

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

BARNESVILLE, MINNESOTA 56514

1303 4<sup>th</sup> AVE NE  
E-mail: brrwd@bvillemn.net

PO BOX 341

PHONE 218-354-7710  
Website: www.brrwd.org

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## **MINUTES FOR MANAGERS' MEETING April 27, 2015**

The Board of Managers, Buffalo-Red River Watershed District (BRRWD), held their regular meeting on Monday, April 27, 2015, at 7:00 PM in the Barnesville office. BRRWD Managers present were Gerald L. Van Amburg, Breanna L. Kobiela, Mark T. Anderson, John E. Hanson, Catherine L. Affield, Troy E. Larson, and Peter V. Fjestad. BRRWD Staff attending included: Bruce E. Albright, BRRWD Administrator, and Erik S. Jones, Engineer; Houston Engineering, Inc. (HEI). Others attending included: Charles Fritz, Director, International Water Institute (IWI); Lonnie Neuner, Administrator, City of Lake Park; and landowners: Shelley Lewis, David Moyher, Pat Otto, Robert Askegaard, Dean Nelson, Don Nelson, Jay Nord, Ross Aigner, Sherwood Peterson, and John D. Peterson.

Chairman Van Amburg called the meeting to order at 7:05 PM. He 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 04/13/15 regular meeting and the 04/09/15 Clay County Ditch Nos. 9, 32, and 33 Redetermination of Benefits Hearing. **Motion** by Affield to approve the minutes. **Seconded** by Anderson. **Approved.**

**Treasurer's Report.** The Board reviewed the BRRWD's financial status. Cash on hand is currently \$1,497,629.85. Income since the last meeting totaled \$724.01 from Otter Tail County for 2014 delinquent ditch and property tax proceeds. To date, our income is \$1,686,575.93. The BRRWD should start to receive the 2015 first-half property tax proceeds from the counties in early June. Administrative disbursements for the year total \$121,333.65.

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

**Lake Flora.** Lake Park City Manager Larry Neuner appeared before the Board to discuss a possible project for Lake Flora. Albright gave a brief history of the BRRWD's work with the City of Lake Park regarding the possible restoration of Lake Flora in the northeast corner of the City. Lake Flora was drained by the installation of Becker County Ditch (C.D.) No. 7 in approximately 1906 to LaBelle Lake. One of the current problems is that the City extended three softball fields into the wetland basin. Another issue is that a large part of the lake's watershed has been diverted by the installation of Burlington Northern/Sante Fe (BNSF) railroad tracks. Albright noted that the BRRWD has provided funding assistance for a number of surrounding cities on projects of this nature, and he suggested that the Board consider working with Lake Park to enhance the Lake Flora area. A Detroit Lakes engineering firm completed a wetland delineation and prepared a Lessard-Sams Outdoor Heritage Council (LSOHC) grant application for a project, but it was turned down twice because the proposal focused too much on residential/community use, and not enough on environmental enhancement. Neuner explained that the City's goal is a partial enhancement/restoration of the lake to provide an amenity for the community by excavating areas to create ponds, seeding natives, eliminating the invasive vegetative species, etc. There is also a possibility that the area enhancements could be associated with the new Heartland Trail project.

Albright explained that next steps would include working with Steve Hofstad, Minnesota Board of Water and Soil Resources (BWSR), regarding Wetlands Conservation Act (WCA) regulations, Becker Soil and Water Conservation District (SWCD), the Economic Development Administration (EDA), and Partnership

for Health. Albright added that with the proposed project, the BRRWD could consider a retrofit of the Becker C.D. No. 7 outlet with a control structure (Minnesota Statutes Annotated (M.S.A.) 1033.227). The Board felt that the proposal had merit and agreed to continue to work with the City regarding this proposal. **Motion** by Anderson to authorize the BRRWD staff to continue working with the City of Lake Park to develop a project for Lake Flora. **Seconded** by Hanson. **Approved.**

**Army Corps of Engineers (COE) F-M Diversion.** On 03/23/15, the Board approved the funding (\$1.5 million) allocated in the 2015 Diversion Authority (DA) budget for the Minnesota Department of Natural Resources (DNR) Environmental Impact Statement (EIS). The Board wanted to wait until the preliminary EIS is completed (August/September) before addressing the rest of the 2015 DA budget. Van Amburg noted that in discussions with the DA, it appears that they are satisfied with the Board's decision to wait to approve the budget until the EIS is completed later this year. Shelly Lewis asked who Van Amburg spoke with on the DA. Van Amburg said that he spoke with the DA's Liaison, Erik Dodds, AE2S, who had had conversations with other DA members regarding the BRRWD's position.

**Wolverton Creek/Comstock Coulee.** Jay Nord asked about the status of the project. Albright reported that we held an agency meeting on 04/02/15 to review the project with the Natural Resources Conservation Service (NRCS) and other agencies. Their Environmental Quality Incentives Program (EQIP) sign up deadline was 04/17/15. The NRCS determined that the project is not ready to be submitted for EQIP funding. One option would be to package the project and submit it to other agencies for possible funding, including LSOHC, DNR, Red River Basin Flood Damage Reduction Work Group (RRBFDRWG), or BWSR. The BRRWD also needs to setup up the water management district (wmd) fees (M.S.A. 103D.729), which could be based on contributing waters within the BRRWD planning region to bring in local money needed for grant matching funds. The creation of wmds would involve a hearing process. Jones noted that the project's watershed includes nearly 100 square miles (sq. mi.). He mentioned that he attended a grant seminar and discussed the project with Mark Johnson, Executive Director, LSOHC, who encouraged him to submit the Wolverton Creek project for funding. Van Amburg thought the project would be a good fit for the LSOHC program.

Jones explained that currently HEI is preparing designs for outlet grade control structures on the various ditch systems entering Wolverton Creek. We have BWSR grant funding available this year to cover this work. Jones expects to present the plans and recommendations for the Board's review in the next few weeks.

Nord asked how the wmd process is implemented. Albright explained that it doesn't require a benefit determination by Viewers, etc., because the wmd fee is based on certain identified criteria. There will be public hearings, etc., according to Minnesota Statutes.

**IWI.** Charles Fritz gave a brief presentation regarding the IWI history and current activities. He discussed the creation of a high resolution digital elevation model (DEM) for the Red River of the North Basin using Light Detection and Ranging (LiDAR) to provide accurate elevation data. Through the use of this data, the IWI developed several decision making tools that can be accessed on the Red River Basin Decision Information Network (RRBDIN) website. Fritz provided handouts for the Board's review and briefly discussed one tool they developed to address water quality issues, called the Prioritize, Target, and Measure Application (PTMApp), which can be used to identify sources of sediment, nitrogen, and phosphorus entering downstream waterways, target specific sites for the implementation of best management practices (BMPs) and conservation practices (CPs), and estimate the benefits of these practices in terms of cost/load reduction for a specific site. The PTMApp creates "products" using various data layers illustrating a variety of applications of the PTMApp data. Fritz noted that the SWCDs use these products extensively. The IWI is also working with the Maple Grove HEI office to test the accuracy of the products' data. Van Amburg asked if HEI has used the products for the Wolverton Creek/Comstock Coulee project.

Jones noted that they have used a number of the LiDAR products, but the PTMAApp is still a new application that wasn't available during the early stages of the Wolverton project development.

Fritz also discussed the IWI's Briefing Paper #3: Water Management Options for Surface Drainage report from the Red River of the North Basin Technical and Scientific Advisory Committee (BTSAC), which addresses the relationship between agricultural drainage and downstream flooding. He explained that the Red River Watershed Management Board (RRWMB) and the North Dakota Red River Joint Water Resource District (RRJWRD) commissioned the IWI to establish the BTSAC. The first two BTSAC Briefing Papers (2012) investigated the relationship between subsurface (tile) drainage and peak watershed flows and provided subsurface drainage management recommendations for landowners and local water managers. The conclusion was that during smaller events, agricultural drainage can have some impact, but during large events, it has no effect. The third study was commissioned to investigate how to best manage existing and future surface drainage to increase/maintain drainage benefits, reduce flood flows, and decrease downstream flood damages. Two of the study's key components include: flood storage can further reduce flood damages on drainage systems; the importance of preserving the status of current non-contributing areas so that they can't enter the hydrologic system during flood events. Currently, there is no basin-wide government in place to uniformly establish the policy, adopt, and/or enforce any BTSAC recommendations. Fritz commented that it will be up to local Watersheds, such as the BRRWD, to review and possibly implement the recommendations through educational/outreach strategies.

Van Amburg thanked Fritz for the information and acknowledged that the BRRWD needs to implement the information in the IWI's studies into our Rules relating to tile and surface drainage projects. Fritz noted that both the RRWMB and the RRJWRD have accepted the Briefing Papers and forwarded the information to their member watershed districts. Fritz commented that he has seen some implementation of the tiling recommendations in both Minnesota and North Dakota, and thought that it was just a matter of time before the information in the studies is put into practice. He added that all the study data is on the RRBDIN website, and there is a slide presentation of Briefing Paper #3 that also can be accessed there. The Board had an extended discussion about Buffalo River flooding, tile drainage, and water quality. Van Amburg noted that the IWI provides all this information without a charge. He suggested that users should be paying a fee for the LiDAR products on IWI's website. Fritz noted that the RRJWRD did recently contribute some money to the IWI in this regard. The Board thanked Fritz for his presentation.

**Permit No. 15-022, Steve Anderson.** Applicant proposes to install field ditches to drain a low area in his field, located in the SE $\frac{1}{4}$ , Section 11, Atherton Township, Wilkin County, outletting to Wilkin C.D. No. 41. **Motion** by Anderson to approve Permit No. 15-022. **Seconded** by Fjestad. **Approved.**

**Permit No. 15-026, Eventis Telecom.** Applicant proposes to install a fiber optic line from 34<sup>th</sup> ST S along County State Aid Highway (CSAH) No. 52 to Trunk Highway (T.H.) No. 75 along the right-of-way (R/W) of Clay C.D. No. 47 in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 15, Moorhead Township, Clay County, to provide Macs Corporation with internet and telephone services. **Motion** by Anderson to approve Permit No. 15-026, subject to the BRRWD's standard utility disclaimer. **Seconded** by Fjestad. **Approved.**

**Permit No. 15-027, Wilkin County Highway Department.** Applicant proposes to remove a 42" dia. x 44.5' long corrugated metal pipe (CMP) with a waterway area of 9.62 square feet (sq. ft.) in the NW $\frac{1}{4}$ , Section 25, Prairie View Township, and replace it with one line of 12' x 4' reinforced concrete box culvert (RCB) with end sections to provide 46 sq. ft. of waterway. The road profile will not change. This undersized structure causes the road to overtop. Jones reviewed the proposal and recommended permit approval. **Motion** by Anderson to approve Permit No. 15-027. **Seconded** by Fjestad. **Approved.**

**Permit No. 15-028, Wilkin County Highway Department.** Applicant proposes to replace an existing bridge crossing in 200<sup>th</sup> AVE over Wilkin C.D. No. 23 between Sections 22 and 23, Nordick Township. The new structure will be two lines of 10' x 7' RCB. The upstream structures are two lines of 115" x 72"

reinforced concrete arch pipe (RCP-A) and the downstream pipes are two lines of 12' x 7' RCB. Jones reviewed the proposal and recommended approval. **Motion** by Anderson to approve Permit No. 15-028. **Seconded** by Fjestad. **Approved.**

**Permit No. 15-029, Wilkin County Highway Department.** Applicant proposes to replace an existing 72" CMP located the W $\frac{1}{4}$ , Section 29, Wolverton Township, with one line of 12' x 7' RCB. Jones reviewed the proposal and recommended permit approval. **Motion** by Anderson to approve Permit No. 15-029. **Seconded** by Fjestad. **Approved.**

**Permit No. 15-030, Cromwell Township.** Applicant proposes to replace an existing 18" dia. CMP through 80<sup>th</sup> AVE N in the SE $\frac{1}{4}$ , Section 6, Cromwell Township, Clay County, with a new 18" dia. CMP with aprons at the same location and elevation. Wade S. Opsahl, Technician, HEI, field reviewed and verified the location and size of the existing structure on 04/20/15. **Motion** by Anderson to approve Permit No. 15-030. **Seconded** by Fjestad. **Approved.**

**Permit No. 15-031, United States Fish and Wildlife Service (USFWS).** Applicant proposes to remove a culvert and crossing in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ , Section 13, Riceville Township, Becker County, installed by John Donley several years ago to cross a private ditch and the Buffalo River. The DNR has issued a permit for the river crossing, and no additional DNR permits are required. There will be no modifications to the river channel. **Motion** by Anderson to approve Permit No. 15-031. **Seconded** by Fjestad. **Approved.**

**Permit No. 15-032, Minnesota Department of Transportation (MNDOT).** Applicant proposes to reconstruct the T.H. No. 75 interchange over Interstate-94 (I-94) in Moorhead, MN. Jones has reviewed the plans and is working directly Justin Knopf, MNDOT. He noted that because Clay C.D. No. 30 would be involved with this project, he investigated the effect of widening I-94 on the north ditch of I-94. MNDOT plans to replace part of the grassed ditch with a concrete channel liner, which will maintain the ditch's current capacity for the 100-year event. **Motion** by Anderson to approve Permit No. 15-032, subject to Jones' recommendations. **Seconded** by Fjestad. **Approved.**

**Permit No. 15-033, City of Moorhead.** Applicant proposes to raise existing roads in Section 5, Oakport Township, Clay County, to replace temporary levees used during floods to create permanent flood protection for this area. Jones noted that there would be no effect on the Red River, and the permit could be approved. **Motion** by Kobiela to approve Permit No. 15-033. **Seconded** by Hanson. **Approved.**

**Scott McCaslin Tiling Outlet Concern.** Albright sent a letter Duane Hanson, inviting him to the 05/11/15 BRRWD meeting to discuss the plugging of underground drain tile that was completed by the Hanson family in the NE $\frac{1}{4}$ , Section 23, Hamden Township, Becker County.

**Erdman/Fankhanel Complaint.** Albright sent a letter to Ivan Nelson to invite him to the 05/11/15 BRRWD meeting to discuss a dike he installed on the Fankhanel property in the SE $\frac{1}{4}$ , Section 22, Atherton Township, Wilkin County, which blocks Fankhanel's ditch flow to the south.

**Permit No. 14-018, John and Paul Dubbels.** Albright noted that on 04/17/15, the BRRWD received a "courtesy" copy of a summons and complaint pertaining to work done by John and Paul Dubbels, associated with Permit No. 14-018 for pattern tiling in the S $\frac{1}{2}$ SW $\frac{1}{4}$ , Section 16, Humboldt Township, Clay County. The project exceeded the parameters of the permit, and the tile outlet was actually installed on the adjacent McEvers property without their permission. The plaintiffs are seeking damages in excess of \$50,000. Albright stressed that the BRRWD received the paperwork as a courtesy only. The BRRWD is not involved with the law suit.

**City of Glyndon/MNDOT/T.H. No. 10 Repair.** MNDOT has proposed repairs for T.H. No. 10 through the City of Glyndon, including turn lane improvements and access management. MNDOT held an informational meeting in Glyndon on 04/08/15. Albright noted that eventually MNDOT will file a BRRWD permit application for the project; however, the project mainly addresses safety and cosmetic issues.

**Knife River Corporation EAW.** Clay County forwarded an Environmental Assessment Worksheet (EAW) regarding the Knife River Corporation expansion of their aggregate mining operation in their Lichty pit in Section 17, Flowing Township. Albright reviewed the EAW and LiDAR maps of the area, and he concluded that there should be no drainage impacts. He recommended that the Board have no comment on the EAW.

**James Giedt Drainage Concern.** Giedt contacted the BRRWD several weeks ago with concerns about drainage issues in Sections 1 & 2, Riverton Township, Clay County. Water is standing on both the east and west sides of the culvert through County Road (C.R.) No. 86. The landowners placed sandbags in a low area, which doesn't allow the water to drain west out of the area, keeping the road bed/ditch and surrounding area saturated. Albright responded to Giedt's call and conducted a field review on 04/24/15. He visited with Giedt and took photographs for the Board's review. Albright noted that the Clay County Highway Department might want to visit with the landowners regarding the sandbag dike because it could eventually cause problems with C.R. No. 86 if the road bed is continually wet. Albright added that some of the surrounding property was enrolled recently in the Reinvest In Minnesota (RIM) program.

**Project No. 77, Clay C.D. No. 51-Lateral No. 3.** Jones submitted the Detailed Engineer's Survey Report for the Board's review. He noted that the plan didn't change significantly from the Preliminary Report, but he added more detail regarding existing conditions and alternatives. **Motion** by Hanson to accept the Detailed Survey Report and appoint the Viewers (Ron Ringquist, Rick Battles, and Rod Knutson). **Seconded** by Affield. **Approved.** Albright noted that the Viewers expect to have time at the end of May to complete their field review.

**Project No. 75, Wilkin C.D. No. 31-Lateral.** Albright met with landowners Sharon Josephson and Rick Rogers to field review the project on 04/11/15. He felt he was able to address their concerns about the project. Josephson still has a couple of questions regarding the actual easement language, which Albright will address. Once Josephson has signed her easement, there are a number of landowners who will follow her lead and sign, too. Using the overhead monitors, Albright discussed two sites where the channel is devoid of cover vegetation and has farming encroachments. The worst site is in Section 15, Connelly Township, where the sideslopes are vertical and all the vegetation is dead. Sharon Josephson felt that these two sites should be included in the channel restoration project, and linked her easement signature to the BRRWD's agreement to expand our restoration project to include both areas. The Board agreed that these two areas should be included in a future restoration project. Jones mentioned that Wilkin County appears to be getting a 2015 grant from BWSR, which could be used to pay for the survey work for this area. Fjestad questioned if the BRRWD could cite the landowner for a Rule violation for working in a protected waterway. Albright commented that the DNR might need to be more aggressive in enforcing their shoreline regulations. Jones noted that enforcement of the shoreline regulations has been relegated to the counties, who have not had a standardized response. Bruce Poppel, Wilkin County Environmental Officer, has proposed a schedule for enforcement of the buffers regulations, in association with our project. Albright noted that once the channel restoration in Section 14 is completed, it could be used as an educational tool to show local landowners what a restored channel section should look like. **Motion** by Fjestad to continue to work on restoring the two identified reaches, as part of a future project. **Seconded** by Larson. **Approved.**

**Project No. 56, Manston Slough Restoration.** The Board discussed attendance at the Minnesota Environmental Initiatives (MEI) awards ceremony, scheduled for 05/21/15 in Minneapolis at 5:30 PM in

the Nicolet Island Pavilion, Minneapolis, MN. The BRRWD was given two complimentary tickets from MEI for the banquet, and BWSR also offered two more tickets to the BRRWD to sit at their table. Managers Van Amburg and Fjestad along with Administrator Albright plan to attend.

**Project No. 49, Oakport Flood Mitigation.** Oakport is in the Governor's 2015 bonding budget for the required \$5.66 million to complete Phase 4. The Senate bonding bill (\$17 million) also includes Oakport funding. The House is not planning to pass a bonding bill in 2015, so at this time there are no guarantees that the project will get funded this year.

We still haven't received a response from the Fischer Family regarding their easement.

Albright has been working with the Audubon Society to prepare an agreement for native grass seeding on the west side of Broadway. Audubon will pay for the seeding, and the BRRWD's costs will be for site preparation. The agreement will eventually be signed by both the BRRWD and the City of Moorhead.

Albright noted that we received the DNR Grant Amendment No. 8 for \$131,082 to pay off our outstanding project expenses. **Motion** by Anderson to authorize Van Amburg to sign the grant agreement on behalf of the Board. **Seconded** by Kobiela. **Approved.**

**Project No. 39, Georgetown Levee.** Albright plans to attend the Georgetown Council meeting on 05/04/15 at 7:00 PM. He will furnish a project status report. Attorney Tami Norgard, Vogel Law Firm, has filed all the required paperwork for the Resolution of Condemnation on the Greywind house. One of the banks responded that they would be forwarding the issue to their legal department.

**Project No. 30, Clay/Wilkin Judicial Ditch (J.D.) No. 1.** Attorney Norgard plans to have information regarding a clarification of the petition requirements, as the petitioners have had some trouble getting signatures to create a diversion on the County line.

**Project No. 23, Becker C.D. No. 15 Repair.** Work has not started on the USFWS' C.D. No. 15 repairs through the Hamden Slough National Wildlife Refuge (NWR) because of frost issues. Wade Opsahl, Technician, HEI, will work with the subcontractor, Higher Ground Construction, to do the repair work south of the NWR on the remaining portions of the ditch system, including the SW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>, Section 11, Audubon Township repair, filed for by Kraig Nelson.

**Project No. 42, Clay C.D. No. 67.** Jones discussed the proposed channel repair plans for C.D. No. 67 west of Oakport ST N. The two drop structures at the Red River outlet have washed out, causing down cutting upstream, and the 73" x 55" corrugated metal arch (CMP-A) is collapsing. Jones presented two repair alternatives. Alternative 1 would replace the upstream riser drop structure with a "Flexamat" (concrete pieces held together with a geo-textile product) drop structure, restore the downstream rock drop structure along with increasing the drop from 2' to 4'. The estimated cost is \$32,350. Alternative 2 replaces the upstream riser drop structure with a Flexamat drop structure located further downstream, restores the downstream rock drop structure to the original plan, and reduces the grade between the two structures to a more acceptable grade of 0.18%. Jones explained that Alternative 2 fixes both the drop structures and reduces channel grade between the two structures. In addition, the two drop structures are located in areas that are less likely to be disturbed by possible future levee construction projects. While Alternative 2 costs more (\$58,390), Jones advised that it should provide long term savings. The Board discussed the proposed repairs alternatives and previous problems with the outlet structures. Albright suggested that the Board table this proposal until we have had a chance to discuss the repairs with the City of Moorhead to coordinate the repairs with future possible City flood control levee projects. **Tabled.**

**Project No. 70, Crystal Creek/McCann's Addition.** Albright explained that in approximately 2013, Oakport Township installed a dike on Steve Timmer's property during the flood fight in the northeast

corner of McCann's Addition. He had been told that he wouldn't be assessed for the project since he had allowed the Township to install the dike on his property. The BRRWD Appraisers found benefits for his property, and not knowing about the previous agreement with Timmer, he was assessed for the project. Recently, Timmer contacted the Township regarding his 2015 taxes. He indicated that he would like to remove the dike. It would be best if the dike remained at that location as it is providing significant area flood control benefits. Albright plans to meet with Timmer to discuss a possible easement for the dike on his property.

**Mediation Project Team (PT).** The next PT meeting has been scheduled for Thursday, May 07, 2015, at 7:00 PM in the BRRWD office. Notices will be sent. The meeting time has changed because the PT meets in the evening during the summer.

**RRBFDRWG Meeting.** A WorkGroup meeting is scheduled for April 29, 2015, at 9:30 AM in the MNDOT Lower Meeting Room in Detroit Lakes. Albright will forward a summary report of BRRWD activities and a billing for the 2015 1<sup>st</sup> Quarter (01/01/15-03/31/15) PT expenses.

**Upper South Branch of the Buffalo River Erosion Concerns.** Albright commented that possible upstream retention sites in Section 11, Manston Township, is now not available, so Jones has been exploring other options, including a potential flood control site in the SE¼, Section 10, Manston Township. Carolyn Swenson attended the 04/13/15 meeting to notify the Board that she is no longer interested in an erosion control project/levee for her property, so work on that project has been stopped.

**Barnesville Township Area Drainage.** Albright suggested that a landowner informational meeting could be held in mid-May, after the crops are planted. Jones plans to share a draft report, based on the COE's concurrence points, to share with the PT at their 05/07/15 meeting. This information could also be shared with the landowners at the proposed May informational meeting.

#### **Wetlands Reserve Program (WRP) Sites.**

**Reep Lake.** Albright plans to schedule a meeting with landowners Mike and Zita Jacobson to determine their interest in an easement with the Watershed District. Van Amburg will also try to attend the meeting. NRCS is considering other wetland restorations in this area, independent of the larger Reep Lake retention site.

**Haick/Peppel WRP Site.** Pete Waller, BWSR, forwarded the existing area easement documentation last week. Albright has suggested that the BRRWD schedule a morning landowner informational meeting in our office. Waller advised that the BRRWD meet with BWSR to review the proposal to make sure that BWSR will allow the water storage within the existing easement area. Albright thought that the meeting could be arranged as a conference call. One of the next steps would be to schedule a landowner informational meeting for some time in early May.

**Stony Creek Comprehensive Project.** Albright reported that the soil borings are done, and analysis will be completed in the next 30-60 days. At the last meeting, the Board authorized additional survey work on the channel. As soon as the soils analysis is completed, we will have information to share with the area landowners at a meeting to discuss project options.

Albright visited earlier today with Sherwood Peterson, who owns property in Section 32, Elkton Township, Clay County, where the storage site is proposed. Peterson commented on the retention design/location, and explained that he attended the meeting for an update on the status of the proposed project. He pointed out that his land is productive agricultural land. He is concerned that a retention site on his land would cause his soil characteristics to leach into the nearby waterway and eventually into the water supply, and added that he hopes the Board takes this issue under consideration when they select a location for the retention

pool. Peterson asked what his options are for his property. Albright explained possible options for land acquisition and the project development process.

**Revised Watershed Management Plan (RWMP)/Watershed District Enlargement (WDE).** Albright plans to schedule Technical Advisory Committee (TAC) meeting this week, made up primarily of agency personnel, to look at the natural resource enhancement (nre) features of the Plan for the new area.

**Redetermination of Benefits for Clay C.D. Nos. 9, 32, and 33.** At the 4/13/15 meeting, the Board discussed a question from landowner Steve Meixner, who thinks his land should be in C.D. No. 40, and not in C.D. No. 32. Opsahl contacted Meixner to review his concerns, and Albright reviewed the LiDAR maps. The result is that approximately 20 acres will be removed from C.D. No. 32 along the W $\frac{1}{2}$ W $\frac{1}{2}$ W $\frac{1}{2}$ , Section 25, Kurtz Township, and added to C.D. No. 40. A hearing will be scheduled to add that property to C.D. No. 40. The final orders for C.D. Nos. 9, 32, and 33 have been prepared for the Board's approval. **Motion** by Kobiela to adopt the Viewers' Reports and Final Orders for the redetermination of benefits for the three referenced ditch systems. **Seconded** by Affield. **Approved.**

Albright suggested that the Board approve a motion to start the proceedings to add the above referenced property to C.D. No. 40 according to the Minnesota Drainage Law process. **Motion** by Fjestad to start the process. **Seconded** by Anderson. **Approved.**

**Minnesota Agricultural Water Quality Certification Program (MAWQCP).** Albright had a conference call today with the Minnesota Department of Agriculture (MDA). They are planning a tour on June 17-18 in the White Water pilot area. Jones has filed the 1<sup>st</sup> quarter project financial report. Albright explained that the MDA has now agreed to allow the pilot areas to expand their work areas. The Board briefly discussed possible funding for an expanded program and adding staff to manage this labor intensive effort. Once the crops are planted, an Advisory Committee meeting will be scheduled in Breckenridge to discuss the status of the Whiskey Creek pilot.

**Elkton Township Wetland Restoration.** Albright reported that landowners Bruce Manston and Chuck Anderson have received their revised easements. Albright will schedule a meeting in the near future with the Poehls family to update their easements.

**Buffalo River/Upper Red TMDL Studies.** Minnesota Pollution Control Agency (MPCA) noticed completion of the Buffalo River Total Maximum Daily Load (TMDL)/Watershed Restoration and Protection Strategy (WRAPS) Reports in the Minnesota State Register the week of March 30, 2015, for a 30-day comment period, which will end on 04/29/15. Albright reported that there have been a couple of minor comments from the MDA.

**Wolverton Creek/Comstock Coulee.** Albright noted that our focus now will be to set up the wmd to provide a local funding/matching source for the project. The work to install ditch system buffers, repairs, and grade stabilization on the ditch system outlets will use up the remainder of the BWSR grant that expires on 12/31/15. The Board discussed landowners' requests for minor channel cleaning of obvious high spots because of the current dry conditions.

**Otter Tail River Restoration.** Jones reported on his conversation with the Wilkin County Highway Department regarding their need for approximately 8,000 cubic yards (c.y.) of material for their reconstruction of C.R. No. 8. They are willing to provide the earthwork (\$30,000) for the Etten erosion site project if they can have the excavated material for their road project. The office has received the plans from the COE project back in the 1950s. DNR Fisheries also plans to hold another meeting to discuss a potential restoration project for the Otter Tail River.



**LaBelle Lake.** Jones reported that he visited with Peter Mead, District Administrator, Becker SWCD, regarding their request for a \$39,863 contribution from the BRRWD for a shoreland restoration project on LaBelle Lake. At this time, the BRRWD is not prepared to commit to a contribution, but agreed that this type of project should be eligible for some type of funding in the future.

**Hawley Buffalo River Restoration.** Albright reported that the BRRWD is working with the City of Hawley to wrap up the streambank restoration project. The Board reviewed aerial photographs taken by Luther Aadland, DNR, of the project alignment. Jones noted that there is some seeding and signage that the contractor needs to complete. HEI plans to do a final project walk through with the contractor and the City of Hawley to compile a punch list of items that need to be completed. There is a stockpile of trees that were going to be used for the toe wood bank restoration. These trees weren't the right size and were unsuitable for the project. The City has requested that the BRRWD authorize our contractor to remove the debris, as a project expense. **Motion** by Hanson to authorize the project contractor, or if necessary, another vendor, to keep costs down, to remove the referenced tree pile, as a project expense. **Seconded** by Anderson. **Approved.**

**Project No. 61, Clay C.D. No. 11-North.** Jones explained that the outlet culvert of Clay C.D. No. 11 North is an 84" dia. CMP located south of the intersection of CSAH No. 8 and C.R. No. 59, installed originally in 1977, and includes a 96" dia. CMP with a headwall that transitions down to 84" dia., installed in 1978. In 2009, the BRRWD did some repairs to the headwall and the original CMP. Since 2009, sink holes have formed above ground along the pipeline, suggesting settlement or structural failure of the pipe. Repair option costs range from \$130,000 to \$400,000. Albright explained that there is a limit that the Board can spend on ditch repairs before the work becomes a ditch improvement. He suggested that he could investigate this issue and report back to the Board at the next meeting with recommendations. It might be necessary to hold a meeting to discuss the repairs with the ditch system landowners. Jones noted that there are a couple of other issues that could also be reviewed with the landowners at a future meeting, including slumping issues east of T.H. No. 75. **Tabled.**

**Minnesota Association of Watershed Districts (MAWD) Summer Tour.** MAWD is hosting their Summer Tour on June 24-26, 2015, at the Radisson Duluth Harborview. Albright will make reservations for Managers Van Amburg, Hanson, and Fjestad, who have made plans to attend. The other Managers have until the 06/12/15 registration deadline to decide if they wish to attend.

**Draft 2014 BRRWD Annual Report.** The Board received the draft annual report for their review. Harold Rotunda, CPA, is working on the 2014 Audit and should have a draft audit ready in the next few weeks. Once the Board approves the audit, it will be included in our annual report, which will then be published and submitted to BWSR.

**2015 Water Quality Monitoring.** A meeting was held on 04/17/15 with MPCA, DNR, IWI, and River Watch to discuss the 2015 water quality monitoring. The Board received a list of proposed monitoring sites with a map, identifying the primary and secondary monitoring locations. MPCA commended the BRRWD for their outstanding program. The Board also reviewed a letter agreement for IWI to conduct the monitoring work for a projected cost of \$21,329, not to exceed \$21,550, which is nearly the same as the 2014 agreement. **Motion** by Fjestad to approve the 2015 Water Quality sampling agreement with IWI. **Seconded** by Anderson. **Approved.** Albright noted that there will be separate water quality analysis/sampling agreements forthcoming from RMB Environmental Laboratories, Inc., the DNR, and Barnesville River Watch.

**Office Maintenance.** Chris Hoppe Lawn Care Services submitted a fertilizer/weed control (two applications) contract for the office lawn for \$406.13. **Motion** by Anderson to approve the contract for two applications (spring and fall). **Seconded** by Hanson. **Approved.** Albright discussed the need to address

the condition of the lawn/plantings. He thought that we might need to hire someone who could improve the yard's condition. Albright will ask Hoppe to submit a bid in this regard.

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

| Accounts Payable             | Description                       | Account                        | Amount             |
|------------------------------|-----------------------------------|--------------------------------|--------------------|
| Bruce E. Albright            | Reimburse-Admin Day flowers (2)   | Admin                          | \$ 64.12           |
| Carmen's Commercial Cleaning | April office cleaning             | Admin                          | \$ 130.00          |
| County Line Services LLC     | Beaver dam removal-Hay Creek      | Pj. 16, Stinking Lake          | \$ 485.00          |
| CRO's Custom Services, LLC   | #4300, mowing willows/cattails    | Elkton Wetland Restoration     | \$ 1,000.00        |
| Joel Carlson, Inc.           | May Lobbyist fees                 | Admin                          | \$ 850.00          |
| MN DNR                       | Contract #61789, WQ Monitoring    | M.S.A. 103D.905, Subd. 3       | \$10,150.00        |
| New Century Press            | 04/02/15 hearing notice           | Clay 9, 32, 33 Redetermination | \$ 303.75          |
| Petty Cash                   | Supplies, postage, etc.           | Admin                          | \$ 100.00          |
| RMB Environmental, Inc.      | #260029, water quality analysis   | Pj. 46, Turtle Lake            | \$ 28.00           |
| RRVCPA                       | 03/10/15-04/10/15 service (3)     | Pj. 49, Oakport                | \$ 253.53          |
| Troy Larson                  | #1512, 01/01/15-02/28/15          | Varies                         | \$ 346.66          |
| Waypoint Insurance Advisors  | #1235, Public Officials Liability | Insurance                      | \$ 5,255.73        |
| Westlund Excavating          | #307, spoil leveling              | Becker C.D. Nos. 15/21         | \$ 910.00          |
| Wilkin SWCD                  | Reimb. Request 01/01/15-03/20/15  | MAWQCP                         | \$17,885.01        |
| WOT SWCD                     | Reimb. Request 01/01/15-03/31/15  | MAWQCP                         | \$ 1,380.11        |
|                              |                                   |                                | <b>\$39,141.91</b> |

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

**Special Meeting Topics.** Albright noted that he would be able to give the Board an update of the status of the goals we set for 2015 at the next meeting.

The Board had an extended discussion regarding the issue of the BRRWD rejoining the RRWMB. Albright provided the Board with a recent RRWMB activity report furnished by Ron Harnack, RRWMB's Legislative Liaison. Albright discussed some of the 2015 projects receiving State funding. He provided the Board with a copy the RRWMB's 2015 budget. The RRWMB also has Governing Documents, which have recently been revised. Albright included a copy of a listing of their Key Revisions to the Documents for the Board review. Last year, the RRWMB had deviated from their historic maximum 2 mil levy and went to 75% of the maximum. The RRWMB levy is split 50/50 between the RRWMB and the member watershed districts. The members can submit projects for additional funding from the combined money held by the RRWMB, based on their funding criteria (STar value). If the BRRWD had been a member in 2015, we would have levied \$2.6 million and kept \$1.3 million for local projects at the 75% rate. The full levy (2 mil) would have totaled approximately \$3.5 million of which the BRRWD would have retained \$1.75 million for local use. Currently, the BRRWD's total local tax levy is \$1.2 million, but Albright pointed out that this also includes the \$250,000 Administrative Fund and proceeds from our M.S.A. 103D.905, Subd. 3, levy (\$950,000). Albright explained that membership opens up the possibility of funding sources from the pool of funds the RRWMB holds, including State and Federal program allocations.

Albright noted that the BRRWD's Advisory Committee has gone on record in support of the Board keeping the lines of communications open with the RRWMB regarding possible membership. A Board decision would also need to include input from the Counties. Anderson noted that the Clay County Board of Commissioners wants the BRRWD to very seriously consider rejoining the RRWMB. Albright pointed out that the Board should make a decision regarding rejoining by June or July, prior to our Annual Budget Hearing in August because the RRWMB levy would have to be published with the hearing notice. He suggested that the Board could include the levy in the hearing notice to see how the public reacts. Van

Amburg stressed that the RRWMB levy supports projects throughout the Red River Basin, and he feels that we wouldn't be wasting taxpayers' money by supporting projects in other Districts because we are all in the same hydrological area. Anderson asked if the RRWMB actually wants the BRRWD back in the organization. Albright was pretty certain that we would be welcomed back.

The Board briefly discussed changes the RRWMB has instituted in their leadership, budgeting, and funding criteria (STar system). Affield asked if the BRRWD would have projects ready that would meet the RRWMB funding criteria. Jones thought that the current retention projects we are working on would probably score high, for example, the Stony Creek restoration project. Albright explained that each member District has one representative on the RRWMB, which meets once a month. Typically, the District Administrator also attends the meetings. He pointed out that the BRRWD would be the largest contributor to the RRWMB because of our tax base. Albright also suggested that the Board could consider a trial membership to see what changes have been made and what the BRRWD could get accomplished with the increased funding and reestablished associations with the rest of the Basin organizations. The Board briefly discussed the status of the pending 2015 bonding bill. The Board agreed to continue the RRWMB membership topic at their next meeting.

**Next Meeting.** The next regular meeting will be held on Monday, May 11, 2015, at 7:00 PM in our Barnesville office.

**Adjournment.** Chairman Van Amburg adjourned the meeting at 10:15 PM.

Respectfully submitted,

John E. Hanson, Secretary