

BUFFALO-RED RIVER WATERSHED DISTRICT

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MINUTES FOR MANAGERS' MEETING August 24, 2015

The Board of Managers, Buffalo-Red River Watershed District (BRRWD), held their regular meeting and annual budget hearing on Monday, August 24, 2015, at 7:00 PM in the Barnesville office. BRRWD Managers present were Gerald L. Van Amburg, John E. Hanson, Breanna L. Kobiela, Mark T. Anderson, 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). Other attending included: Christine Laney, Executive Director, River Keepers; Mike Rietz, Administrator, City of Barnesville; Joshua Kadrmaz, Engineer, HEI; Attorney Zenas Baer; Lyle Hovland, Wilkin County Commissioner; and landowners: Jay Nord and Jared Nordick.

Chairman Van Amburg called the meeting to order at 7:00 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 07/27/15 and the 08/10/15 BRRWD meetings and the 05/28/15 Barnesville Township Area Investigation meeting. Corrections were noted for the 07/27/15 and the 08/10/15 minutes. **Motion** by Anderson to approve the minutes, subject to correction. **Seconded** by Affield. **Approved.**

Treasurer's Report. The Board reviewed the BRRWD's financial status. Cash on hand is \$2,198,833.73. Income since the last meeting totals \$156,274.71, primarily from the Minnesota Department of Natural Resources (DNR) for Project No. 39, Georgetown Levee (\$22,035.89) and Project No. 56, Manston Slough (\$124,738.82). The Red River Watershed Management Board (RRWMB) forwarded \$9,500 for the Red River Basin Flood Damage Reduction Work Group (RRBFDRWG) assistance with our Revised Watershed Management Plan (RWMP) update.

Business brought before the Board included:

City of Barnesville/Blue Eagle Lake. Albright gave a brief update of the Blue Eagle Lake dredging project. In 2009, the City approached the BRRWD to contribute to their project to dredge the settling pond, which had an estimated cost of \$143,000. At that time, the Board agreed to a 5% commitment (\$7,150) with the Lessard-Sams Outdoor Heritage Council (LSOHC) Conservation Partners Legacy Grants (CPL) Program, which was expected to pick up 90% of the costs. The project did not receive the CPL funding in 2009. The project was subsequently expanded to include fish passage restorations in two locations on Whisky Creek and the installation of a bypass pipe to drain the sediment pond for future maintenance (\$391,627.48). With the additional features, the project obtained a grant from the DNR through the LSOHC funds \$371,744.73. In conjunction with this project, the City has also decided to remove the Otter Tail Valley Railroad spillway, which will also provide improved fish passage. The cost for permitting, demolition, and construction observation is \$14,700, and will be paid for with funding left over from the City's initial DNR/LSOHC grant award for the Whisky Creek work. The bids for the fish ramp were lower than expected. The pond dredging costs are still not covered under the grant because the DNR/LSOHC funding is targeted for habitat restoration features, so the City is funding that portion of the project with local monies from the Community Fund and the City's General Fund. The fish passage work reduces the dredging costs by allowing conventional excavation instead of hydraulic dredging and dewatering. Kadrmaz noted that the settling pond improvements address the RWMP's Total Maximum Daily Load

(TMDL) goals implementation for reducing both turbidity and E coli impairments in Whisky Creek. The total cost of all three subprojects is \$534,789.20 with \$163,044.47 needed from local sources.

Mike Rietz made a brief presentation of the City's project and requested that the Board renew their original 5% commitment for the local cost of the total project.

Josh Kadrmas explained the project features and costs. He explained that the expanded project made it more competitive to obtain DNR/LSOHC grant funding. Kadrmas pointed out that the fish passage improvements including the spillway removal and the sediment pond dredging will address natural resource restoration and water quality policies and goals stated in our RWMP, plus the project will address safety concerns associated with the spillway in the park area.

Albright reviewed the original commitment letter the Board approved for the 5% cost share. It states that the BRRWD's actual costs would be dependent on the final project design. The BRRWD share would increase to \$26,739.46. Van Amburg commented that the expanded project provides many more benefits than the initial proposal. Albright observed that we are getting three projects in one. The City will be responsible for the remaining local share (\$136,305.01). The Board discussed the City's request. **Motion** by Anderson to contribute the requested 5% of the local project costs or \$26,739.46. **Seconded** by Kobiela. **Approved.** Albright noted that the funds would come from the BRRWD's Minnesota Statutes Annotated (M.S.A.) 103D.905, Subd. 3, account.

Drainage Water Management (DWM) Funding Request. Jared Nordick asked the Board to consider funding a drainage demonstration site his family is working on in Sections 16 and 24, Meadows Township, Wilkin County. The objectives of the project are to demonstrate the water quality and quantity benefits of DWM, to provide a local example to increase the acceptance and adoption of DWM, and to form a coalition of partners to participate in the project. The project includes a number of partners: the United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS), and the Minnesota Department of Agriculture (MDA). Surface and subsurface runoff will be monitored and water samples will be collected and analyzed for nitrates/nitrogen. DWM practices include saturated buffers and control structures. Nordick reported that the work in Section 16 is complete. The work in Section 24 will be done later this fall. He discussed the details of their project's drainage management features. Nordick noted that once completed, the BRRWD would have access to any information generated by the demonstration project, and we would be acknowledged as one of the contributing agencies. The Nordicks need \$15,000-\$26,000 to complete the Section 24 work and associated monitoring. Larson felt this project was valuable given the fact that it is landowner driven and should yield useful data/practices that would have practical applications for area producers. **Motion** by Larson to approve a contribution up to \$26,000 for the demonstration project, dependent upon final costs. **Seconded** by Anderson. **Approved.**

Project No. 77, Clay County Ditch (C.D.) No. 51-Lateral No. 3. The Board heard a request from Attorney Zenas Baer, representing Robert Norby, to continue the final hearing to a later date. The final hearing has been scheduled in accordance with Minnesota Drainage Law for Thursday, August 27, 2015, at 7:00 PM in the Moorhead City Hall Council Chambers. Attorney Baer submitted an emergency petition on 08/13/15 to continue the final hearing. His expert witness, who works for Moore Engineering, Inc., can no longer represent his client in light of a conflict of interest (business relationship) with HEI and their watershed work in Minnesota, which did not exist in 2009 when the engineer was first retained. Baer wants additional time to find a new witness. He distributed an affidavit to the Board and made an extended statement regarding the project's petition process. The Board questioned why Mr. Baer was bringing up this concern now, when he knew as early as July 2, 2015, that his witness had resigned. The Board agreed to move forward with the project hearing, as scheduled.

Permit No. 15-085, Tansem Township. Applicant proposes to replace two 12" dia. equalizer culverts with new 18" dia. culverts in Section 29 (225th ST S) and in Section 34 (73th AVE S). Albright has field reviewed this proposal and recommended permit approval.

Permit No. 15-086, Kelly Bisek. Applicant proposes to install a new approach and culvert for a new modular home placement in the E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 35, Cromwell Township, Clay County. The proposed culvert sizing matches the adjacent pipes. The site is located within the Project No. 50, Cromwell Township Outlet area. Albright noted that Bisek's proposal should have no impact on our project.

Permit No. 15-087, Cliff Froslic. Applicant proposes to install 16.5 acres of pattern tiling in the NE $\frac{1}{4}$, Section 34, Prairie View Township, Wilkin County, outletting via gravity flow to a nearby natural waterway. The tile will cross an existing Conservation Reserve Program (CRP) area. Froslic has permission from the Wilkin Farm Service Agency (FSA) to cross the CRP with the conditions that he use non-perforated tile and reseed the cover crop in the CRP acreage.

Permit No. 15-088, Charles Piekarski. Applicant proposes to install 45 acres of random tiling to drain low areas in the NE $\frac{1}{4}$, Section 28, Carlisle Township, Otter Tail County, to outlet via gravity flow eventually to Wilkin/Otter Tail Judicial Ditch (J.D.) No. 2, to which the property is assessed.

Permit No. 15-089, Dan Bradow. Applicant proposes to install 9 acres of pattern tiling in the SW $\frac{1}{4}$, Section 32, Carlisle Township, Otter Tail County, on the south side of Trunk Highway (T.H.) No. 210, outletting to J.D. No. 2-Branch 2.

Permit No. 15-090, Philip Rogers. Applicant proposes to install 320 acres of pattern tile in the S $\frac{1}{2}$, Section 32, Prairie View Township, Wilkin County, that will drain north along County Road (C.R.) No. 15 to tie into a future tile system proposed for the Frank Farrar property in the N $\frac{1}{2}$, Section 32, to be installed by Troy Goltz with a separate permit application. The entire joint tile system will drain via a lift station through C.R. No. 30 into Wilkin C.D. No. 43 to which the property is assessed.

Permit No. 15-091, Foltz Farms. Applicant proposes to install NRCS designed water and sediment control basins in the SE $\frac{1}{4}$, Section 12, Hamden Township, Becker County.

Permit No. 15-092, Kevan Nelson. Applicant proposes to install NRCS designed water and sediment control basins in Section 9, Lake Park Township, Becker County.

Permit No. 15-093, Kevan Nelson. Applicant proposes to install a NRCS designed grade stabilization project in the SW $\frac{1}{4}$, Section 9, Lake Park Township, Becker County.

Permit No. 15-094, Chad Okeson. Applicant proposes to install NRCS designed water and sediment control basins in the E $\frac{1}{2}$, Section 30, Richwood Township, Becker County.

Permit No. 15-095, Jay Nord. Applicant proposes to install 35 acres of pattern tiling in the NE $\frac{1}{4}$, Section 5, Atherton Township, Wilkin County, to complete work started with Permit No. 12-031, outletting via a lift station to the existing tile system, then to the north ditch of County State Aid Highway (CSAH) No. 50 (100th ST), eventually draining to the Barnesville Township DNR protected watercourse. The land is currently in CRP, but will be coming out on 10/01/15.

Permit No. 15-096, Kevin Hanson. Applicant proposes to install random and target drain tile in the SE $\frac{1}{4}$, Section 21, Hamden Township, Becker County, outletting via a lift station to Becker C.D. No. 15-Branch 7.

Permit No. 15-097, Tom Herfindahl. Applicant proposes to install drain tile in the NE¼, Section 20, Cuba Township, Becker County. Herfindahl will connect his tile to his neighbor's existing tile system (Noben) by crossing the township road. The entire tile system will outlet via gravity flow to a wetland area.

Permit No. 15-098, City of Moorhead. Applicant proposes to install sewer, water, storm sewer, and streets for the Stonemill Estates 2nd Addition residential development in the NW¼, Section 29, Moorhead Township, Clay County, on the east side of T.H. No. 75 south of the new Hornbachers grocery store. This project will connect to a pond that has already been constructed in accordance with a master plan development.

Motion by Anderson to approve Permit Nos. 15-085 through 15-098, subject to the applicable standard disclaimers and road authorities' permission to work within their road right-of-way (r-o-w). **Seconded** by Fjestad. **Approved.**

Scott McCaslin Tiling Outlet Concerns. At the 7/13/15 BRRWD meeting, the Board authorized BRRWD Attorney Tami Norgard, Vogel Law Firm, to seek a court order for Duane Hanson to remove the tile block on his property in the NE¼, Section 23, Hamden Township, Becker County. Albright met with Attorney Jordan Weir, Vogel Law Firm, on 08/07/15 regarding the complaint preparation. Albright contacted Duane Hanson on 08/20/15. Hanson reported that they hadn't had time to work on the tile block as they were still harvesting, but he planned to work out a solution with McCaslin as soon as the harvest was completed. The Board agreed to delay the court order until the Hansons have completed their wheat harvest.

Project No. 75, Wilkin C.D. No. 31-Lateral. Albright has sent email messages to Sharon Josephson regarding her easement with no reply. He will continue to follow up with Josephson to obtain her family members' signatures as soon as possible.

Project No. 73, Country Heritage Ditch. Jones reported that Opsahl doesn't think a survey is necessary as there is enough slope in the ditch to get it to drain properly with just some minor landscaping. He plans to hire a contractor to complete the work in the near future.

Project No. 61, Clay C.D. No. 11. The ditch system repair hearing was held on 07/21/15 and the Board approved the Findings and Order for the project at their 07/27/15 meeting. Jones plans to have construction bid results for the Board's review at their 09/14/15 meeting, which will include both the slide repair east of T.H. No. 75 and the outlet structure replacement west of T.H. No. 75. The operator of the land east of T.H. No. 75 contacted Jones regarding his standing bean crop. Albright noted that the landowner will receive a "courtesy call" when construction begins. Jones pointed out that there will be a borrow pit excavated in the area that could affect the crop. Albright thought that the operator might have time to harvest that field before work commences on the project. Plans will be sent out to area contractors this week, and he expects to open the bids at 11:00 AM on 09/14/15.

Project No. 56, Manston Slough Restoration. The DNR has completed construction of their moist soil unit with seeding left for this fall. The boards will be replaced in the spillways this fall, so the project will be in full operation next spring. B&J Landscaping has completed the native grass seeding and mulching, and will also mow the new seeding on the dams this fall.

Project No. 54, Whiskey Creek Tributaries. Opsahl is working with Scott and Betty Anderson regarding the proposed repairs for their property in the N½N½, Section 14, Barnesville Township, Clay County, which the Board approved at their 07/27/15 meeting. The repair recommendations are to fill in the existing ditch on the Anderson property and regrade the ditch back to the west through their pasture into a stock

pond and then eventually north to the road ditch (140th AVE S). Jones noted that Justin Brasel, Finish Grade Construction, Inc., has been hired to do the work and expects to get started in early September.

Project No. 49, Oakport Flood Mitigation. Albright reported that we are still waiting for the DNR to forward the grant agreement contract. Advertisement for bids for Phase 4 will not start until the grant paperwork is signed. Albright observed that it is not likely that any work will get started on the project now until next spring. Albright will start working on easement re-acquisition because the Phase 4 temporary easements have expired due to the delay in State funding, which held up project completion. He plans to check on the Clay County website to see if ownership has changed for any of the parcels, and then contact the landowners with a request for them to sign a new revised temporary construction easement.

Project No. 42, Clay C.D. No. 67. Bids were opened today for the outlet replacement. Both outlet replacement alternatives were bid. Jones discussed the results of the bidding. We had two low bidders. He explained that Alternative 1 was to install a spillway with Flexamat and a drop structure repair at the existing outlet location. Alternative 2 was to move the outlet further downstream and repair slumping in the current outlet location. Fill would be hauled in from the Pierce spoil pile associated with the Project No. 49, Oakport Flood Mitigation. The cost difference between the two alternatives is approximately \$24,000. The low bid for Alternative 1 was \$34,098 from Sellin Brothers, Inc., Hawley, and the low bid for Alternative 2 was \$58,805 from Olson Construction of Lake Park, Inc. Jones explained that Alternative 2 has been designed to fit in with the City of Moorhead future flood control plans.

Van Amburg asked what the savings would be to construct Alternative 2 in conjunction with the City of Moorhead plans. Anderson observed that if we installed Alternative 1, in the future we would probably have to do the work for Alternative 2 anyway. Albright commented that for \$24,000 more (Alternative 2) the future problem is addressed for City of Moorhead's flood control planning. Jones recommended Alternative 2 because of the future cost savings. **Motion** by Hanson to accept Olson Construction's bid of \$58,805 for Alternative 2. **Seconded** by Larson. **Approved.**

Jones noted that he contacted the owners (Darrick and Michael Appert, Hazelton, ND) of a sunflower field to the north of the construction site that could be impacted by the project construction. He advised them that our contractor has to access the project area from the east along the north side of their field (about one acre), and if the project does impact their crop, we will compensate them for damages. There might be other options for the contractor to access the site, and Jones will work with Olson to cause the least damage to the standing crop (sunflowers).

Project No. 39, Georgetown Levee. Opsahl forwarded Reiner Construction, Inc., the punch list based on Mike Berkley's, HEI, observations from 2013, the City Council and residents' requests, and items noted when he and Albright conducted a project field review last week. Opsahl and Berkley met with the contractor on site today. The asbestos has been removed from Greywind's old house, and Red River Valley Cooperative Power Association moved power poles that were in the way, so the site is ready for the contractor to start demolition. A hearing with the Condemnation Commissioners is scheduled for 10:00 AM on 08/27/15 at the Clay County Courthouse. The Commissioners have already reviewed the property. US Bank, the mortgage holder, indicated that it plans to contest the \$20,000 Greywind house appraisal. Michael Greywind has been informed that he will be responsible for the additional costs incurred by the BRRWD plus the \$20,000 down payment on his mortgage through the condemnation proceedings. The attorneys have suggested that the BRRWD could retain ownership of Greywind's new house and enter into a Contract for Deed with him, which would allow the BRRWD to own the property until his debt is paid.

Project No. 38, Farmstead Ring Dikes. The 2015 Legislature allocated \$400,000 for farmstead ringdikes in the Red River Valley to be administered by the RRWMB. Ron Harnack, RRWMB, has asked us for an estimate of the number/costs for possible 2015 ringdike projects. Opsahl will contact the landowners we

have on our potential ringdike list to see if they are still interested in the program and then prepare a list of candidates to submit to the RRWMB by 09/15/15.

Project No. 30, Clay/Wilkin J.D. No. 1. William Nichol Excavating, Inc. is nearly finished with the J.D. No. 1 repairs in Clay County with only about 0.5 miles on the south end and the spoil leveling left to complete. Jones explained that there wasn't room to do this final section because of a standing corn field. Once the crop is off, Nichol will come back to finish.

Project No. 23, Becker C.D. No. 15 Repair. Opsahl contacted the affected landowners regarding the repair work south of the Hamden Slough National Wildlife Refuge (NWR) on the remaining portions of the ditch system, including the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 11, Audubon Township, as petitioned for by Kraig Nelson. Opsahl is working with Chad Mattson, who plans to start the work in the next several weeks.

Project No. 1, Wilkin C.D. No. 22. The hearing for the incremental implementation of vegetated buffer strips and side inlet controls has been scheduled for Thursday, September 17, 2015, at 7:00 PM in the Barnesville Watershed office regarding the installation of the required one-rod grassed buffer strips on Wilkin C.D. Nos. 5A, 26, and 22 (Laterals Nos. 1 and 2). Notices will be mailed this week. Additional work includes the installation of grade stabilization at the outlet of each drainage system in accordance with the DNR permit issued for the restoration of Wolverton Creek. Albright noted that it might be possible to get the buffer strips staked yet this fall, so we can get they can be seeded as soon as possible next spring.

Mediation Project Team (PT). The next PT meeting will be held on September 10, 2015, in the Barnesville office. The Fall Tour is tentatively scheduled for Thursday, October 15, 2015.

South Branch of the Buffalo River. Jones reported that it appears that expanding the setback levees to the Wilkin County line will still yield the desired 12%-13% flow reductions for the 100-year event at the Clay County line.

Barnesville Township Area Study. Jones is working with NuStar Energy Company and the Magellan Pipeline Company to determine the depth of their gas lines and to potentially lower their pipelines to accommodate improved area drainage and a possible retention area.

Stony Creek Comprehensive Project. Jones continues to work with Minnesota Department of Transportation (MNDOT) to determine the design for a possible structure through Interstate-94 (I-94). He needs to determine their process to do the work and what the BRRWD costs would be before MNDOT starts the design work. MNDOT is changing staff in their Detroit Lakes, and Jones has been advised to wait until the new hydraulics engineer is in place.

Jones also has been working with the Minnesota Dam Safety office to see what design requirements they would need for a potential dam. They asked Jones to prepare a preliminary dam breach analysis for the site.

RWMP/Watershed District Enlargement (WDE). Albright forwarded a copy of the meeting minutes to Minnesota Board of Water and Soil Resources (BWSR) to document the BRRWD's official agreement to sign the boundary change petition. Albright and Jones continue to work on proofing the draft RWMP.

Army Corps of Engineers (COE) F-M Diversion. Van Amburg noted that the DNR's Environmental Impact Statement (EIS) is expected to come out in early September. The Board discussed how the DNR might handle the high hazard dam proposed as part of the Diversion project, which will not be addressed in the EIS.

2016 Budget Hearing. The Board convened their 2016 annual budget hearing at 9:05 PM. Notice of the hearing was published in area newspapers. The Board has to consider setting the administrative fund levy, the ditch systems/project levies, and the M.S.A. 103D.905, Subd. 3, special levies for projects/programs initiated by petition. Albright noted that according to Minnesota Watershed Law, Watershed Districts must file their final budget by September 15, 2015 (M.S.A. 103D.911). It appears there is no provision for Districts to file a preliminary budget in September and a final budget in December, as Cities and Counties can do. He suggested that the BRRWD could consider submitting a Resolution to change the law to make Watershed Districts' budget process consistent with other local governments at the annual Minnesota Association of Watershed Districts (MAWD) conference in December.

The Board met with the County Commissioners from Clay, Wilkin, and Otter Tail Counties in the last month to present our 2014 Audit and Annual Report. At the meetings, the groups discussed the BRRWD's membership in the RRWMB. The Otter Tail County Commissioners felt that this is an important issue and suggested that the BRRWD schedule a landowner informational meeting later this year after harvest. A meeting with Becker County is scheduled for Tuesday, September 1, 2015, at 8:30 AM. The RRWMB tax revenue could potentially generate \$2,849,456. The BRRWD would keep half the tax proceeds (about \$1.4 million). Albright noted that if the Board decided to rejoin the RRWMB and approved that levy, we wouldn't have to set the levies for the insurance or survey and data acquisition funds, or the M.S.A. 103D.905, Subd. 3, levies. He added that while the RRWMB tax is split 50/50 with the RRWMB, the BRRWD has the opportunity to recoup part of our money by submitting proposed projects to the RRWMB for review and possible funding. The information also included a breakdown of the RRWMB levy costs per county.

The Board reviewed the budget hearing packet that Albright prepared for the Board's review regarding the various levies to be set for 2016, including the projects and ditches, Administrative (\$250,000), Insurance (\$20,000), Survey and Data Acquisition (\$75,000), and the M.S.A. 103D.905, Subd. 3, ad valorem tax for a general fund not to exceed 0.007298% of the taxable market value (\$626,927). This tax will be used to fund a variety of programs including River Keepers, Red River Basin Commission, water quality monitoring, log jam removal, flood insurance studies, and flood damage reduction (fdr)/natural resource enhancement (nre) and Wetlands Reserve Program (WRP). A second general levy in the amount of \$450,000 will be used for the new office (\$100,000), Stony Creek Comprehensive Study (\$75,000), Barnesville Township Investigation (\$75,000), Project No. 56, Manston Slough Restoration (\$100,000), Otter Tail River Planning (\$50,000), and Reinvest In Minnesota (RIM)/Wetlands Reserve Enhancement (WRE) (\$50,000). The total of all levies would be \$1,451,972. The Board reviewed sheets showing the 2014 administrative expenses and 2015 expenditures to date, the 2015 income summary to date, and a proposed 2016 administrative budget (\$350,000). In 2014, a 1% fee was assessed to projects based on a project's expenditures to help cover the BRRWD's administrative expenses exceeding the \$250,000 levy cap.

Christine Laney, Executive Director, River Keepers, addressed the Board with a request for the BRRWD to consider increasing our annual support from \$45,000 to \$55,000. A letter from River Keepers with their request was included in the Board's Budget packet. Van Amburg said that the River Keepers program is an important asset for the region. Laney pointed out that River Keepers helped the Cities of Wahpeton and Breckenridge start a Water Festival, similar to the Water Festival they hold in Moorhead every year that includes water education activities for area 4th graders. Anderson commented that River Keepers helps the BRRWD meet our community outreach and education goals. Van Amburg noted that the Southeast Cass Water Resource District (SCWRD) in North Dakota has contributed at the rate of \$55,000 for several years. The Fargo Park District also contributes \$20,000 annually.

Lyle Hovland, Wilkin County Commissioner, addressed the Board regarding the RRWMB membership and levy. He noted that Wilkin County Board would support any decision the BRRWD makes regarding membership; however, Hovland added that taxpayers have told him that they don't want their taxes raised

in 2016. The group discussed BRRWD rejoining the RRWMB and holding a landowner informational meeting later this year. Albright commented that we don't want to let this issue divide our Board or District. Van Amburg discussed concerns about finding funds for potential retention projects we are just starting to develop. Fjestad discussed his concerns about rejoining the RRWMB at this time. Anderson commented that eventually he thought the BRRWD will need to rejoin, but this might not be the time to make that decision. We still need to provide more information to the Counties and the public for comment. Van Amburg observed that it appears that the BRRWD isn't ready to vote to rejoin the RRWMB, or approve the RRWMB 2016 levy at tonight's meeting. He encouraged the Board to set aside time to discuss this issue in the future. Jerad Nordick commented that because of the current farm economic crisis, area family farms should not be burdened with another tax liability. Hanson noted that a vote to rejoin the RRWMB should be a unanimous decision. **Motion** by Hanson to approve the 2016 budget as presented (\$1,421,927), without the RRWMB levy. The levy would include levies for the Administrative, Insurance, Survey and Data Investigation funds, and both M.S.A. 103D.905, Subd. 3, levies, including the requested contribution increase for River Keepers. **Seconded** by Anderson. **Approved.**

The Board reviewed a color coded worksheet showing total ditch system benefits, current balances, projected year-end balances, and previous years' levies, plus a sheet showing benefits rates broken down on a per acre basis for each ditch system/project. The following 2016 ditch/project levies were set:

Clay County

Ditch No. 3 - \$15,000
 Ditch No. 5 - \$25,000
 Ditch No. 9 - \$75,000
 Ditch No. 11 - \$100,000
 Ditch No. 23 - \$10,000
 Ditch No. 28 - \$15,000
 Ditch No. 31 - \$10,000
 Ditch No. 32 - \$75,000
 Ditch No. 33 - \$50,000
 Ditch No. 34 - \$20,000
 Ditch No. 36 - \$10,000
 Ditch No. 39 - \$20,000
 Ditch No. 41, Outlet - \$110,000
 Ditch No. 41 - \$50,000
 Ditch No. 41, Lat. No. 1 - \$75,000
 Ditch No. 47 - \$50,000
 Ditch No. 49 - \$10,000
 Ditch No. 50 - \$25,000
 Ditch No. 51 - \$15,000
 Ditch No. 53 - \$15,000
 Ditch No. 54 - \$5,000
 Ditch No. 63 - \$15,000
 Ditch No. 67 - \$40,000
 Ditch No. 69 - \$10,000

Becker County

Ditch No. 5 - \$10,000
 Ditch No. 9 - \$7,500
 Ditch No. 10 - \$3,000
 Ditch No. 15 - \$15,000
 Ditch No. 19 - \$10,000

Wilkin County

Ditch No. 1A - \$20,000
 Ditch No. 2 - \$50,000
 Ditch No. 3 - \$100,000
 Ditch No. 4 - \$75,000
 Ditch No. 5A - \$40,000
 Ditch No. 6A - \$75,000
 Ditch No. 7 - \$150,000
 Ditch No. 12 - \$25,000
 Ditch No. 15 - \$50,000
 Ditch No. 22 - \$75,000
 Ditch No. 23 - \$20,000
 Ditch No. 26 - \$10,000
 Ditch No. 27 - \$50,000
 Ditch No. 28 - \$30,000
 Ditch No. 29 - \$25,000
 Ditch No. 37 - \$50,000
 Ditch No. 40 - \$15,000
 Ditch No. 41 - \$50,000
 Ditch No. 43 - \$20,000
 Ditch No. 44 - \$15,000

Projects/Ditch Systems

Wilkin-Otter Tail J.D. No. 2 - \$25,000
 No. 30, Clay-Wilkin J.D. No. 1 - \$70,000
 No. 32, Hawley Diversion - \$10,000
 No. 46, Turtle Lake Outlet - \$25,000
 No. 49, Oakport Flood Mitigation - \$50,000
 No. 67, HRBP Outlets - \$15,000
 No. 68, Lake Jacobs Outlet - \$10,000

Albright noted that some of the proposed ditch system levies included acquisition costs for one-rod grassed buffer strip r-o-w in light of the new buffer strip legislation that was enacted. He added that the Board should consider catching up on some of the negative project/ditch system balances; however, Drainage Law states that project account balances should not exceed 20% of the total benefits. All levies will be certified with the Auditors in Clay, Becker, Wilkin, and Otter Tail Counties by September 15, 2015. **Motion** by Anderson to approve the 2016 project and ditch system assessments (\$2,040,500). **Seconded** by Fjestad. **Approved.**

Clean Water Fund (CWF) Grant Applications. Jones prepared two CWF applications to be submitted to BWSR for their consideration during the 2016 funding cycle. The first application is for outlet repairs on Clay C.D. No. 23. The second application deals with outlet repairs on Clay C.D. No. 39 and field inlets needed on Clay C.D. No. 59. Jones worked with the Wilkin County Soil and Water Conservation District (SWCD) and Environmental Office on their applications. **Motion** by Fjestad to authorize Jones to submit the CWF applications. **Seconded** by Affield. **Approved.** Jones noted that he assisted Don Bajumpaa, District Manager, Wilkin SWCD, and Bruce Poppel, Wilkin County Environmental Officer, to prepare funding applications for the Otter Tail River Planning and a 319 funds match.

Upper Red River TMDL. The draft reports are finished for the Upper Red TMDL and Watershed Restoration and Protection Strategies (WRAPS). Both documents will be forwarded to the Minnesota Pollution Control Agency (MPCA) for their review and comment. The BRRWD will hold a landowner informational meeting regarding both reports later this fall after field work is completed.

Elkton Township Wetland Restoration. Chuck Anderson is still waiting for a response from the contractor's insurance company regarding his crop loss claim. The insurance company is waiting for information from HEI regarding the project plans and specifications.

Wolverton Creek/Comstock Coulee. The BRRWD has been invited to give a presentation to the LSOHC on Wednesday, September 2, 2015, at 9:00 AM in St. Paul for the Restoration project funding request in the amount of \$4,963,000. Albright and Manager Van Amburg plan to attend.

Clay SWCD Fall Tour. Van Amburg noted that the Clay SWCD Fall Tour is scheduled for September 10, 2015. He encouraged the other Managers to consider attending.

MAWD Annual Conference. Resolutions need to be submitted by 10/16/15 to MAWD to be considered at the annual conference in December. The Board continued their discussion about submitting a resolution to change the budget certification process for Watershed Districts. Albright noted that the Manston Slough Restoration project was submitted for MAWD Project of the Year.

2015 BWSR Academy. BWSR is holding their academy seminar sessions on October 27-29, 2015, at the Breezy Point Conference Center.

2016 Drainage Management Grants. BWSR has developed the Multipurpose Drainage Management Competitive Grants program. Request For Proposals (RFP) period will open on 08/31/15 and run through 10/30/15. A workshop is scheduled in Ada, MN on 09/10/15. Stony Creek (Clay C.D. No. 31) might be a good candidate.

Red River Basin Commission Conference. The 33rd Annual Red River Basin Land and Water International Summit Conference will be held on January 19-21, 2016, at the Alerus Center/Canad Inn in Grand Forks, North Dakota.

Ditch Repair Petitions. The Board reviewed repair petitions submitted by Harold Brandt for sediment removal/repairs on Clay C.D. No. 53 and by Stuart Nichol for erosion repairs to Wilkin C.D. No. 13.

Motion by Anderson to authorize HEI to conduct the necessary investigations and provide repair recommendations. **Seconded** by Hanson. **Approved.**

Hawley Buffalo River Restoration. The project has been completed, except for some additional grass seeding. Jones noted that the project looks good. Paperwork should be ready to close out the contract with Reiner Construction by the next meeting. Jones displayed DNR aerial photographs of the project.

Administrative Assistant Hiring. Albright reported that the interview process has taken place over the past several weeks for a new administrative assistant. A candidate has been selected, offered the job, and has accepted the position. Jones submitted an amendment for engineering services for the addition of a new Administrative Assistant on a fulltime basis for the BRRWD. **Motion** by Anderson to approve the HEI contract amendment to add a new full time employee, as referenced. **Seconded** by Kobiela. **Approved.**

Albright explained that there will have to be some changes to the office work stations to accommodate the new employee. We also need to update the QuickBooks program and add an additional user license. Albright has been working with Liberty Business System, Inc., on leasing a new color copier for the office. The lease payment for the machine would be \$118 per month for 63 months. **Motion** by Anderson to approve the referenced copier lease from Liberty Business System, Inc. **Seconded** by Fjestad. **Approved.**

The following bills were presented for approval:

Accounts Payable	Description	Account	Amount
Bruce E. Albright	08/11/15 MN Viewers' Seminar (4)	Admin.	\$ 80.00
Chris Hoppe Lawn Care	July mowing (4)	Admin.	\$ 427.50
Detroit Lakes Newspapers	#CL04041886, budget hearing notice	Admin.	\$ 635.70
Ehlert Excavating, Inc.	#242, Briks' inlets	Pj. 56, Manston	\$ 1,365.00
Fergus Falls Newspapers, Inc.	#37811, budget hearing notice	Admin.	\$ 1,038.40
Finish Grade Const., Inc.	#035859-035860, ditch cleaning	Wilkin C.D. No. 41	\$ 12,427.50
FRS	#V11502755, Midwest Bank stamp	Admin.	\$ 26.99
HES, Inc.	#666961, Greywind asbestos	Pj. 39, Georgetown	\$ 3,955.00
Indigo Signworks, Inc.	#SC10752, repairs/bulbs	Admin.	\$ 345.30
Joel Carlson, Inc.	September 2015 Lobbyist fee	Admin.	\$ 850.00
New Century Press	Budget Hearing notice (2)	Admin.	\$ 648.00
Quill	#6853391, envelopes/pens	Admin.	\$ 58.04
RMB Laboratories, Inc.	#272758, WQ analysis	M.S.A. 103D.905, Subd. 3	\$ 730.00
RMB Laboratories, Inc.	#273794, WQ analysis	M.S.A. 103D.905, Subd. 3	\$ 395.00
The Forum	#CL01729994, Budget Hearing ad	Admin.	\$ 138.33
Tim Crompton Excavating, Inc.	#397624, culvert extensions	Clay C.D. No. 36	\$ 562.50
Tim Crompton Excavating, Inc.	#397625, Nelson inlets	Clay C.D. No. 40	\$ 10,898.54
True North Steel	#6864, culverts	Wilkin C.D. No. 1C	\$ 16,097.40
Western National Insurance	#0001005701 premium	Insurance	\$ 13,975.00
Wm. Nichol Excavating, Inc.	#178, Clay Co. repairs	Pj. 30, J.D. No. 1	\$ 4,162.50
			\$ 68,816.70

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

RRBFDRWG. Van Amburg mentioned that Jones gave a report regarding the BRRWD's major projects at a recent RRBFDWRWG meeting.

Next Meeting. The next regular meeting will be held on Monday, September 14, 2015, at 7:00 PM in our Barnesville office.

Adjournment. **Motion** by Anderson to adjourn the meeting. **Seconded** by Fjestad. **Approved.**
Chairman Van Amburg adjourned the meeting at 10:50 PM.

Respectfully submitted,

John E. Hanson, Secretary