

**BOIS DE SIOUX WATERSHED DISTRICT  
BOARD MEETING MINUTES  
December 20, 2018**

- CALL TO ORDER** The meeting was called to order by President Vavra at 9:00 a.m. Present: Linda Vavra, Doug Dahlen, Jerome Deal, Jason Beyer, John Kapphahn, Steven Schmidt, and Allen Wold. Absent: Scott Gillespie. Also present: Engineer Chad Engels, Engineer James Guler, Technician Troy Fridgen, Attorney Lukas Croaker, and Administrator Jamie Beyer.
- AGENDA** Beyer requested that a discussion on tiling be added to the agenda. Upon motion by Schmidt, seconded by Deal and carried unanimously, the agenda was approved with the addition.
- CLAIMS** Upon motion by Dahlen, seconded by Wold and carried unanimously, the Claims of December 20, 2018 were approved as presented.
- MINUTES** Upon motion by Deal, seconded by Dahlen and carried unanimously, the Minutes of November 15, 2018 were approved.
- TREASURER'S REPORT** Upon motion by Schmidt, seconded by Kapphahn and carried unanimously, the November Treasurer's Report was approved.
- FARMLAND LEASE BIDS** Board managers reviewed the results of the December 19, 2018 farmland lease bid opening. Upon motion by Dahlen, seconded by Kapphahn and carried unanimously, the following high bidders were accepted:  
Redpath Leases 19-01, 19-02, 19-03, 19-04, 19-05, 19-06: Raguse Family Partnership  
Tintah Lease 19-20: Raguse Family Partnership  
Moonshine Leases 19-30, 19-31, 19-32: Raguse Family Partnership  
The Copeland/Western Lease bids were thrown out, due to an error in the legal description; this parcel will be bid in January. Board Managers reviewed lease and shed templates drafted by Attorney Croaker. Wold and Beyer requested a specific reference in the work-back section, to identify what rates will be used in cases where fall tillage is not completed. Upon motion by Wold, seconded by Beyer and carried unanimously, the lease templates were approved with the addition of the workback clause.
- SOUTHERN BOUNDARY** Engineer Engels presented a revised Southern Boundary map, the result of an informational hearing held in November in Graceville. Affected landowners were also provided the information by mail. Upon motion by Schmidt, seconded by Beyer and by roll call vote carried unanimously, the Resolution Supporting Change of Boundary with Upper Minnesota River Watershed District. Upon motion by Beyer, seconded by Deal and carried unanimously, the Petition for Watershed District Boundary Change was approved.
- COST-SHARE POLICIES** Board Managers discussed how to promote flood damage reduction and clean water retrofits on legal ditch systems despite increasing competition for grant funds from BWSR's Multi-Purpose Drainage Management Grant Program. Engineer Engels presented the DRAFT "Cost Share Policy: Culvert Sizing as Part of Ditch System Repairs" that was discussed at the November 15, 2018 board meeting and at the Policy Committee meeting on December 20, 2018. Vavra requested that the topic be added to the January 11, 2018 special meeting agenda. Upon motion by Beyer, seconded by Deal and carried unanimously, Moore Engineering is authorized to submit for RRWMB funding for the clean water aspects of the WCD #9 & #10 Improvement Project. Upon motion by Beyer, seconded by Deal and carried unanimously, the Recommendation for Increased Funding for the MDM Grant Program was approved.
- BUDGET & LEVY HEARING** At 10:00 am, President Vavra opened the Public Hearing on the Budgets for the 2019 General Fund, Construction Fund, and the Levies for the Ditch System. Budgets and fund balances for 2018 and 2019 were reviewed, along with the corresponding 2019 assessments and levies. Upon motion by Kapphahn, seconded by Schmidt and carried unanimously, the amended 2018 General, Construction, and Ditch budgets were approved. Upon motion by Dahlen, seconded by Deal and carried unanimously, the 2019 General Fund, Construction Fund and Ditch Fund Budgets were approved. Upon motion by Dahlen and carried unanimously, the Assessments Payable 2019 were approved and adopted.
- TILE PUMPS** Beyer brought forward concerns regarding tile pumps that are running while downstream culverts are frozen. Engineer Engels highlighted the District's standard permit conditions, which state:  
"All pumps must be turned off, and gates closed, during all times the district determines flood conditions exist downstream. Determinations that flood conditions exist shall be shown on the District's

website. All pump/gate owners and operators are required to either check the website daily, or telephone the District office during the spring runoff and in the event of summer heavy rains. Projects with pump outlets must be "shut-off" if downstream culverts are being impacted by ice-buildup due to freezing of tile discharge water."

- DITCH WORK** Fridgen presented year end totals for ditch clean-outs, and overall ditch projects. Fridgen brought forth a request from Grant County that the BdSWD place a condition on permit applications for drainage that requires landowners outside the benefited area to petition into Grant County ditches. Engineer Engels will follow-up with Grant County.
- WCD #8  
COMSTOCK  
CHANGE ORDER** Due to weather conditions, Comstock and Wilkin County recommended that culvert work be completed Spring 2019. Upon motion by Dahlen, seconded by Deal and carried unanimously, Comstock's Change Order #1 was approved, changing the December 20, 2018 substantial completion date be changed to May 20, 2019.
- WCD #8  
FRIDGEN  
EXCAVATING  
CHANGE ORDER  
& PAY ESTIMATE** Board managers reviewed partial change order information submitted by Fridgen Excavating to Moore Engineering, and Moore Engineering's response. Upon motion by Wold, seconded by Dahlen and carried, the Board accepted Moore Engineering's recommendations, acknowledging that correspondence from Moore Engineering begins a 30-day contractual appeal period commencing December 12, 2018. Pay estimate No. 4 was not signed by the contractor; no action was taken.
- NORTH OTTAWA** Board managers discussed preliminary recommendations from Attorney Louis Smith, who is working on negotiations with the DNR and will attend the January 17, 2019 board meeting. In the meantime, he has made the recommendation that outside specialists be explored. Upon motion by Deal, seconded by Dahlen and carried unanimously, authorization was granted for Smith to expand his scope of services and work with Engineer Engels and Adm. Beyer to solicit outside contracts for presentation on January 17, 2019. With negotiations ongoing, Board Managers discussed the upcoming crop year within the Impoundment. Upon motion by Kapphahn, seconded by Deal, and carried unanimously, the 12/20/18 FDR, NRE & Expense Management Report was approved.
- TCD #52 &  
LTWQIP NO. 1** The Army Corps of Engineers sent a permit, which is valid until 2022. The project is shovel ready, with an estimated cost of \$500,000. Due to project scoring, it is not anticipated that the project will receive a BWSR Policies and Practices Grant. Board Managers discussed what other funding options are possible. Board Managers requested that a meeting be held with Bruce Albright, of the Buffalo Red Watershed District, prior to the January 11, 2019 special meeting.
- RRWMB  
QUESTIONNAIRE** Upon motion by Kapphahn, seconded by Dahlen and carried unanimously, the response to RRWMB's Strategic Plan Questionnaire was approved for submission.
- DRAINAGE  
WORKGROUP  
BILLS** Wold presented draft S.F. No. 3181 and Drainage System Repair Cost Apportionment Option (DRSCAO) Section 103E729 and requested that Board Managers provide their thoughts and comments to Administrator Beyer on or prior to January 5, 2019. Deal stated that Renville, Fillmore, and Faribault Counties are lobbying for the DRSCAO.
- CLA AUDIT** Upon motion by Kapphahn, seconded by Beyer and carried unanimously, the CLA Audit Letter and Contract were approved.
- 1W1PLAN** Upon motion by Kapphahn, seconded by Dahlen and carried unanimously, 1W1Plan Bois de Sioux Watershed District's billable services and rates were approved.
- RRWMB  
REPRESENTATIVES** Nominations were taken for the Bois de Sioux Watershed District's representative of the Red River Watershed Management Board. Dahlen made motion, seconded by Wold, to elect Vavra. No further nominations were received. Motion carried. Nominations were taken for the Bois de Sioux Watershed District's alternative representative of the Red River Watershed Management Board. Dahlen made motion, seconded by Schmidt, to elect Wold. Motion carried.

Meeting adjourned at 12:40 pm.