

**BOIS DE SIOUX WATERSHED DISTRICT
BOARD MEETING MINUTES
June 20, 2019**

- CALL TO ORDER** The meeting was called to order by President Vavra at 8:00 a.m. Present: Linda Vavra, Ben Brutlag, Doug Dahlen, Jerome Deal, John Kapphahn, and Allen Wold. Absent: Scott Gillespie, Steven Schmidt. Also present: Engineer Chad Engels, Engineer James Guler, Technician Troy Fridgen, Attorney Lukas Croaker, and Administrator Jamie Beyer.
- AGENDA** Upon motion by Deal, seconded by Dahlen and carried unanimously, the agenda was approved with the addition of Randy Schmiesing's Permit Application #17-040 and an inquiry of Dean Sternhagen's Permit Application #14-138.
- CLAIMS** Upon motion by Dahlen, seconded by Kapphahn and carried unanimously, the Claims of June 20, 2019 were approved as presented along with payment to Hormann Works in the amount of \$2,375.00 and Olson Tile & Excavating in the amount of \$1,472.00.
- MINUTES** Upon motion by Deal, seconded by Kapphahn and carried unanimously, the minutes of May 16, 2019 were approved.
- TREASURER'S REPORT** Upon motion by Wold, seconded by Kapphahn and carried unanimously, the May Treasurer's Report was approved.
- PUBLIC COMMENT** The meeting was opened for public comment. No comments provided.
- President Vavra recognized newly appointed Otter Tail Board Manager Ben Brutlag. Brutlag received the Oath of Office.
- JD #12 LAT. 4 REPAIR** Grant County Highway Engineer Tracey Von Bargen presented a potential repair project for Grant CSAH 11 that would require repairs to JD #12 Lateral 4. Von Bargen proposed that the road authority (Grant County) pay for actual costs associated for road repair, and the ditch authority (Bois de Sioux Watershed District) pay for actual costs associated with the ditch repair. Grant County Highway Department would design the project, prepare construction documents, and oversee project construction; they could be ready this fall.
- BEYER** Jason Beyer arrived at the meeting.
- Engineer Engels offered that there may be potential Construction Fund cost-share for project side inlets. Upon motion by Deal, seconded by Beyer and carried unanimously, board managers authorized a landowner meeting to be scheduled as soon as possible.
- PERMIT #19-032 BIG STONE COUNTY HWY** Big Stone Highway Department requested consideration for joint management of a tile system designed to restore Cup Lake to its ordinary high water elevation; overflow from Cup Lake is encroached and overtopped an adjacent road. Landowners expressed concern about the timing of drawdowns and the ability to manage elevations in a timely fashion. Engels suggested that Big Stone Highway Department retain all management rights, and that the permit could be approved with specific operation language and elevations. Big Stone County Engineer Todd Larson offered to install riprap on a culvert connecting downstream South and North Rothwell Lakes. Upon motion by Kapphahn, seconded by Beyer and carried unanimously, the board authorized staff to define permit conditions, to be presented at the July 18th regular board meeting.
- PERMIT #19-033 TAYLOR TOWNSHIP** Engels introduced a permit submitted by Taylor Township, and stated that a coordinated permit application from Traverse County is expected soon. Between the two applications, culvert site capacities for four sites would be changed (one on behalf of Traverse County; one on behalf of Taylor Township). Engineering staff reviewed the drainage area and recommended appropriate culvert sizes (and calculations included the assumption of correctly sized upstream culverts). Engels stated that the permit meets district policies, and that a condition should be made to require installation of the Traverse County culvert. Upon motion by Beyer, seconded by Kapphahn and carried unanimously, the permit application was approved with conditions.

- #19-039
A. DEAL** A petition was received from Aaron Deal to outlet a drainage project into TCD #4 for parcels 09-0024-500 and 09-0023-000; these parcels are currently not included in the assessment district. Upon motion by Deal, seconded by Beyer and carried unanimously, a hearing was ordered for July 18, 2019 at 8:30 am.
- #19-041
C. RAGUSE** Permit applicant Chester Raguse presented a tile project in Section 15 of Taylor Township, Traverse County. Most of the project area is currently included in the JD #11 and TCD #27 assessment districts. A petition was received to include parcel 12-0051001 in the JD #11 assessment district. Viewer Dan Swedlund, who is working on the JD #11 Redetermination proceedings, stated that the parcel will be included in the redetermined assessment district. Landowners Ray Ehlers and Dean Holz relayed complaints that maintenance needs to be done on the lateral. Fridgen will coordinate spoil agreements and a clean-out. Upon motion by Beyer, seconded by Kapphahn and carried unanimously, the permit is approved with the conditions that construction within the JD #11 assessment area may begin, and that work outside of the JD #11 assessment area may not begin until the applicant has successfully petition into the JD #11 drainage system.
- #17-040
R. SCHMIESING** Fridgen relayed complaints received from landowner Randy Schmiesing regarding a wetland restoration project that he has been unable to start because of wet conditions; Mr. Schmiesing feels that operation of a neighboring tile pump is preventing contractors from starting their work.
- #14-138
D. STERNHAGEN** A representative spoke on behalf of Lary Vipond, who relayed concerns about an outlet identified under Permit Application #14-138.
- WCD #8** The construction punch list items are complete. Vegetation has been seeded but not established. A final walkthrough will be conducted to ensure everything is complete, including seeding, before closing out the project.
- WCD #9** A notice to proceed has been provided to the contractor. Traverse Electric has begun to bury the associated electric lines. Staff working to finalize
- JD #6** Board managers considered two scenarios with the repair of JD #6 at an intersection with the Canadian Pacific Railroad. The ditch will be realigned with the State highway culvert, but the project requires communication with the Railroad and would result in notable infrastructure costs. The railroad can either replace their culverts or bore an additional culvert on the legal grade line. Board managers authorized engineers to begin communication with the Railroad, and to recommend the boring option.
- TCD #41** In response to a complaint, TCD #41 landowners will meet later today with engineering staff to discuss maintenance and repair options.
- JD #11** Upon motion by Beyer, seconded by Dahlen and carried unanimously, staff are authorized to prepare and submit a BWSR Multipurpose Drainage Management grant application for the repair of JD #11.
- LTWQIP/
TCD #52** Upon motion by Deal, seconded by Beyer and carried unanimously, staff are authorized to prepare and submit a BWSR Project grant application for the Lake Traverse Water Quality Improvement Project #1/TCD #52.
- 2018 ANNUAL
REPORT** Upon motion by Wold, seconded by Deal and carried unanimously, the 2018 Annual Report was approved.
- NORTH OTTAWA** Upon motion by Dahlen, seconded by Deal and carried unanimously, a portapotty provided by HPS Rental was approved at North Ottawa. Staff discussed monitoring equipment needs; the current system was not installed correctly, and has needed a great deal of attention.

2019 – 2020 Annual Reorganization

- ANNUAL
REORGANIZATION** Wold called for nominations for the position of President. Dahlen nominated Linda Vavra, seconded by Deal and carried unanimously. Upon motion by Kapphahn, seconded by Dahlen and carried, the Secretary was directed to cast a unanimous ballot to Linda Vavra for President.

Vavra called for nominations for the position of Vice President. Dahlen nominated Allen Wold, seconded by Kaphhahn and carried unanimously. Upon motion by Kaphhahn, seconded by Dahlen and carried, the Secretary was directed to cast a unanimous ballot to Allen Wold for Vice President.

Vavra called for nominations for the position of Secretary. Wold nominated Scott Gillespie, seconded by Dahlen and carried unanimously. Upon motion by Dahlen, seconded by Deal and carried, the Secretary was directed to cast a unanimous ballot to Scott Gillespie for Secretary.

Wold called for nominations for the position of Treasurer. Dahlen nominated John Kaphhahn, seconded by Deal and carried unanimously. Upon motion by Dahlen, seconded by Deal and carried, the Secretary was directed to cast a unanimous ballot to John Kaphhahn for Treasurer.

COMMITTEE ASSIGNMENTS

Board Managers reviewed committee assignments. Brutlag was added to the North Ottawa Committee. Engineer Technician was added to the Permit Review Committee and the Administrator is removed. Attorney Croaker is added to the Legislative and Redpath Committees. The NRCS LP-566 Plan/Bois de Sioux Direct committee was renamed Doran Creek. A Lake Traverse Water Quality Improvement Project committee was added, with members: Deal, Gillespie, Schmidt and Vavra. Upon motion by Deal, seconded by Kaphhahn and carried unanimously, the Annual Reorganization was approved.

CD PURCHASE

Board managers reviewed the details of staggered CD purchasing through Bremer Bank. Of the \$2.5 million available to invest, Beyer recommends \$350,000 be held in cash as it may be needed for JD #12 ditch repairs coordinated with the Grant County Highway Department. Upon motion by Kaphhahn, seconded by Deal and carried unanimously, the investment plan was approved.

TORT LIABILITY

Upon motion by Kaphhahn, seconded by Dahlen and carried unanimously, the Bois de Sioux Watershed does not waive the monetary limits on municipal tort liability established by MN Statute 466.04.

SWENSON SETTLEMENT

Legal representation for former employee Michelle Swenson made a settlement offer of \$2,000 to avoid legal appeal proceedings. Wold made motion, seconded by Beyer and carried unanimously, to refuse the settlement.

COMPUTER QUOTES

Administrator Beyer presented a \$1,192.99 and a \$2,239.34 price quote from Lake Country Technology to upgrade computer operating systems. Upon motion by Dahlen, seconded by Beyer and carried unanimously, the \$1,192.99 price quote was approved.

MEAL REIMBURSEMENT

Administrator Beyer presented an incomplete meal reimbursement receipt for Manager Wold, who had travelled to and from St. Paul on March 20, 2019 to testify on behalf of the District. It was the only receipt presented for the day of travel. Upon motion by Beyer, seconded by Dahlen and carried unanimously, Wold's reimbursement for a day of meal per diems (\$36.00) was approved.

ATF LETTER

Attorney Croaker stated that a letter has been drafted, requesting that landowner Jennifer Coleman complete a District application for work After-the-Fact. Upon motion by Dahlen, seconded by Deal and carried unanimously, staff are authorized to send the letter.

Upon motion by Dahlen, seconded by Beyer and carried unanimously, the meeting was adjourned.