

**BOIS DE SIOUX WATERSHED DISTRICT  
BOARD MEETING MINUTES  
August 17, 2017**

- CALL TO ORDER** The meeting was called to Order by President Vavra at 8:03 a.m. Present: Linda Vavra, Jason Beyer, Doug Dahlen, Jerome Deal, Scott Gillespie, John Kapphahn, Steven Schmidt, and Allen Wold. Also Present: Attorney Thomas C. Athens, Engineer Chad L. Engels, Engineer Jim Guler, Engineer Technician Troy Fridgen, and Accountant Renee Kannegeisser. Absent: Administrator Michelle Swenson.
- AGENDA** Motion made by Dahlen, seconded by Wold, to amend the agenda to include policy changes recommended by the Drainage Committee and date by which board managers would like to receive meeting information. Motion passed.
- MINUTES & CLAIMS** Upon motion by Dahlen, seconded by Gillespie and carried unanimously, TCD #37 Whaley Excavating Payment Request in the amount of \$53,285.24 was approved. Upon motion by Gillespie, seconded by Dahlen and carried unanimously, the Claims of August 17, 2017 were approved as presented. Upon motion by Deal, seconded by Dahlen and carried unanimously, the Minutes of July 29, 2017 were approved.
- ACCOUNTANT'S & TREASURER'S REPORT** Kannegeisser recommended that the District consider a policy to limit the amount placed on charge cards. Upon motion by Wold, seconded by Gillespie and carried unanimously, the Treasurer's Report of August 17, 2017 was approved.
- PUBLIC COMMENT** Mr. Haney relayed that Tim Backman does want collection channel for Redpath project. It was previously thought that Backman did not support it.
- PERMIT UPDATE #17-040 R. Schmiesing** There was a change in design, so an updated permit was submitted. The changes satisfy the concerns that the engineer previously had; Engineer Engels now recommends approval. An upstream landowner has opposition – is concerned about ponds backing-up to his property. The landowner would prefer the ponds be below natural grade. Currently, there is plenty of fall but vegetation slows water down. If the landowner could be ensured the ponds are maintained and water will not back up to his property he would no longer be in opposition of the permit. A representative from Evergrade Township had reservations about the road being used about impoundment structure. With the new design, the Township will they get a chance to review the application.
- Vipond Private Ditch Clean-Out** Larry Vipond verbally described his intent to clean-out a private ditch downstream of Big Lake. Engels discussed what current permitting policy is and when permit is needed. Engels informed Larry of the Bois de Sioux Watershed District policy, and relayed that clean-out work does not require a permit; any improvement to make the ditch deeper or wider would require a permit. Deal made motion, seconded by Beyer and carried unanimously, to have engineers inspect the channel to determine if a permit would be needed for the work that was completed, and whether an after-the-fact permit would be necessary.
- PERMIT UPDATE #17-041 S. Tyberg** The District received a letter from landowner with concerns of more water coming to his property; his recommendation is synchronous with the details of the permit application. Upon motion by Gillespie, seconded by Dahlen and carried unanimously, Permit #17-041 was approved.
- PERMIT UPDATE #17-045 C. Miexel** The permittee would like to place berms and culverts with traps between his field and the road ditch on his side of the property. The District misunderstood the application and thought the permittee was trying to drain through the road to the north. An adjacent landowner stated that, if culverts and traps are on permittees property, then there is no opposition. Upon motion by Gillespie, seconded by Dahlen and carried unanimously, Permit #17-045 was approved.
- PERMIT UPDATE #17-044 B. Van Zomeren** Van Zomeren's Permit proposes drain tile that would flows into TCD 37. The property is not currently assessed to TCD 37. Upon motion by Beyer, seconded by Schmidt and carried unanimously, Permit #17-044 was approved, with the condition that the permittee successfully petition into the TCD 37 system.
- TCD #37 PETITION** Mark Lampert provided the District a petition to enter TCD 37. Staff asked to set a public hearing for 10 am, at the September 21st board meeting.

**WCD #9  
WCD #10  
PETITION &  
BOND**

The District received a petition and bond for WCD #9 & WCD #10. Upon motion by Beyer, seconded by Deal and carried unanimously, a hearing was approved for 1 p.m. September 21st for WCD #9 and WCD #10 and abandoning WCD 10 branch 1 (assuming petition meets requirements). This motion was rescinded as it was made in error. Upon motion by Deal, seconded by Beyer and carried unanimously, the Viewers will be asked to attend the September 21st meeting at 1 p.m.

**DITCH  
REQUESTS FOR  
MAINTENANCE**

JD #12 Lateral 1      Engineers will put together preliminary study for project cost.

TCD #27 B1      New request for maintenance.

TCD #16      New request for maintenance.

TCD #18      New request for maintenance.

Upon motion by Gillespie, seconded by Schmidt and carried unanimously, the Board authorized Technician Fridgen to inspect/survey TCD #27 B1, TCD #16, TCD #18, and authorized Moore Engineering to put preliminary plans and cost estimate together for new ditch (WD #4) that would replace JD #12 lateral 1.

JD #12 Main      Upon motion by Gillespie, seconded by Beyer, and carried unanimously, staff are authorized to coordinate a contractor to remove silt in JD #12 Main Fall of 2017.

TCD #52      Engels provided a project update: work is in progress.

TCD #37      Guler gave an update on construction progress and presented drone video of the construction.

WCD #1      Beyer spoke with landowners who would like to complete retrofit. Upon motion by Beyer, seconded by Gillespie and carried unanimously, the Board authorized Moore Engineering to investigate/survey WCD #1 and complete preliminary plans for retrofit and cost estimate.

JD 11      Beyer provided an update on a petition that is being circulated; Rodd Beyer is collecting many Traverse County signatures. Next, the petition will be passed to Wilkin County for signatures.

A landowner voiced concern over laterals, that water will back-up the laterals and break-out. Engineers offered that berms could be installed along laterals or that culverts (with traps) could be installed on laterals. A landowner requested more information on cost, acres needed, and project benefits. Engineering staff relayed that these items would be discussed at the hearing, assuming a satisfactory petition is delivered.

WCD #20      Beyer will speak with the Traverse County Highway Department about a project paid partially by landowners (they will pay for the 24" culvert) and partially by the District (they will pay for pipe materials).

**BOARD OF  
MANAGERS  
REPORT**

Applications are in-progress for employees to serve on the MAWD and Red River Management District Boards. From the Drainage Workgroup, Lidar-based assessment is moving forward, and will come to legislation next session. MPCA has expressed interest in raising construction stormwater permit rates.

**NORTH OTTAWA**

Fridgen reported the NW outlet (OD) is releasing water out of Cell C. Upon motion by Dahlene, seconded by Gillespie and carried unanimously, the Board approved the removal of sediment in the JD #12 lateral 3 downstream of the OD outlet. Engels presented an update on land management discussions with the DNR and RRBC. The DNR wishes to send a letter to BdSWD to request a meeting to try to find a solution for land management in the future. Upon motion by Kappahn, seconded by Dahlen and carried unanimously, Vavra is authorized to assign committee members to serve negotiating North Ottawa with the DNR.

**REDPATH**

Engels presented an update on the project schedule, where the district is at with financing, and what will be requested from the DNR

Athens has contacted the appraiser; work may start after September. Athens asked if the Board wanted to get appraisals on all 4 parcels, or just the property needed for by-pass corridor. Athens stated that the

Lessard-Sams funding expires in 2019; he will attend their September meeting to ask for an extension. Kapphahn made motion, seconded by Gillespie, to update the appraisal on the Dilly property and open negotiations with landowners. Roll call vote: Kapphahn, yes; Schmidt, yes; Dahlen, yes; Vavra, yes; Beye, no; Gillespie, yes. Motion carried.

**BDS DIRECT**

Next meeting Fall 2017.

**MOONSHINE LAKE BED**

Gillespie relayed success speaking with landowners. Upon motion by Gillespie, seconded by Kapphahn and carried unanimously, Engineer Engels is authorized to have a discussion with the Big Stone County Engineer regarding the Moonshine Project.

**ACCOUNTING POLICY**

Upon motion by Wold, seconded by Kapphahn and carried unanimously, the Board approved reinstatement of the policy to have the accounting information one week before the monthly meeting.

**DRAINAGE COMMITTEE**

Attorney Athens presented policy updates recommended by the Drainage Committee. The policies include redetermination processes and ditch fund goals. Upon motion by Gillespie, seconded by Kapphahn and carried unanimously, the policy changes were approved as presented.

**2018 BUDGET**

Upon motion by Wold, seconded by Schmidt and carried unanimously, the 2018 Budget was approved as presented, contingent upon any changes the Treasurer and Accountant recommend before September 7th.

**1W1PLAN**

Engineer Engels presented info on upcoming meeting on Monday August 21st at 1 p.m.

**S. BOUNDARY REDETERMINATION**

Guler presented a preliminary map showing the Watershed and the preliminary proposed boundary. Guler plans to present the information to the Upper Minnesota Board at their September meeting.

**DITCH SPRAYING**

A ditch sprayers estimate was presented. Upon motion by Beyer, seconded by Gillespie and carried unanimously, Fridgen shall inspect the vegetation spray proposal and direct the contractor to the appropriate ditch systems.

**WCD #8 HEARING**

Athens opened hearing: three d hearings 1) statutory repair, 2) informal hearing on request from landowners for redetermination of benefits 3) abandonment of lateral 1 of WCD 8

Athens opened the public hearing for the Statutory Repair of WCD #8. Engels and Guler presented plans, a cost estimate, and an engineer's report. Upon motion by Beyer, seconded by Gillespie and carried unanimously, Board authorized the repair.

Athens opened an informal hearing on the request from landowners for redetermination of benefits. Board Managers decided to proceed with a 103E.351 redetermination, as it was determined that the original benefits and damages proceeding do not reflect reasonable present-day land values. The Board appointed Stan Churchill, Dwight Veldhouse, and Dan Swedlund as Viewers; Loretta Peterson is designated as an alternate.

Athens opened the public hearing to consider the Abandonment of Branch 1 of WCD #8. Attorney Athens presented reasons why a ditch authority would abandon a portion of the ditch system. No landowners were in opposition to abandoning the branch – and, given that the ditch does not drain into WCD #8, it should be abandoned. Upon motion by Beyer, seconded by Gillespie and carried unanimously, Board approved the abandonment of Branch 1 of WCD #8.

**ADMINISTRATOR SWENSON RESIGNATION**

Board Managers reviewed a letter of resignation from Administrator Michelle Swenson. The letter stated that her last day would be September 6th, 2017. Upon motion by Beyer, seconded by Wold and carried unanimously, Michelle Swenson's resignation was accepted. Upon motion by Kapphahn, seconded by Gillespie and carried unanimously, Renee Kannagiesser was assigned Watershed bookkeeping. Upon motion by Dahlen, seconded by Gillespie and carried unanimously, the Board approved the hire of former interim administrator Jamie Beyer. Jamie Beyer accepted the position over the phone, and will start after Michelle Swenson's last day.

**OFFICE MANAGER**

Board Managers gave direction to the Personnel Committee to draft a job description for an office manager and to post the position as soon as possible. The board will continue to discuss further options to fill administrator position at a later date.

**BUDGET  
HEARING**

Board Managers discussed the upcoming Budget Hearing that is scheduled for September 7, 2017, at 8:00 am. A notice will be placed on the front door of the Watershed Office and the public notice has been placed in district newspapers.

Upon motion by Dahlen, seconded by Beyer and carried unanimously, the meeting was adjourned.