

**BOIS DE SIOUX WATERSHED DISTRICT
BOARD MEETING MINUTES
January 17, 2019**

CALL TO ORDER The meeting was called to order by President Vavra at 9:00 a.m. Present: Linda Vavra, Jason Beyer, Doug Dahlen, Jerome Deal, Scott Gillespie, Steven Schmidt, and Allen Wold. Also present: Engineer Chad Engels, Engineer James Guler, Technician Troy Fridgen, Attorney Lukas Croaker, and Administrator Jamie Beyer.

AGENDA Upon motion by Schmidt, seconded by Deal and carried unanimously, the agenda was approved with the following additions: WCD #8 Pay Estimate #4, 2019 Ditch Fund Budget, and Approval of Insurance Agent of Record.

CLAIMS Upon motion by Gillespie, seconded by Deal and carried unanimously, the Claims of January 17, 2019 were approved as presented.

MINUTES Upon motion by Deal, seconded by Dahlen and carried unanimously, the Minutes of December 20, 2018 were approved.

TREASURER'S REPORT Upon motion by Wold, seconded by Schmidt and carried unanimously, the December Treasurer's Report was approved.

**PUBLIC COMMENT:
GRANT &
TRAVERSE
COUNTY
FLOODING** The meeting was opened for public comment. Property owner Chad Bruns expressed concern about floodwaters heading to 5-Mile Creek from Grant County. Late last week, flooding at the Tim Backman property prompted the Grant County Highway Department to open a frozen culvert this week; Bruns is worried that Traverse County will open a frozen culvert under County Road 67, sending the water to a frozen 5-Mile Creek, and that it will eventually flood his farmstead and two farmsteads downstream. Traverse County Engineer Chad Gillespie stated that 3 miles of snow and ice would need to be cleared from 5-Mile Creek in order to move the water from 5- Mile Creek to TCD #42. Manager Deal gave a history on flooding in the area in 1987. Deal and Engineer Engels reiterated that public safety is the first concern, with preservation of roads, residential property, physical structures; in order to achieve this, floodwaters are diverted to bare land. Technician Fridgen stated that water continues to flow out of Grant County's Nelson Lake, and that those waters are headed for frozen culvert at County Road 67. Upon motion by Gillespie, seconded by Dahlen and carried unanimously, in collaboration with Traverse and Grant Counties, Fridgen is authorized to spend up to \$10,000 to remove snow and ice from 5-Mile Creek if flooding of structures is imminent. Grant County Commissioner Sperr and Traverse County Commissioner Monson agreed to bring this issue to their respective boards, to talk about immediate and long-term solutions.

**WCD #9 & #10
IMPROVEMENT
HEARINGS** President Vavra opened the final hearing on the improvement petition for WCD #9 and simultaneously #10. Viewers Swedlund and Pederson were present. Attorney Croaker described the formal process, and Engineer Guler began with the detailed survey report, which contains copies of the improvement petitions. The ditches were constructed in 1909/1910, and several attempts to repair and/or improve the ditch have been unsuccessful since 1952. Details about the improvement project were given, including the easements that will be required:

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. 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.

The overall concept design is to handle flooding brought with a 10-year flood condition: 3.7" of rain in 24 hours. In its current state of disrepair, channel capacity is limiting water flow; once improved, culverts will meter water flows. Culverts will be sized to match the improved channel's capacity (smaller upstream, larger downstream). Engels assured the group that we can plan for flooding conditions that will exceed the 10-year design standard; under those conditions, the improvement project will control where flood waters will break-out into the flood plain, at the downstream end of each mile; controlled break-outs will reduce upstream field erosion.

Next, the Viewers' Report was presented by Viewers Swedlund and Pederson. Viewer Swedlund described their basic approach, and the background and purpose for each column on the Viewers' Report.

Guler presented the Engineer's Cost Estimate and reported that the BdSWD has been actively seeking outside grant dollars, and is currently requesting project funds from the RRWMB.

Upon motion by Gillespie, seconded by Kapphahn and carried unanimously, the hearing was then opened to public comment and questions. All landowners present were given the opportunity to express their opinion and/or to meet with the Viewers separately.

Landowner Patrick Douglass and Otter Tail Drainage Ditch Inspector Kevin Fellbaum requested time, after the meeting, to speak with Viewers and engineering staff, respectively. Wilkin County Commissioner Eric Klindt requested a more detailed benefit and damages map. Landowner Donald Lacey asked what impact the proposed Copeland Impoundment (in Otter Tail County, Western Township, Section 32) would have on his parcel, and requested that, if after the Impoundment is built, his benefitted amount be reconsidered in the WCD #9 & WCD #10 assessment area.

Vavra asked Guler to read the DNR Commissioner's Final Advisory Report, which he read verbatim.

Upon motion by Gillespie, seconded by Kapphahn and carried unanimously, the WCD #9 and WCD #10 final hearings on improvement petitions, detailed survey reports, and viewers' reports of the redetermination of benefits and damages were recessed and ordered to be reconvened on February 21, 2019.

**103D.601
HEARING:
LTWQIP #1**

At 11:35 am, upon motion by Deal, seconded by Gillespie and carried unanimously, President Vavra opened the 103D.601 Preliminary Resolution Hearing to Establish a Water Quality Enhancement Project in Section 14, Windsor Township, in the area where Traverse County Ditch No. 52 outlets into Lake Traverse, Traverse County, Minnesota. Vavra informed the public that the means of financing the proposed project is anticipated as follows: by Federal and/or State grants and/or funding from the Red River Water Management Board, with Bois de Sioux Watershed District funds not to exceed \$750,000. Engels and Guler reviewed the MPCA 319 Grant and BWSR Projects and Practices grant applications that were denied. Croaker described the differences between 103D and 103E projects. To prepare for future grant opportunities, Croaker will work with staff and landowners to put together information that can be shared to garner and document support from local conservation and habitat chapters. All persons who might be affected by the proposed project or who may be interested in the proposed project were given a chance to be heard.

Gillespie and Deal left the meeting.

Upon motion by Wold, seconded by Dahlen and carried unanimously, the Preliminary Resolution as approved to Establish a Water Quality Enhancement Project in Section 14, Windsor Township, in the area where Traverse County Ditch No. 52 outlets into Lake Traverse, Traverse County, Minnesota.

**WCD #8 PAY
ESTIMATE #4**

Upon motion by Wold, seconded by Beyer and carried unanimously, WCD #8 Pay Estimate #4 was approved, contingent on agent signer verification by Croaker.

The meeting was recessed at 12:15. Kapphahn left the meeting.

**NORTH OTTAWA:
EOR & SMITH
PARTNERS
SERVICES**

The meeting was reconvened. Attorney Louis Smith discussed management issues at North Ottawa. Board managers reviewed habitat development qualifications and experience for EOR. Upon motion by Dahlen, seconded by Beyer and carried unanimously, EOR's "Scope for Identifying & Vetting Ag + Natural Resource Synergies for North Ottawa Impoundment" was approved. Upon motion by Beyer, seconded by Dahlen and carried unanimously, Smith Partner's "Scope of Services – Phase Two" was approved.

**MPCA TALU
MEETING**

Administrator Beyer reported that MPCA has requested an informational meeting to review water quality qualifications (TALU) for 14 ditches and stream reaches in the Bois de Sioux and Mustinka Watersheds. Upon motion by Dahlen, seconded by Schmidt and carried unanimously, Moore Engineering is authorized to provide a water quality consultant to attend the meeting on behalf of the District.

**2019 DITCH
BUDGET**

Board Managers reviewed the 2019 Ditch Budget (assessments and budgets were approved in December 2018, by Ditch System). Upon motion by Schmidt, seconded by Beyer and carried unanimously, the budget was approved.

**INSURANCE
AGENT**

Upon motion by Beyer, seconded by Schmidt and carried unanimously, the District's Agent of Record shall be Paul Frisch of Frisch Insurance Agency, LLC at 1001 2nd Ave N, Wheaton, MN 56296.

**STAFF
INCREASES**

Upon motion by Wold, seconded by Dahlen and carried unanimously, the 2019 Staff Increases were set at 2%.

FARMLAND BIDS

Board managers reviewed the results of the January 16, 2019 farmland lease bid opening. Upon motion by Beyer, seconded by Dahlen and carried unanimously, the following high bidders were accepted:

North Ottawa Leases 19-50: Raguse Family Partnership

Copeland/Western 32 Lease 19-40: Raguse Family Partnership

Upon motion by Schmidt, seconded by Dahlen and carried unanimously, the meeting adjourned at 2:04 pm.