

**BOIS DE SIOUX WATERSHED DISTRICT
BOARD MEETING MINUTES
December 21, 2020**

CALL TO ORDER The meeting was called to order by President Vavra at 10:00 a.m. via conference call and screenshare pursuant to Minn. Stat. § 13D.021. Present in the District Office: Linda Vavra, and Allen Wold. Joined remotely: Jason Beyer, Ben Brutlag, Doug Dahlen. Also present remotely: Engineer Chad Engels, Engineer James Guler, and Attorney Lukas Croaker. Also present in the District Office: Administrator Jamie Beyer.

VIEWERS IN ATTENDANCE The purpose of the meeting was to hold the final hearing on the repair petition, the detailed survey report, and the viewers' report of the redetermination of benefits and damages for the repair of Judicial Ditch No. 6 (JD #6) in Wilkin County and Traverse County, Minnesota.

FINAL HEARING OPENED Wold motioned, seconded by Dahlen, to open the final hearings. Roll call vote: Wold – aye; Dahlen – aye; Beyer – aye; Brutlag – aye; Vavra – aye. Motion carried. Attorney Croaker introduced the hearing procedures and confirmed that Viewers Mark Dietz and Dwight Veldhouse were present. Viewer Donald Metz was not present.

JD #6 REPAIR PETITION Engineer Guler recounted the project timeline from 2018 to present. Attorney Croaker confirmed that the district's engineers have found that: the repair is necessary, a proper repair petition has been submitted, and that the costs of the proposed repair exceed the drainage system's current benefits.

JD #6 ENGINEER'S REPAIR, DETAILED SURVEY REPORTS & COST ESTIMATE Engineer Guler presented the detailed survey report, which included a project map, culvert analysis, channel cross sections and plan profile sheets. The proposed repair will not deepen the ditch; but the ditch will be shifted slightly out further from adjacent roads in order to flatten the slopes for stability purposes. A portion of the project area is located alongside a grass road - the affected township has been contacted, as this may be an opportune time for the road to be improved. Manager Wold requested that their decision be made part of the eventual record, as a repair would not need to include seeding if the road will be converted to gravel. Engineer Guler continued describing the proposed repair, indicating that, in order to prevent erosion, three rock checks would be installed near the outlet to slow the water. This project requires existing side inlet culverts to be removed and replaced with new culverts – property owners should notify the district of their interest in privately retaining their culverts. Side inlet culvert flap gates are included in the project. Repair plans have been communicated to the associated railroad – there are currently two 48" RCP's that will remain in place and be facilitated with a third 48" pipe. Discussion was held on a lateral in Section 27 where there appears to be a split flow, with water flowing both to the east and the west. Landowners requested a culvert through the approach in the northwest corner of Section 27. Landowner Dallas Miller stated that water flows to the east, and that is the direction it should flow. Dallas Miller also relayed a request to replace an existing bridge with culverts on the Section 36/35 quarter line. The estimated total cost for the project is \$2,139,500 with an estimated local cost of \$1,523,376.50. It is anticipated that this project would be funded by assessments and grant funds from BWSR, RRWMB, and the District's culvert sizing and clean water cost share policies.

JD #6 VIEWERS' REPORT Attorney Croaker described the formal process, and the Viewers' Report and Property Owner's Report were reviewed. The Viewers' report sets a monetary maximum limit for ditch construction, assigns a proportion of ditch expense (as a percentage) that each benefited 40-acre parcel is responsible for, and sets the damages payment to landowners for acquisition of temporary and permanent easements. Factors affecting these figures are soil types, proximity rating and hydraulic efficiency. Viewer Veldhouse provided a presentation, section-by-section. The Viewers offered to meet with property owners in order to discuss specific parcels.

Viewer Veldhouse introduced the Viewers' Report and methodology. Details about the assessment district were given, including compensation for 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 at \$6,000/acre. They will not be able to cultivate it in the future.
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Permanent Spoil
Easement

Will apply to the area adjacent to the Permanent Ditch Easement. Landowners will be compensated at \$275/acre and the District has the right to use the area for construction for two years. The land can be used by the District for maintenance, repairs, and spoils, but District activities cannot damage crops without compensation.

Upon motion by Wold, seconded by Dahlen and carried unanimously, the hearing was recessed and set to reconvene on January 21, 2020. Roll call vote: Wold – aye; Dahlen – aye; Beyer – aye; Brutlag – aye; Vavra – aye. Motion carried. The meeting was adjourned at 11:49 am.