

**BOIS DE SIOUX WATERSHED DISTRICT
BOARD MEETING MINUTES
June 15, 2023**

- CALL TO ORDER** The meeting was called to order by President Vavra at 8:00 a.m. Present in the District Office: Linda Vavra, Ben Brutlag, Doug Dahlen, Jerome Deal, Scott Gillespie, John Kapphahn, Steven Schmidt. Absent: Jason Beyer, Allen Wold. Also present: Engineer James Guler, Attorney Lukas Croaker (later, by phone), Engineer Technician Troy Fridgen, and Administrator Jamie Beyer.
- AGENDA** Upon motion by Kapphahn, seconded by Deal and carried unanimously, the agenda was approved with the following changes: survey request from Bryan Crandall, move up Twelvemile Creek discussion and add claims of \$81.21 for travel and vehicle repair reimbursed to Engineer Technician Troy Fridgen.
- CONSENT AGENDA** Upon motion by Dahlen, seconded by Schmidt and carried unanimously, the Consent Agenda was approved with the addition of claims of \$81.21 to Engineer Technician Troy Fridgen.
- CRANDALL SURVEY REQUEST** Mr. Bryan Crandall requested survey work by the District for a public waterways cleanout permit. Upon motion by Gillespie, seconded by Dahlen and carried unanimously, staff are authorized to conduct the survey when time allows, and to invoice Mr. Bryan Crandall for the cost.
- P.A. #23-043
640TH AVE
ROAD RAISE** District staff have worked closely with landowners and Dollymount Township to mediate and provide design recommendations in advance of a permit application. The proposed project described in the permit application includes a wider channel bottom for ease of construction and includes the removal of an existing 30" culvert on the county line township road. District Engineer Chad Engels stated that the proposed project will create additional flow to TCD #8 and that several mitigation measures have been incorporated into the project design. The mitigation measures include raising the township road, lowering the adjacent field berm in Section 7 below the road elevation, and eliminating the 30" culvert. Engineer Engels further explained that the project will provide more storage during large floods, but will not provide a balanced benefit during smaller rainfall events, as the new channel capacity is larger than the most limited capacities in TCD #8. The new channel and TCD #8 capacity should balance. Engineer Technician Troy Fridgen suggested additional break-outs upstream of TCD #8 to control and store excess flows. Upon motion by Deal, seconded by Gillespie and carried unanimously, the permit is approved upon District Engineer conditions, to include required breakout elevations.
- Board Manager John Kapphahn asked what the project will cost; staff will request a cost estimate once project design is finalized. Administrator Beyer stated that the Dollymount cost share agreement has not been signed. Board managers supported the use of Construction Funds to cover the cost of modifying berms, installing side inlet culverts, and seeding the lowest portions of TCD #8 as an additional mitigation measure.
- P.A. #23-038
R. JENNEN** Mr. Richard Jennen asked for a culvert to be installed on his east property line with sizing to be completed by the District for the purpose of limiting erosion on his property: W1/2, Section 20, Pomme de Terre Township, Grant County. Flow through culverts in the E1/2 of Section 20 cause frequent washouts in the W1/2 of Section 20 and periodic overtopping of State Highway 59 and flooding on Chad Heidinger's adjacent property. District Engineer Chad Engels stated that improving the existing channel across the W1/2 of Section 20 to better contain flows would not result in a significant adverse impact at Highway 59 as the timing would not substantially change. If District staff recommended sizing by BTSAC standards, the culvert sizing would likely be very large and not achieve the objective of slowing water. Board Manager Scott Gillespie recommended that the applicant work with Grant SWCD to identify a structural practice to address the in-field erosion. Engineer Technician Troy Fridgen stated that MnDOT does not include repairs to Highway 59 in their current 5-year capital plan. Staff encouraged Mr. Chad Heidinger to consider a ring dike for more permanent flood protection. Upon motion by Gillespie, seconded by Dahlen and carried unanimously, engineering staff are authorized to assist the landowner with the SWCD discussion.
- WCD #SUB-1** Utility work has begun at the WCD #Sub-1 construction site.
- WCD #25 &
GCD #3** Engineer James Guler relayed a message from Board Manager Jason Beyer that a petition for the repair of WCD #25 would likely not be received in time for a Clean Water Fund Multipurpose Drainage Management grant application to be submitted in August; Engineer James Guler recommended that an application be submitted on behalf of Grant County Ditch #3. Grant County Ditch #3 landowners

will likely be in attendance at the June 20, 2023 Grant County Commissioner meeting, at which county commissioners will consider transfer of the system's drainage authority to the Bois de Sioux Watershed District, for the purposes of initiating and completing a possible redetermination and repair. Engineer James Guler will ask if landowners would support a grant application for use in 2024 construction.

**TWELVEMILE
PROJECT TEAM**

The Flood Damage Reduction Work Group is changing their method to fund work in the Red River Basin. Allocations will be made based on established project teams. The District currently has an active North Ottawa Project Team. Staff recommend that a Project Team be established for Twelvemile Creek. Upon motion by Kapphahn, seconded by Schmidt and carried unanimously, establishment of the Twelvemile Creek Project Team was approved.

**TWELVEMILE
HSEM GRANT**

Engineering staff presented a \$402,000 scope of work described in a Hazard Mitigation Grant Program Application that requests 75% Federal/State cost share in the amount of \$301,500. The funds would be utilized to evaluate floods risk in communities along Twelvemile Creek, particularly Graceville and Dumont, where a significant number of homes and farms are periodically overwhelmed by large scale flood events. BdSWD plans to implement infrastructure projects along Twelvemile Creek to eliminate long-term flood risks to people and property. The grant would be used to complete an engineering feasibility study based on an unsteady HEC-RAS river/floodplain model of Twelvemile Creek from Graceville, through Dumont, and downstream to the confluence of the Mustinka River. The model would subsequently be used to evaluate alternative flood risk reduction practices. These include elevation of roads with strategic culvert sizing, improved flood levees, and distributed flood storage. Upon motion by Gillespie, seconded by Kapphahn and carried unanimously, staff are authorized to submit the grant application.

REDPATH PH. 2

Redpath Phase 2 construction began earlier this month. The first pay application will be submitted for approval in July. Because bid prices were distributed more heavily towards work for the Mustinka River Rehabilitation Project and more lightly towards work for the Redpath Flood Impoundment, there is increased Clean Water Fund grant eligibility. Upon motion by Kapphahn, seconded by Dahlen and carried unanimously, staff are authorized to pursue additional natural resource enhancement funding sources.

**LIGHTNING LAKE
NO. 1**

Attorney Lukas Croaker described the order and format for the Final Hearing for Lightning Lake Project No. 1. Engineer James Guler described the project, which includes the replacement of the current outlet structure with a longer box culvert and series of rock weirs. The project will increase fish connectivity, increase the road crossing's flow capacity, and decrease the frequency of road overtopping. Comments were read from the Department of Natural Resources and Board of Water and Soils Resources. The project received a Public Waters Permit from the Department of Natural Resources and a Section 404 Permit from the Army Corps of Engineers. Upon motion by Gillespie, seconded by Dahlen and carried unanimously, the public hearing was opened. Stony Brook Township Official Dominic Blume stated concerns that Grant County Highway staff are not prepared to complete downstream culvert replacements until 2024 at the earliest. No other public comment was received. Upon motion by Gillespie, seconded by Dahlen and carried unanimously, the hearing is continued in accordance with Minn. Stat. § 103D.745, subd. 4 and the order was approved to establish the project, and direct engineering staff to prepare plans and specifications and advertise for bids. Board Manager Gillespie recommended that a letter from the District be sent to Grant County Commissioners and staff to encourage them to move forward with downstream culvert replacement.

**LTWQIP NO. 1
PHASE #3**

Construction on Phase 3 of Lake Traverse has begun. Trees were removed, and some rock structures have been installed. Traverse SWCD will be onsite to seed portions of the project that are complete. Upon motion by Gillespie, seconded by Deal and carried unanimously, Pay Application No. 1 in the amount of \$338,510.65 was approved.

DORAN CREEK

Upon motion by Dahlen, seconded by Deal and carried unanimously, the Minn. Stat. § 103D.605 project hearing for the Doran Creek restoration project was scheduled for July 20, 2023.

NORTH OTTAWA

Engineer Technician Troy Fridgen confirmed that millet planted in cell A3 last fall did not re-seed; the cell is full of thistle. Input will be gathered from the Project Team to plant another cover crop.

**WILKIN SWCD
COVER CROP**

Upon motion by Kapphahn, seconded by Dahlen and carried unanimously, the Cover Crop Cost Share Agreement with Wilkin SWCD was approved.

**SCHMIDT
LEAVES**

Board Manager Schmidt left the meeting.

SOUTHERN BOUNDARY

Administrator Beyer stated that three quarter-quarters were accidentally omitted from the prior Southern Boundary revision order previously submitted to the Board of Water and Soil Resources. There is only one affected landowner, Mr. Joseph Murphy, and he supports the change from the Upper Minnesota River Watershed District to the Bois de Sioux Watershed District. Upon motion by Gillespie, seconded by Deal and carried unanimously, the resolution and petition were approved.

ENERGY IMPACTS

Administrator Beyer stated that Board Manager Jason Beyer asked staff to consider potential District impacts resulting from installation of wind and solar projects in the District. Administrator Jamie Beyer identified potential impacts to four broad categories: 103E Drainage Systems, 103D Watershed Projects, Permitting, and District owned land. Upon motion by Gillespie, seconded by Brutlag and carried unanimously, staff are authorized to draft recommendations for setbacks, utility permits, and GopherOne registrations.

MOONSHINE

Engineering staff submitted a storage grant on behalf of the Moonshine Project. A landowner meeting will be coordinated next. Upon motion by Kapphahn, seconded by Dahlen and carried unanimously, re-establishment of the Moonshine Project Team was approved.

OFFICE REPAIR

Administrator Beyer let the board know that the District Office’s heat pump must be repaired and/or replaced. A price quote of \$11,582 was received.

TORT WAIVER

Upon motion by Deal, seconded by Dahlen and carried unanimously, to not waive the monetary limits on tort liability established by Minn. Stat. § 466.04.

ANNUAL RESOLUTION

Upon motion by Dahlen, seconded by Deal and carried unanimously, the 2023 – 2024 Annual Organization Resolution was approved (includes billing rates):

NEWSPAPERS

- Traverse County.....Wheaton Gazette
- Big Stone County The Northern Star
- Grant County Grant County Herald
- Wilkin County The Daily News
- Otter Tail County.....The Daily Journal
- Stevens County..... The Chokio Review

CONSULTANTS

- Attorney at LawLukas Croaker, Ohnstad Twichell, P.C.
- Engineer..... Chad Engels, Moore Engineering, Inc.
- Accountant Renee Kannegeisser, Morris & Associates
- AuditorCliftonLarsonAllen

DEPOSITORIES

- Bank of the West Morris, MN
- Bremer Bank..... Morris, MN
- Star Bank Wheaton, MN

INSURANCE COVERAGE

- League of Minnesota CitiesSaint Paul, MN

ELECTIONS

Deal called for nominations for the position of President. Dahlen nominated Linda Vavra, seconded by Gillespie and carried unanimously. Motion passed.

Vavra called for nominations for the position of Vice-President. Dahlen nominated Jason Beyer, seconded by Gillespie and carried unanimously. Motion passed.

Vavra called for nominations for the position of Secretary. Dahlen nominated Allen Wold, seconded by Gillespie and carried unanimously. Motion passed.

Vavra called for nominations for the position of Treasurer. Dahlen nominated John Kapphahn, seconded by Gillespie and carried unanimously. Motion passed.

**JCWMP WBIF
GRANT
DISBURSEMENTS**

Upon motion by Deal, seconded by Kapphahn and carried unanimously, reimbursements to the District were approved in the amount of \$25,521.81 from Watershed Based Implementation Fund Grant C23-5729 and \$11,964.50 from Watershed Based Implementation Fund Grant C21-9685. The Board of Water and Soil Resources opened a \$53,000 grant for Bois de Sioux and Mustinka River SWCD's to offer an incentive for CRP sign-ups. Upon motion by Gillespie, seconded by Dahlen and carried unanimously, the District will serve as the grant fiscal agent if all six SWCD's decline the position.

**POSTAGE
MACHINE**

Administrator Beyer was notified that the District's postage machine lease is expiring. Upon motion by Kapphahn, seconded by Gillespie and carried unanimously, staff are authorized to renew the lease.

**OFFICE
EASEMENTS**

Board managers discussed the terms of an agreement and easement made with Mrs. Sandra Mitteness when the District Office was built. New owner Patrick Backman is taking over the Mitteness Chiropractic Clinic and the District received a request to update signage. Board Manager Jerome Deal requested that the District's portion of the sign also be replaced, as the current design is difficult to read. Upon motion by Gillespie, seconded by Deal and carried unanimously, staff are authorized to work with the new owner to have signage updated.