the area had been worked up this spring. Ross Aigner contacted Albright a few weeks ago with an offer to help the DNR if they were planning to do any planting around the project area, and Don Schultz, DNR, contacted Aigner regarding his proposal.

**Project No. 49, Oakport Flood Mitigation.** The Board had an extended discussion regarding concerns from a landowner in Oakport regarding her family's permanent and temporary easements for Phase 4. Rozanne Larson, who represents her mother, Rose Kopperud, is under the impression that we need a signed temporary easement from her to construct the dike on their property. Earlier this year, prior to construction, Attorney Elmer sent Larson a Phase 4 temporary easement document to sign. Larson did not sign or return it. When construction commenced this spring, UEI determined that we didn't need the Kopperud temporary easement acreage for Phase 4 construction after all. However, Larson is still under the impression that our contractor is using the land cited in the temporary easement for the project work. She has engaged an attorney, put up "no trespassing" signs, threatened to obtain a "Cease and Desist" order, and contacted the Sheriff's Department in an attempt to stop construction on her property. Albright explained that construction on the Kopperud property is taking place only on the 120' wide permanent easement area that the BRRWD paid Rose Kopperud for several years ago. Larson feels the BRRWD's contractor is trespassing on her property. In Albright's absence last week, a field meeting was held with Larson, but she still maintains that the contractor is trespassing. This week, Larson replaced her attorney, and her daughter, Kelly Larson, is also now involved in the discussions.

The Board briefly discussed the status of the temporary spoil easement on the Fischer property. The owner of the Howard Fees house, Andy Noah, has finally had the house moved off the foundation. The contractor, R. J. Zavoral and Sons, Inc., submitted Change Order No. 2 in the amount of \$21,200 for the basement demolition and unhooking the utilities. **Motion** by Hanson to approve Change Order No. 2. **Seconded** by Fjestad. **Approved.** Albright submitted Pay Request No. 3 for R. J. Zavoral and Sons, Inc., as prepared by UEI, in the amount of \$545,949.88 with 5% retainage. **Motion** by Anderson to approve Pay Request No. 3. **Seconded** by Fjestad. **Approved.** Albright will work with the staff to submit a pay request to the DNR for reimbursement this week. If the DNR doesn't forward the reimbursement as quickly as hoped, we can access the Midwest Bank line of credit to cover Zavoral's payment.

In response to Fjestad's question about who was responsible for construction supervision for the project, Albright provided a brief history of UEI's involvement with the Oakport project, starting back in 1980s.

Albright mentioned that he and Kris Carlson, UEI, will meet with Tim Van Raden on 06/15/16 to discuss renewing his temporary easement for Phase 4. Van Raden has requested that the ditch along the east side of C.R. No. 1 north of his property be graded to provide better drainage north and west to the Red River via an existing 60" dia. centerline culvert. The Board agreed that the ditch should be cleaned to provide Van Raden better drainage as promised when he first signed his easement.

**Project No. 48, Clay C.D. No. 59.** HEI opened bids for the installation of 37 inlet culverts for C.D. No. 59. Tim Crompton was the low bidder. He signed the contracts and would like to get started this week. **Motion** by Hanson to sign the Notice to Proceed for the referenced culvert installations. **Seconded** by Affield. **Approved.** Albright noted that the BRRWD will work with Crompton regarding cash flow for the project costs.

**Project No. 39, Georgetown Levee.** Opsahl toured the project with the City Council on 06/06/16 and reviewed project financing. Albright noted that the one finance variable is the amount of money the Federal Emergency Management Agency (FEMA) will provide the City for their 2011 spring flood costs. FEMA has indicated that they plan to close out the 2011 flood accounts this summer. Opsahl is working with Adam Grothmann, Northern States Excavating, on the remaining cleanup items and the baseball diamond grading/seeding. Opsahl is also working with the City Council and area residents (Cody Wambach) on project weed control/haying. Albright noted that there are a couple of larger areas where haying could take place: the storm water pond site east of T.H. No. 75 and the former Ziegler tract. HEI will prepare an Operation and Maintenance (O&M) agreement with Wambach regarding the project haying.

**Project No. 38, Farmstead Ringdikes.** Thomas Eskro, HEI, is working with Kyle Schiefert regarding a farmstead ringdike for his property. Schiefert was satisfied with the dike design, but was concerned about the cost estimate (\$26,205). Schiefert's share of the project costs would be 25% or \$6,551. Eskro will follow up with Schiefert in a few weeks to see if he wants to move forward with the proposed ringdike project.

Eskro is also working with Mark Johnson, who lives just east of the Wolverton Coulee on the south side of C.R. No. 30. Johnson has had water in his machine shop, but not in his house. The ringdike plan for Johnson includes the need for him to purchase approximately 2.5 acres of agricultural land from his neighbor, Robert Nord. Excluding land acquisition, Johnson's share of the dike costs would be about \$7,000. Eskro will also contact Johnson in a few weeks to find out if he wants to go ahead with dike construction.

There are also two other sites for Doug Butenhoff and Robert Nord, which qualify for the Environmental Quality Incentives Program (EQIP) funding, which will be handled by the NRCS. Nord missed the 2016 funding deadline, but the NRCS will have funding for his dike in 2017.

**Project No. 30, Clay/Wilkin Judicial Ditch No. 1 (J.D. 1).** In accordance with Minnesota Statutes Annotated (M.S.A.) 103E.238, Albright forwarded the petition for a diversion on the county line to BRRWD Attorney Tami Norgard, Vogel Law Firm, for her review. The petition is for an outlet diversion to take water out of J.D. No. 1 to flow west along the south side of the county line to Wolverton Creek. Norgard should have the review completed in the next two weeks and if valid, the Board could authorize HEI to prepare the Preliminary Engineer's Survey Report.

**Project No. 14, Clay C.D. No. 10.** HEI opened bids from nine contractors for the two proposed slope failure repairs on C.D. No. 10 along 130<sup>th</sup> AVE N in Section 13, Kragnes Township, and Section 16, Morken Township. The Engineer's Probable Cost estimate was \$76,338. R. J. Zavoral and Sons, Inc., East Grand Forks, MN, was the low bidder at \$79,218. HEI tabulated all the bids and found them to be correct. Jones has prepared a Notice of Award for Zavoral if the Board decides to go forward with the proposed repairs. Albright suggested that we send a letter to both Townships, noting that we will be working within their road r-o-w this summer on this project. The Board discussed a possible cost-share arrangement with the Townships. They finally agreed that the ditch system landowners ultimately will pay for the work no matter if the Township levies the taxes or the BRRWD does. For the C.D. Nos. 32 and 33 repairs south of Moorhead along Clay C.R. No. 67, Jones has been in discussions with the County about sharing the repair costs. **Motion** by Anderson to accept R. J. Zavoral's bid of \$79,218 for the referenced repairs C.D. No. 10, as a ditch system expense. **Seconded** by Fjestad. **Approved.**

**Project No. 7, Clay C.D. No. 39.** Landowner Gerald Zimmerman is interested in undertaking repairs for a slide along C.D. No. 39 in his field in the NE¼, Section 31, Morken Township. NRCS has completed soil borings, and they continue to investigate the channel condition. The Board wants to see the results from the NRCS before considering Zimmerman's repair proposal.

**Mediation Project Team (PT).** The next PT meeting will be held on Thursday, June 16, 2016, in the Barnesville office at 7:00 PM. Albright will send an email reminder to the members tomorrow. The office will prepare a billing for PT expenses and submit them at the upcoming Red River Basin Flood Damage Reduction Work Group (RRBFDRWG) meeting on 06/21/16. Van Amburg, who is member of the RRBFDRWG, noted that he will not be able to attend the meeting. Albright will try to attend in his absence if the BRRWD needs to be represented regarding our billing.

**Upper South Branch of the Buffalo River.** The BRRWD authorized HEI to develop a Phase 1A for this project, which will be a restoration site plan in the upstream reaches of the South Branch of the Buffalo River east of T.H. No. 9. Jones distributed a map showing the proposed site/design and gave the Board the highlights of the report he will present to the PT on 06/16/16. Jones estimated that the restoration will lengthen the existing channel by about 2.7 times compared to the straightened ditch system. Project funding sources could include the Minnesota Board of Water and Soil Resources (BWSR) for Reinvest In Minnesota (RIM)/Wetlands Reserve Program (WRP) or Wetlands Reserve Enhancement (WRE), and other state and federal sources. Construction costs total about \$790,000. Jones plans to have the costs broken down for the Deutsch and Rogelstad properties for the PT's review. Albright explained that once we have the preliminary design finalized for Phase 1A, the BRRWD will hold a meeting with all the resource agencies to review the project and solicit comments. The natural resource enhancement (nre) features provided by this upstream project on the South Branch of the Buffalo River might help offset flood damage reduction (fdr) benefits downstream for future project phases.

**Barnesville Township Area Retention.** Currently, HEI is focusing their resources more on the designs for the South Branch of the Buffalo River and Stony Creek projects than the Barnesville Township project. Jones explained that they are working on preparing a more comprehensive cost estimate for the project. As a result of his work with the DNR Dam Safety Office regarding Stony Creek, Jones will expand the modeling for the Barnesville Township project in an attempt to anticipate the questions he expects they will ask during their design review.

**Stony Creek Off-Channel Storage Site.** Jones will have the new modeling information for the DNR to review at the upcoming PT meeting to clarify how the dam would function under different flood scenarios.

**Glyndon Waterway Concern.** The PT will review the Wayne Kirmis concerns about a natural waterway located on the east and north sides of Glyndon reported to be plugged with cattails, beaver dams, and other debris. During of the 2009 flood, the Buffalo River broke out of its banks and created significant washouts and gullies in this area. HEI will provide a base map for the PT's review.

**Watershed District Enlargement (WDE)/Revised Watershed Management Plan (RWMP).** Albright is working on his review of the planning region work tables in the RWMP.

**Army Corps of Engineers (COE) FM Diversion.** The Board discussed recent newspaper articles regarding the BRRWD's decision not to sign the FM Diversion Authority's (DA) 2016 Joint Powers Agreement (JPA) based on a 6-1 vote at their 05/23/16 meeting. The DA has requested that the BRRWD provide a resolution to formalize our decision. The Board reviewed a resolution that Albright and Attorney Norgard drafted. **Motion** by Anderson to adopt the resolution to withdraw from the DA and to terminate the Limited JPA. **Seconded** by Fjestad. **Approved.**

**Otter Tail River/Buffalo River/Upper Red River Total Maximum Daily Load (TMDL) Studies.** The Minnesota Pollution Control Agency (MPCA) held a kickoff meeting for the Otter Tail River TMDL in Detroit Lakes on 05/31/16.

The Buffalo River TMDL is still under review by the MPCA. HEI completed their response to the TMDL report comments. The Buffalo River TMDL Study started in 2008 as a pilot project. Manager Van Amburg discussed the lack of progress on the completion of the Buffalo River TMDL with the MPCA Assistant Commissioner. Albright explained the cumbersome process MPCA is using to review the Upper Red River TMDL Study. It incorporates several layers of staff reviews and revisions before HEI can add the changes to the final document. The deadline for completion of the Upper Red River Study is 06/30/16. If MPCA does not complete the study by the target date, they will need to review and approve a contract extension, adding another 30-60 days to the process. The Board had an extended discussion regarding length of time MPCA's has taken on the all the BRRWD's TMDL studies, which to date are still not finished. Because of these delays, the BRRWD is missing out on a number of funding opportunities.

**Elkton Township Wetland Restoration.** Corey Elmer, Attorney, Vogel Law Firm, needs to forward information to BWSR to resolve the acquisition of landowner signatures for the wetland banking easement process. Albright noted that the proposed grazing plan for the Elkton WRP site has been dropped for this year. He visited Steve Hofstad from the Detroit Lakes BWSR office, who explained that the Wetlands Conservation Act (WCA) does not allow for grazing in their mitigation sites, unless unwanted vegetation, such as reed canary grass or willow growth, appears after a year of growth, which could be dealt with by grazing. These plants are currently present, so grazing might be allowed next year if the vegetation problems persist.

Albright reported that Chuck Anderson is still negotiating with Auto Owners Insurance company regarding their settlement offer for his crop loss claim.

Jones noted that the restoration site needs to be mowed. Albright suggested that we hire Chuck Anderson. **Motion** by Anderson to hire Chuck Anderson to mow the site as needed. **Seconded** by Fjestad. **Approved.**

**Clay C.D. Nos. 32 and 33.** The BRRWD plans to work with the Clay County Highway Department to discuss the repairs and develop a cost share formula for C.D. No. 32 where part of the road ditch slumping is in the r-o-w of Clay C.R. No. 67. Jones proposed a 60% (County)/40% (Ditch Systems) split. There may be a possibility that the County could also participate in the project in a construction oversight position.

Manager Anderson reported that a landowner has planted corn in the Clay C.D. No. 11 r-o-w in the slide area that was repaired last fall in the NW $\frac{1}{4}$ , Section 33, Kurtz Township. Anderson will try to get a photograph of the planting for the Board's review.

Regarding C.D. No. 33, Albright noted that Kevin Kuehl called the office to request that we seed the ditch r-o-w on the property they operate in the NE $\frac{1}{4}$ , Section 20, Kurtz Township. He claims the seeding was never finished. Opsahl reports that we have seeded the r-o-w several times, but the landowners farm over it. Albright said that we will reseed it again, but if the problem continues, he will contact Kevin Kuehl directly.

**Wolverton Creek/Comstock Coulee.** The BRRWD recently received the \$2.8 million BWSR Targeted Watershed Program grant. Jones and Albright met with BWSR staff last week to discuss the program and workplan. Albright noted that there are a number of items we must address, including setting up the wetland management district (wmd) (M.S.A. 103D.729) to raise local funds to be used as a match for the various grants and to make the project official, according to Minnesota Watershed Law. Albright suggested that we hold one public hearing to review the fee schedule for the wmd and to adopt the project as an official BRRWD project. Plans are to develop the project over the winter and be ready to advertise for bids in the spring for Phase 1.

Albright reported that we were not selected for funding from the Legislative-Citizen Commission on Minnesota Resources (LCCMR). Our application was for \$9 million. We are still waiting for notification from the Lessard-Sams Outdoor Heritage Council (LSOHC) Conservation Partners Legacy Grants (CPLG) Program application for approximately \$3.015 million.

Albright also explained that we need to meet with the landowners in the Phase 1 area to assist them to sign up for the NRCS Wetland Reserve Enhancement Program (WREP), which could provide funding for the project easements and the channel restoration work, plus possibly the Agricultural Land Enhancement (ALE) program, which could fund enhancements for land that will remain in agriculture use. NRCS has indicated that they could have a significant amount of funding available for this project.

Jones discussed possible ways to calculate a formula for the wmd, based on runoff contribution, according to updated land use data from 2011. He plans to sample a few local sites to verify these sampling results. Albright noted that farmsteads could be assessed differently from agricultural land because there are typically more non-pervious surfaces, creating more runoff. The wmd assessment could be based on four different methodologies, according to the BRRWD's Comprehensive Plan: drainage area, runoff contribution, sediment contribution, and a combination of runoff and sediment. Jones will have some examples for the Board's review at their upcoming 06/27/16 meeting.

**River Watch Annual Budget.** Nate Strand, River Watch Program Advisor, presented the Barnesville River Watch budget for the 2016-17 sampling season for the BRRWD water quality monitoring. The total estimated budget is \$5,336.64. Of that amount, the Barnesville High School will contribute \$2,000. He discussed the merits of the program and working with the students. Strand reported that nine students were members of the River Watch Team this year. **Motion** by Anderson to approve the Barnesville River Watch 2016-17 budget. **Seconded** by Affield. **Approved.** The Board thanked Strand for his service to the program.

**Otter Tail River and Whiskey Creek Restorations.** Jones reported that the survey work continues on both the Otter Tail and Whiskey Creek. The preliminary work on the Otter Tail River is finished, except for a few small stretches where the GPS signal was lost. Jones explained some of the problems the survey crews can encounter when using GPS and LiDAR data. The Board discussed concerns a renter had with the survey crew when they entered the wrong parcel by mistake without permission.

**Clay C.D. No. 28.** A hearing could be held in conjunction with a regular Board meeting to address Melvin A. Richards' petition to have his land in the SE¼ (less tracts), Parcel I.D. No. 18017400, Section 17, Kragnes Township, removed from the C.D. No. 28 benefit area. This land drains south to a private ditch system, not into C.D. No. 28.

**Minnesota Association of Watershed Districts (MAWD) Summer Tour.** MAWD has scheduled their 2016 Summer Tour for June 22-June 24, 2016, in Winona. The office has already made hotel and event reservations for Managers Hanson, Van Amburg, and Fjestad. Albright will not be attending.

**BRRWD Rules.** The Managers have copies of the draft Rules, and we might need to schedule a special meeting to complete their review. Once the Managers have approved a final draft, the office will distribute the Rules to BWSR and other governmental agencies for the mandatory 60-day review and comment period. The BRRWD must also hold a public hearing before adopting the new Rules.

**Buffalo River Restoration, Phase 2.** Albright reported that Sellin Brothers, Inc., has completed the Phase 2 work of the river restoration. The office will prepare a pay request to send to the DNR for reimbursement. The Hawley Golf & Country Club submitted a grass seeding bill for \$12,945.76. HEI submitted Pay Request No. 4/Final for Sellin Brothers, Inc. in the amount of \$13,113.18. **Motion** by Hanson to approve the referenced pay request and Golf Course billing. **Seconded** by Fjestad. **Approved.**

**BRRWD Goals.** Albright noted that the staff has finally completed all the old meeting and hearing minutes from past years. This was one of the BRRWD's Strategic Planning Short Term Goals.

**Field Day.** The Wilkin SWCD is hosting a Field Day at the Nordick Farm on June 23, 2016, from 9:00 AM-3:00 PM. There will be a free lunch, field tours of drainage designs, a Discovery Farms tour, and informational booths.

**Congressional Visit.** Manager Fjestad mentioned that Congressman Collin Peterson and a number of other dignitaries visited the Nordick Farm on June 5 and 6, 2016, to discuss agricultural issues. Congressman Peterson also plans to attend the 06/27/16 BRRWD meeting to discuss how drain tile might possibly help alleviate flooding in the Red River Valley. The Congressman is thinking that it might be worthwhile to investigate this practice with a pilot area or test project in the BRRWD. The NRCS should have money for the needed drainage water management structures. Albright provided some information about agricultural drainage tile for the Board's review. The Board had an extended discussion regarding the benefits of tiling.

**LaBelle Lakeshore Restoration.** Albright reported that Peter Mead, Becker County SWCD, received a thank you note from a landowner on LaBelle Lake regarding the shore restoration work the SWCD completed. In his reply to the landowner, he pointed out that the BRRWD provided matching funds for the work.

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

Accounts Payable	Description	Account	Amount
American Enterprises, Inc.	#1526, mowing/post removal	Pj. 49, Oakport	\$ 3,040.00
AmeriPride	#160349805, May billing	Admin.	\$ 58.79
Barnesville Phone Co.	05/25/16 billing	Admin.	\$ 290.41
Bruce E. Albright	06/06/16 Eagle Café dinner (4)	Wolverton Creek	\$ 32.64
Carmen Pattengale	May office cleaning (2)	Admin.	\$ 130.00
City of Barnesville	03/29/16-04/29/16 utilities	Admin.	\$ 463.32
Everbank Commercial Finance	#3776964, copier lease, 06/22/16-09/22/16	Admin.	\$ 992.98
Hawley Golf & Country Club	Irrigation/turf establishment	Hawley Buffalo River Rest.	\$ 12,945.76
HEI	May billing summary	Varies-see attached	\$ 204,062.14
LM Road Services, LLC	Ditch brushing	Pj. 01, Wilkin C.D. No. 22	\$ 2,062.50
Mattson Farms, Inc.	#254, burn/bury trees	Pj. 23, Becker C.D. No. 23	\$ 3,300.00
Premium Waters, Inc.	#366590-05-16, May billing	Admin.	\$ 48.87
Purchase Power	06/01/16, Late fee	Admin.	\$ 7.24
R.J. Zavoral and Sons, Inc.	Pay Request No. 3	Pj. 49, Oakport	\$ 545,949.88
RMB Laboratories, Inc.	#304758, WQ analysis	Buffalo River TMDL	\$ 104.00
RMB Laboratories, Inc.	#304232, WQ analysis	Buffalo River TMDL	\$ 474.00
RMB Laboratories, Inc.	#304805, WQ Analysis	Buffalo River TMDL	\$ 395.00
RMB Laboratories, Inc.	#305341, WQ Analysis	Buffalo River TMDL	\$ 506.00
RMB Laboratories, Inc.	#306031, WQ Analysis	Buffalo River TMDL	\$ 78.00
Roger Lundberg	06/01/16 beaver control	Pj. Nos. 1/31, Becker 19	\$ 3,112.21
Roger Lundberg	06/08/16 billing-beaver control	Pj. 31/Wolverton Creek	\$ 93.56
RRVCPA	05/01/16-06/01/16 Service (3)	Pj. 49, Oakport	\$ 249.58
Sellin Brothers, Inc.	Pay Request No. 4-Final	Hawley Buffalo River Rest.	\$ 13,113.18
Troy E. Larson	#16-13, 01/01/16-05/23/16	Admin./PT	\$ 1,008.13
Vogel Law Firm	#176756, March billing	COE Diversion	\$ 5,959.50
Vogel Law Firm	#177033, April billing	Pj. 39, Georgetown	\$ 104.00
Vogel Law Firm	#176966, April billing	COE Diversion	\$ 3,796.00
Vogel Law Firm	#176965, April billing	Pj. 49, Oakport	\$ 46.00
Vogel Law Firm	#176964, April billing	Admin.	\$ 138.00

William Nichol Excavating	#195, ditch repairs	Pj. 47, Clay C.D. No. 53	\$ 5,049.00
WREC	04/18/16-05/18/16 service (2)	Pj. 46, Turtle Lake	\$ 178.62
Xcel Energy	04/25/16-05/24/16 service	Admin.	\$ 67.32
Xcel Energy	04/26/16-05/25/16 service (2)	Pj. 49, Oakport	\$ 67.91
			<b>\$ 807,924.54</b>

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

**Next Meeting.** The BRRWD will hold their next regular meeting on Monday, June 27, 2016, at 7:00 PM in our Barnesville office.

**Adjournment.** **Motion** by Anderson to adjourn the meeting. **Seconded** by Hanson. **Approved.** Chairman Van Amburg adjourned the meeting at 10:20 PM.

Respectfully submitted,

John E. Hanson, Secretary