

BUFFALO-RED RIVER WATERSHED DISTRICT

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MINUTES FOR MANAGERS' MEETING

March 27, 2017

The Board of Managers, Buffalo-Red River Watershed District (BRRWD), held their regular meeting on Monday, March 27, 2017, at 7:00 PM in the Barnesville office. BRRWD Managers present were Gerald L. Van Amburg, Jay A. Leitch, John E. Hanson, Catherine L. Affield, Mark T. Anderson, and Peter V. Fjestad. Others attending included: Bruce E. Albright, BRRWD Administrator, and Erik S. Jones, Engineer, Houston Engineering, Inc. (HEI); Pete Waller and Dale Krystosek, Minnesota Board of Water and Soil Resources (BWSR); and landowners Tom Paulson, Joe Wulfekuhle, and David Umlauf.

Chair Van Amburg called the meeting to order at 7:03 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 03/13/17 regular meeting. **Motion** by Anderson to approve the minutes. **Seconded** by Fjestad. **Approved.**

Treasurer's Report. Albright reviewed the BRRWD's financial status. Cash on hand is \$1,981,232.26. Total income this year to date is \$350,319.86. Income since the 03/13/17 meeting is \$20,009.86 from the Clay County Court Administrator for the Greywind house condemnation proceeding, associated with Project No. 39, Georgetown Levee. The BRRWD was required to submit a check for the appraised value of Greywind's old house (\$20,000) with the understanding that Greywind would return the BRRWD's deposit and owe nothing more for his new house once the condemnation was settled. Albright reported that the proceeding is finally finished, and the Court reimbursed the BRRWD per our agreement with Greywind. The Minnesota Department of Natural Resources (DNR) reimbursed the BRRWD for the \$20,000 as part of our project grant agreement, so the Board has a payment to the DNR for that amount on tonight's bill list.

Robert Yaggie Tiling Complaint. A landowner meeting was held on 03/21/17 in the BRRWD office to discuss the outlet for Robert Yaggie's tiling project in Section 28, Mitchell Township, Wilkin County. The project was completed in 2016 under Permit No. 12-165, approved in 2012. Yaggie and his neighbors David Abel, moved the lift station from the northwest corner of Yaggie's property to the west quarterline of Section 28 on Abel's property, which prompted complaints from landowners downstream of the west outlet and from landowners downstream of the proposed outlet. The west outlet eventually drains to Whiskey Creek near Kent, MN, and the north outlet would drain north to Wolverton Creek. Neither Yaggie nor Abel attended the 03/21/17 meeting.

The Board discussed options for the project and the condition of the two possible outlets. Albright noted that a possible restoration for Whiskey Creek would not happen for several years, but we are currently engaged in developing a restoration project for Wolverton Creek, which could be completed in the next 2-4 years. Van Amburg observed that this option doesn't address the immediate problem of an outlet for Yaggie's tile project.

Joe Wulfekuhle pointed out that he doesn't have drainage/water problems on his land, and Yaggie should not be allowed to move his water problems onto him. He also felt that because Yaggie did not install his tiling project per the approved design, he should have to move the outlet back to the north where it was supposed to be located. Wulfekuhle pointed out that neither Yaggie nor Abel attended the landowner meeting to discuss options with his neighbors. Albright noted that in 2012, the BRRWD had not yet adopted our current policy of downstream landowner notification and approval for tiling projects. Van Amburg observed that

since Yaggie changed the project from what the Board approved in 2012, and if there isn't an adequate outlet for the tile, outlet operation might have to be denied. Tom Paulson, who farms downstream of the north outlet, explained that the approved north outlet isn't adequate either. He felt that the entire area suffers from inadequate drainage and supported the proposal to create a new ditch along 220th ST straight west to the Red River. Wulfekuhle commented that the Abel property would only need to be ditched properly to provide sufficient drainage.

Van Amburg pointed out that BRRWD permits are valid for one year. Yaggie's permit was approved in December of 2012. Manager Leitch observed that in 2012, the Board probably should have examined the proposed outlet more closely, but Yaggie made the problem worse by working with an expired permit and changing the approved project design. The Board agreed that Yaggie installed his project without a valid permit and shouldn't be allowed to operate his tile pump until an adequate outlet is established. **Motion** by Leitch to authorize Albright to send a letter to Robert Yaggie, directing him to cease operation of his tile pump until he can identify an adequate outlet. **Seconded** by Anderson. **Approved.** The Board discussed their options if Yaggie operates the tile system in violation of their Order. Albright explained that ultimately, we would have to ask the Wilkin County Court to enforce the Board's decision. Wulfekuhle commented that Yaggie indicated to him that he had also been surprised about the outlet location after Abel and his contractor installed the tiling. Manager Anderson suggested that the Board could authorize HEI to conduct a drainage study to investigate a possible ditch along 220th ST, one mile south of County Road (C.R.) No. 26, running west to the Red River, as discussed at the 03/21/17 meeting. **Motion** by Anderson to authorize HEI to conduct the referenced study. **Seconded** by Hanson. **Approved.**

Performance Review and Assistance Program (PRAP). Dale Krystosek, BWSR, presented BWSR's Level II PRAP draft report. Krystosek noted that the only Action Item they noted in their Findings was that the BRRWD needs to complete our amended Revised Watershed Management Plan (RWMP) to incorporate the 2012 district area expansion within the two years as required by the BWSR Order. He noted that the Order also included the addition of two new Managers from Otter Tail and Wilkin Counties, which we have done. Compliance can be accomplished by either completing the RWMP or initiating a One Watershed, One Plan (1W1P) for the entire BRRWD, including the new area. The BRRWD response to this is that we are working on starting a 1W1P with our partner local government units (LGUs). If for some reason we don't secure the 1W1P funding needed, we will update our existing RWMP by the noted deadline (November 2018) to include the expanded areas.

Krystosek reviewed manager, staff, and partner organizations' responses to questions regarding the BRRWD performance, and noted that the BRRWD scored high ratings on all the standards in the Review. Of the 13 Level I basic standard practices that are legally or fundamentally required by BWSR for District operations, the BRRWD scored 13 out of 13, and of the 15 high performance standards (Level II), the BRRWD scored 12 out of 15. In addition to the RWMP action item, BWSR provided additional recommendations in their report designed to enhance the BRRWD's performances: 1. Continue and expand the use of Prioritize, Targeted, and Measurable (PTM) criteria for Goals and Objectives in the next RWMP, as appropriate. 2. Develop orientation and continued education plan for both Board and Staff, and keep records of trainings attended. 3. Participate in the development of a 1W1P for the District, using the major or minor watershed scale for plan organization. 4. Structure website information to report progress and trends made in achieving resource outcome goals. Albright reviewed a letter he prepared in response to each of the recommendations, which will be included as Appendix E of the PRAP Report: 1. The BRRWD plans to use the BWSR grant funding (\$168,000) to complete our "Prioritizing and Targeting Conservation in the BRRWD: PTMApp and Geomorphic Assessment" this summer for the entire watershed district and to use this effort to work on a 1W1P plan for the BRRWD. 2. The BRRWD concurs with and will follow through with the recommendation regarding Staff and Board continued education. 3. The BRRWD is circulating resolutions to the 1W1P process and have scheduled a LGU/partner meeting on April 4, 2017, to discuss the 1W1P process, and we plan to apply for BWSR 1W1P funding by the 4/19/17 deadline. If funding is obtained, the BRRWD plans to complete the process by November 2018, or 18 months after the grant is awarded. 4. The BRRWD is in the process of developing a water quality communicate that can be posted on the BRRWD's

Website to provide citizens with a status of their rivers and streams, and to provide examples of the work being completed by the BRRWD and their partners.

Pete Waller noted that he will present our Level II Report to the BWSR North Region Committee on April 12, 2017, in Detroit Lakes at the United States Fish and Wildlife Service (USFWS) office. He invited the Board to attend. Albright noted that we have received the 1W1P resolutions from Otter Tail County and Wilkin County. The Board also needs to approve a resolution to move forward with the 1W1P for the BRRWD.

Other Business brought before the Board included:

Permit No. 16-098, Deal Brothers. Wilkin County has reviewed and approved HEI's plans for the Deal Brothers project to fill in a natural waterway through the center of the NE¹/₄, Section 10, Andrea Township, Wilkin County, and to install a ditch along the east (Wilkin C.R. No. 19) and south lines of the NE¹/₄, outletting to Wilkin County Ditch (C.D.) No. 31, as assessed. The County plans to do the portion of work along the west ditch of C.R. No. 19, and Deals will hire a contractor for the east-west portion of the ditch. Jones recommended permit approval. Along the east-west portion, the south spoil bank should be higher than the north spoil bank to keep high flows on the Deal property, and the old channel across the NE¹/₄, Section 10, will need to be filled.

Permit No. 17-005, Wilkin County Highway Department. Applicant proposes a road improvement project for two miles of County State Aid Highway (CSAH) No. 3 between CSAH No. 24 to CSAH No. 26 from the northeast corner of Section 7, Nordick Township, north to the northeast corner of Section 31, Mitchell Township. The work will include widening the shoulders, pipe replacement/lengthening, right-of-way (R/W) acquisition, and ditches widened. Albright noted that this work could improve drainage for the area involved with the Yaggie drain tile issue in Section 28, Mitchell Township, that was discussed earlier in the meeting. Jones recommended permit approval.

Permit No. 17-006, Moorhead Public Service. Applicant proposes the installation of new underground cable to refeed a lift station in the NE¹/₄, Section 19, Moorhead Township, Clay County, associated with Project No. 49, Oakport Flood Mitigation. The project would be subject to our standard utility disclaimer. In addition, buried utilities should be a minimum of 48" below the bottom of existing waterways and ditches, if possible. One of the power lines will be installed through the Oakport levee, so it will also need to be flood proofed.

Permit No. 17-007, BHHS Premier Properties. Applicant proposes to install three approaches in the center of Lots 1, 2, and 3, in the NE¹/₄, Section 31, Riverton Township, Clay County, in the south ditch of C.R. No. 12. The County has already approved the proposal, and the culverts/aprons have already been delivered to the site from the County. Albright explained the history of the lots. Jones recommended approval, subject to the structures being installed at the correct elevation to allow for proper drainage.

Permit No. 17-008, Southview Addition, Phase I. Applicant proposes a new subdivision for approximately 80 homes in the NE¹/₄, Section 14, Glyndon Township, on the south and west side of town. The Board met with the City of Glyndon and the developer on 03/20/17. At the meeting, Albright told them that the BRRWD could approve the permit if the houses were built with the low opening to elevation 925 and any basements would need to be floodproofed.

Motion by Anderson to approve Permit Nos. 16-098, 17-005 through 17-008. **Seconded** by Affield. **Approved.** Permit approval is subject to the applicable standard tile and utility disclaimers, state/federal agency permitting requirements and road authorities' permission to work within their R/W.

Permit No. 17-003, Steve Mohs. Applicant proposes to install spot tiling in the N¹/₂, Section 32, Norwegian Grove Township, Otter Tail County, outletting in four locations to natural waterways: three to the north and

one to the west through 110th AVE in a natural waterway across land owned by Todd Sorum. The office provided a downstream landowner notification form to the contractor, Jeff Lavigne, Lavigne Farm Drainage, for Sorum's signature. Downstream landowner Orrin Sorum was in the office last week and gave Albright his verbal approval for the project. Albright recommended that the Board approve the permit. **Motion** by Fjestad to approve Permit No. 17-003, subject to our standard tiling disclaimer. **Seconded** by Leitch. **Approved.**

Permit No. 16-126, Eugene Kaiser. The Board is still waiting for John Steffl to submit an after-the-fact permit application for the tiling project he installed a few years ago without a BRRWD permit that outlets via existing ditches to Natural Resources Conservation Service (NRCS) designated wetlands on Harlan Wentz's property in the SE¼, Section 3, Callaway Township, Becker County. Albright mailed Steffl a permit application, and he hasn't returned the paperwork. Albright will follow up with Steffl. **Tabled.**

The Board had a brief discussion about using the term "Tabled" when we should probably be using a different term, such as "Pending" or "Postponed" for issues that are held over to a future meeting.

City of Glyndon. The City has a waterway on the east side of town which is a DNR protected waters. This waterway is full of sediment caused by agricultural land erosion that occurred during the 1997 and 2009 spring floods along the Buffalo River and needs to be reviewed/repared. This issue was also discussed at the 03/20/17 City meeting, and the Board agreed to hold an informational meeting with affected landowners to discuss a possible project.

Permit No. 17-009, Kurt Krueger. Applicant proposes to install a field approach with a 24" dia. x 40' long culvert in the northwest corner of the S½, Manston Township, Wilkin County, along C.R. No. 176. Krueger got permission from the downstream landowner for the culvert. The culvert sizing will match adjacent structures. Albright recommended permit approval, subject to County approval to work within their R/W. **Motion** by Hanson to approve Permit No. 17-009, subject to the noted condition. **Seconded** by Fjestad. **Approved.**

Dave Tangen Drainage Complaint. Tangen contacted the office regarding his neighbor's work to create a hunting area in on the north side Trunk Highway (T.H.) No. 10 in Section 5, Hawley Township, Clay County. The project is backing up water from a natural waterway onto Tangen's property. He asked that the Board investigate this issue. Albright suggested that he and a Manager could conduct a field review.

Lawndale Ditching. Manager Anderson noted that someone is doing work along CSAH No. 52 and C.R. No. 30 by Lawndale around the County shop. He wondered if a permit application had been submitted for that work. Albright will contact Wilkin County Highway Department to find out if they know anything about this work.

Project No. 77, Clay C.D. No. 51-Lateral-Norby Lawsuit. Albright reported the parties have agreed to wait for Judge Steven Cahill to make a ruling on the Summary Judgement proceeding before scheduling mediation.

Project No. 71, City of Moorhead 50th AVE S. Mike Love and Greg Thompson, HEI, are working on the levee certification process. The Board will need to sign and forward the Letter Of Map Revision (LOMR) application and application fee to Federal Emergency Management Agency (FEMA). The BRRWD will need to transfer a small amount of wetland credits to the City of Moorhead for the project.

Project No. 56, Manston Slough Restoration. Albright noted spring work will include installing spillways on the inlet channel downstream of Arnhalt's property. Jones noted that the two miles of 230th AVE between Sections 19, 20, 29, and 30, Manston Township, has been regraded/recrowned. The office will arrange a meeting with the Manston Township Board of Supervisors to discuss future maintenance of this area. Bruce Poppel, Environmental Officer, Wilkin County Environmental Services, was not in favor of the DNR's

suggestion that the road be abandoned and converted to a minimum maintenance trail. This work did not address the dam soft spot issues the landowners are concerned about. Albright would like to get this issue addressed as soon as possible this spring. The road embankment may have to be opened this summer and some additional compaction work conducted. Manager Affield reported that she has not seen any NRCS activity at the site for several weeks.

Project No. 49, Oakport Flood Mitigation-Phase 4. Albright noted that homeowner Duane Egge called to check on the status of gravel for his driveway we promised to have delivered last fall. Albright assured him it would be delivered as soon as possible. The contractor, R. J. Zavoral & Sons, Inc., plans to return as soon as conditions permit to do the final cleanup items.

Albright contacted Leonard Nelson regarding the Board's final offer of \$30,000 for the Fischer family's spoil pile lease. At the last meeting, the Board agreed to that amount with the understanding that this would be the last offer before the BRRWD goes to condemnation for the lease. They agreed to a deadline of two weeks from the last meeting before going to condemnation. Apparently, Nelson has been delayed by some health issues while working with the other Fischers on the BRRWD's offer. The Family also noted a concern about water ponding in a low area on the old spoil site. Albright told Nelson that this could be addressed as a cleanup item for the contractor this spring, either with fill or a shallow ditch to the nearby pond. Albright suggested that the Board give Nelson two more weeks to consider the offer for the above-mentioned reasons. **Motion** by Anderson to extend our final offer until our 04/10/17 meeting with the understanding that after that date, the Board will go to condemnation, if necessary. **Seconded** by Fjestad. **Approved.**

The Kopperud family's attorney, Stephen Welle, forwarded their exhibits to Charlotte Rusch, BRRWD Attorney, Vogel Law Firm, who provided the material for the Board's review. Albright was not certain if Welle has filed the lawsuit yet with the Court. Attorney Rusch will draft the BRRWD response and forward it to Albright for his review.

The project engineer, Kris Carlson, UEI, met with R. J. Zavoral & Sons, Inc., regarding their claim for liquidated damages based on alleged delays outside of their control, and they agreed to settle for \$96,924.00. Carlson prepared a Change Order for the Board's review for that amount and Pay Request No. 10 for \$124,794.86. Albright recommended the Board agree to the settlement and sign both documents. **Motion** by Leitch to approve the Change Order and Pay Request, as referenced. **Seconded** by Fjestad. **Approved.**

The office prepared landowner notices regarding the status of the levee certification process for the west part of the Oakport Levee and a certification resolution with a cover letter to be forwarded to the FEMA. We are still waiting for Carlson to forward the certification documents from the City of Moorhead. The FEMA certification fee for the application (\$8,250) is on tonight's bill list.

Project No. 39, Georgetown Levee. As referenced earlier in the meeting during the Treasurer's Report, the Greywind buyout has been completed. Wade S. Opsahl, Technician, HEI, will prepare a formal project maintenance agreement with the City of Georgetown for their review and approval. The road closures will not be completed this year. Jones followed up with the DNR regarding Josh Wambach's LOMR request, but to date, he has not received a response. Albright mentioned that David Wambach is also having flood insurance issues with his bank. He claims he had a LOMR done for his property. Jones will investigate this on the FEMA website, and Albright will contact Wambach.

Project No. 02, Wilkin C.D. No. 13. Jones submitted a letter regarding the C.D. No. 13 repair. HEI completed a survey and evaluation of 3 miles of the ditch. The downstream 1.25 miles has a narrowed channel that is below the design grade of the ditch with varied sediment deposits along the rest of the channel, but seems to drain well. The segment in Section 11 has a narrowed channel at or below the design grade. The mile in Section 14 has areas with a narrowed channel at or below design grade with areas with as much as 2' of sediment. The ditch in Section 23 has up to 2' of sediment above the design grade. Based upon this survey, Jones recommended that the Board could authorize a cleanout of the Wilkin C.D. No. 13 channel in

Sections 11, 14, and 23, Deerhorn Township. The estimated cost for the repair is \$20,000-\$25,000. **Motion** by Fjestad to approve the referenced repairs. **Seconded** by Anderson. **Approved.** The next steps will be to obtain the landowners' permission to work on their property and then get the work started.

Project No. 21, Wilkin C.D. No. 13-Lateral. Albright noted that we still need to get all the permission forms from landowners for this repair project. Plans are to hire at least two contractors to do the work this spring as soon as conditions permit.

FDR Projects:

Mediation Project Team (PT). The next PT meeting is tentatively scheduled for Thursday, April 20, 2017, in the Barnesville office at 1:30 PM. Notices will be sent this week.

Upper South Branch of the Buffalo River. Albright and Manager Fjestad plan to meet with the Rogelstad family regarding the project on their property.

FM Diversion Authority (DA). Albright noted that we will submit bills to the DA for our three projects that they approved for funding: Upper South Branch of the Buffalo River, Barnesville Township, and Stony Creek.

Stony Creek Retention. An informational meeting to update landowners regarding the project development will be held tomorrow morning (03/28/17) in our office. Albright and Jones participated in a conference call with representatives from Minnesota Department of Transportation (MNDOT) regarding the installation of new diversion culverts on Stony Creek and Interstate-94. He noted that the DNR has agreed to classify the project dam as a medium hazard structure. HEI has submitted Concurrence Point No.1 to the Army Corps of Engineers (COE) for review. Albright thought that by summer, project development might be far enough along to start the process of acquiring landowner easement options. For a nominal payment of \$100, the landowners sign an agreement to commit their land to the project for a three-year period. Options are obtained prior to the actual easement acquisition.

Consultant Proposal. Steven J. Taff, Associate Professor Emeritus, Department of Applied Economics, University of Minnesota, submitted a draft proposal regarding his consulting services to conduct a possible study to look at the value of easements on flood damage reduction (fdr) and natural resource enhancement (nre) projects. The charge for his work would be \$5,500, plus \$500 for travel. For that fee, Taff will estimate financial costs and sketch administrative procedures to acquire easements, and given enough data, he could also possibly provide a summary tracking framework to understand the economic costs/benefits of a proposed project based on water quality factors. Albright noted the possibility that other districts/organizations might find Taff's results useful for their project development efforts and might be interested in contributing to the study costs. The Board discussed Taff's proposal and our project development schedule. Leitch explained how the Red River Basin Commission's (RRBC) Long Term Flood Study (LTFS) target of 20% flow reduction on the main stem of the Red River was determined, and why the 20% goal should probably no longer be used as a basis for determining flood damage reduction benefits.

Albright suggested that if one of our projects is ready to go before Professor Taff's study is available, maybe the Board could go forward with a different easement criteria for that particular project. The Board felt that Taff's services will be useful whenever he can provide it, but we shouldn't slow down project development to wait for his analysis. **Motion** by Hanson to hire Steven Taff, as referenced. **Seconded** by Anderson. **Approved.** Leitch abstained to avoid the appearance of a possible conflict of interest as he brought Taff's proposal to the Board. Leitch suggested that Professor Taff might be willing to conduct a training session with the Board when he meets with us to present his findings. The Board discussed our traditional criteria for setting easement values.

1W1P. A meeting has been scheduled for Tuesday, April 4, 2017, at 1:30 PM in the BRRWD office to discuss the 1W1P process with area agencies and the Clay County Commissioners. We will need resolutions

from each entity to commit to a 1W1P process. As previously noted, Pete Waller will give an update on our 1W1P efforts and our Level II Review to the North Region Committee on April 12, 2017. Jones plans to submit our 1W1P grant application by the 04/19/17 deadline.

F-M Diversion Project. The COE and the FMDA are planning a public 1997 Flood Commemoration and Ground Breaking Ceremony on Monday, April 17, 2017, at 1:00 PM. The site of the ceremony will be at the future site of the DA's inlet control structure near the intersection of C.R. Nos. 17 and 16, south of Horace, ND.

Otter Tail/Buffalo/Upper Red Rivers Total Maximum Daily Load (TMDL)/Watershed Restoration and Protection Strategies (WRAPS). Albright reported that we are still waiting for the Upper Red River TMDL from Minnesota Pollution Control Agency (MPCA).

Data Management System. HEI has started work on the server upgrade to prepare our current server for the M-files install coming in the next several weeks.

Wilkin C.D. No. 7 Repairs. The contractor, States Border Construction, started on the north-south portion of C.D. No. 7, having about 0.75 miles of the project done.

BRRWD Advisory Committee Meeting. The annual Advisory Committee meeting has been scheduled for Friday, March 31, 2017, at 1:30 PM in our Barnesville office. Notices have been sent. Post card reminders were also sent last week. Supper will be catered by the Eagle Café.

River Watch. A River Watch meeting will be held on 03/31/17 from 9:00 AM-11:00 AM to discuss the regional assessment locators (rals) and 2017 monitoring/coordination with International Water Institute (IWI), MPCA, and the DNR.

Wilkin C.D. No. 6A. MPCA contacted the BRRWD regarding the need for erosion control/bank stabilization on the exposed slopes of the repair site on C.D. No. 6A. Opsahl will have the site seeded as soon as conditions allow.

Clay C.D. No. 3 Slope Repair. Albright will send the affected landowners a copy of the repair plans for approximately 0.25 miles of C.D. No. 3 outlet east of C.R. No. 11 in Section 8, Moland Township, near Glyndon, for their review, including the proposed additional R/W acreage for their respective properties.

Wilkin C.D. Nos. 40/43. Albright noted that a landowner filed a road safety complaint about some areas with steep slopes on C.D. No. 43 along C.R. No. 30. Jones noted that the Wilkin County Highway Department has indicated that a project to address the C.R. No. 30 ditch slope wouldn't be considered for several years. Another site where the ditch slope is too steep is the two miles downstream of C.R. No. 15 on C.D. No. 44. Albright suggested that HEI send out a crew to place flag markers along both ditches where the slides are located and to prepare repair recommendations for the Board's review at the 04/10/17 meeting. **Motion** by Fjestad to authorize HEI to conduct the referenced repair investigation for C.D. Nos. 43 and 44. **Seconded** by Leitch. **Approved.**

2015 Buffer Law. The Board met with the Clay County Commissioners on 03/14/17 to discuss jurisdictional and Administrative Penalty Order (APO) authority for the buffer strip enforcement. The Commissioners were interested in how the Wild Rice Watershed District (WRWD) in the northern part of the County planned to handle jurisdiction over the legal ditch systems and buffers. There was a question about the Otter Tail County ditch systems that are not yet under BRRWD jurisdiction. It appears that since those ditch systems are still under County control, the County could handle the enforcement. Buffers are on the 04/04/17 1W1P meeting agenda for further discussion.

Elkton Township Wetland Restoration. BWSR notified the BRRWD that our wetland credits have been deposited into the Minnesota Wetland Bank. Albright noted that another issue has developed regarding the Jerome Briks Family LP's purchase of banking credits to resolve a wetland mitigation issue in Section 28, Deerhorn Township, Wilkin County. The purchase is associated with their Project No. 56, Manston Slough Restoration, easement agreement. Albright will contact the Briks family regarding this issue. Mark Aanenson, Senior Environmental Scientist, HEI, is working with the COE on certifying the mitigation credits. It appears that the COE is now requiring a series of letters to document the transactions before it can be certified.

Wolverton Creek Restoration. Jones has been working with Caroline Clarin, NRCS, Fergus Fall, on a decision about the project's eligibility for their Wetlands Reserve Enhancement (WRE) program. Because of the delay with the Fergus Falls office, Albright contacted Cathee Pullman, NRCS State Conservationist, who said letters should be sent to the three project landowners who have already signed up for the WRE program, notifying them that they are eligible for the program. Jones filed the Engineer's Report. Albright plans to draft a notice/ mailing for a hearing to address the project development and the proposed water management district (wmd) process. **Motion** by Anderson to accept the Engineer's Report. **Seconded** by Affield. **Approved.** Leitch voted no, as he felt he should review the Report first. The other Managers were familiar with the proposed plan, as it has been under discussion with the Board and the Mediation PT for a number years.

Otter Tail River Restoration. The COE has scheduled a two-day workshop regarding their Section 1135 Project on the Lower Otter Tail River in the afternoon of April 11 and the morning of April 12, 2017, in our Barnesville office. The COE will also attend a landowner informational meeting to be held on 04/11/17 at 7:00 PM in the Breckenridge City Hall. The COE provided a handout for the Board's review prior to the workshop. Landowner notices will be sent this week.

BRRWD Rules Update. Albright is working on editing the Rules and hopes to have them ready for the Board's final review soon.

Whiskey Creek Restoration. Thomas Eskro, HEI, forwarded the project plans. The next step will be to schedule a landowner informational meeting to review the survey and study.

Record Retention Policy. Albright provided handouts regarding guidelines for establishing a record retention policy for the Board's review.

Minnesota Environmental Initiative (MEI) Work Group. Erin Niehoff, a Project Associate with the Environmental Initiative, contacted Albright to invite him to participate in a work group that will collaboratively define and recommend outcome metrics to the Lessard-Sams Outdoor Heritage Council (LSOHC). MEI is working with LSOHC to develop outcome metrics to enable measurement, reporting, and communication on outcomes from the expenditure of the LSOHC Fund. This group will meet four times for approximately six hours each in April, May (2), and June, starting between April 3rd and the 14th. The Board discussed benefits the BRRWD might gain by Albright's involvement in this process and agreed Albright could make his own decision about his participation. They also questioned mileage reimbursement and possible remote video participation.

Garry Running Lecture. Dr. Garry Running, University of Wisconsin-Eau Claire, is presenting a lecture titled, "Prehistoric Beachfront Property: Locating prehistoric deposits and landforms at the Regional Science Center". The program will be held on Monday, April 3, 2017, at 4:00 PM, in the for Center for Business, Room 111, Moorhead State University-Moorhead.

MAWD Day at the Capitol. The Minnesota Association of Watershed Districts (MAWD) will hold their annual Day at the Capitol on March 29-30, 2017. The Managers discussed travel options. Albright will not be able to attend. He has already made the hotel reservations, and the office has made the event registrations.

Managers Van Amburg, Fjestad, and Hanson plan to attend. Albright will prepare information regarding potential BRRWD projects that are eligible for State funding. The Board had an extended discussion regarding a possible increase in MAWD membership dues and the benefits the BRRWD gains from our MAWD affiliation. The Managers also had an extended discussion about the BRRWD's concerns regarding a possible membership in the Red River Watershed Management Board (RRWMB).

Red River Bank Erosion. Manager Leitch brought up that the Red River bank is eroding in his neighborhood because of the "cutoff" installed where the Veterans Administration Hospital flood control channel was built. Jones will investigate the old photos of this area to calculate the amount of erosion has taken place.

Gust Johanson Lawsuit. Johanson sued the City of Moorhead regarding assessments that were levied on his property, which is not within City limits. Recently, the Court granted a Summary Judgement to the City and dismissed Johanson's Complaint. He's considering an appeal.

The following bills were presented for approval:

Accounts Payable	Description	Account	Amount
Bruce E. Albright	March Conference room-Fjestad	Mediation PT	\$ 141.74
Carmen Pattengale	March Cleaning (2)	Admin.	\$ 130.00
FEMA	MT-2 application fee, west levee	Pj. 49, Oakport	\$ 8,250.00
Joel Carlson, Inc.	April Lobbyist Fees	Admin.	\$ 850.00
Liberty Business Systems, Inc.	#279919, 12/22/16-03/21/17 overage	Admin.	\$ 42.26
Liberty Business Systems, Inc.	#280726, printer maintenance	Admin.	\$ 133.02
MN Dept. of Natural Resources	Greywind refund	Pj. 39, Georgetown	\$ 20,000.00
R. J. Zavoral & Sons, Inc.	Pay Request No. 10-Phase 4	Pj. 49, Oakport	\$ 124,794.86
UEI	#63517 February-Construction	Pj. 49, Oakport	\$ 12,681.25
UEI	#63521 February-Levee certification	Pj. 49, Oakport	\$ 18,993.75
Vogel Law Firm	#193091, February billing	COE Diversion	\$ 115.00
Vogel Law Firm	#193092, February billing-Kopperud	Pj. 49, Oakport	\$ 2,752.00
Vogel Law Firm	#193090, February billing	Admin.	\$ 190.50
			\$ 189,074.38

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

Next Meeting. The Board will hold their next regular meeting on Monday, April 10, 2017, 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