

**BOIS DE SIOUX WATERSHED DISTRICT  
BOARD MEETING MINUTES  
November 17, 2022**

- CALL TO ORDER** The meeting was called to order by President Vavra at 9:00 a.m. Present in the District Office: Linda Vavra, Jason Beyer, Ben Brutlag, Jerome Deal, Scott Gillespie, and Allen Wold. Absent: Doug Dahlen (arrived later), John Kapphahn (arrived later), Steven Schmidt. Also present in the District Office: District Engineer Chad Engels, Engineer James Guler, Engineer Technician Troy Fridgen, Attorney Lukas Croaker, and Administrator Jamie Beyer.
- AGENDA** Upon motion by Beyer, seconded by Deal and carried unanimously, the agenda was approved with the following additions: Permit Application #22-188 and Mud Lake Comment Authorization.
- CONSENT AGENDA** Upon motion by Wold, seconded by Gillespie and carried unanimously, the Consent Agenda was approved.
- PUBLIC COMMENT** No public comment was received.
- JANUARY BOARD MEETING** The regular January board meeting conflicts with the Red River Basin Commission International Joint Conference in Winnipeg. Board managers agreed to move the regular meeting to January 26, 2023.
- DAHLEN ARRIVES** Board Manager Doug Dahlen arrived at the meeting.
- OCTOBER BOARD MEETING START TIME** Past board practice has been to move the October board meeting start time to 8:00 AM. Upon motion by Gillespie, seconded by Beyer and carried unanimously, staff are authorized to initiate a change to Bylaw Article VI, § 1.
- TCD #7 & TCD #51 PETITION HEARINGS** Upon motion by Gillespie, seconded by Dahlen and carried unanimously, the hearing was opened/reconvened to consider the petition from Bryan Crandall to use Traverse County Ditch #7 as an outlet for the following portion of Parcel #09-0139-000 in Section 31, Logan Township, Grant County: NW1/4. Three culverts are located in the northwest corner of the parcel, two directed north and one directed to TCD #7. The two culverts directed north do not flow to any Minn. Stat. Ch. 103E ditch system. TCD #7 flows into TCD #51. Upon motion by Gillespie, seconded by Deal and carried unanimously, the hearing was also opened to consider the petition for the same parcel to use Traverse County Ditch #51. Engineering staff estimate that 1/3 of the parcel's flow is directed to TCD #7 which ultimately discharges into TCD #51. The remaining 2/3 of the parcel's flow is directed north and does not utilize any Minn. Stat. Ch. 103E ditch system. The outlet fees were calculated to be \$389.46 for TCD #7 and \$1,168.38 for TCD #51. Based on the proportion of flow, the benefits were calculated to be \$103.24 for TCD #7 and \$193.58 for TCD #51. Comments were received from Mr. Michael Bartell, who stated that when TCD #51 culverts and channel are obstructed with snow and ice and his farmstead is at risk of flooding; he expressed concerns about changes to culvert sizes, grades, and elevations. District Engineer Chad Engels stated that culverts are part of the legal drainage system, and that grade, elevation and culvert size changes cannot result in a change to the hydraulic capacity of the drainage system without following the Minn. Stat. Ch. 103E formal improvement process. No such changes are currently planned. Discussion was held on the need for spot cleaning to remove sediment from areas in the TCD #7 channel.
- KAPPAHNN ARRIVES** Board Manager John Kapphahn arrives.
- Attorney Lukas Croaker read the order, combined to include both the TCD #7 and TCD #51 petitions. Upon motion by Beyer, seconded by Brutlag and carried unanimously, the order was approved. Upon motion by Gillespie, seconded by Dahlen and carried unanimously, the hearings were closed.
- P.A. #22-188 G. VIPOND** Work described in the permit application crosses a subwatershed boundary. The applicant described the unique features of the parcel that prevent flow from being directed to the northeast corner of the parcel. Upon motion by Kapphahn, seconded by Beyer and carried unanimously, the application is approved contingent upon a cleanout of the private ditch in the northwest corner of Section 12.
- TCD #35 UPDATE** Engineering staff have notified the contractor that TCD #35 has met substantial completion requirements. Upon motion by Beyer, seconded by Dahlen and carried unanimously, Change Order No. 2 was approved for additional ditch cleaning associated with the project. Upon motion by Beyer,

seconded by Dahlen and carried unanimously, Pay Application No. 5 was approved in the amount of \$128,218.69.

- GCD #21 UPDATE** A landowner meeting was held yesterday in Herman, to present to landowners the working improvement design. Currently, the project involves the replacement, resizing and resloping of several tile branches, and a cleanout of the ditch mains. The tile will be sized to the District's ¼" coefficient standard.
- WCD #SUB-1** Engineering staff have filed the Detailed Report; it has also been filed with the DNR Commissioner, along with a request for the required Advisory Report. Engineering staff are working with BNSF and the outlet landowner.
- BUFFER NOTICES** Corrective Action Notices have been sent to two landowners, covering three parcels. BWSR requires that a copy of the notices be sent to their office, although it is likely staff have not returned to the office under pandemic measures.
- LTWQIP NO. 1 PHASE 3** Construction bids are being advertised for Phase 3 construction. Engineering staff will hold a prebid meeting next week to present the plans and address contractor questions.
- SAMANTHA LAKE** Grant County is reviewing operation and maintenance agreement details before turning over the project and right-of-way to the Bois de Sioux Watershed District. A resolution from them is expected after their next meeting.
- ELBOW LAKE** Board Manager John Kapphahn has an Elbow Lake landowner meeting scheduled in December to discuss the DNR's Ordinary High Water Level determination. The DNR's standard method is to prioritize OHWL determinations based on evidence associated with shoreline trees, then consider shoreline changes to soil and last to consider adjacent vegetation.
- REDPATH PHASE 2** The Phase 2 bid package will be sent to the DNR for consideration of dam safety requirements. It is anticipated that the phase will be advertised for bid in late December or January.
- FIVEMILE CREEK** Technical experts in the Fivemile Creek area have been identified, and a meeting will be held soon to discuss the extents of a potential stream restoration or rehabilitation project, as a basis for a quote for modeling.
- FLOODWATER INTERCEPTION** Board managers discussed flooding issues along the east branch of the Rabbit River east of the City of Campbell and potential solutions. Upon motion by Kapphahn, seconded by Dahlen and carried unanimously, engineering staff are authorized to conduct a preliminary analysis for a storage solution, not to exceed \$5,000.
- MOONSHINE** Board Manager Gillespie requested that a Moonshine landowner meeting be held this winter.
- MUD LAKE** District Engineer Chad Engels summarized Mud Lake operation changes proposed by the Army Corps of Engineers – the primary change being an incremental drawdown in the fall, exposing mudflats to achieve waterfowl goals. The Corps would re-dredge the center channel next fall. Board managers supported submission of a letter of support.
- RECORDS RETENTION SCHEDULE** Administrator Jamie Beyer and Attorney Lukas Croaker presented the proposed Records Retention Schedule, which has been updated to include permit applications. Upon motion by Kapphahn, seconded by Dahlen and carried unanimously, the schedule was approved to submission to the State of Minnesota's regulatory authorities for further consideration.
- JD #12 SIDE INLET CULVERT COST SHARE** Upon motion by Wold, seconded by Beyer and carried unanimously, payment to Wagner Company was approved in the amount of \$99,359 for a 75% cost-share project through Wilkin SWCD for side inlet culverts installed on JD #12.
- IMPROVEMENT PETITION** Upon motion by Beyer, seconded by Deal and carried unanimously, Attorney Lukas Croaker is authorized to draft a general ditch improvement template that can be customized in the future by drainage system landowners.
- 2023 BUDGET, LEVIES & ASSESSMENTS HEARING** Upon motion by Gillespie, seconded by Deal and carried unanimously, hearings for the 2023 budgets, levies, and assessments are ordered to be held December 15, 2022.

The meeting was adjourned at 12:20 pm.