

BUFFALO-RED RIVER WATERSHED DISTRICT

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MINUTES FOR MANAGERS' MEETING

August 14, 2017

The Board of Managers, Buffalo-Red River Watershed District (BRRWD), held their regular meeting on Monday, August 14, 2017, at 7:00 PM in the Barnesville office. BRRWD Managers present were Gerald L. Van Amburg, Jay A. Leitch, Mark T. Anderson, John E. Hanson, Catherine L. Affield, and Peter V. Fjestad. Others attending included: Erik S. Jones, Engineer, and Bruce E. Albright, BRRWD Administrator, Houston Engineering, Inc. (HEI).

Chair Van Amburg called the meeting to order at 7:05 PM and announced that the proceedings were being video recorded to aid in preparation of the minutes.

Secretary's Report. The Board reviewed draft minutes for the 7/24/17 regular meeting. Manager Affield noted two minor corrections. **Motion** by Affield to approve the minutes, subject to correction. **Seconded** by Leitch. **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 \$1,776,864.05. Administrative disbursements for the month are \$38,924.74 and for the year total \$310,260.62. Current 2017 accounts receivable totals \$4,583,778.26. Our total income for the year is \$1,721,162.03. Income since the 7/12/17 meeting is \$34,501.30, primarily from Wilkin County for their first half 2015 Buffer Initiative Aid payment (\$33,283). The balance of the income came from bank interest, office rentals, and document copying fees. Albright submitted a billing last week to the Minnesota Department of Natural Resources (DNR) for Project No. 49, Oakport Flood Mitigation, for \$180,254.41. There is \$376,45.14 left in the DNR grant contract for Oakport, which expires 12/31/18. He mentioned that the DNR is interested in reallocating the funding if we aren't going to use it. The annual budget hearing will be held during our upcoming 8/28/17 Board meeting at 9:00 PM. Notices have been sent to the newspapers. Midwest Bank is processing the paperwork to keep our \$600,000 line-of-credit open. **Motion** by Anderson to approve the Treasurer's Report. **Seconded** by Hanson. **Approved.**

Other business brought before the Board included:

Permit No. 17-055, Curt Nelson. Applicant proposes to install pattern tile in the E $\frac{1}{2}$ SE $\frac{1}{4}$, Section 28, Deerhorn Township, Wilkin County, outletting in the northeast corner to the 190th AVE road ditch then draining west for nearly 3.5 miles to Wilkin County Ditch (C.D.) No. 5A to which the property is assessed. Nelson has several downstream landowners to contact before the Board can act on his application. Nelson doesn't own the land, so he will also need permission for the tile project from the owner, Janice Getz. **Action postponed.** In conjunction with Briks Family LP, they are planning to eliminate the wetland on their property by purchasing wetland credits from the BRRWD.

Permit No. 17-060, Kelly Etten. Applicant proposes to pattern tile the NE $\frac{1}{4}$, Section 21, Foxhome Township, Wilkin County, outletting in the northwest corner via a lift station to County Road (C.R.) No. 162 road ditch. Action on this permit was postponed until we could verify the outlet for this project, and downstream landowners were notified. Jones suggested that the permit could be approved, as the project drainage will follow the natural runoff route, subject to our standard tiling disclaimer and downstream landowner notification.

Permit No. 17-064, Jay Nord. Applicant proposes to clean the south ditch of 130th ST in the NW¹/₄, Section 21, Wolverton Township, Wilkin County, for 0.5 miles east to a natural waterway, which eventually drains to Wolverton Creek. He also plans to replace an existing 24" dia. pipe with a longer pipe of the same size and lower it to the new ditch grade. Jones recommended permit approval, subject to Township approval to work within their road right-of-way (R/W).

Permit No. 17-065, Solum Wetland Restoration. Applicant proposes to install a Minnesota Board of Water and Soil Resources (BWSR) designed Reinvest In Minnesota (RIM) wetland restoration project, consisting of three earthen embankments with two spillways and ditch blocks in the SE¹/₄, Section 4, Prairie View Township, Wilkin County. Trees and stumps will be burned and buried. Jones noted that the work won't affect any other property, and recommended approval.

Permit No. 17-066, Steve Opatril. Applicant proposes a mitigation project to correct a wetland violation as required by the Wetlands Conservation Act (WCA), consisting of the construction of a berm in the NW¹/₄, Section 7, Cromwell Township, Clay County, on the south side of the road off the road R/W to store water on an existing field to create a new wetland. The adjacent properties are RIM acreage and United States Fish and Wildlife Service (USFWS) easements. Moore Engineering prepared the design. Jones recommended approval.

Permit No. 17-067, Swenson Grain & Cattle Co. Applicant proposes to construct a Natural Resources Conservation Service (NRCS) designed water and sediment control basin in the SW¹/₄, Section 5, Tansem Township, Clay County, with a tile outlet to the west ditch of C.R. No. 127, then through a culvert on the west line of Section 5 to a USFWS wetland easement area in Section 6, Tansem Township. Jones noted that the project should not affect any other property and recommended approval.

Permit No. 17-068, Duane Stuehrenberg Wetland Restoration. Applicant proposes the construction of a NRCS designed wetland restoration project in the NW¹/₄, Section 5, Meadows Township, Wilkin County, consisting of shallow scrapes and ditch plugs. Jones recommended permit approval and noted that the restoration will have a very minor impact on the RIM easement to the west. This work is associated with Project No. 56, Manston Slough Restoration.

Permit No. 17-069, Rick Maier. Applicant proposes to install 159 acres of pattern tiling in the SE¹/₄, Section 10, Deerhorn Township, Wilkin County, outletting via gravity flow to the east through 200th AVE directly into Wilkin C.D. No. 13, as assessed. Jones recommended permit approval, subject to our standard tiling disclaimer, installation of a gate on the outlet, and Township approval to work within their road R/W. The tile outlet needs to be gated, so high water from Wilkin C.D. No. 13 doesn't flood to the west, negating protection benefits on that side of the road.

Permit No. 17-070, Jeff Lee. Applicant proposes to add a driveway and culvert for a new home construction in Section 9, Eglon Township, Clay County, off 262nd ST S, east of Trunk Highway (T.H.) No. 32. Jones recommended permit approval with the conditions that Lee install either a 15" dia. or 18" dia. pipe in his driveway and that he obtain Township approval to work within their road R/W.

Permit No. 17-071, Tom Deal. Applicant proposes to improve approximately 0.25 miles of the west ditch along 190th AVE and 0.5 miles of the south ditch along 180th ST in the NE¹/₄, Section 16, Mitchell Township, Wilkin County, to divert water from a natural waterway crossing in Section 16 to flow around the northeast corner of the property. Jones recommended approval, subject to Township approval to work within their road R/W.

Permit No. 17-072, Jeff Yaggie. Applicant proposes to install approximately 320 acres of pattern tiling in the E¹/₂, Section 21, Meadows Township, Wilkin County, outletting via a lift station in the northwest corner of the project to the south ditch of 250th ST/C.R. No. 20, then west one mile to Wilkin C.D. No. 23 to which

it is assessed. Jones recommended permit approval, subject to our standard tiling disclaimer and downstream landowner notification.

Permit No. 17-073, Mike Yaggie. Applicant proposes to install pattern tiling in the N½, Section 35, Akron Township, Wilkin County, outletting to a natural waterway traversing through Section 35. Jones recommended permit approval, subject to our standard tiling disclaimer and a field review by Manager Larson.

Permit No. 17-074, Bruce Nelson. Applicant proposes to complete his 2013 tiling project (Permit No. 13-001) by installing 7.2 acres of pattern tile on land recently released from a Conservation Reserve Program (CRP) contract in the NW¼, Section 16, Atherton Township, Wilkin County. The project will outlet via an existing lift station in the northwest corner of the quarter to the township road ditch, following the current route of the existing tile system north for approximately 0.25 miles to a natural waterway. Jones recommended approval, subject to our standard tiling disclaimer.

Permit No. 17-075, Brice Bellmore. Applicant proposes to remove an existing approach and two 18" dia. x 25' long culverts in the NW¼, Section 26, Roberts Township, Wilkin County, off 140th AVE and install a new approach located approximately 100' to the north with a new 24" dia. x 40' pipe. Jones recommended approval, subject to Township approval to work within their road R/W.

Permit No. 17-076, Brice Bellmore. Applicant proposes to construct a new field ditch along the east side of the NW¼, Section 26, Roberts Township, outletting north through an existing township road culvert to Wilkin C.D. No. 29 to which the property is assessed. The east side of the quarter doesn't drain west naturally because of a ridge through the middle of the field. Jones recommended approval.

Permit No. 17-077, City of Fargo. Applicant proposes a bridge replacement in Section 5, Moorhead Township, Clay County, for the Oak Grove Park/Memorial Park pedestrian and bicycle bridge over the Red River at its existing location. The work will include construction of a new bridge, abutments with pile foundations, enhanced bridge and approach lighting, and the installation of a mechanical lift and is based on the recommendations of the June 2006 Lifespan and Replacement Study of the Fargo/Moorhead Bicycle/Pedestrian Bridges. Jones recommended approval.

Permit No. 17-078, Jim Miller. Applicant proposes to install pattern tiling in the E½, Section 28, Meadows Township, Wilkin County, outletting via gravity flow on the west quarterline to Wilkin County C.D. No. 1A to which the property is assessed. Jones recommended approval, subject to our standard tiling disclaimer.

Motion by Anderson to approve Permit Nos. 17-060 and 17-064 through 17-078, subject to the referenced disclaimers and conditions. **Seconded** by Fjestad. **Approved.**

Frank Schindler Drainage Concern. The Board reviewed photographs of Ron Erdman's excavation in a waterway on his property in the W½SE¼, Section 1, Barnesville Township, Clay County, which includes a wetland. Erdman's work has caused erosion on Schindler's downstream property because of the steep area grades. Manager Anderson and Albright conducted separate field reviews of this violation a few weeks ago. Albright plans to meet with Erdman to discuss options for reducing the damage caused by his work. There are also concerns that Erdman might be in violation of WCA. After meeting with Erdman, Albright will prepare recommendations for the Board's consideration at an upcoming meeting. Any repair expenses would be Erdman's responsibility. **Action postponed.**

Project No. 79, Clay/Wilkin Judicial Ditch No. 1 (J.D. 1) Outlet Diversion. BRRWD Attorney Tami Norgard, Vogel Law Firm, completed her review of the diversion petition and forwarded a letter with her conclusions. She determined that the petition and bond are valid. The next steps are to appoint the engineer, who must furnish a \$100,000 bond. **Motion** by Anderson to appoint HEI as the project Engineer. **Seconded**

by Hanson. **Approved.** HEI will prepare the Preliminary Survey Report, and the BRRWD could hold the Preliminary Hearing sometime in December.

Wolverton Creek Restoration. The project hearing is scheduled for 8/15/17 at 7:30 PM in the BRRWD Barnesville office. The office mailed 450 hearing notices. Anderson has received some landowner questions about the proposed watershed management district (wmd) fees. The Board had an extended discussion about this new assessment tool that will charge a fee based on runoff and drainage within the Wolverton Creek "watershed" boundary, which will help raise the local share of the project construction costs beginning in 2018 and could also provide a funding source for future maintenance costs, levied on an annual basis. Albright noted that following the hearing, the Board could decide at the 8/28/17 meeting to approve an Order to establish Project No. 79, Wolverton Creek Restoration, which is then subject to a 30-day appeal period. The Board discussed the BRRWD's financial contribution to the project costs, which could be funded by a district-wide levy through our Minnesota Statutes Annotated (M.S.A.) 103D.905, Subd. 3, taxing authority. Other potential funding sources include the Conservation Reserve Enhancement Program (CREP) (easement acquisition), the Lessard-Sams Outdoor Heritage Council (LSOHC) Grant (\$1.877 million), and possible NRCS Wetlands Reserve Enhancement (WRE) funding. **Motion** by Anderson to contribute up to \$2 million to the Wolverton Creek Restoration project to be levied for the project through the M.S.A. 103D.905, Subd. 3, taxing authority. **Seconded** by Hanson. **Approved.**

Manager Anderson reported that the contractor, Sellin Brothers, Inc., has completed the outlet repairs for Project Nos. 47, Clay C.D. No. 53 and No. 30, Clay/Wilkin J.D. 1. Both ditches outlet to Wolverton Creek. HEI submitted Pay Request No. 1 for \$39,986.10. **Motion** by Anderson to approve the referenced pay request. **Seconded** by Leitch. **Approved.**

The LSOHC grant agreement for \$1.877 million was forwarded from the DNR grant coordinator to the Board for their review and signature. **Motion** by Fjestad to authorize Albright to sign the documents on behalf of the BRRWD. **Seconded** by Affield. Manager Leitch questioned Item 4.1.2., Matching Requirements, where it references the Grantee (BRRWD) would agree to an unspecified grant match. The Board was under the assumption there was no matching funds required for the LSOHC grant. Albright will contact our DNR Grant contact person to clarify the grant language prior to signing the agreement. **Approved.**

Clay County Commission Meeting. Albright and Managers Anderson, Leitch, and Van Amburg attended the 8/01/17 Clay County Commission meeting to present the BRRWD's 2016 Audit and Annual Report. At their meeting, the Commissioners reappointed Anderson and Van Amburg to three-year terms. The Board briefly discussed the BRRWD's decision to withdraw from the F-M Diversion Authority's Joint Powers Agreement last year.

New BWSR regulations require that Watershed Managers must affirm and sign a new Oath of Office for each term that they serve. Albright administered the Oath of Office to Managers Anderson and Van Amburg, and they both signed the Oath forms. In accordance with M.S.A. 103D.311, Subd. 4, the office will furnish a record of the appointments to the other counties and BWSR.

USGS Gauging Contract. The United States Geological Survey (USGS) forwarded their standard joint funding agreement contracts for the Hawley and Sabin flood stage gauging stations for 10/01/16-9/30/20. The costs are split between the BRRWD (\$20,682) and the USGS (\$18,790). Albright explained that these stations provide flood benchmark data on a continuous basis. HEI uses this data to calibrate their BRRWD project models. **Motion** by Fjestad to sign the USGS contract. **Seconded** by Leitch. **Approved.**

Phone System Contract. Bridge Communications submitted our annual phone system contract renewal for \$550. **Motion** by Anderson to approve the referenced contract renewal. **Seconded** by Affield. **Approved.**

2017 MAWD Awards. Albright explained that the Minnesota Association of Watershed Districts (MAWD) is soliciting applications for their 2017 Awards Program. He suggested that we submit applications for the

Oakport Flood Mitigation project for the Project of the Year and the River Watch Program for Program of the Year. The submission deadline is 8/18/17. **Motion** by Hanson to authorize the submission of the referenced award applications. **Seconded** by Fjestad. **Approved.**

Wilkin County Ditch Repairs. Albright explained that the BRRWD has the BWSR grant for the South Branch of the Buffalo River that expires on 12/31/17, which still has an outstanding balance of approximately \$150,000. BWSR has approved our proposal to use this funding for the incremental installation of buffer strips and side inlets for several ditches that outlet to the South Branch: Wilkin C.D. Nos. 40, 41, 42, 43, and 44. Wade Opsahl, Technician, HEI, met with the BRRWD Viewers last week to discuss easement values for the buffers. They proposed the use of the County's appraised land value for easement acquisition. Albright also suggested that the ditch hearings could be held Thursday, September 7, 2017, at 7:00 PM in our Barnesville office. **Motion** by Fjestad to accept the Viewers' Report for the incremental installation of buffer strips and side inlets for the noted ditch systems and to tentatively schedule the ditch system hearings as referenced. **Seconded** by Anderson. **Approved.**

The following bills were presented for approval:

Accounts Payable	Description	Account	Amount
AmeriPride	#160416652, July Rug Billing	Admin.	\$ 64.14
Anderson Custom Farms	#230, Mowing and Rock picking	Wetlands-Elton Twp.	\$ 2,700.00
Barnesville Record Review	Hearing Notice (1)	Wolverton Creek	\$ 997.50
Carmen Pattengale	July Office Cleaning	Admin.	\$ 130.00
City of Barnesville	7/25/17 Phone/Internet/Utilities	Admin.	\$ 656.60
Daily News	Hearing Notice (2)	Wolverton Creek	\$ 1,182.60
HEI	July Billing Summary	Varies-See Attached	\$ 183,987.92
Homeland Security & Emer. Mgmt.	Overpayment, refund	2011 Spring Flood	\$ 5,631.16
JBX LLC	#636, Ditch cleaning	Becker C.D. No. 5	\$ 11,320.00
Liberty Business Systems	#296297, Printer supplies	Admin.	\$ 149.63
Moorhead Public Service	07/05/17-08/02/17 Service	Pj. 49, Oakport	\$ 37.33
New Century Press	300179046/300180253-Hearing Notice (2)	Wolverton Creek	\$ 1,069.88
Northern States Excavating, Inc.	#936, Repairs	Clay C.D. No. 22	\$ 1,812.50
Olson Construction, Inc.	#544959-Culvert Installation	Becker C.D. No. 9	\$ 5,311.00
Pitney Bowes Global Fin. Services	08/20/17-11/19/17 Postage Meter Rental	Admin.	\$ 112.22
Premium Waters, Inc.	#366590-07-17, July Billing	Admin.	\$ 61.37
Purchase Power	July Postage	Admin.	\$ 150.00
RMB Environmental Laboratories	#365235, Water Quality Analysis	M.S.A. 103D.905, Subd. 3	\$ 711.00
RMB Environmental Laboratories	#364860, Water Quality Analysis	M.S.A. 103D.905, Subd. 3	\$ 632.00
RMB Environmental Laboratories	#365696, Water Quality Analysis	M.S.A. 103D.905, Subd. 3	\$ 316.00
RRVCPA	Service 07/01/17-08/01/17	Pj. 49, Oakport	\$ 84.12
Sellin Brothers, Inc.	Pay Request No. 1	Clay 53/Pj. 30, J.D. No. 1	\$ 39,986.10
Stephen King	#454473, Weed Harvesting	Becker C.D. No. 19	\$ 3,750.00
U.S. Postal Service	PO Box annual rental fee	Admin.	\$ 52.00
Ulteig Engineers, Inc.	#66574, Wetlands thru 7/22/17	Pj. 49, Oakport	\$ 520.00
Ulteig Engineers, Inc.	#66569, Levee Cert/ thru 7/22/17	Pj. 49, Oakport	\$ 700.00

Ulteig Engineers, Inc.	#66652, Phase 4 thru 7/31/17	Pj. 49, Oakport	\$ 2,190.05
William Nichol Excavating	#228, Ditch cleanout	Pj. 65, County Line Outlet	\$ 4,635.00
William Nichol Excavating	#229, I-94 Clean out	Clay C.D. No. 58	\$ 6,750.00
WREC	06/18/17-07/18/17 Service (2)	Pj. 46, Turtle Lake	\$ 71.09
Xcel Energy	06/25/17-07/25/17 Service	Pj. 49, Oakport	\$ 78.03
Xcel Energy	06/25/17-07/25/17 Service	Admin.	\$ 67.32
Xcel Energy	06/26/17-07/26/17 Service	Pj. 49, Oakport	\$ 59.01
			\$ 275,975.57

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

Project No. 1, Wilkin C.D. No. 22 Repair. Jones presented the results of his C.D. No. 22 repair investigation, conducted in July in response to complaints following a heavy rainfall event this summer. The survey started at County State Aid Highway (CSAH) No. 3 and continued upstream approximately 3.5 miles to where the ditch ends at the line between Sections 9/16, Mitchell Township. The original ditch cross-section consisted of a 12' bottom width with 4H:1V sideslopes. The existing bottom width varies from 4'-12', and sediment depths in the deepest part of the channel varies between 0'-2.5'. Jones recommended that the referenced sections of ditch be repaired with the most work needed in Section 32, Deerhorn Township, and Section 9, Mitchell Township. He estimated repair costs to be \$35,000-\$40,000. Jones noted that we will need to obtain Permission to Level Spoil forms from the landowners and suggested that the contractor could complete sections of the ditch repair as crops are harvested so that all the work could be completed this year. The last major improvement project for this ditch system was completed in 1982. Albright suggested that the Board send letters to the ditch system landowners notifying them that the Board will conduct the ditch repair, and that HEI will be contacting them for the permission to deposit spoil forms. **Motion** by Anderson to approve the recommended ditch repair and to send the landowner notices as referenced. **Seconded** by Hanson. **Approved.**

Project No. 31, Deerhorn Creek Levees Repair. Opsahl noted several areas throughout Section 20 and the west end of Section 21, Atherton Township, where the Creek is blocked by debris from downed trees, brush, and old beaver dams. The debris is slowing the water flow and causing channel erosion. Opsahl recommended hiring a contractor with an excavator to remove the blocks yet this fall. The opinion of probable cost is \$4,000-\$5,000. The Board reviewed photos of the channel blocks. **Motion** by Fjestad to approve the recommended repairs. **Seconded** by Anderson. **Approved.**

Wilkin C.D. No. 43 Repair. The Board reviewed HEI's investigation of C.D. No. 43 and the repair options for the slope failure/slumping problems along a 2.9 mile stretch of Wilkin C.D. No. 43 in Sections 28, 29, and 30, Prairie View Township, and Section 25, Atherton Township, located on the north side of CSAH No. 30. Ted Rud, Engineer, HEI, recommended Alternative 3, which would shift the ditch alignment further north in critical areas upstream and downstream of the existing alignment. The new channel would have a 6' bottom width with a 0.10% grade and a 4V:1V sideslope in the required "clear zone" along CSAH No. 30. Past the clear zone, the inslopes and sideslopes will transition to 3H:1V. Rock drop structures will be installed in eight locations in both the downstream and upstream reaches to reduce the risk for downcutting and bank sloughing. The opinion of probable cost for Alternative 3 is \$360,000-\$400,000, including 6.0 acres of additional required R/W. Jones noted one factor causing the slope failure is that the ditch is in the beach ridge area where the grade drops approximately 66' in 2.9 miles.

The other three alternatives include: repair of the bank sloughing (Alternative 1), repair of the sloughing and rock drop structure installation in the downstream and upstream reaches in several locations (Alternative 2), and the realignment of the entire ditch with rock drop structures along the entire stretch of the ditch (Alternative 4). Estimated costs are \$45,000-\$55,000 (Alternative 1), \$165,000-\$195,000 (Alternative 2), \$510,000-\$560,000 (Alternative 4).

The Board discussed the estimated repair costs and possible funding partners. The Wilkin County Highway Department has been considering a road repair in this area for several years, but they continue to postpone the work. Albright suggested that the repairs plans could be revised to focus on the east 1,000' stretch of the ditch where the slumping is the worst near Lawndale. Jones thought that the grade stabilization structures might be eligible for funding through the 2013 BWSR Clean Water Assistance Grant (CWAG) for the Upper South Branch of the Buffalo River to reduce ditch system expenses, splitting the costs 75% (BWSR)/25% (BRRWD). Jones will provide a revised cost estimate for the smaller project, and he will also contact Peter Waller, BWSR, to find out if the project would be eligible for BWSR funding. The Board agreed to postpone action on this proposal until their 8/28/17 meeting.

Project No. 49, Oakport Flood Mitigation. The BRRWD has approximately 68,270 cubic yards (c.y.) of material stockpiled on two different sites in Oakport Township: the Oasis stockpile (46,920 c.y.) and the Pierce site (21,350 c.y.). The Board agreed that the Pierce stockpile should be removed first, as we pay an annual easement lease. Jones contacted several contractors/private parties and found seven people who were interested in taking a total of approximately 31,000 c.y of the material, leaving about 37,000 c.y. of spoil still on the Oasis site. There are four individuals who are interested in fill for private ringdike borrow sites, and RDO Equipment has spoken for about 7,000 yards of fill for a wetland mitigation project by Interstate-94 (I-94). The Managers discussed the dirt removal process and costs. It appears that if the BRRWD needs to pay for the spoil removal, our DNR grant should cover the costs. We have approximately \$380,000 left in the grant, which expires on 12/31/18. The Board directed Jones to continue to develop specifications and solicit bids for the spoil removal.

Upper South Branch of the Buffalo River. Albright noted that LSOHC has scheduled an interview with the BRRWD on Wednesday, August 23, 2017, in St. Paul for the South Branch River Restoration-Phase 1 application for 2018 funding. We applied for \$1.7 million in funding to do channel work on the South Branch of the Buffalo River upstream of T.H. No. 9. Albright, Jones, and Manager Anderson plan to attend.

Shane Thompson/Clay C.R. No. 21 Drainage Issues. Albright explained that for over a year, the office has been working with landowners in Sections 5 and 8, Barnesville Township, regarding landowner concerns that several culverts along C.R. No. 21 don't not match existing area culverts and might not be at the correct grade. HEI conducted a survey of the field culverts in this area last fall, and this spring, the Clay County Highway Department conducted a culvert survey along C.R. No. 21. The BRRWD has scheduled an informational meeting for Tuesday, August 22, 2017, at 7:30 AM in the BRRWD office to review the survey results with the area landowners and to discuss possible repair options.

Wentz Tile Complaint. Albright reported that he has sent John Steffl a final letter to request that he submit an after-the-fact permit application for the tiling project he installed last summer without a BRRWD permit that outlets via existing ditches to NRCS designated wetlands on Harlan Wentz's property in the SE¼, Section 3, Callaway Township, Becker County. This was the third letter we have sent to Steffl. The office also provided a permit application for him to fill out, but he hasn't returned the paperwork. Albright also suggested that Steffl work with Wentz to develop a plan for his drainage. The other neighbor, Eugene Kaiser, who also installed tiling that outlets to Wentz's property, has filed Permit No. 16-126 as an after-the-fact application, which is still pending receipt of Steffl's application. Albright suggested that the Board review this issue again at our 8/28/17 meeting, and if Steffl still hasn't complied with the Board's request, we will order him to stop his tile operation until he submits a permit application, according to BRRWD Rules.

BRRWD By-Laws. Van Amburg submitted his revision of the By-Laws for the Board's review.

F-M Diversion. The Board briefly discussed the status of the Upstream Coalition lawsuit.

One Watershed, One Plan (1W1P). BWSR has scheduled the 1W1P orientation meeting with the BRRWD and the Bois de Sioux Watershed District (BDSWD) on August 21, 2017, from 1:00-4:00 PM in Breckenridge at the Environmental Planning Office.

Mediation Project Team (PT). The Fall Tour is tentatively scheduled for Thursday, September 21, 2017, beginning at 1:30 PM.

Donald Ogaard Funeral. The Board noted that Donald Ogaard recently passed away. Albright commented that Ogaard was very influential in the development of Watershed Districts and water management, locally and state-wide. The office sent flowers.

Easement Consultant. Albright is working with Steven J. Taff, Associate Professor Emeritus, Department of Applied Economics, University of Minnesota, on a draft consultant contract. Taff will not be available to work on the BRRWD project until September.

Boyer Lake BWSR Article. Brett Arne submitted a BWSR Spotlight article on Boyer Lake water quality improvements, which mentions the BRRWD's partnership with the Becker Soil and Water Conservation District (SWCD) to support their Clean Water Funds (CWF) water quality projects for area lakes.

Nitrogen Use Meeting. Managers Anderson and Fjestad attended a meeting in Hawley regarding Best Management Practices for Nitrogen Use. The Board discussed the Department of Agriculture proposed rules relating to water resource protection requirements.

Next Meeting. The next regular meeting and 2018 Annual Budget Hearing (9:00 PM) will be held on Monday, August 28, 2017, at 7:00 PM in our Barnesville office.

Adjournment. Motion by Leitch to adjourn the meeting. **Seconded** by Fjestad. **Approved.** Chairman Van Amburg adjourned the meeting at 9:30 PM.

Respectfully submitted,

John E. Hanson, Secretary