

**BOIS DE SIOUX WATERSHED DISTRICT
BOARD MEETING MINUTES
March 15, 2018**

- CALL TO ORDER** The meeting was called to order by President Vavra at 9:03 a.m. Present: Linda Vavra, Jason Beyer, Doug Dahlen, Jerome Deal, Scott Gillespie, Allen Wold. Absent: Steven Schmidt. 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 Gillespie, seconded by Beyer and carried unanimously, the agenda was amended to include discussions of TCD #52 and South District Boundary.
- CLAIMS** Upon motion by Deal, seconded by Dahlen and carried unanimously, the Claims of March 15, 2018 were approved as presented.
- MINUTES** Upon motion by Gillespie, seconded by Dahlen and carried unanimously, the Minutes of February 22, 2018 were approved.
- KAPPAH & TREASURER'S REPORT** John Kappahn entered the meeting. No Treasurer's Report was presented.
- B & W SPECIALTIES** Don Reefer of Brush & Weed Specialties reviewed the tree and brush control work his company completed in 2015, 2016 & 2017 according to the district's policy of working on the ditch system in thirds. The Board authorized Fridgen to put together a list of ditches in the northern third, less ditches with proposed or upcoming construction, that need tree and brush removal.
- WCD #8 REDETERMINATION & REPAIR** At 9:30 am, President Vavra opened the continued final hearing on the Repair of and Redetermination of Benefits and Damages for WCD #8. Viewers Swedlund, Churchill, and Pederson were available for questions. Viewer Swedlund, assisted by engineer Guler, presented an updated report on the viewers study and findings. Engineer Engels gave a brief update on the repair report. All landowners present were given the opportunity to express their opinion and/ or to meet with the viewers separately. Boardmembers reviewed the proposed Findings of Fact, Conclusions and Order for Redetermination of Benefits, Damages and Improvement. Following amendments and corrections, Beyer made motion, seconded by Gillespie, to accept Findings and Order and to authorize President Vavra to sign it. The motion was approved unanimously.
- Upon motion by Kappahn, seconded by Wold and carried unanimously, staff are authorized to use other ditch funds to pay landowner damages prior receipt of funds from bonds.
- Upon motion by Beyer, seconded by Deal and carried unanimously, staff are authorized to advertise the project for bids. Upon motion by Beyer, seconded by Gillespie and carried unanimously, the hearing was closed.
- LM ROAD SERVICE** Leo Splonskowski, of LM Road Service, discussed cattail and brush control and ditch mowing. Upon motion by Beyer, seconded by Deal and carried unanimously, Splonskowski was asked to treat ditches in the northern one- and two-thirds of the District.
- WCD #9 & WCD #10 PRELIMINARY HEARINGS** At 10:00 am, upon motion by Beyer, seconded by Dahlen and carried unanimously, Vavra opened the Preliminary hearing on the Petition for Improvement of WCD #9. Upon motion by Beyer, seconded by Dahlen and carried unanimously, Vavra opened the Preliminary hearing on the Petition for Improvement WCD #10. Attorney Athens explained the statutory process. Engels and Guler presented the preliminary surveys and preliminary reports. The DNR Commissioner's advisory report on the proposed improvements to both ditches was read and incorporated into the record. The process, outlined in 103E261 was followed. Next, the bonds for WCD #9 & #10 were reviewed. Engels stated that to move the projects through final engineering and viewing, an additional \$40,000 will be required, \$20,000 per ditch system. Upon motion by Dahlen, seconded by Gillespie and carried unanimously, the Findings of Fact and Order for WCD #9 were approved. Upon motion by Dahlen, seconded by Gillespie and carried unanimously, the Findings of Fact and Order for WCD #10 were approved. Upon motion by Beyer, seconded by Deal and carried unanimously, the hearings were closed.
- TCD #37** Engels reported that a settlement has been reached between Brad Krenz of Whaley Excavating and property owners Janet Barlage and Scott Leininger for topsoil that was improperly removed from TCD #37.

- WCD #8 BONDING** Vavra, Beyer, Engels, and Shannon Sweeney of David Drown Associates met with Wilkin County Commissioners regarding bond funding of WCD #8. A 15-year term was discussed, along with an overall financing strategy to fund ditch projects one-at-a-time.
- TCD #52** Engels relayed the DNR's request to design grade structures between Lake Traverse and Hwy 27 using riprap rock ramps that allow for fish passage.
- RAGUSE LEASES** Upon motion by Dahlen, seconded by Gillespie and carried unanimously, the requests from David and Travis Raguse, to assign their land leases to Raguse Family Partnership, were approved.
- The meeting was recessed at 12:00 pm. The meeting reconvened at 12:15 pm.
- RRBC RESEARCH PROJECTS** Ted Preister, Executive Director of the Red River Basin Commission, asked if the Board was interested in future North Ottawa research projects. The Board requested Preister explore opportunities with NDSU, to develop water quality research projects; Beyer, Kapphahn and Randy Larson were appointed to a sub-committee to help design and monitor the research projects.
- CLA AUDIT** Miranda Wendtlandt, CliftonLarsonAllen, presented the 2017 audited financial statements.
- FRIDGEN PAY INCREASE** Upon motion by Gillespie, seconded by Dahlen and carried unanimously, a 1% retroactive pay raise was approved for Troy Fridgen.
- DISTRICT BOUNDARY CHANGES** Engels relayed progress working with the Upper Minnesota River Watershed District to review the border East of Highway 75. Each district must petition BWSR to make the boundary changes. Moore Engineering estimates that the cost will be \$4,000; they will invoice the Bois de Sioux Watershed and we will collect half from the Upper Minnesota River Watershed District. Upon motion by Gillespie, seconded by Kapphahn and carried unanimously, Engels is authorized to sign the petition on behalf of the Bois de Sioux Watershed District.
- JD #6 REPAIR** At 1:07, Vavra opened the public hearing on the statutory repair of JD #6. Engels and Guler presented plans, a cost estimate, and an engineer's report. Comments were received.
- JD #6 REDETERMINATION** Vavra opened the hearing on the Petition for Repair of JD #6 and the informal hearing on the request from landowners for redetermination of benefits. The statutory process for a 103E715 repair hearing was followed. Engineer Engels gave a report on the needed repair and all parties were given the full opportunity to be heard. Board Managers decided to proceed with a 103E.351 redetermination, as it was determined that the original benefits and damages proceeding do not reflect reasonable present-day land values and the cost of the proposed repair will greatly exceed the current benefits. The repair hearing is continued until the viewers report is ready for a Final hearing. The Board appointed Dwight Veldhouse, Donald Metz and Mark Dietz as Viewers.
- Upon motion by Beyer, seconded by Dahlen and carried unanimously, the Board approved the proposed Orders for this proceeding as well as last months action accepting the petition. Upon motion by Beyer, seconded by Gillespie and carried unanimously, the hearings will be continued.
- Upon motion by Dahlen, seconded by Gillespie and carried unanimously, the meeting was adjourned at 1:50 pm.