

**BOIS DE SIOUX WATERSHED DISTRICT
BOARD MEETING MINUTES
April 19, 2018**

- CALL TO ORDER** The meeting was called to order by President Vavra at 8:04 a.m. Present: Linda Vavra, Jason Beyer, Doug Dahlen, Jerome Deal, Steven Schmidt, Allen Wold. Absent: Scott Gillespie, John Kapphahn. 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 Deal, seconded by Schmidt and carried unanimously, the agenda was amended to include discussions of JD #11 Utilities, Five Mile Creek, TCD #52, and the Bois de Sioux Direct Doran Creek RCPP.
- CLAIMS** Upon motion by Deal, seconded by Schmidt and carried unanimously, the Claims of April 19, 2018 were approved as presented.
- MINUTES** Upon motion by Schmidt, seconded by Wold and carried unanimously, the Minutes of March 15, 2018 were approved.
- TREASURER'S REPORT** Upon motion by Dahlen, seconded by Schmidt and carried unanimously, the February & March Treasurer's Reports were approved.
- WCD #8 BIDS** Engels reported that bids were opened on April 17th. The bids are being reviewed by Athens, but the apparent low bidder is Fridgen Excavating (both for the base bid and the base bid with alternate topsoil stripping and berm spreading). Athens stated that the landowner damage checks had been sent; we are now waiting for landowners to return the certified signature receipts. John Kapphahn arrived at the meeting. Engels relayed that Wilkin County has requested two concrete culverts, a change from the plan's two corrugated metal culverts.
- TCD #37 PAY REQUEST** Fridgen reported that a check had been sent from Brad Krenz of Whaley Excavating and property owners Janet Barlage and Scott Leininger for topsoil that was improperly removed from TCD #37. Upon motion by Dahlen, seconded by Schmidt and carried unanimously, \$5000 (which had previously been withheld until the matter was settled) in retainage was released.
- TCD #52 OUTLET** Engels and Guler presented profiles of the watershed project design to repair the TCD #52's outlet. The plan will be presented to the DNR.
- J. DEAL PETITION INTO TCD #40** President Vavra opened the Public Hearing to Consider the Petition from Julie Deal to use TCD #40 as an outlet for SW1/4, Section 15, Clifton Township, Range 45, #02-0073000. Engineering staff stated that the project area already drains to TCD #40 and that the tile project conforms to Bois de Sioux Watershed District policy. Therefore, the project will not adversely impact TCD #40. Mr. Darrel Moerer stated that the north half of Section 15 takes on water. Mr. Kevin Deal (spouse of Julie Deal) stated that he would clean the township ditch in order to provide better drainage. Athens relayed to Mr. Deal that a calculation would be made, as to how the petitioned parcel would benefit from using TCD #40 as an outlet, and that an entrance fee would be calculated. Upon motion by Dahlen, seconded by Deal and carried unanimously, Board Managers approved the petition to use TCD #40 as an outlet for the permitted projects. Engineering staff will calculate the entrance fees.
- JD #11** Legal descriptions are being written for the JD #11 easements; once the descriptions are finalized, damages can be calculated. The repair project will affect both Traverse Electric and Otter Tail Power Company infrastructure. Beyer asked Moore Engineering to explore whether power is needed at some of the abandoned farm sites.
- FIVE MILE CREEK MEETING** An informal meeting was held in April with Five Mile Creek landowners and the DNR. Vavra, Dahlen, and Fridgen attended. The landowners will pursue an EAW. The proposed maintenance project does not require a BdSWD permit.
- #18-021 R. ARENS** Permit #18-021 filed by R. Arens. Board members reviewed the information, and heard from Mr. Arens. A portion of the proposed project is in the Upper Minnesota River Watershed, and a portion of the proposed projects is in the Bois de Sioux Watershed. Water drains from the affected parcel into the Bois de Sioux Watershed. Upon motion by Dahlen, seconded by Schmidt and carried unanimously, Board Managers

approved the permitted work located in the Bois de Sioux Watershed; the applicant must seek and receive approval from the Upper Minnesota River Watershed for the work proposed in their watershed.

**#18-023
R. ARENS**

Permit #18-023 filed by R. Arens. Mr. Don Stueve presented pictures upstream of the proposed project; his concern is that the Big Stone drainage ditch has undersized culverts and needs additional maintenance. Big Stone County Commissioner Backer stated that some work has been done on the ditch, and that they would consider future maintenance, to be discussed with Mr. Stevie. Upon motion by Beyer, seconded by Dahlen and carried unanimously, the permit was approved.

**#18-027
M. LAMPERT**

Permit #18-024 filed by M. Lampert. Mr. Mark Lampert wishes to install a tile system in parcel #16-0062-000 to drain into to the TCD #8 drainage system. Mr. Philip Brink voiced concerns that this would alter the historical pattern of drainage in the area, but historical, topographical photos indicate that the drainage does move Northwest. Upon motion by Dahlen, seconded by Beyer and carried unanimously, the permit was approved upon the condition that the applicant successfully petition and obtain an Order to outlet this project into TCD #8.

RECESS

At 9:50 am, the meeting was recessed. At 10:05 am, the meeting reconvened.

**JD #12
LATERAL #1**

At 10:05 am, a landowner meeting for JD #12 Lateral #1 was held. Fridgen indicated that there are several scour holes that need to be repaired. Landowners relayed that, with North Ottawa acting as a more effective outlet, water is moving faster through the drainage ditch system, creating the scour holes. Discussion was held as to whether the repair of JD #12 would be sufficient or if it should be replaced with a new ditch of larger capacity. Landowners and the Bois de Sioux Watershed could abandon JD #12 Lateral #1 and design a new ditch that would extend further upstream and convey the 10-yr 24 event. The new ditch would require a buffer. Engineering plans were presented. The preliminary design and cost estimate indicates that a 3.5 mile project would cost approximately \$1,008,000, not including land costs. However, additional engineering is needed to further refine the design and estimated cost. Upon motion by Deal, seconded by Dahlen and carried unanimously, Athens is authorized to draw-up a petition for landowners to consider.

**C-T
RIVERWATCH**

The Campbell-Tintah Riverwatch Team gave their 2018 River Watch Forum presentation. Deal and Kapphahn commended the team on their work and their Manager's Choice Award. Vavra presented the team with rain ponchos.

**RRRA & NRCS
DORAN CREEK
RCPP**

Red River Retention Authority's Keith Weston and Natural Resources Conservation Service's Debra Walchuk gave an update on the Bois de Sioux Watershed Direct Doran Creek RCPP planning grant. Engels stated that Review Point 4 will be submitted in May.

**RRBC & U OF MN
STUDIES**

Red River Basin Commission's Ted Preister and Leah Thvedt provided details on two University of Minnesota grants that will expire this summer: one study involving cattail nutrient removal and one study involving water quality. The University of Minnesota intends to purchase \$10,000 worth of monitoring equipment. They are responsible for maintaining the equipment, and pulling the equipment before winter freeze-up. Thvedt provided handouts on the nutrient reduction reported between the inlet and outlet of North Ottawa, and apologized that water quality data had not been provided to the board up to this date; Kapphahn requested that the data be provided in a more meaningful format. Board Managers expressed their interest in conducting soil samples this year, and water quality studies in the future with NDSU. Preister and Thvedt replied that they could work on project proposals for next year. Vavra relayed that final commitments could not be made until discussions with the DNR have been finalized. Kapphahn made motion to finish-out the term of the current grants. Deal seconded the motion. Beyer, Wold: nay. Deal, Vavra, Dahlen, Kapphahn, Schmidt: aye. Motion passed.

**SWCD
INCENTIVE
PROGRAM**

Board Managers reviewed requests from five SWCD's, to receive a \$10/acre administrative incentive. The program was instituted around 2005, but has not been consistently used by all of the SWCD's. Because of inconsistent utilization, only \$37,000 was budgeted for 2018; this would limit the incentive to \$7.14/acre. The approximate rate of Traverse County SWCD Manager Sara Gronfeld relayed that these funds are used as a match for other grants, and that increasing soil health increases water quality. This incentive program supports several objectives identified in the Bois de Sioux Watershed's 2003 Overall Plan. Vavra voiced concern that staff raises were restricted due to budget considerations. Deal questioned why the incentive is being used to incentivize CRP, if funding is being sought because of the new state law. Upon motion by Dahlen, seconded by Beyer and carried unanimously, the topic was tabled.

BUFFERS Board Managers discussed the basis for the Watershed's buffer ordinance. A draft will be presented at the next Bois de Sioux Watershed District meeting.

SUMMER INTERN Board Managers discussed the availability of a summer engineering intern. Upon motion by Dahlen, seconded by Kapphahn and carried unanimously, Board Managers approved a \$15/hour wage and reimbursable mileage for a personal vehicle used on-the-job.

Beyer left the meeting.

NORTH OTTAWA MANAGEMENT REPORTS Board Managers reviewed the 2018 North Ottawa FDR & NRE Management Plan. Wold requested that Engels add water quality and nutrient reduction activities. Athens requested that Engels add farm cell management. Board Managers then reviewed the April 19, 2018 North Ottawa FDR, NRE & Expense Management Report. Deal requested that whooping crane and birdwatching benefits be added. Upon motion by Dahlen, seconded by Deal and carried unanimously, the report was approved.

CLOSED ATTORNEY-CLIENT PRIVILEGE Upon motion by Dahlen, seconded by Kapphahn and carried unanimously, the meeting was closed pursuant to attorney-client privilege to discuss legal issues that are the result of threatened litigation by the DNR over NRE management of the North Ottawa Impoundment. Upon motion by Wold, seconded by Deal and carried unanimously, the meeting was opened.

TRAVEL POLICY UPDATED Upon motion by Kapphahn, seconded by Dahlen and carried unanimously, the Bois de Sioux Travel Policy is amended to state that hotel reservations will no longer be made on the Bois de Sioux Watershed Board credit card; reimbursements will be provided upon proof of stay.

MAWD LEGISLATIVE PRIORITIES Vavra relayed a request from MAWD for three legislative causes. Board Managers requested that the \$75 per diem be increased to \$100; that a rural MAWD be formed, and that the administrative levy cap be increased from \$250,000 to \$500,000.

DEC. 13, 2017 MINUTES AMENDED Upon motion by Deal, seconded by Kapphahn and carried unanimously, the minutes for December 13, 2017 were amended with the addition:

Upon motion by Gillespie, seconded by Wold and carried unanimously, the One Watershed One Plan Memorandum of Agreement was approved.

BANK ACCOUNT & FUND ACCOUNT CLOSINGS Kannegiesser reported that there are numerous bank accounts that no longer have a purpose. Upon motion by Dahlen, seconded by Kapphahn and carried unanimously, staff are authorized to combine bank accounts. Kannegiesser stated that pledged collateral may need to be increased, also. Kannegiesser also presented a number of accounting funds that no longer have a purpose. Upon motion by Deal, seconded by Dahlen, and carried unanimously, Kannegiesser is authorized to zero-out the balances and close the accounts.

BROWN LETTER Board managers reviewed a letter from Mr. Steven Brown from Kensington, Minnesota.

Upon motion by Dahlen, seconded by Deal and carried unanimously, the meeting was adjourned at 2:30 pm.