

**BOIS DE SIOUX WATERSHED DISTRICT  
BOARD MEETING MINUTES  
July 20, 2017**

**Call to Order** 8:00 am Present:

Board members: Linda Vavra, Allen Wold, John Kapphahn, Steven Schmidt, Scott Gillespie, Jerome Deal  
Engineers: Chad Engels, Jim Guler, Administrator Michelle Swenson, Technician Troy Fridgen, Attorney Tom Athens, Accountant Melissa Enevoldsen

Absent board member: Kurt Erlandson, Doug Dahlen, Jason Beyer

**AGENDA** Agenda additions: add side inlet cost policy, Permit Application 17-035, Larry Vipond ditch. Motion made to accept the agenda with additions made by Gillespie, second by Schmidt, motion carried.

**CLAIMS** Motion to accept Claims of July 20, 2017 was made by Gillespie, second by Deal, motion carried.

**MINUTES** Athens and Wold made two changes to the minutes. Motion to accept the minutes of meeting held on 6/15/2017 with the changes was made by Deal, second by Gillespie, motion carried.

**TREASURER'S REPORT** Motion to accept the Treasurer's Report was made by Gillespie, second by Wold, motion carried.

**ACCOUNTANT'S** Enevoldsen gave the report. Gillespie made a motion to accept the accountants report, second by Deal, motion carried.

**Public Comment Period:** Larry Vipond described a clean out of a private ditch on his land near Herman. He wanted the board to be aware of what he was doing.

**Permits** 17-035 Letters of concern were received for this permit, Rhoda Smith described flood events stating that more water in the ditch will flood fields and roads. Amundson pointed out that an existing 18" culvert in the ditch would control the flow. The engineer's review stated the tile design meets the policies of the watershed which were established to protect upstream and downstream stakeholders. The policy limits the drainage coefficient, the size of culverts and pump shutoffs to protect downstream interests. Engels stated it is difficult to assist with issues not addressing a watershed wide point of view. Athens stated the watershed cannot solve personal issues. Schmidt suggested there is a trouble spot with the culvert size under the highway. Kapphahn made a motion to grant the permit, second by Gillespie, motion carried. Vavra abstained from the vote.

\*printed on both sides\*

**Southern Boundary** Doug Nelson has requested a southern watershed district boundary reevaluation so he may apply for a permit for water on his land that flows into the BdSWD. Engels stated the boundary change could take six months or less, but we must coordinate with BWSR and the Upper MN River WD. Doug said the Administrator, Diane Radermacher, has done a boundary change through petition. Kapphahn made a motion that we proceed with a southern border change, second by Gillespie, motion carried. MEI will develop a lidar map to support communication.

**Engineer's Report** - see Engineer's Report

### **Ditch RFM**

JD 12 Lat 1 – Daryl Amundson stated the ditch is silted in and full of cattails. Athens suggested abandoning Lateral 1 so that it could become a ditch, this would require a petition. Deal made a motion to direct Athens to draw up a petition, second by Gillespie, motion carried.

### **Ditches**

**Assessment Discussion** – A discussion was held for each ditch system to determine the assessment for next year based upon repair needs. The board is employing a proactive philosophy on ditch maintenance, ensuring there are adequate funds to maintain each system whenever possible. A prioritization of required repairs will be presented next month based on ditch inspections.

**JD 12 Lat 3** – The one-mile cleanout of JD 12 lateral 3 is complete, Wagners did the work.

**TCD 52** – Gillespie made a motion for Engels to develop a preliminary design and professional cost opinion for a project on TCD 52 from Hwy 27 downstream, second by Kapphahn, motion carried. Discussion was held concerning plans to repair this ditch in stages, and sources that could possibly provide cost assistance.

**WCD 8**– Tom Deal presented a signed petition for abandonment of WCD 8 lateral 1. The watershed now has the engineers report and the petition, the next step is to set a hearing date. Deal made a motion to set the hearings to repair WCD 8 and for the partial abandonment of a portion on WCD 8 on August 17<sup>th</sup> at 1:00, second by Gillespie, motion carried. Swenson was instructed to invite viewers to this meeting and to talk with the viewers about serving on this proceeding

**TCD 37** – Erosion controls will need to be in place before payments are made to the contractor. Certified payrolls must be submitted by the contractor.

**Side Inlet Policy** – Gillespie made a motion that the watershed make an exception in the side inlet cost share policy in the case of Wilkin County concerning Highway 156 and pay for the pipe under said road at the county cost, with the understanding that a new policy will be developed. The township will install the pipe at their own expense. Second by Kapphahn, motion carried.

**Petition Policy** – Kapphahn made a motion that the watershed adopt a policy that a petition must have at least 50 percent of the property owners or the owners of at least 50 percent of the property affected for redetermination proceedings, second by Schmidt, motion carried.

**North Ottawa Collector** – Gillespie made a motion to have the North Ottawa collection channel cleaned out, second by Kapphahn, motion carried.

### **Projects**

**North Ottawa** – Athens stated the DNR and others agreed to pay towards maintenance when the project was being developed. Deal was requested to elevate this discussion to the FDR group. Engels suggested writing up an agreement which addresses maintenance and rent.

**Redpath** – Engels will speak with Pat Lynch regarding the funding request for the Redpath project.

**BdS Direct RCPP** - A landowner meeting for the Brandrup 9 project was held July 11 to explain the project and process. The landowner support for the project was varied, but they agreed to allow soil sampling on their properties.

**Big Lake** - A meeting is scheduled August 22<sup>nd</sup>, the DNR will be asked to perform the EAW.

### **Attorney Update**

Athens stated there is no pending litigation for JD 14, but suggested the BdSWD policies should reflect how the board responds to a redetermination request, specifically addressing how it will be paid for.

He reminded the board and staff that information obtained through the NRCS form 1619 is private. Kapphahn made a motion to have Vavra sign the NRCS form 1619, second by Gillespie, motion carried.

Engels asked if the appraisals for the four remaining Redpath property acquisitions should be updated. Athens will contact the appraiser to determine how long updates will take and report back to the board.

### **Administrator**

Swenson wrote a letter to the Otter Tail County Commissioners stating Erlandson has effectively resigned. They have not yet responded.

Swenson contacted other district administrators to inquire what amounts are used to allocate specific costs related to ditches, the amount currently used by BdSWD was close to the standard.

Traverse County will hold a buffer law meeting August 8 at 8:30 am in the Wheaton American Legion.

Swenson gave a summary of the Advisory Committee meeting held July 14<sup>th</sup>, stating the turnout was exceptional. There were many positive comments on the direction the WD is headed.

Swenson gave each manager a copy of the 2016 Annual Report.

### **Audit**

CliftonLarsonAllen gave a presentation of the 2016 audit. Deal made a motion to accept the 2016 audit, second by Kapphahn, motion carried.

Deal made a motion to adjourn the meeting at 1:20, second by Kapphahn, motion carried.