

**BOIS DE SIOUX WATERSHED DISTRICT  
BOARD MEETING MINUTES  
May 17, 2018**

- CALL TO ORDER** The meeting was called to order by President Vavra at 8:00 a.m. Present: Linda Vavra, Doug Dahlen, Jerome Deal, Scott Gillespie, Allen Wold. Absent: Jason Beyer, John Kapphahn, Steven Schmidt. Also present: Engineer Chad L. Engels, Engineer James Guler, Engineer Tech Troy Fridgen, Accountant Renee Kannegiesser, Attorney Jon Cline and Administrator Jamie Beyer.
- AGENDA** Upon motion by Deal, seconded by Dahlen and carried unanimously, the agenda was approved.
- CLAIMS** Upon motion by Deal, seconded by Wold and carried unanimously, the Claims of May 17, 2018 were approved as presented.
- MINUTES** Upon motion by Deal, seconded by Dahlen and carried unanimously, the Minutes of April 19, 2018 were approved. Upon motion by Deal, seconded by Dahlen and carried unanimously, the Minutes of April 24, 2018 were approved.
- TREASURER'S REPORT** Upon motion by Deal, seconded by Gillespie and carried unanimously, the April Treasurer's Reports were approved.
- TCD #40 PETITION** Upon motion by Deal, seconded by Gillespie and carried unanimously, the Order Regarding a Petition to Outlet Waters into Traverse County Ditch #40, on behalf of Julie Deal, was approved.
- BEYER** Beyer entered the meeting by phone.
- M. LAMPERT PETITION TO USE TCD #8 AS AN OUTLET** President Vavra opened the Public Hearing to Consider the Petition from Mark Lampert to use TCD #8 as an outlet for SW1/4 & NW1/4, Section 18, Eldorado Township, Range 44W, #16-0062000. Engineering staff stated that the project area already drains to TCD #8 and that the tile project conforms to Bois de Sioux Watershed District policy. Therefore, the project will not adversely impact TCD #8. Mrs. Vicki Behrens relayed concerns about future flooding, and the potential for increased ditch maintenance costs. Mr. Steve Fridgen expressed concerns about the capacity of TCD #8, and requested that the ditch be cleaned. Gillespie explained that, if the petition is approved, the benefits to the parcel would be calculated, for using the ditch as an outlet; an entrance fee would be assessed; and the parcel would be added to the TCD #8 assessment roll. Dahlen made motion, seconded by Gillespie, to approve the Petition to use TCD #8 as an outlet for the permitted project. Beyer, Dahlen, Deal, Gillespie, Vavra – aye; Wold – nay. Motion carried. Engineering staff will calculate the benefits and entrance fees.
- REQUEST FOR CONTROL OF CONTROL STRUCTURES** Mr. Tom Zych and Mr. Jim Zych discussed tile permitting, and requested that the District require power-off switches on tile pumps, to be controlled by the District. Gillespie relayed the current policy, to require landowners to temporarily shut-off pumps when flooding restrictions have been implemented by the District, as communicated on the District website and by text message.
- WCD #8 NOTICE OF AWARD AUTHORIZED** Engels presented the constructions bids received on April 17, 2018 for the Repair of WCD #8; Athens has finished his review of the bids for the repair of WCD #8. The lowest responsible bidder is Fridgen Excavating (both for the base bid and the base bid with alternate topsoil stripping and berm spreading). Upon motion by Wold, seconded by Deal and carried unanimously, Vavra and the administrator are authorized to sign all necessary contract documents for the repair. Engels continues to work with Wilkin County to address their request to replace two corrugated culverts with concrete culverts.
- TCD #37 CONTRACT ACCEPTANCE & FINAL PAYMENT HEARING ORDERED** Per the April 19, 2018 Bois de Sioux District Board meeting, Pay Request #5 was submitted and described the work completed by Whaley Excavating for the TCD #37 contract. The Original Contract Price was \$215,690.00; Change Orders totaled \$11,300; the Unpaid Balance is \$4,525.84. Guler provided a review of the project's progression and recommended that the hearing be scheduled to consider acceptance of the contract and consider the request to make the final payment to the contractor. Upon motion by Gillespie, seconded by Dahlen and carried unanimously, the hearing will be held June 21, 2018 at 8:30 am.

**JD #11 HEARINGS ORDERED** Viewers have finished their redetermination of JD #11. Upon motion by Beyer, seconded by Dahlen and carried unanimously, the Board ordered the following hearings on June 21, 2018 at 9:00 am:  
103E.351 – Final hearing on the viewers’ report of redetermination of benefits and damages  
103E.715 – Continuation of hearing on repair report

**BEYER** Beyer left the meeting.

**PERMIT #18-031 N. BULLER** Permit #18-031 filed by Neal Buller – Board members reviewed the information. 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 Gillespie, seconded by Dahlen 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.

**PERMIT #18-037 W. SUMMER** Permit #18-037 filed by Wayne Summer – Board members reviewed the information. Objections were brought by neighboring landowner Mr. Zych, but he and the permittee have arrived at a compromise and will amend the permit. Upon motion by Gillespie, seconded by Dahlen and carried unanimously, the amended permit application is approved, assuming all aspects of the project meet District policies and permit requirements.

**NORTH OTTAWA FDR & NRE REPORTS** Engels will distribute the revised 2018 FDR & NRE Management Plan for approval at the June 21, 2018 meeting. Upon motion by Gillespie, seconded by Dahlen and carried unanimously, the May 18, 2018 North Ottawa FDR, NRE & Expense Management Report was approved.

**SWCD INCENTIVE PROGRAM** Board Managers considered again the 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. Board members expressed concerns about transparency and program objectives. The program was included in the 2016 Annual Report list of upcoming activities. Wold made motion, seconded by Gillespie, to disburse the budgeted \$37,000 for the 2017 incentive. Deal, Gillespie, Vavra, Wold – aye; Dahlen – nay. Motion carried. Upon motion by Gillespie, seconded by Dahlen and carried unanimously, the program will be reevaluated at upcoming budget and levy meetings.

**BUFFER ORDINANCE** Board Managers reviewed a draft of the Stevens County Buffer Ordinance. Wold recommended using Traverse County’s Ordinance as a template, since the Traverse County Attorney would theoretically be prosecuting on behalf of the Bois de Sioux Watershed. Upon motion by Dahlen, seconded by Gillespie and carried unanimously, Athens is authorized to bring a draft to the June 21, 2018 meeting.

**SPORT UTILITY VEHICLE PRICE QUOTES** Fridgen presented price quotes for a Yamaha, Polaris, and Gator sport utility vehicle. Upon motion by Gillespie, seconded by Deal and carried unanimously, Fridgen and Dahlen are ordered to evaluate the equipment, and are authorized to spend up to \$22,350.00 in funds from the District’s allocation of Riparian Protection Aid, used to enforce and implement buffer requirements.

**GALLAGHER LAND LEASE** The FSA Office has confirmed that the Gallagher Partnership did not receive a CRP payment in 2017 for land rented to them by the Bois de Sioux Watershed. Upon motion by Deal, seconded by Gillespie and carried unanimously, the \$6,100 lease payment will be returned to the Gallaghers.

**OVERALL PLAN GOALS** A summary of the District’s goals from the 2003 Overall Plan were distributed. Board members were asked to identify which goals they would like to incorporate in the 1W1Plan, before June 7, 2018.

**SOUTHERN BOUNDARY** Gillespie reported on the progress of a revision to the southern boundary, stating that Upper Minnesota Watershed has approved a cost-share amount of \$2,000. Engels has identified two parcels west of 75 that he would like to add to their consideration.

The meeting as adjourned at 10 am.