

**BOIS DE SIOUX WATERSHED DISTRICT
BOARD MEETING MINUTES
February 22, 2018**

- CALL TO ORDER** The meeting was called to order by President Vavra at 9:07 a.m. Present: Linda Vavra, Jason Beyer, Doug Dahlen, Scott Gillespie, John Kapphahn, Steven Schmidt, and Allen Wold. Absent: Jerome Deal. Also present: Engineer Chad L. Engels, Engineer James Guler, Engineer Tech Troy Fridgen, Accountant Renee Kannegiesser, Attorney Tom Athens and Administrator Jamie Beyer.
- AMEND AGENDA** Upon motion by Kapphahn, seconded by Beyer and carried unanimously, the agenda was amended to include managing ditch orders and to designate a discussion of TCD #52 at 10:30 am.
- CLAIMS** Upon motion by Schmidt, seconded by Dahlen and carried unanimously, the Claims of February 22, 2018 were approved as presented.
- MINUTES** Upon motion by Wold, seconded by Dahlen and carried unanimously, the Minutes of January 16 and January 18, 2018 were approved.
- TREASURER'S REPORT** Upon motion by Schmidt, seconded by Dahlen and carried unanimously, the Treasurer's Report of February 22, 2018 was approved.
- PERMIT #17-083
TRAVERSE CO
HWY DEPT** Permit #17-083 filed by Traverse Co Hwy Dept. – Engels and Fridgen met with TCD #23 landowners and discussed Permit #17-083. The relocation of private culverts would reduce the number of replacement culverts needed by Traverse County. Engels will put together a cost estimate and present at the March 15, 2018 meeting.
- RIVERVIEW
DAIRY & NORTH
OTTAWA** Anthony Ekren of Riverview Dollymount Dairy asked if the board would support the use of North Ottawa Impoundment water as a primary water source for the proposed dairy. The dairy would draw 200,000,000 gallons of water over a 3-week period each spring, and divert the water to a holding facility on their property. They are currently working with the DNR to permit a proof of concept. Engels reiterated that the Watershed is committed to maintaining a minimum of 4,000-acre feet of water over the summer in Cell C; water drawn would need to be in-excess above that limit. Gillespie indicated that reducing water levels in the spring could be beneficial to the Watershed by providing increased flood water storage capacity at the impoundment. Construction of the dairy could start in 2020.
- WCD #9 &
WCD #10
ORDERS FOR
IMPROVEMENT &
PUBLIC HEARING** Upon motion by Gillespie, seconded by Dahlen and carried unanimously, the Order accepting a petition for improvement of Wilkin County Ditch #9 and the Order accepting a petition for Improvement of Wilkin County Ditch #10 were approved. Upon motion by Gillespie, seconded by Kapphahn and carried unanimously, the Order for Public Hearing for Improvement of Wilkin County Ditch #9 and the Order for Public Hearing of Wilkin County Ditch #10 were approved. The hearings will be held March 15, 2018 at 10 am.
- TCD #27
CULVERT** Fridgen presented pictures of a buckling culvert in Lake Valley Section #18 of TCD #27. Athens requested that a notice be sent to MnDOT and Lake Valley Township.
- TCD #37
SETTLEMENT** Board members reviewed a letter written by Athens recommending a \$2400 settlement between Brad Krenz of Whaley Excavating and property owners Janet Barlage and Scott Leininger for topsoil that was improperly removed from TCD #37. The board reviewed a second letter from Mr. Krenz, offering \$1,200.
- WCD #8 ORDER** The findings and Order for the initial proceeding was reviewed and approved.
- WCD #8
FINDINGS &
REDETERM. &
REPAIR
REPORTS** Upon motion by Kapphahn, seconded by Gillespie and carried unanimously, President Vavra was authorized to sign said order the Findings of Fact and Order for WCD #8.
- At 10:04 am, Vavra opened the final hearing on the Viewers' Report of Redetermination of Benefits and Damages for WCD #8. Viewers Swedlund, Churchill, and Pederson were available for questions. Viewer Swedlund, assisted by engineer Guler, gave a detailed report on the viewers study and findings. All landowners present were given the opportunity to express their opinion and/ or to meet with the viewers separately. Wilkin County Commissioner Eric Klindt requested a more detailed look at the proximity ratings south of WCD #8. Athens recommended that the hearing be continued. Upon motion by Kapphahn, seconded by Gillespie and carried unanimously, the Redetermination Hearing be continued March 15, 2018

at 9:30 am. Next, Vavra opened the continuation of the public hearing on the Repair Report for WCD #8, per 103E.715. Moore Engineering presented details on the current conditions of the ditch and proposed repairs. Two types of easements would be acquired for the repair:

Permanent Ditch Easement	Will apply to the area encompassed by the road, ditch, and buffer. Landowners will be compensated for the amount of this land that is currently being cultivated, at \$4,500/acre. They will not be able to cultivate it in the future.
Permanent Spoil Easement	Will apply to the area adjacent to the Permanent Ditch Easement. The land can be used by the Watershed District for maintenance, repairs and spoils, but District activities cannot damage crops without compensation). Landowners will be compensated \$200/acre.

WCD #8 AD FOR BIDS The hearing on the Repair is also continued until March 15th, 2018, as the Repair cannot be ordered until the redetermination is finalized. As the parties all want the construction to begin as soon as possible, timing for the awarding of bids was discussed.

Upon motion by Kapphahn, seconded by Gillespie and carried unanimously, Moore Engineering is authorized to advertise for bids, with the caveat that any or all bids may be rejected, and that a decision would not be made until after April 15, 2018. Gillespie requested that topsoil stripping be bid as an alternate.

TCD #52 EROSION Engels provided an update on erosion problems on TCD #52. Moore Engineering will be meeting with DNR & the Corps of Engineers to approve a repair concept. Once an acceptable design has been established, a cost estimate will be compiled and outside funding sources will be explored. The project will be phased; work will begin at the outlet.

JD #6 REDETERM. & REPAIR Guler reported that landowners of 61.4% have signed the JD #6 Repair & Redetermination Petition. Upon motion by Gillespie, seconded by Beyer and carried unanimously, the ditch was found to require repair and Moore Engineer was appointed to examine the drainage system and make a repair report for a public hearing on March 15, 2018 at 1 pm. An informal meeting to consider request for a redetermination of the benefits and damages for Judicial Ditch #6 will also be held.

WCD SUB-1 Engels stated that a landowner meeting with WCD Sub-1 property owners was held. Landowners did not support a large repair project, but could be interested in a redetermination in order to provide more annual maintenance funds for the ditch.

JD #12 LAT. 1 A landowner meeting will be held in April for JD #12 Lateral 1.

NORTH OTTAWA Athens, Vavra, Gillespie, Schmidt and Kapphahn will meet with the DNR at the end of March to discuss management of the North Ottawa Impoundment.

WATERSHED BOUNDARY Gillespie is working with the Upper Minnesota River Watershed District to review the border East of Highway 75.

END OF YEAR JOURNAL ENTRIES Upon motion by Gillespie, seconded by Dahlen and carried unanimously, the End of Year Journal Entries were approved as presented.

AMENDED 2018 BUDGET Upon motion by Gillespie, seconded by Kapphahn and carried unanimously, the amended budget for 2018 was approved.

LIFE INSURANCE Upon motion by Gillespie, seconded by Kapphahn and carried unanimously, Colonial Life Insurance was approved to provide 100%-employee paid insurance benefits.

1W1PLAN Vavra presented two organizational plans for One Watershed One Plan (1W1Plan): to act as the hosting LGU or to be a participant in a joint powers board. Upon motion by Kapphahn, seconded by Doug and carried unanimously, the motion to act as the hosting LGU was approved. Upon motion by Wold, seconded by Dahlen and carried unanimously, the motion to oppose participation in a joint powers board was approved.

Upon motion by Wold, seconded by Kapphahn and carried unanimously, the meeting was adjourned at 1:30 pm.