

BUFFALO-RED RIVER WATERSHED DISTRICT

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MINUTES FOR MANAGERS' MEETING

May 13, 2019

The Board of Managers, Buffalo-Red River Watershed District (BRRWD), held a regular meeting on Monday, May 13, 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, and Gerald L. Van Amburg. Others attending included: Bruce E. Albright, BRRWD Administrator, Kathleen K. Fenger, BRRWD Assistant Administrator, and Erik S. Jones, BRRWD Engineer, Houston Engineering, Inc. (HEI); Brent Edison, BRRWD Attorney, Vogel Law Firm; Kevin Campbell, Clay County Commissioner/Fargo Moorhead Diversion Authority (FM DA); Lyle Hovland, Wilkin County Commissioner; Robert Zimmerman, Engineer, City of Moorhead; David Morken, Chair, Don Nelson and Trana Rogne, Directors, MNDAK Upstream Coalition; Jason Ehlert, President, North Dakota Building Trades Unions; Gregg Thielman, Engineer, Houston-Moore Group, LLC (HMG); Paul Barthel, Jacobs Group, FM DA Project Management Consultant (PMC); Eric Dodds, Engineer, Advanced Engineer and Environmental Services (AE2S); Tim Fox, retired Attorney; and landowners: Judy Ness and Larry Ness.

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. There being none, the agenda was adopted as presented.

Secretary's Report. The Board reviewed draft minutes for the 4/22/19 Board meeting. President Leitch noted one correction. **Motion** by Affield to approve the 4/22/19 meeting minutes, subject to correction. **Seconded** by Manager Anderson. **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 \$2,552,632.77. Administrative disbursements this month equal \$22,338.80, and for the year, total \$110,620.48. Current 2019 accounts receivable are \$6,088,936. Total income this year is \$1,190,837.01. Income received since the 4/08/19 meeting totaled \$46,072.62: \$39,863.64 from Kristi Bixby for the Blilie property sale associated with Project No. 79, Wolverton Creek Restoration, \$514.64 from Otter Tail County for delinquent property/ditch taxes, \$5,469.34 from Midwest Bank interest, and \$225 from HEI for their monthly office rent. **Motion** by Van Amburg to approve the Treasurer's Report. **Seconded** by Affield. **Approved.** Albright noted that Harold Rotunda, BRRWD Auditor, will be in the office tomorrow (5/14/19) to start work on the 2018 audit.

Citizens to Be Heard.

Minnesota Department of Natural Resources (DNR) Contested Case. Wilkin County Commissioner Lyle Hovland reiterated his constituents' position that the BRRWD should continue the contested case process regarding the DNR's approved FM DA permit. Tim Fox, Attorney, asked if the Board planned to allow comments following the FM DA's presentation regarding Charlie Anderson's "Plan C", which is on tonight's agenda. Leitch said the Board would allow brief comments. Robert Zimmerman, City of Moorhead Engineer, who will make the DA's presentation, was delayed by a City Council meeting, so the Board continued with the regular agenda items until Zimmerman arrived.

Other Business brought before the Board included:

Permit No. 19-004, Pheasants Forever, Inc. Applicant proposes a series of wetland restorations in Section 7, Parke Township, Clay County. **Action Postponed**, pending staff contact with the neighboring landowner.

Permit No. 19-014, Prairie View Township. Applicant proposes to install tile in the centerline of 100th ST in the NE¹/₄, Section 6, Prairie View Township, Wilkin County. Jones contacted Bob Hovland, Prairie View Township Supervisor, regarding the project plan details. Hovland will get that information to the office as soon as spring field work is finished. **Action Postponed**, pending receipt of more information.

Permit No. 19-051, Elkton Township. Applicant proposes to replace damaged and washed-out culverts at three sites with the same size structures and elevations in Sections 15, 34, and 35. Jones recommended permit approval.

Permit No. 19-052, M&J Farms, Inc. Applicant proposes to install random tile following existing ditches in the NW¹/₄, Section 18, Highland Grove Township, Clay County, outletting to the same areas on their property and to a United States Fish and Wildlife Service (USFWS) wetland area as the existing ditches currently drain. Jones recommended permit approval, subject to our standard tiling disclaimer.

Permit No. 19-053, Ross Malakowsky. Applicant proposes to replace existing clay tile in the N¹/₂, Section 29, Highland Grove Township, Clay County, with similar-sized new tile, outletting to the 43rd AVE N road ditch and low area as the existing tile currently drains, eventually to County Ditch (C.D.) No. 16, to which the property is assessed. Jones recommended permit approval, subject to our standard tiling disclaimer.

Permit No. 19-054, Moorhead Public Service. Applicant proposes to directional bore a new electrical service line in the SE¹/₄SW¹/₄, Section 21, Oakport Township, Clay County, near the Crystal Creek Subdivision. Jones recommended permit approval, subject to our standard utility disclaimer and the recommendation that they work with the City of Moorhead Engineering Department to be sure that the proposed work is coordinated with the City's future permanent flood protection projects for that area.

Permit No. 19-055, CV Properties. Applicant proposes to construct a new gravel road (79th AVE N) with ditches, graveled trail, and stormwater pond, and to regrade 80th AVE N and the south road ditch in the NE¹/₄NE¹/₄, Section 10, Oakport Township, Clay County, for a future 30-acre subdivision in the northeast corner of Section 10. The Linden Trails Subdivision will be located at the intersection of 80th AVE N and County Road (C.R.) No. 95 (40th ST). Jones recommended permit approval, subject to County and Township approval to work within their road right-of-way (R/W).

Permit No. 19-056, Moorhead Public Service. Applicant proposes to install a new 12" dia. water main for the southeast corner of the City of Moorhead by horizontal directional boring to improve watermain pressure and flow capacity in the SW¹/₄, Section 23, Clay County. The watermain will be replaced from 12th AVE S to 20th AVE S and on 18th AVE S. **Action Postponed**, pending further review.

Motion by Anderson to approve Permit Nos. 19-051 through 19-055, subject to the referenced disclaimers and conditions. **Seconded** by Fjestad. **Approved.**

FM DA Presentation-"Plan C". Robert Zimmerman, Engineer, City of Moorhead, and Gregg Thielman, Engineer, HEI/HMG, gave a presentation regarding Charlie Anderson's alternative diversion alignment proposal, known locally as "Plan C". Zimmerman started with a brief general description of all of the Diversion alignment alternatives that have been studied over the past 10 years of the project's development. The Army Corps of Engineers (COE) started their Feasibility Study of alternative alignments/Federal Environmental Impact Statement (EIS) in 2008. The COE has also produced two Supplemental EIS (SEIS) reviews. Altogether, 70 alternatives were evaluated. Zimmerman displayed three maps showing the most

recent alignments considered by the COE (2011 Federal EIS, 2013 Supplemental Environmental Assessment [SEA], and the 2019 SEA-Plan B), ending with "Plan B", for which the DNR issued a provisional permit. He noted that none of the alternatives that were reviewed totally eliminated upstream staging impacts. Each alignment just shifted impacts from one area to another. Zimmerman discussed the DNR's "re-screening" effort, based on alternatives derived during the COE's scoping process and public comment period for the SEIS. The DNR reviewed approximately 35 alignments focused on Federal Emergency Management Agency (FEMA) accredited 100-year flood protection and published their Final SEIS in November 2018.

Gregg Thielman, HMG, gave an overview of DNR Alternatives 30 and 31, which include components of Alternative (Plan) C. These Alternatives included a shift of the northwest diversion channel alignment and a change to the dam/southern embankment. The DNR screened Alternative 30, focused only on the northwest alignment change, and found that it did not have significant environmental benefits over Plan B, and excluded it from further evaluation.

Plan Benefits:

- Removes the Maple River Aqueduct.
- Preserves additional floodplain acreage.
- Retains approximately 5 miles of the Rush and Lower Rush Rivers.

Project Impacts:

- Requires an at-grade crossing where the Diversion Channel crosses the Sheyenne River. This causes water to back up into Diversion Channel all the way to the Sheyenne River Aqueduct.
- Requires wider Diversion channel (~600' vs. ~220').
- Additional sedimentation concerns and potential aquatic and invasive species concerns.
- Eliminates the ability for wetland mitigation in Diversion Channel bottom.
- Concern with potential scour due to proximity of outlet to the Sheyenne River.
- Leaves ~1,500 residents unprotected.

Alternative 31 (JPA-Alternative C) was evaluated based on the dam/southern embankment alignment and screened for several environmental and socioeconomic criteria.

Environmental Considerations:

Floodplain:

- Alternative C does a better job of maintaining existing floodplain than Plan B.

Depth and Duration of Inundation

- Plan B would have less depth and duration impact than Alternative C.

Skewed Operation:

- Alternative C would provide greater benefits with skewed operation by reducing velocities through the Red River and returning Red River flows to normal levels faster.

Wild Rice River Watershed:

- Alternative C would have a greater environmental impact on the Wild Rice watershed.

Footprint:

- Although Alternative C has a larger footprint than Plan B, the magnitude of increase compared with the overall footprint of plan B is insufficient to determine a meaningful difference to the environment.

Socioeconomic Considerations:

New Inundation:

- Alternative C would create less new inundation area than Plan B.

Cost:

- The increased cost of Alternative C (\$280 million) does not render the alternative infeasible but is a factor for consideration of socioeconomic impacts.

Dam Safety:

- Alternative C poses a greater risk to safety than Plan B (dam is longer and closer to Fargo).

Structures

- Although Alternative C would impact more structures than Plan B, the magnitude of increase compared to overall structure impacts was insufficient to determine a meaningful difference to socioeconomic impacts.

The DNR determined that although Alternative 31 had similar environmental benefits to Plan B, it did not provide substantially less adverse socioeconomic impacts and would not be evaluated further.

Timothy Fox, Attorney, provided a handout for the Board's review that Charlie Anderson prepared to address the issues referenced in the DNR's Final SEIS Report, featured in tonight's FM DA's presentation. He asked the Managers to read Anderson's material, which provides solutions for each of the issues the DNR raised in their Report regarding Plan C.

Fox explained that the DNR had verified the Charlie Anderson Plan (Plan C or Alternatives 30 and 31) as being accurate and correct as far as the staging area, reduction of acreages, and all other items associated with the Plan. According to Fox, the FM DA voted to move forward with Plan B without considering the Anderson alternatives. He claims that the DNR adopted the COE's findings on Plan C, and neither the DNR nor the DA has ever considered an independent analysis or follow up with Anderson regarding this plan. Anderson submitted comments to the DNR regarding their SEIS findings, but Fox claims that his information was not considered when the DNR Report was published. Fox maintains that for this reason, the BRRWD contested case hearing request will bring these issues/concerns to light.

Permit No. 19-003, FM DA. The deadline to submit written comments for the 4/23/19 special meeting ended last Friday (5/10/19). The Managers have not had time to review them and agreed to discuss the comments at the next meeting (5/28/19).

BRRWD Attorney Brent Edison suggested that the Board could go into Executive Session to discuss a variety of issues with our legal counsel regarding the DA's permit application and the DNR contested case hearing. At 7:45 PM, **motion** by Van Amburg to move to Executive Session, **seconded** by Affield. **Approved.**

At 8:05 PM, the Board returned to regular session.

Albright summarized the Board's agreed upon timeline for the FM DA's permit application review and the DNR contested case. Minnesota Statutes (M.S.) 15.99 places a time deadline for the BRRWD to act on a permit application. In accordance with the M.S. 15.99, the Board plans to submit a letter to the FM DA, requesting them to wave the deadline in order for the BRRWD to complete three items:

1. Meet with DA's Engineers, DNR, and the COE to discuss their stated objective to obtain easements to the "maximum flood pool elevation". (DNR Condition No. 22) An explanation of this terminology will help determine to what elevation the DA will need to take easements within the project staging area. The question involves the boundary of the 500-year floodplain and potential impacts to the Minnesota properties under the BRRWD's jurisdiction.

2. Following the referenced meeting, the BRRWD's permit conditions need to be finalized.
3. Meet with the BRRWD's Attorney regarding the status of the DNR contested case.

Providing that the three noted items have been completed, the Board could be prepared to take action on the DA's permit application at our 6/24/19 meeting. If the DA rejects the Board's request for an extension on the permit decision, the Managers would need to act on the permit at our 5/28/19 meeting. Attorney Edison asked if anyone from the DA present at the meeting would have authority to grant the request. Commissioner Campbell was present but indicated that he didn't have authority to act on behalf of the DA. **Motion** by Hanson to continue to work on the three referenced issues with the intent of acting on the DA permit application at the 6/24/19 meeting. **Seconded** by Van Amburg. **Approved.** President Leitch directed Albright to forward a letter as soon as possible to the DA requesting an extension of the permit action deadline so that the DA can take action on the request at their next meeting on 5/23/19.

Leitch prepared comments (copied below) to Bob Zimmerman's responses to the Board's 4/22/19 questions regarding the DA's permit application.

BRRWD Rules, Section 1, Paragraph 7: *It is the intention of the Managers to promote the use of the waters and related resources within the District in a provident and orderly manner so as to improve the general welfare and public health for the benefit of its present and future residents.*

Benefit-Cost Analysis is the most common tool used to assess changes in the general welfare of present and future residents. As such, we have the following questions regarding the FM Diversion Project.

1. What is the Moorhead/Clay County/State of Minnesota share, in percent and in dollars, of the total cost (\$2.75 billion, or so) of the FM Diversion Project? **Zimmerman's response:** About 3.3%. Not more than \$100 Million but only from the State of Minnesota.
2. What is the estimated annual operation, maintenance, repair, replacement, and rehabilitation (OMRR&R) cost (in dollars/year) for the completed and operational FM Diversion Project? **Zimmerman's response:** \$3 to \$5 million/year. Leitch commented that the OMRR&R is typically estimated to cost about 1.25% to 1.5% of initial construction costs. If initial construction costs were \$1 billion, then OMRR&R could be \$12.5 to \$15 million/year.
3. What is Moorhead/Clay County's share, in percent and in dollars, of the total estimated annual OMRR&R cost? **Zimmerman's response:** 2% or between \$60,000 and \$100,000/year to the City of Moorhead. Leitch commented that it could more likely be as much as \$250,000/year.
4. What are the total estimated benefits to Moorhead/Clay County of the FM Diversion Project? Informed approximations are sufficient, but please provide detail and include assumptions for how this number is derived. In other words, 'show your work'! **Zimmerman's response:** Equivalent Expected Annual Benefits for Moorhead and Clay County exceed \$9 million. Leitch thought that the benefits would not be that high, as there are several atypical assumptions and calculations in the COE's Final Feasibility Report. If the analyst were to follow the Principles and Guidelines, the benefits would be closer to \$1 million (which has a discounted present value of \$26 million @3% for 50 years). This results in a Minnesota-side Benefit

Cost Ratio (BCR) of 0.26. However, if the Minnesota side were only able to get \$26 million for construction from the State, the BCR would be 1.0.

5. What is the estimated cost to acquire all necessary property rights, and/or in-place mitigation, for the FM Diversion Project in Clay and Wilkin Counties? **Zimmerman's response:** \$50 million.
6. What is the estimated total, one-year cost to compensate farm operators in Clay and Wilkin Counties for their losses in years the FM Diversion Project is operated at its designed maximum? What will be the source of funds to make these payments in a timely manner (within 6 months of inundation due to the Project)? **Zimmerman's response:** \$20 to \$25 million, self-funded or sales tax and maintenance levy against benefitted properties in North Dakota. Leitch questioned if there is adequate provision that these funds will be available for payout when needed.

Several previous questions remain unanswered, which FM DA has indicated they are working on:

1. Is 5' of freeboard necessary in areas where the maximum pool depth is between 1" and 5'? Please identify the specific requirement/rule and the agency responsible. **Zimmerman's response:** We will pursue the request when sufficient information has been developed to support the request.
2. Can the mitigation options and development restrictions be relaxed in the 500- and 100-year operating pool so they are no more restrictive than in the City of Moorhead or other places in Clay County? Please identify the source of the requirement and the agency responsible. **Zimmerman's response:** The Diversion Authority also supports modifying the permit conditions to allow more flexibility for future development so that buildings are constructed above the 100-year with-project flood level. Accomplishing these goals by means other than the mitigation options and development restrictions currently proposed for Zone 2 is a possibility. Leitch also asked about Zone 1.

Leitch commented that there are still a couple of the responses that will need more follow up with the DA. He observed that the DA should have an economist on staff.

Managers Anderson and Leitch shared their comments about the DA's bus tour of the Winnipeg Diversion project last week. Leitch mentioned that the North Dakota Water Education Foundation sent him a notice regarding upcoming tours they are planning in the Basin this summer. He will forward the tour information to the Managers and encouraged them to attend. Tour costs are \$20/person.

Minnesota Land Acquisition Committee. Commissioner Campbell asked if the Managers have received the most recent draft of the Minnesota-Clay County Joint Powers Agreement (MCCJPA). Albright didn't think we had, so Campbell will have the document resent to the BRRWD office and to President Leitch. Leitch is a member of the Acquisition Committee and will have voting privileges. Campbell pointed out that the DA would like to have the draft JPA approved at one of their meetings in June. He explained that there are a number of Minnesota landowners interested in voluntary buyouts. Currently, the Cass County Joint Water Resource District (CCJWRD) is handling these acquisitions, as they have authority to purchase properties on behalf of the DA and retain ownership, as long as the sale is voluntary. The consensus of the DA members is that a Minnesota entity should retain ownership of Minnesota lands. The Acquisition Committee needs to be in place so that the lands already held by the CCJWRD can be deeded over to them and then to move forward with future Minnesota acquisitions. Campbell explained that the DA's goal is to

acquire only as much land as necessary, and to return as much land as possible to production/private ownership.

Project No. 79, Wolverton Creek Restoration. Albright reported that we closed on the Blilie/Bixby buyout on 5/6/19. The next step is to start work on the Reinvest In Minnesota (RIM) paperwork, as soon as the RIM easement is in place, we will enter into a Contract for Deed with Kristi Bixby on the remaining 19 acres involved with the Blilie buyout. Albright will also contact our insurance agent to get coverage for the Tract 2 acreage until Bixby takes ownership under the Contract for Deed, which includes land and buildings worth about \$55,000.

Jones submitted Change Order No. 2 in the amount of \$14,103 for increased seeding and mulching, increased quantities for spoil leveling in Section 10, Wolverton Township, and increased topsoil stripping quantities for adjusting the channel alignment. The total contract to date is \$1,829,393.40. He added that the plans have been adjusted for the Ernst property on the south end of the Phase 1 where the channel meander will be flipped to the other side of the channel, so a permanent easement won't be needed for that tract. **Motion** by Anderson to approve Change Order No. 2, as referenced. **Seconded** by Fjestad. **Approved.** Jones reported that Sellins Brothers, Inc. were moving equipment onto the construction site today.

Wilkin-Otter Tail Judicial Ditch (J.D.) No. 2. A bid letting was held 5/10/19 at the HEI Fargo office. We received six bids, and States Borders Construction, Inc., Graceville, MN, was the low bidder at \$228,884. The Engineer's cost estimate was approximately \$375,000. Jones submitted a Notice of Award for the Board's approval. Plans are for the contractor to start the project in late July/early August. **Motion** by Anderson to award the contract to States Borders Construction, Inc. **Seconded** by Hanson. **Approved.**

One Watershed, One Plan (1W1P). The Policy Committee has a meeting scheduled for 5/29/19 at 10:30 AM in the BRRWD office.

2018 Annual Report. Leitch asked about the status of the Annual Report. Albright noted that we received the annual update from the Red River Basin Commission (RRBC), and Harold Rotunda will be in the office tomorrow (5/14/19) to get started on the 2018 Audit. Albright noted that we will also need a letter from President Leitch for the Report.

Project Development Timeline. Jones distributed a draft timeline worksheet for the Board's review and comments with action items and deadline dates for eight current projects.

Project No. 27, Clay C.D. No. 55, Darin Tucker Drainage Concern. In response to Darin Tucker's concerns, Albright explained that C.D. No. 55 is scheduled for possible cleaning this summer, and the spoil from the repair could be placed in the Tucker breakout areas. The next step in the repair process would be for the Board to schedule a landowner informational meeting to discuss the repairs. The Board agreed to hold the meeting on Tuesday, June 4, 2018, at 7:00 PM in the BRRWD office. Staff will send notices to the affected landowners.

Wilkin C.D. No. 4A Concern. Last fall, Mike Bergquist contacted the Wilkin County Highway Department and the BRRWD regarding the spoil bank height of C.D. No. 4A running north and south along the west side of Section 7, Foxhome Township. A HEI survey was conducted last fall in response to Bergquist's concern, showing that parts of the west berm (Hasbargen property) are up to 1' higher than the east berm. According to Bergquist, when the County did the retrofit on C.D. No. 4A in 2017, there was a verbal agreement that both sides of the ditch would be at the same elevation. The County suggested that when Bergquist cleans his laterals this fall, he could use the dirt to build up his spoil bank to match the height of his neighbor's berm. Albright noted that the west bufferstrip along that one-mile stretch of the ditch will also need to be re-established. He suggested that the Board could send a letter to the Hasbargens advising them to stop diking along their property along with a copy of the survey and to notify them that the BRRWD is working on ways

to address the berm elevation issue. **Motion** by Anderson to authorize Albright to send the referenced letter to the Hasbargens. **Seconded** by Van Amburg. The Board briefly discussed the berm elevations and drainage patterns during spring runoff. **Approved.**

Flood Buyout Request. Joel and Jill Carlson contacted Clay County this spring regarding a potential flood buyout of their property along the Buffalo River in SE¼, Section 26, Kragnes Township. They declined a buyout when the County had funds available in 2010/2011. The County no longer has buyout funding, so they forwarded the Carlson's request to the BRRWD office. The BRRWD doesn't have State funding for buyouts either. Albright noted that there could potentially be Flood Damage Reduction (FDR) grants available next year (2020) for farmstead ringdikes/buyouts after FEMA evaluates the 2019 spring flood damages. When and if a new round of funding becomes available, the Carlsons will be notified and added to our list.

BRRWD Rules. Albright reviewed the timeline for adoption of the revised Rules. The draft Rules could be out for review for the 45-day comment period by 5/16/19. **Motion** by Anderson to adopt the draft Rules as of 5/16/19 and send them out for 45-day comment period, with the public hearing on 7/2/19, and final Rules adoption at the 7/8/19 Board meeting. As comments come in, the draft document will be updated. **Seconded** by Affield. The Board briefly discussed possible wording revisions. **Approved.**

Water Quality Meeting. Albright reported that International Water Institute (IWI), Minnesota Pollution Control Agency (MPCA), and River Watch representatives met on 5/8/19 to discuss the BRRWD's 2019 water quality monitoring program. No changes to the program were proposed. The total IWI 2019 water quality budget is \$26,103, which includes \$12,812 for the BRRWD monitoring and \$13,291 for the 2019 Surface Water Assessment Grant (SWAG) monitoring. The IWI submitted a letter agreement for the Board's review and signature for purpose of acquiring water quality data at 28 locations within the BRRWD from 5/13/19 to 12/31/19. Albright noted that the BRRWD plans to make water quality data more accessible to the public via our Website. IWI suggested that we evaluate the accumulated data and determine if some of the collection sites could be dropped from the monitoring list. **Motion** by Anderson to approve the IWI water quality monitoring contract for 2019. **Seconded** by Hanson. **Approved.**

The following bills were presented for approval:

Accounts Payable	Description	Account	Amount
AmeriPride	#160514641, April Billing-Rugs	Admin.	\$ 81.22
Barnesville Record-Review	Special Meeting Notice	COE	\$ 100.00
Bruce E. Albright	Meeting Supplies	COE	\$ 15.60
C & H Farms	Easement Option Payment	Pj. 79, Wolverton Crk	\$ 3,610.00
Cardmember Service	Meeting Supplies	Admin.	\$ 76.14
Carmen Pattengale	Office Cleaning	Admin.	\$ 260.00
City of Barnesville	#10031305, 4/25/19 Billing	Admin.	\$ 823.35
Clay County Auditor-Treas.	2019 Property Taxes	Pj. 49, Oakport	\$ 2,058.00
Clay County Auditor-Treas.	2019 Project Assessments	Pj. 49, Oakport	\$ 3,284.77
Clay County Auditor-Treas.	2019 Special Assessments	Pj. 39, Georgetown	\$ 4.00
Curtis J. Rehder	Permanent R/W Payment	Pj. 78, Clay-Wilkin J. D. 1	\$ 7,155.00
Dacotah Paper Co.	#51738, Soap dispensers & soap	Admin.	\$ 83.24
David Evert	Permanent R/W Payment	Pj. 78, Clay-Wilkin J. D. 1	\$ 840.00
DL Barkie Construction, Inc.	#772, Flood Relief	Clay C.D. No. 12	\$ 3,925.00
Donald&J Beyer Asst Prot TR	Easement Option Payment	Pj. 79, Wolverton Crk	\$ 3,021.75
Forum Communications Co.	#2097117, Special Mtg. Notice	COE	\$ 417.40
Fuchs Sanitation	#30582, April Garbage Service	Admin.	\$ 51.48
Gerald L. Van Amburg	VN#19-14, 03/01/19-04/30/19	Varies	\$ 1,325.35
Houston Engineering Inc.	May Billing	Varies-See attached	\$ 195,623.91
Indigo Signworks, Inc.	#75689, Install LED light bulbs	Admin.	\$ 1,195.00
Jay A. Leitch	VN#19-13, 03/01/19-04/30/19	Varies	\$ 2,130.45

JB Construction Service	April Snow Removal	Admin.	\$ 100.00
Jerome Flottesmesch	Advisory Committee mileage	Admin.	\$ 53.94
John Boen	Advisory Committee mileage	Admin.	\$ 17.40
John E. Hanson	VN#19-11, 03/01/19-04/30/19	Varies	\$ 1,476.93
Jon Yeske	#600, Beaver Control	Clay C.D. No. 34	\$ 840.00
Key Contracting, Inc.	2019 Flood Relief	Varies	\$ 10,650.00
MPS	03/19/2019-04/18/19 Service	Pj. 49, Oakport	\$ 54.29
New Century Press	Special Meeting Notice	COE	\$ 288.00
Peter V. Fjestad	VN#19-10, 03/01/19-04/30/19	Varies	\$ 1,238.89
Pitney Boves	05/20/19-08/19/19 Postage meter	Admin.	\$ 129.00
Ronald Hoeck	Permanent R/W Payment	Pj. 78, Clay-Wilkin J. D. 1	\$ 14,504.85
RRVCPA	04/01/19-05/02/19 Service	Pj. 49, Oakport	\$ 149.86
US Bank	04/27-05/27/19 Copier Contract	Admin.	\$ 274.65
Vogel Law Firm	#234687, May Billing	Pj. 79, Wolverton Crk	\$ 4,883.00
Wayne Hoeck	Permanent R/W Payment	Pj. 78, Clay-Wilkin J. D. 1	\$ 14,504.84
Wilkin Co. Hwy Dept.	Debris Removal-2019 Flood	Varies	\$ 15,485.68
WREC	03/18/19-04/18/19 Service (2)	Pj. 46, Turtle Lake	\$ 68.50
Xcel Energy	03/27/19-04/25/19 Gas Service	Admin.	\$ 62.99
			\$ 290,864.48

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

Manager Comments. Albright noted that the Minnesota Association of Watershed Districts (MAWD) Summer Tour will be held June 26-28, 2019. He distributed tour materials to the Managers and noted that the staff will handle hotel reservations and tour registrations. Manager Hanson will need a room reservation.

Anderson noted that someone contacted him to report that the Website calendar didn't have tonight's meeting listed. Staff will check on updating the calendar.

There was a brief discussion about the BRRWD's association with the Red River Basin Flood Damage Reduction Work Group (RRBFDRWG). Manager Van Amburg and BRRWD Viewer Eddie Bernhardson serve on the Committee as citizen members. Jones is also on the RRBFDRWG Technical Advisory Committee.

Albright was recently informed that the Red River Watershed Management Board (RRWMB) plans to make changes to the Mediation Agreement. Van Amburg explained that the RRWMB won't be changing the actual agreement but will include an appendix to the Agreement to add a reference to the 20% flow reduction strategies from the RRBC.

Jones noted that he has been working with a few Wolverton Creek Phase 2 landowners regarding project impacts on their property. Robert Nord has asked for a possible low water crossing to allow his cattle access to his pastureland and an access easement across his neighbor's property to get to his pasture on the other side of the project. Jones is also working with him to set up a conservation easement on the channel corridor and a permanent vegetation easement for his pasture. Greg and Patricia Freitag have a farmstead within the project area, and Jones is working with them to adjust the channel alignment to minimize the project footprint on their yard. He plans to prepare draft easements to send to those landowners this week.

Van Amburg asked if Albright knew any more about Larry Davis' request to have approximately 40 acres of wetland area he owns along Pearl View Estates enrolled in some type of easement program. Albright contacted Jon Voz, Clay Soil and Water Conservation District (SWCD), but since it isn't cropland, the site wouldn't be eligible for the Wetlands Reserve Program (WRP). Albright thought he could contact USFWS or the DNR to see if they might be interested in taking ownership of the property.

Next Meeting. The next regular BRRWD meeting will be held on Tuesday, May 28, 2019, at 7:00 PM in our Barnesville office. The meeting date has been moved in observance of the Memorial Day Holiday.

Adjournment. Motion by Fjestad to adjourn the meeting. **Seconded** by Anderson. **Approved.** President Leitch adjourned the meeting at 9:05 PM.

Respectfully submitted,

John E. Hanson, Secretary