

**BOIS DE SIOUX WATERSHED DISTRICT
BOARD MEETING MINUTES
AUGUST 21, 2025**

- CALL TO ORDER** The meeting was called to order by President Vavra at 8:00 a.m. Present in the District Office: Linda Vavra, Scott Gillespie, Jason Beyer, Steven Schmidt, Ben Brutlag, and Steven Deal. Absent: Doug Dahlen, John Kapphahn, and Allen Wold. Also present: District Engineer James Guler, Engineer Chad Engels, District Engineer Technician Troy Fridgen, and District Attorney Lukas Croaker (appeared virtually at 8:38 AM).
- AGENDA** Upon motion by Gillespie, seconded by Brutlag and carried unanimously, the following changes were approved:
- **Consent** agenda addition: MOU BdSWD for RRB Riparian Habitat Program (Doran Creek)
 - **Regular** agenda additions: TCD #27 & SWCD #Sub-1 Form 704 Easement for CM Agreement and License Agreement
- CONSENT AGENDA**
- Upon motion by Gillespie, seconded by Brutlag and carried unanimously, the Consent Agenda was approved with the additions of: John Riley Construction, \$42,565; Hormann Works, \$24,070; Traverse SWCD, \$7,279.75; TruNorth Steel, \$25,448.50; LM Road Services, \$49,936.77; Evan Rollofson, \$700; Northland Area Services, \$8,336.
- PUBLIC COMMENT** Landowner Bernie Van Zommeran discussed a proposed tile permit for 80 acres in Eldorado Township and if he would need to petition into Traverse County Ditch #37 similar to the other 80 acres he previously permitted. The managers and consultants stated that this scope of work would require a watershed district permit.
- Public comment on recent permit regarding pumping through the road compared to pumping into the 24" culvert. Engineer Guler discussed this complaint was received with the permit application and is being addressed through BdSWD permitting process.
- MARK SUMMER - TCD #8** Landowner Mark Summer expressed concerns with the culvert replaced with the Township's 640th road raise project and that it was installed too low. Engineer Technician Fridgen discussed that the Township will either need to confirm that culvert was installed at the correct elevation or the Township will need to get an after the fact permit to lower the culvert. Comment from the Township official was made that preference is to reinstall the culvert at the correct elevation.
- PERMIT NO. 25-064** Engineer Guler discussed the reasoning for bringing this permit application to the board meeting was because it crossed a subwatershed which required a variance of the District's subwatershed policy. Upon motion by Gillespie, seconded by Beyer and carried unanimously, the variance was approved for Permit Application No. 25-064.
- GRANT COUNTY CON. DITCH #2** Engineer Guler discussed the recent informal landowner meeting to discuss a potential drainage project. Upon motion by Gillespie, seconded by Beyer and carried unanimously, District staff and consultants are directed to prepare a draft petition for repair and redetermination of benefits.
- GRANT COUNTY DITCH #3** Engineer Guler provided a construction progress update.
- GRANT COUNTY DITCH #21** Engineer Guler provided a construction progress update. Upon motion by Beyer, seconded by Schmidt and carried unanimously, Pay Application #1 was approved.
- GRANT COUNTY DITCH #29** Engineer Guler discussed a recent informal landowner meeting to discuss the issues with the sand vein under the existing drain tile and a possible repair consisting of dewatering and reinstalling the drain tile. Upon motion by Beyer, seconded by Schmidt and carried unanimously, District staff and consultants are directed to prepare a draft petition for repair.
- WILKIN COUNTY DITCH #SUB.-1** Attorney Croaker provided an update on the BNSF operation and maintenance agreement and easement agreement for the installation of an additional culvert under the BNSF rail line. The parties have worked through proposed revisions to the documents which are ready for discussion and action by the board. Upon approval, the District's contractor will coordinate with BNSF representatives to

install the additional culvert which was required under the improvement of Wilkin County Ditch #Sub.-1. Upon motion by Beyer, seconded by Brutlag and carried unanimously, the BNSF operation and maintenance agreement, easement agreement, and the respective exhibits are approved.

**TRAVERSE
COUNTY
DITCH #27**

Engineer Technician Fridgen gave an update on the recent culvert lowering project, a landowner had questions on last year's grass seeding of TCD #27 near the Mustinka River. Engineer Technician Fridgen stated he would monitor and reseed, if necessary.

**TRAVERSE
COUNTY
DITCH #15**

Upon motion by Beyer, seconded by Gillespie and carried unanimously, the public hearing on the petition requesting authority to use Traverse County Ditch #15 as an outlet for Permit #25-045 Douglas Frisch and Rebecca Frisch Trust: Parcel #03-0051001, S1/2 West of Highway 75, less 7.19 acres, 167.97 acres of Section 10, Range 46, Croke Township (126), Traverse County was opened. The managers discussed the petition and capacity of TCD #15. A landowner had concerns about the hydraulic capacity of TCD #15. The managers discussed limiting the petition to subsurface tile water to outlet into TCD #15. Upon motion by Beyer, seconded by Deal and carried unanimously the public hearing was tabled to research TCD #41 outlet maintenance and limiting TCD #15 outlet to subsurface tile water.

**GRANT COUNTY
DITCH #29**

Upon motion by Gillespie, seconded by Beyer and carried unanimously, the public hearing on the petition requesting authority to use Grant County Ditch #29 as an outlet for Permit #25-064 Steven and Kevin Blume: Parcel #09-0048000, SW1/4 09-0048-000, 147.65 acres of Section 12, Range 44, Logan Township (127), Grant County was opened. The managers discussed the petition and capacity of GCD #29. Landowners did not have concerns with capacity, discussion was mainly on the appropriate outlet fee. The normal calculation resulted in an unusually high outlet fee. Upon motion by Gillespie, seconded by Beyer and carried unanimously, District staff and consultants were directed to review alternative approaches for calculating outlet fees for consideration at the next board meeting.

**JUDICIAL DITCH
#11, LATERAL 4**

Upon motion by Beyer, seconded by Gillespie and carried unanimously, the Minn. Stat. § 103E.261 public hearing on the petition to improve, preliminary survey, and preliminary survey report for the improvement of JD #11, Lateral 4 was opened. Attorney Croaker discussed the procedural background of the preliminary hearing and noted that the managers would be accepting public comment related to the petition, preliminary survey, preliminary survey report, and the DNR's preliminary advisory report. Attorney Croaker also discussed the proceedings involved with transferring a portion of TCD #27 to JD #11 as part of the improvement proceedings.¹ Engineer Guler summarized the preliminary survey report which consisted of project specifics, proposed funding strategy, and next steps. Engineer Guler then read the DNR's preliminary advisory report into the record. After the DNR's preliminary advisory report was read into the record, President Vavra opened the floor for public comment. Upon conclusion of the public comment, Attorney Croaker presented on a proposed order for preparation of the detailed survey, detailed survey report, and the appointment of viewers. Upon motion by Beyer, seconded by Brutlag and carried unanimously, the order for detailed survey report and appointment of viewers was approved. Upon motion by Beyer, seconded by Gillespie and carried unanimously, the public hearing was closed.

DORAN CREEK

Engineer Guler provided an update on the status of permitting the project and various meetings with NRCS, landowners, BWSR, and Wilkin SWCD. Attorney Croaker discussed a temporary easement for the installation of culverts for a project participant. The family is currently reviewing the temporary easement prior to signing.

REDPATH

Engineer Guler provided a construction progress update.

1W1P

Upon motion by Gillespie, seconded by Deal and carried unanimously, a one year extension was granted for CY23-9685 due to weather.

**2026 GENERAL
BUDGET AND
CONSTRUCTION
FUND**

Upon motion by Gillespie, seconded by Beyer and carried unanimously, the 2026 general budget and construction fund public hearing was opened. Attorney Croaker presented on the recommendations from Administrator Beyer on the 2026 Administrative Funds, Construction Funds, and Lake Traverse Water Management District Funds. No public comments were made. Upon motion by Gillespie,

¹ Discussion on the transfer of TCD #27 to JD #11 occurred at this meeting but the formal procedure to transfer this portion of TCD #27 to JD #11 will occur at the September 18, 2025, meeting.

seconded by Schmidt and carried unanimously, the recommended fund amounts were approved. Upon motion by Gillespie, seconded by Schmidt and carried unanimously, the public hearing was closed.

**ROUTINE ANNUAL
REVIEWS**

The managers discussed the MN Government Data Practices Act Policy², Records Retention Schedule, and Conflict of Interest Disclosure Policy. No changes were needed.

Upon motion by Beyer, seconded by Schmidt and carried unanimously, a Policy Committee meeting was requested to be scheduled to discuss permitting matters.

MANAGERS

Manager Wold was unable to attend the meeting as the Drainage Work Group meetings continue to be scheduled on BdSWD meeting dates.

ADJOURN

The meeting was adjourned at 11:22 AM.

² Attorney Croaker will present a change at the September 18, 2025, meeting.