

**BOIS DE SIOUX WATERSHED DISTRICT
BOARD MEETING MINUTES
JULY 17, 2025**

- CALL TO ORDER** The meeting was called to order by President Vavra at 8:07 a.m. Present in the District Office: Linda Vavra, Scott Gillespie, Doug Dahlen, Steven Schmidt, Ben Brutlag and, Steven Deal. Absent: John Kapphahn, Allen Wold, and Jason Beyer. Also present: District Engineer James Guler, Engineer Andrew Smith, District Engineer Technician Troy Fridgen, and District Attorney Lukas Croaker.
- AGENDA** Upon motion by Dahlen, seconded by Schmidt and carried unanimously, the Regular Agenda was approved with the addition of Permit No. 25-043 and the removal of Permit No. 20-050.
- CONSENT AGENDA** Upon motion by Dahlen, seconded by Schmidt and carried unanimously, the Consent Agenda was approved with the addition of claims referenced by President Vavra.
- PUBLIC COMMENT** None.
- PERMIT NO. 25-046** Attorney Croaker stated that the managers agreed to table action on the administrative compliance order at the June 20, 2025, meeting to allow comments to be received during the 10-day permit notice period and to allow Mr. Anderson time to remove obstructions on the property referenced in the administrative compliance order. Engineer Technician Fridgen stated that he had conversations with neighboring property owners and the engineers developed a profile based on the District's survey. The profile indicated that there was an +/- 8" berm near the fence line that was obstructing the flow of water. This work was done without a District permit. Attorney Croaker stated that the administrative compliance order had three conditions that required resolution from Mr. Anderson: (1) whether there is an 18" or 24" culvert installed on the property, the latter requires a District permit, (2) unpermitted installation of subsurface drainage tile, and (3) the unpermitted berm created by the installation of the fence line. Engineer Guler stated that the culvert, whether 18" or 24", would be reviewed to determine the appropriate size. Engineer Guler also stated that the installation of subsurface drain tile was done under a 2021 District permit so that was no longer an issue either. Engineer Guler did state that, upon review of the District's survey, there appears to be an approximate 8" high spot at the fence line and that this would need to be removed as it was not permitted and it obstructs the flow of water from the upstream landowner. Upon motion by Gillespie, seconded by Brutlag and carried unanimously, the administrative compliance order will be modified to reflect the issue requiring remediation of the 8" berm which needs to be excavated and the placement of the correctly sized culvert into the County Ditch on or before November 15, 2025. Failure to correct these issues on or before that date will result in the District submitting the modified administrative compliance order to District Court for enforcement.
- PERMIT NO. 25-002** Engineer Technician Fridgen gave a background of the permit and the necessity for the managers to take action pursuant to Minn. Stat. § 15.99. The permit applicant's contractor described alternative options that were reviewed to determine if there is a better direction to direct the flow of water. These options were deemed not financially feasible as it would cost \$900+ per acre. Engineer Guler stated that the permit can be broken down into two areas, the western area and the eastern area. The western area in the permit was likely acceptable to all parties; however, the eastern area caused a great level of concern to area property owners as it would exacerbate wet conditions through their fields as this water is not directed into a legal assessment ditch or a township ditch. Manager Gillespie said the role of the managers is to facilitate conversation amongst landowners and work with them to develop solutions to difficult problems. Manager Schmidt confirmed that the biggest issue with the permit is the flow of water from the eastern area. Engineer Guler explained that both the western and eastern areas comply with the District's policy and rules but the eastern area causes issues with downstream landowners. Engineer Guler presented an option for the managers to take action on the permit by splitting their action to allow approval of the western portion and denial of the eastern portion. Upon motion by Brutlag, seconded by Gillespie and carried unanimously, the western area of the permit is approved and the eastern area of the permit is denied as it is not in the best interest of public drainage; it would create continued issues with the trickle effect; and it would be best for the applicant's contractor to work with District staff and consultants to develop a long-term solution as approval of the entire permit would create continued drainage issues for the surrounding property owners and the District.

PERMIT NO. 25-043	Mr. Blume had questions about petitioning to use a drainage system. Attorney Croaker stated that Administrator Beyer typically works with landowners on the petition process and that the District will schedule a hearing on the petition once it is properly filed with the District.
GCD #3, BRANCH 4, FORK 2	Upon motion by Dahlen, seconded by Brutlag and carried unanimously, the public hearing on the petition requesting partial abandonment of GCD #3, Branch 4, Fork 2 was opened. Attorney Croaker opened discussion on the matter by stating the managers approved a similar partial abandonment of this drainage system on April 18, 2024. He then followed by stating the process to partially abandon the system under Minn. Stat. § 103E.806. Engineer Guler discussed the area to be abandoned, specifically, it serves the petitioner's property and a property to the northwest. The property owner to the northwest requested a document from the petitioner that protects his ability to drain his water through the property where the ditch is being abandoned. Attorney Croaker stated that the managers could implement a condition on approval that the parties execute and record a drainage/flowage easement prior to abandoning this portion of the system. Upon motion by Dahlen, seconded by Schmidt, and carried unanimously, the managers ordered the abandonment of GCD #3, Branch 4, Fork 2 with a condition that the upstream and downstream landowners execute and record a drainage/flowage easement prior to this portion of the system being abandoned. After this abandonment, the legal ending of GCD #3, Branch 4 is approximately 100 feet south of MN State Highway 27. Upon motion by Gillespie, seconded by Dahlen and carried unanimously, the hearing was closed.
BETHANY BETHKE	Ms. Bethke was unable to attend the meeting.
RRWMB ROB SIP	Mr. Sip gave a presentation on the RRWMB's budget, legislative report, and other matters relevant to the District.
TCD #27	Engineer Technician Fridgen presented on the maintenance work associated with TCD #27 and the ongoing maintenance issues this system continues to experience. To date, two culverts have been lowered, cleanouts have been done, erosion issues require stabilization, landowners are spending tens of thousands of dollars on cleaning the system. The main issue is water coming from the west should flow to Mud Lake; however, due to issues with public waters and extremely flat topography, the water flows backwards into TCD #27. Engineer Technician Fridgen requested that the system be surveyed using District funds as this is a regional drainage matter. Attorney Croaker stated that he will consult with Administrator Beyer on funding sources. Upon motion by Gillespie, seconded by Dahlen and carried unanimously, the District will allocate up to \$15,000 from the appropriate fund to remove beaver dams/obstructions, conduct a survey of the system, and prepare maps showing the current extent of this problem for future discussion with landowners and the DNR.
JD #11, LAT. 4	Upon motion by Gillespie, seconded by Dahlen and carried unanimously, the Minn. Stat. § 103E.261 preliminary hearing was ordered for August 21, 2025.
GCD #3	Engineer Guler provided an update on the status of the repair project currently under construction and Pay Application #1. Upon motion by Dahlen, seconded by Schmidt and carried unanimously, Pay Application #1 in the amount of \$93,390 was approved.
GCD #21	Engineer Guler provided an update on the status of the improvement project currently under construction.
GCD #29	Engineer Guler provided an update on the soil boring results. In short, the previously installed subsurface drainage tile was installed in a sand vein with a high water table without proper dewatering. This resulted in sagging of the lines and defective compaction. Upon motion by Gillespie, seconded by Dahlen and carried unanimously, District staff and consultants are directed to schedule an informal landowner meeting to discuss a potential repair project.
WCD #SUB-1	Attorney Croaker stated that he has been communicating with BNSF representatives on finalizing the license agreement for the installation of an additional culvert under the BNSF rail line. He hopes to have the license agreement finalized for discussion and action at the August meeting.
DORAN CREEK	Engineer Guler stated that the District received comments on the 404 Permit and submitted the public waters work permit with the MnDNR. The District will await comments and approval from these entities.

Upon motion by Gillespie, seconded by Dahlen and carried unanimously, Attorney Croaker is directed to draft easements for the proposed project.

REDPATH Engineer Guler provided an update on the status of construction of the Redpath Impoundment Project – Phase 2B. Engineer Guler and Mr. Sip also discussed Flood Hazard Mitigation Program funding.

NORTH OTTAWA Engineer Technician Fridgen discussed the desire to install real-time cameras, or water elevation monitoring equipment, at the impoundment to monitor water levels. Engineer Guler recommended options to the managers. He will obtain quotes to present to the board at its next meeting. Attorney Croaker discussed a farm land lease for Cell A3 to be farmed by Truman Raguse in 2025. Mr. Raguse will plant soybeans and spray them in accordance with the conditions placed by the North Ottawa Project Team. Upon motion by Dahlen, seconded by Schmidt and carried unanimously, the lease agreement was approved.

BUDGET HEARING Upon motion by Dahlen, seconded by Gillespie and carried unanimously, the Minn. Stat. § 275.065 budget hearing was scheduled for August 21, 2025 at 10:30 AM at the District's office.

MW DELEGATES Upon motion by Gillespie, seconded by Dahlen and carried unanimously, President Vavra and Manager Wold were selected as delegates for the Minnesota Watersheds Resolution Session and Manager Brutlag was selected as an alternate.

ROUTINE ANNUAL REVIEWS The managers discussed the data access policy, records retention schedule, and conflict of interest disclosure policy. Attorney Croaker stated that no changes were required for any of these documents so no action was required.

MANAGERS REPORTS The managers briefly discussed the Drainage Work Group meetings and that Manager Wold was absent from this meeting as the DWG meeting was scheduled during the same time so he was attending that meeting.

ADJOURN The meeting was adjourned at 11:46 AM.