

BUFFALO-RED RIVER WATERSHED DISTRICT

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MINUTES FOR MANAGERS' MEETING

April 8, 2019

The Board of Managers, Buffalo-Red River Watershed District (BRRWD), held a regular meeting on Monday, April 8, 2019, at 7:00 PM in the Barnesville office. BRRWD Managers present were Jay A. Leitch, Mark T. Anderson, Catherine L. Affield, Peter V. Fjestad, John E. Hanson, Gerald L. Van Amburg, and Troy E. Larson. Others attending included: Bruce E. Albright, BRRWD Administrator, Kathleen K. Fenger, BRRWD Assistant Administrator, and Erik S. Jones, BRRWD Engineer, Houston Engineering, Inc. (HEI); Kevin Campbell, Clay County Commissioner/Vice Chair, Fargo-Moorhead Diversion Authority (FM DA); Jenny Mongeau, Jim Haney, Grant Weyland, Clay County Commissioners; Mary Scherling, Cass County Commissioner/FM DA; Jonathan Judd, Mayor, Robert Zimmerman, Engineer, City of Moorhead; Joel Paulson, Chuck Hendrickson, Council Members, City of Moorhead; Gregg Thielman, Engineer, Houston-Moore Group, LLC (HMG); Eric Dodds, Engineer, Advanced Engineer and Environmental Services (AE2S); Brent Edison, BRRWD Attorney, Vogel Law Firm; Tim Fox, Attorney, Richland-Wilkin County Joint Powers Authority (JPA); David Morken, Chair, Don Nelson, Trana Rogne, Mark Askegaard, Matt Ness, Directors, MNDAK Upstream Coalition; and others: Barry Amundsen, Larry Ness, Judy Ness, Jay Nord, Norma Kragerud, Keith Kragerud, Margaret Nelson, Mike Nelson, Scott Smith, Brad Houska, Kristi Houska, Don Cossette, Bradley Nelson, Bob Askegaard, Gail Rogne, Michael Brandt, Darin Brandt, Chuck Anderson, Luke Brakke, John Ready, Paul Bartrel, Marcus Larson, and Gerald C. Zimmerman.

BRRWD President Leitch called the meeting to order at 7:00 PM and announced that the proceedings were being video recorded to aid in the preparation of the minutes.

Agenda. President Leitch asked for comments or additions to the meeting agenda. He suggested that the permit application review be delayed until after the discussion about the DA issues. **Motion** by Manager Anderson to approve the agenda with the suggested change. **Seconded** by Manager Fjestad. **Approved.**

Secretary's Report. The Board reviewed draft minutes for the 3/25/19 Board meeting and the 1/7/19 Project No. 78, Clay/Wilkin Judicial Ditch (J.D.) No. 1-Improvement Final Hearing. **Motion** by Manager Affield to approve the 3/25/19 meeting minutes. **Seconded** by Manager Van Amburg. Leitch questioned the term "to date", used in the Treasurer's Report. **Approved.** **Motion** by Anderson to approve the 1/7/19 J.D. No. 1 hearing minutes. **Seconded** by Fjestad. **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 \$3,106,883.03. Administrative disbursements this month equal \$28,176.20 and as of 4/8/19, total \$88,311.65. Current 2019 accounts receivable are \$6,088,936. Total income this year is \$1,144,764.39. Income received since the 3/11/19 meeting totaled \$12,221.99 from the Red River Watershed Management Board (RRWMB) for Mediation Project Team (PT) expenses (\$7,267.59), Midwest Bank interest (\$4,729.40) and the HEI monthly office rent (\$225). **Motion** by Van Amburg to approve the Treasurer's Report. **Seconded** by Fjestad. **Approved.**

Citizens to Be Heard.

FM Diversion Project. Marcus Larson, who is a seasonal worker for CW Valley Cooperative and small business owner, discussed the DA's Plan B. He was concerned about the impact of the proposed project on area roads and noted that it appears that the DA is more interested in making it possible to develop the

floodplain in south Fargo than actual flood protection for the City of Fargo. Larson commented that Clay County Commissioner Kevin Campbell, Cass County Commissioner Mary Scherling, Eric Dodds and Rocky Schneider, AE2S, attended the Becker and Otter Tail County Commission meetings in an apparent attempt to coerce the Commissioners to exert pressure on the BRRWD Managers from those Counties to dismiss the contested case hearing request. Larson discussed his interactions with Campbell regarding the project mitigation issue and made comments about the honesty of the DA. He discussed what he termed "financial misinformation" the DA is using to show that the Diversion project is financially sustainable and gave his opinion about how he feels the Cass County Diversion vote was split in a way that was unfair to the landowners. Larson also maintains that there has never been a valid "yes or no" vote in either Cass or Clay County or an accurate project cost estimate presented to the taxpayers. He claimed that the project costs will continue to increase to an even more unsustainable amount for the region. Larson also gave his opinions on testimony presented at the Diversion hearing before Judge Tunheim where the Judge lifted the injunction:

Larson encouraged the BRRWD to "stand strong" against the political pressure and "fear mongering" regarding litigation costs, to continue with the contested case so that alternative plans can be explored, and to force the Minnesota Department of Natural Resources (DNR) to explain why they disregarded their own concerns about features of Plan A that are still present in Plan B. He told the Board that they are the last line of defense to ensure the upstream landowners due process.

Luke Brakke, President of the CW Valley Cooperative, encouraged the Board to continue the contested case proceeding. The Cooperative has three concerns they would like addressed before the BRRWD lifts the contested case:

- Possible loss of 30-50% of their business during flood years.
- Potential impacts of the proposed levee on the west side of their Ag Center (seed, chemicals/liquid fertilizer) by Comstock.
- No mitigation/flood protection information regarding their fertilizer site by Wolverton.

Other Business brought before the Board included:

FMDA

- **Permit No. 19-003, FM DA.** Leitch noted that a special Board meeting has been scheduled on 4/11/19 at 7:00 PM in the Dilworth Community Center to allow public comment on the DA's BRRWD permit application. Speakers will be asked to fill out a form to be allotted time to present their comments. A laptop computer and projector/screen will be available for presenters. There will also be a form to present written comments. Albright suggested that 4/19/19 be set as a deadline to submit written comments to the BRRWD. **Motion** by Van Amburg to accept written DA permit application comments until 5:00 PM on Friday, April 19, 2019. **Seconded** by Anderson. **Approved.** Both sides of the Diversion issue will be given 60 minutes to present their arguments. Whatever time is left will be opened up for public comment. There are copies of the draft preliminary permit conditions available tonight. Maps of individual structure sites are also available for public review in the office or on the BRRWD Website. The Board has also engaged a company to video record the meeting. Managers and Staff will be meeting with the DA regarding questions they have about our draft conditions. Albright explained that the Board plans to conduct a field review of some of the sites impacted by the proposed project before the next Board meeting on 4/22/19.
- **DNR Permit Contest.** Albright gave a brief recap of the Board's activities regarding their decision to file a contested case hearing request regarding the DNR's DA Diversion project permit. There were three contests filed: the Cities of Wolverton, Comstock and the BRRWD. The BRRWD can withdraw their contest at any time. If all three entities continue with the contested case, eventually the DNR will combine the requests into one hearing before an Administrative Law Judge. The Board met with the City of Comstock and Holy Cross Township to discuss their concerns. The Township has questions about the proposed road closings. The Wolverton City Council is holding a regular

Council meeting on 4/9/19, and the BRRWD is on their agenda at 7:00 PM to discuss the contested case. The DA has furnished information to address both Comstock and Wolverton issues.

The Board discussed the status of the DNR permit contest. Manager Fjestad felt that we should continue with the process, otherwise, why are we holding a DA meeting on 04/11/19. **Motion** by Manager Hanson to drop the DNR contested case. **Seconded** by Van Amburg. Van Amburg explained that he was in favor of dropping the case because with all the time we've taken working with the DNR to answer our questions, we have given this issue a tremendous amount of effort. He thinks that the Board's questions have been answered regarding the DNR permit conditions. We have a proven permitting system and Rules that render the Board capable of addressing area citizens' concerns through our own process. If we fight with the DNR and the DA, it may ultimately harm our permitting process and weaken our permit system. He was also concerned about the costs associated with the contested case. Van Amburg thought that the BRRWD should address the DA Diversion through our own permitting process and our own permit conditions. The DNR has assured the BRRWD that they will enforce their 54 permit conditions. For the reasons noted, Van Amburg felt that the BRRWD should drop the contested case and move forward with our own permitting process.

Affield commented that when the Board voted to contest the DNR permit, she understood that we were looking for clarification of the DNR's permit conditions. She doesn't feel that the Board has received the answers from the DNR that we expected, so she isn't in favor of dropping the contest.

Fjestad felt that since we scheduled a meeting to take public comment, we should continue with the contest until after the meeting.

Mark Anderson pointed out that under advice of the BRRWD's attorney, he will have to abstain on the vote, because of an alleged "conflict of interest."

Van Amburg commented that the Board has listened to the public regarding the contest issue and pointed out that the upcoming public meeting is for the DA's BRRWD permit application, not the contest issue. Albright thought that the two issues are interconnected. He also pointed out that the Board could take action on either issue at the 4/11/19 meeting, or at their 4/22/19 regular meeting. He added that the Board hasn't conducted the field review they had planned, to review the project alignment/impacts. The DA and their engineers have provided all the information we have asked from them. Van Amburg asked the Board if anyone knew specifically what the BRRWD is contesting. He was concerned that if the Board couldn't point out anything in particular, our legal team could be asked to review the conditions to look for something to contest. He observed that this could be quite expensive. Albright introduced Brent Edison, Vogel Law Firm, who is acting as the BRRWD's legal counsel at tonight's meeting.

In response to Van Amburg's question about the specifics of the contest, Albright noted that he could retrieve the original document we filed for the contested case hearing request for the Board's review. He summarized that the Board was looking for information on the DNR's 54 conditions and filed the contest to have time to get answers to their questions. The contest filed on behalf of the Cities Comstock and Wolverton questioned how the DA's Plan B differs from Plan A. The MNDAK Upstream Coalition, who drafted the contest for the Cities, feels that the DNR erred when they approved/issued the DA permit for Plan B, and the contest should include an examination of their decision process. Albright summarized Hanson's motion to withdraw the Contested Case Hearing Request regarding the DNR's Diversion permit. Manager Anderson requested a roll call vote. Voting yes: Hanson and Van Amburg. Voting no: Larson, Fjestad, and Affield. Anderson abstained. **Motion Failed.** Leitch pointed out that the President can vote, but in this case, it would not matter, as it would result in either a tie vote or of a larger majority against.

- **Minnesota Land Acquisition Committee.** Albright received the DA's draft Minnesota-Clay County Joint Powers Agreement (MCCJPA) this afternoon. He didn't have time to review it but forwarded the email/attachment to the Managers and printed a copy for Hanson. At their 2/11/19 meeting, the BRRWD appointed President Leitch to the Land Committee, but declined an actual seat on the JPA. Commissioner Campbell explained that contrary to earlier discussions regarding his privileges, Leitch's appointment to the Land Committee is a voting position, but the BRRWD will not need to sign the JPA. Comments on the draft JPA can be forwarded to the DA's Attorney, John Shockley.
- **Cities of Wolverton and Georgetown Issues/Impacts.** Staff met with Comstock and Holy Cross Township last week to discuss project impacts and will meet with Wolverton on 4/9/19 at 7:00 PM. The BRRWD met with the City of Georgetown on 3/27/19 to discuss potential 2019 flood preparations. Albright noted that one of the possible BRRWD permit conditions could be to provide the communities of Wolverton and Georgetown with 100-year certifiable flood protection with the potential for future Federal Emergency Management Agency (FEMA) certification. Funding sources could be either the DNR or the DA.

Anderson asked about potential flooding this year for the City of Georgetown. Jones noted that the BRRWD has closed all the gates, the City's retention ponds still have sufficient capacity, and the roads haven't been closed yet. He explained that Georgetown has three water sources coming into the City from the Red River, Sheyenne River, and the Buffalo River. Currently, the river is cresting at about 35', which is only about 2' lower than the 2011 flood, and it appears that the water levels are stabilizing in Georgetown.

At 7:45 PM, President Leitch recessed the meeting to allow the crowd to clear out of the meeting room. At 8:00 PM, Leitch reconvened the meeting.

Permit No. 19-011, Oakport Holdings, LLC. Applicant proposes a new 28 lot residential development in the NE $\frac{1}{4}$, Section 18, Oakport Township, Clay County. The project will include the installation of roads, ditches, and culverts. Jones noted that we are waiting for the applicant to provide additional design information regarding the overall drainage plan. **Action Postponed.**

Permit No. 19-014, Bob Hovland, Prairie View Township. Applicant proposes to install a 0.5 mile centerline tile in the township road (100th ST) in the NE $\frac{1}{4}$, Section 6, Prairie View Township, Wilkin County, to address frost boils in their road. **Action Postponed,** pending receipt of plans.

Permit No. 19-015, Becker Soil and Water Conservation District (SWCD)/Elvin Anderson. Applicant proposes to install water and sediment control basins with surface intakes and an underground outlet in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 33, Cuba Township, Becker County. Jones recommended permit approval.

Permit No. 19-016, Becker SWCD/Dennis Schouviller. Applicant proposes to install water and sediment control basins with surface intakes and an underground outlet in the SW $\frac{1}{4}$, Section 27, Callaway Township, Becker County, to a wetland that outlets into the Buffalo River. Jones recommended permit approval, subject to providing the written agreement from the downstream landowner to allow the tile line outlet for Basins 6-8 to cross their property.

Permit No. 19-017, John Boen. Applicant proposes to install a random tile line (4"-6" dia.) along the west edge of his field to draw down excess water in a wetland area and his adjacent cropland in the SW $\frac{1}{4}$, Section 28, Norwegian Grove Township, Otter Tail County, where seepage has become a problem due to neighboring tile projects draining into the low area. Boen and his neighbor are working together on this project. Albright recommended permit approval.

Permit No. 19-018, Duane Hanson/DBA Aces and Up. Applicant proposes to install a culvert in an existing approach, approximately 0.5 miles from 12th AVE S in the northwest corner of the Section 16, Riverton Township, Clay County, and clean the road ditch. Albright noted that the applicant has proposed similar work in the past and the permit was not approved because of downstream landowner concerns. He plans to review the files and work with the landowners regarding their drainage concerns. **Action Postponed**, pending further investigation.

Permit No. 19-019, Becker SWCD/Scott McCaslin. Applicant proposes to install water and sediment control basins with surface intakes and an underground outlet in the SE¹/₄, Section 35, Callaway Township, Becker County, outletting to the Buffalo River, subject to downstream landowner agreement to cross their property.

Permit No. 19-020, Becker SWCD/Matthew Bjerke. Applicant proposes to install water and sediment control basins with surface intakes and an underground outlet in the SW¹/₄NE¹/₄, Section 27, Lake Park Township, Becker County, which will outlet to Stakke Lake. Jones recommended permit approval.

Permit No. 19-021, Becker SWCD/Matthew Bjerke. Applicant proposes to install water and sediment control basins with surface intakes and an underground outlet in the SW¹/₄, Section 26, Lake Park Township, Becker County, outletting to a nearby unnamed lake. Jones recommended permit approval.

Permit No. 19-022, Randy Nordick. Applicant proposes to lower two field approaches with 30" dia. culverts along County Road (C.R.) No. 18, and to clean the ditch to grade for about 1,200' in the SW¹/₄, Section 35, Meadows Township, Wilkin County, to address upstream tile water draining along his property. The culvert size will not change. Nordick also is considering a field inlet, depending on the ditch profile when the cleaning is completed. Albright recommended permit approval, subject to County approval to work within their road right-of-way (R/W). Manager Larson noted that Wilkin County has instituted new permitting regulations that require the applicant to obtain the BRRWD's signature on the County Highway Department permit. Albright signed the form.

Permit No. 19-023, Becker SWCD/Matt Jirava. Applicant proposes to install water and sediment control basins with surface intakes and an underground outlet in the NE¹/₄, Section 12, Riceville Township, Becker County. Jones recommended permit approval.

Permit No. 19-024, Becker SWCD/Kevan Nelson. Applicant proposes to install water and sediment control basins with surface intakes and an underground outlet in the SE¹/₄, Section 29, Lake Park Township, Becker County. **Action Postponed**, pending receipt of plans.

Permit No. 19-025, Rick Ellsworth, Audubon Township. Applicant proposes to install a larger culvert or an additional culvert in the township road (185th AVE) in Section 7, Audubon Township, Becker County, to alleviate road overtopping/washouts. Currently, the culvert has failed, and the road is washed out for a width of approximately 12'-14'. A second culvert could be used as an overflow structure for spring runoff. The Township asked for sizing/placement recommendations. **Action Postponed**, pending applicant's discussion with Jones regarding structure sizes.

Permit No. 19-026, Oscar Township/Rick Drevlow. Applicant proposes to replace a 36" dia. reinforced concrete pipe (RCP) in the NW¹/₄, Section 20 and the NE¹/₄, Section 19, Oscar Township, Otter Tail County, with a 48" dia. corrugated metal pipe arch (CMP-A) to be reset the same elevation. There are two culverts in 110th AVE (minimum maintenance road) that washout. The existing CMP is undercutting, and the Township also wants to backfill it. Albright recommended permit approval and suggested that Drevlow contact the office to discuss possible permit conditions.

Permit No. 19-027, Tim Thompson. Applicant proposes to replace a deteriorating plugged culvert in the NE¼, Section 14, Alliance Township, Clay County, with the same size culvert in 110th ST S (C.R. No. 69) placed on grade. Thompson plans to widen the approach and lengthen the culvert. He has already contacted Clay County regarding the proposed work. Jones recommended permit approval, subject to County approval to work within their road R/W.

Motion by Anderson to approve Permit Nos. 19-015, 19-016, 19-017, 19-019, 19-020, 19-021, 19-022, 19-023, 19-026, and 19-027, subject to the referenced disclaimers and conditions. **Seconded** by Fjestad. **Approved.**

Ralph Schellack Dike Complaint. Albright explained that Schellack contacted the BRRWD in 1998 regarding a diking complaint in Section 29, Riverton Township, Clay County, on a natural waterway along the north side of C.R. No. 12. The operator of the property installed a dike on the waterway, and Schellack objected because of flooding concerns for his property. In 2012, the area was surveyed, and the Board conducted a field review, but didn't act on the complaint. During this spring's runoff, the dike finally caused flooding around Schellack's buildings. Staff created a record of the Board's contact and actions regarding Schellack's complaint that Albright will forward to the Managers and Schellack for review. Albright suggested that the Board place this issue on the 4/22/19 meeting agenda for further discussion.

Project No. 79, Wolverton Creek Restoration. Albright gave the Board a brief update on the Blilie property closing. The documents and check are all prepared and the closing should take place in the next couple of weeks. Jones noted that construction won't start up until the road restrictions are off by the middle of May. Until the Farm Bill details are finalized regarding the Conservation Reserve Program (CRP) funding, Conservation Reserve Enhancement Program (CREP) signup for Phase 2 is on hold. Van Amburg noted that the CREP hold up is statewide. Jones noted that the Phase 2 plans are prepared, but until the temporary easements are in place, the bid process is also on hold. He prepared a project timeline for the Board's review. Leitch noted that he would like to see a general timeline of all our projects, indicating project milestones and Board decisions needed to be in place to move the various project developments along.

Van Amburg asked if the SWCDs are ready to move forward with the CREP signup as soon as the CRP details are available. Wilkin County SWCD has about 14 applications ready to submit, but they can't tell the landowners what the CREP rates/details are until the CRP regulations are set.

Jay Nord reported that Wilkin C.D. No. 13 was running over in his area and will end up draining into the Wolverton project for approximately three weeks, which may delay construction startup. Nord reported that Stuart Nichol should have another inlet into C.D. No. 13 from his field. Jones noted that there were a number of ditches that were slow to open this spring, even with the help of backhoes.

Project No. 78, Clay/Wilkin J.D. No. 1-Improvement. Albright participated in a conference call regarding the bond sale last week with Ehlers and Associates, Inc. and the Clay County Auditor. The R/W has been staked. Albright explained that tonight's bill list includes the Clay County R/W checks. A preconstruction meeting will be held in the near future. Jones had the construction contracts ready for Board signatures tonight. **Motion** by Anderson to authorize Hanson and Leitch to sign the construction contracts on behalf of the Board. **Seconded** by Fjestad. **Approved.** In response to a question from Jerry Zimmerman, Albright noted that the permanent easements will be recorded with the County Auditors. A discussion followed regarding permanent and temporary R/W acquisition.

Stony Creek Restoration. A meeting has been scheduled on 4/11/19 from 12:30 to 2:30 PM in the BRRWD office with Clay SWCD personnel to discuss criteria for using CREP to acquire R/W for the Stony Creek project. Jones explained that CREP could also be used to acquire easements at the upper end of the potential pool.

Wilkin-Otter Tail J.D. No. 2. Albright noted that the J.D. No. 2 Ditch Committee met on 4/2/19. He was unable to attend, but Assistant Administrator Fenger attended in his place. The Committee decided to change the BRRWD's approved R/W acquisition rate from \$300/acre to \$275/acre. The R/W checks for the two landowners impacted by the repair are on tonight's bill list. Jones reported that the Ditch Committee gave the BRRWD authority to let bids and handle the construction administration. Otter Tail County has obtained the Clean Water Fund (CWF) grant, so the BRRWD will hire and pay the contractor, then we will bill the County, who will act as the grant's fiscal agent. The Otter Tail County Viewers are working on a redetermination of benefits for J.D. No. 2. Project costs incurred before the new benefit area is finalized have to be assessed to the old area. The group discussed project costs incurred before the redetermination is final. Jones suggested that the Grant proceeds could be used to pay construction costs prior to redetermination and once the new benefit area is in place, we can assess the ongoing construction costs after that date to the new benefit area. Larson commented that the County Commissioners were familiar with handling redeterminations in this manner. Jones noted that the Commissioners plan to hold a Joint Board meeting once the redetermination is finalized, which they expect will be in June, and then set a date for the Final Hearing. Jones contacted one of the R/W landowners, who was satisfied with the proposed rate, and he will talk to the other landowner this week.

One Watershed, One Plan (1W1P). The Policy Committee and Planning Team have meetings scheduled for 4/24/19. An Advisory Committee/Planning Team meeting was held on 3/27/19. Leitch has requested time at the 4/24/19 meeting to discuss the concept of "efficiency".

Gerry Zimmerman asked about the purpose of the 1W1P. Albright explained that the idea is to reduce levels of government so that landowners have one place they can go to work with related watershed issues. Based on a common goal, we can utilize our limited financial resources more efficiently during the 10-year life span of the plan. The group had an extended discussion about the 1W1P. Leitch explained that the purpose of the 1W1P is to enhance coordination among local governmental units in an attempt to manage the same resource, which is water.

2018 Annual Report. Leitch noted that he has asked River Keepers and the Red River Basin Commission to provide a one-page report to be included in our annual report. Staff is working on the 2018 activity summary, which will be used for both the Annual Advisory Committee meeting next week and in the Annual Report. Albright will check if the Audit can be linked in the Report or if it must be included in its entirety.

Project Development Timeline. Leitch reiterated his expectations for the timeline.

International Water Institute (IWI) Funding Request. Chuck Fritz, IWI, sent a request to the BRRWD to fund the Phase 6 Watershed Delineation/Hydrology Report Application on the IWI's map portal to be used to determine watersheds for project planning/design. The RRWMB will pay for their members, but since the BRRWD is a non-member, IWI has asked us to contribute \$3,490.08 for the Buffalo River and \$393.98 for the Otter Tail River. Albright suggested that we could work with Otter Tail and Becker Counties to split the costs for the portion of the Otter Tail River watershed not included within the BRRWD. **Motion** by Anderson to approve the referenced contributions, including the Otter Tail River watershed, provided Otter Tail and Becker Counties also agree to the proposal. **Seconded** by Hanson. **Approved.**

Advisory Committee Meeting. The BRRWD's Advisory Committee will meet on 4/12/19 at 2:00 PM in the Barnesville office. Supper will be catered at about 5:30 PM. Albright sent letters to two prospective members, Sally Casey and Randy McEvers, inviting them to attend the meeting. McEvers contacted the office to decline our invitation to serve.

Mediation PT Meeting. The next PT meeting will be held on Thursday, April 18, 2019, at 1:30 PM in our Barnesville office.

The following bills were presented for approval:

Accounts Payable	Description	Account	Amount
AmeriPride	#160510063, March Rug Billing	Admin.	\$ 78.53
Ardelle K. Brandt RLT	Permanent R/W Payment	Pj. 78, Clay-Wilkin J. D. 1	\$ 38,879.90
Bruce Anderson	Permanent R/W Payment	Pj. 78, Clay-Wilkin J. D. 1	\$ 10,210.10
Bryan & Jennifer Albertson	R/W Payment	Wilkin-Otter Tail J. D. 2	\$ 244.75
City of Barnesville	#10029939, 3/25/19 Phone & Utilities	Admin.	\$ 984.01
Curtis & Douglas Rehder	Permanent R/W Payment	Pj. 78, Clay-Wilkin J. D. 1	\$ 7,155.00
Dacotah Paper Co.	Office supplies	Admin.	\$ 158.39
David & Sara Evert	Permanent R/W Payment	Pj. 78, Clay-Wilkin J. D. 1	\$ 840.00
Doyle & Geraldine Tonsfeldt Tr.	Permanent R/W Payment	Pj. 78, Clay-Wilkin J. D. 1	\$ 5,020.00
Eleanor K. Brandt GST ST Tr.	Permanent R/W Payment (26%)	Pj. 78, Clay-Wilkin J. D. 1	\$ 7,023.64
Fitzgerald Construction, Inc.	#32453 & #32455, Debris removal, flood work	Varies	\$ 3,825.18
Frederick C. Altenbernd	Permanent R/W Payment	Pj. 78, Clay-Wilkin J. D. 1	\$ 145.00
Gordon & Margaret Gunderson	Permanent R/W Payment	Pj. 78, Clay-Wilkin J. D. 1	\$ 13,321.00
HEI	April Billing	Varies-See Attached	\$ 161,686.76
Hugh J. Trowbridge	Permanent R/W Payment	Pj. 78, Clay-Wilkin J. D. 1	\$ 31,584.70
James R. Miller	R/W Payment	Wilkin-Otter Tail J. D. 2	\$ 2,103.75
JB Construction Service	#282, March Snow Removal (3)	Admin.	\$ 260.00
Jean P. Altenbernd	Permanent R/W Payment	Pj. 78, Clay-Wilkin J. D. 1	\$ 140.00
Jon D. & Phyllis L. Evert	Permanent R/W Payment	Pj. 78, Clay-Wilkin J. D. 1	\$ 3,675.00
Key Contracting, Inc.	#6020, Pump Water, Flood work	Pj. 54, Whisky Creek	\$ 2,500.00
Key Contracting, Inc.	#6022, Remove ditch blockage, Flood work	Pj. 42, Clay C.D. No. 67	\$ 825.00
Leland & Carol Larson	Permanent R/W Payment	Pj. 78, Clay-Wilkin J. D. 1	\$ 16,212.10
Lynn S. & Deanna K. Brakke	Permanent R/W Payment	Pj. 78, Clay-Wilkin J. D. 1	\$ 4,515.00
MPS	02/19/19-03/19/19 Service, FL #21	Pj. 49, Oakport	\$ 30.30
Paul Rehder	Permanent R/W Payment	Pj. 78, Clay-Wilkin J. D. 1	\$ 1,745.00
Petty Cash	Office supplies, postage, etc.	Admin.	\$ 200.00
Premium Waters, Inc.	#366590-03-19, March Billing	Admin.	\$ 42.69
Purchase Power	Postage Meter Refill	Admin.	\$ 150.00
RD & MB McCullagh Fmly Tr.	Permanent R/W Payment	Pj. 78, Clay-Wilkin J. D. 1	\$ 8,787.70
Rhoda B. Brakke	Permanent R/W Payment	Pj. 78, Clay-Wilkin J. D. 1	\$ 39,021.40
Robert G. Brandt GST	Permanent R/W Payment (74%)	Pj. 78, Clay-Wilkin J. D. 1	\$ 19,990.36
RRVCPA	02/28/19-04/01/19 Service, Brentwood	Pj. 49, Oakport	\$ 79.80
Todd Blilie	Permanent R/W Payment	Pj. 78, Clay-Wilkin J. D. 1	\$ 13,910.90
United States Treasury	QTR 1 Form 941	Admin.	\$ 1,327.28
US Bank	#381824796, 03/27/19-04/22/19 contract	Admin.	\$ 373.65
Vogel Law Firm	#232024, March billing	COE	\$ 3,714.50
Vogel Law Firm	#232854, April Billing	Pj. 79, Wolverton Crk.	\$ 580.50
Wayne C. Hoeck	Permanent R/W Payment	Pj. 78, Clay-Wilkin J. D. 1	\$ 29,009.70
Wilkin Co. Hwy. Dept.	Debris Removal-Flood Work	Wilkin C.D. No. 4	\$ 723.56
Wilkin Co. Hwy. Dept.	Debris Removal-Flood Work	Wilkin C.D. No. 23	\$ 351.78
Wilkin Co. Hwy. Dept.	Debris Removal-Flood Work	Wilkin C.D. No. 31	\$ 889.45
Wm. Nichol Ex.	#284, Debris Removal, flood work	Wilkin C.D. No. 5A	\$ 4,824.00
WREC	02/18/19-03/18/19 Service (2)	Pj. 46, Turtle Lake	\$ 70.50
Xcel Energy	02/26/19-03/27/19 Gas Service	Admin.	\$ 64.15
			\$ 437,275.03

Motion by Fjestad to approve payment of the bills. **Seconded** by Larson. **Approved.** Anderson abstained from voting on the bill list, as he is related to several people receiving R/W payments.

Manager Comments. Affield asked about the reason for the breakout on Wilkin C.D. No. 6A during the peak last week. Jones will contact Wade Opsahl, Field Technician, HEI, who coordinated the BRRWD flood fight this spring. He explained that there were more breakouts this year because the ditches opened very slowly. Albright noted that Jim Miranowski was in the office to discuss the 2019 spring flooding. Albright felt Miranowski would have good information for the Viewers.

Van Amburg commented on a newspaper article he read about low spots on the Thomas farmstead ringdike that had to be sandbagged. He asked if there is still money for ringdikes that could be used to repair existing dikes. Albright expected that once the flood waters recede there could be more funding for this type of repair or new ringdike construction. Jared Nordick had water in his farmyard this year. Albright thought staff could prepare a list of names of people who might be interested in a ringdike to protect their property.

Leitch asked about the flood stage reporting in Harwood. The group discussed the different datum used to measure flood stages. He also reported that there is a house on the north side of Trunk Highway (T.H.) 18 east of T.H. No. 336 that is totally surrounded by water. Jones noted that while it is probably a County Highway Department issue, during flood fights, the BRRWD tries to help out when we can. Leitch asked staff to arrange a tour of the Diversion mitigation properties before the next BRRWD meeting on 4/22/19. Landowners have asked to be notified prior to the Board's arrival.

Anderson reported on the Court hearing regarding the MNDAK Upstream Coalition Diversion injunction. Judge Tunheim modified the injunction to allow the DA to move forward on a few minor items while the contested case is still pending, and they don't have the DNR permit. The Army Corps of Engineers (COE) would like to start on the inlet structure.

Albright noted that while it was too late to watch a Minnesota Board of Water and Soil Resources (BWSR) training video tonight, he has one that the Board can watch in the future regarding the 1W1P effort.

Next Meeting Agenda. Leitch suggested that they include a discussion about the BRRWD giving the Oakport hunting permit oversight to the City of Moorhead on the next agenda.

Next Meeting. The next regular BRRWD meeting will be held on Monday, April 22, 2019, at 7:00 PM in our Barnesville office.

Adjournment. President Leitch adjourned the meeting at 9:25 PM.

Respectfully submitted,

John E. Hanson, Secretary