

**BOIS DE SIOUX WATERSHED DISTRICT
BOARD MEETING MINUTES
October 21, 2021**

- CALL TO ORDER** The meeting was called to order by President Vavra at 9:00 a.m. Present in the District Office: Linda Vavra, Doug Dahlen, Jerome Deal, Steven Schmidt, Allen Wold. Absent: Jason Beyer, Benjamin Brutlag, Scott Gillespie, John Kapphahn. Also present in the District Office: District Engineer Chad Engels, Engineer Technician Troy Fridgen, Attorney Lukas Croaker, and Administrator Jamie Beyer. Joined remotely: Engineers James Guler and Nathan Trosen.
- AGENDA** Deal motioned, seconded by Schmidt and carried unanimously, to approve the agenda with the following changes: additions: DNR Meeting with Mr. Jim Harstad, Clifton Township, WCD #9 Final Balancing Change Order and Pay Application, BWSR Clean Water Fund Grant Agreement, Joint Comprehensive Watershed Management Plan Quarterly Reimbursements.
- CONFLICTS OF INTEREST** No conflicts of interest were declared.
- CONSENT AGENDA** Upon motion by Dahlen, seconded by Schmidt and carried unanimously, the Consent Agenda was approved. The Consent Agenda included the following change to the August 19, 2021 Minutes:
Text Added: "Wold left the meeting."
- PUBLIC COMMENT** No public comment was presented.
- DITCH PETITIONS** Dahlen motioned, seconded by Deal and carried unanimously to set public hearings on November 18, 2021 for petitions submitted by Don Stueve to outlet into TCD #28 and TCD #31.
- PETITION FILING AUTHORITY** Board managers discussed the timing of petitions in comparison to the District's meeting calendar, and the requirement to file a petition, and then schedule a public hearing after advertising for three consecutive weeks. Upon motion by Dahlen, seconded by Schmidt and carried unanimously, the District Administrator is authorized to file outlet petitions and schedule the required public hearing for the next District meeting following adherence to the publication requirement.
- #21-143,
S. SCHMIDT
#21-148,
D. FRISCH** Deal motioned, seconded by Wold, to authorize engineering and legal staff to work with permit applicants, Steven Schmidt and Dean Frisch, on design issues for #21-143 and #21-148. Schmidt recused himself. Motion carried.
- JOINT MEETING** District Engineer Engels recounted a meeting held by Mr. Jim Harstad, neighboring landowners, representatives from the DNR, and Senator Torrey Westrom, regarding excavation of a drainage ditch and wetland. A consensus for restoration was reached between the parties.
- WCD #9
103E.555 PUBLIC
HEARING** Dahlen motioned, seconded by Deal and carried unanimously, to reconvene the Minn. Stat. § 103E.555 Public Hearing on the Engineer's Report for WCD #9. President Vavra, Board Manager Deal, District Engineer Engels, and Administrator Beyer met with Mr. John Riley to discuss project damages, arriving at a negotiated set-off amount of \$22,500. Dahlen motioned, seconded by Schmidt and carried unanimously, to approve the Final Balancing Change Order of \$56,410.18 and Final Pay Application No. 3 in the amount of \$79,811.42 less \$22,500 for a final payment of \$57,311.42.
- JD #11** Outlet work is completed, and seeding is done; grass will be considered next spring for establishment. Schmidt motioned, seconded by Dahlen and carried unanimously, to approve Pay Application No. 6 in the amount of \$268,870.36.
- JD #6** Schmidt motioned, seconded by Dahlen and carried unanimously, to approve Pay Application No. 3 in the amount of \$198,348.87. Dahlen motioned, seconded by Deal and carried unanimously, to approve Bond Expenses of \$117,978.61. Dahlen motioned, seconded by Wold and carried unanimously, to approve the recommendation from engineering staff to deem the project substantially complete.
- TCD #35** The Viewers' Report will likely be filed at the November 18, 2021 board meeting. The Engineer's Report will likely be filed at the December 16, 2021 board meeting. A landowner meeting will likely be held in January.

- RING DIKE POLICY** Staff brought forward a need for a District-wide ring dike cost share program, and presented a sample policy. Ring dikes are identified in the Joint Comprehensive Watershed Management Plan as a tool to protect property from flood impacts, and can be designed to promote protection from 100-year flood events. Ring dikes can prevent the need to relieve flood pressure by cutting a road – leaving roads intact controls flood drainage. Wold motioned, seconded by Schmidt and carried unanimously, to approve the Ring Dike Cost Share Policy. Schmidt motioned, seconded by Dahlen and carried unanimously, to authorize legal staff to draft a corresponding landowner contract.
- BIG LAKE** President Vavra and Board Manager Dahlen will continue to meet with Big Lake landowners.
- LTWQIP NO. 1 PHASE #2 PHASE #3** The contractor has begun construction on Phase No. 2, removing trees and excavating the channel. Engineering staff met with DNR representatives to discuss the design of the ditch repair project for Phase No. 3.
- APIARY LEASE** Schmidt motioned, seconded by Dahlen and carried unanimously, to implement an apiary lease for 3-year terms, at \$0.00 lease amount, in areas identified by Engineer Technician Fridgen. Board managers requested that the beekeeper or District post notice signs informing the public of the keeping of bees on District property.
- REDPATH** It is anticipated that a Findings of Fact and Dam Safety Permit will be issued within a week. District Engineer Engels reviewed the funding strategy for the Mustinka River Rehabilitation and Redpath Impoundment Projects.
- JCWMP GRANT REIMBURSEMENT** Dahlen motioned, seconded by Deal and carried unanimously, to approve the Joint Comprehensive Watershed Management Grant reimbursement requests in the amount of \$49,708.31.
- DEAL LEAVES** Deal left the meeting, concluding the meeting quorum.
- STAR BANK** Administrator Beyer updated the managers on the selection of Star Bank as the designated financial institution for the District’s checking account.
- UPDATES** Individual managers updated the other managers and staff as to meetings held by the various water committees, associations, and workgroups in which those managers are representatives.
- The meeting was adjourned.