

**BOIS DE SIOUX WATERSHED DISTRICT
BOARD MEETING MINUTES
SEPTEMBER 18, 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, Ben Brutlag, Doug Dahlen, Steven Deal, Scott Gillespie, John Kapphahn, Allen Wold, and Steven Schmidt. Absent: Jason Beyer. Also present: Administrator Jamie Beyer, District Engineer James Guler, Engineer Chad Engels, 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 additions of: Permit Application #25-082 M. Summer; US Fish & Wildlife Drainage Easements; Project Teams Update; BWSR Performance Review and Assistance Program.
- CONSENT AGENDA** Upon motion by Wold, seconded by Dahlen and carried unanimously, the Consent Agenda was approved as presented.
- PUBLIC COMMENT** No public comment was received.
- RECONVENED HEARING D. FRISCH TCD #15** 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 continued. Engineering staff provided a summary of the proposed subsurface project, describing TCD #41 and TCD #15 outlet options, and maintenance needs on each system. For consideration by the board: if the petition is restricted to subsurface drainage only, how does this restriction affect proposed benefits and entrance fee amounts? District Engineer James Guler stated that this is not a typical subwatershed boundary issue; there is already a mix of waterflow being directed to both TCD #41 and TCD #15, with blockage being compounded on both by cattail overgrowth at each outlet. Board Manager Gillespie commented on the uniqueness of the parcel's conditions and drainage access, warranting a variance from District policies. Board managers agreed to a 25% deviation in the District's standard calculation of the benefits and entrance fee based on a subsurface drainage only restriction. Attorney Lukas Croaker read the order, which included the following: limited access for subsurface water flow only, benefits of \$188.97, and an outlet fee of \$3,603.22 – to be paid prior to any work being done under the permit. Upon motion by Gillespie, seconded by Kapphahn and carried unanimously, the Order was approved. Upon motion by Dahlen, seconded by Schmidt and carried unanimously, the hearing was closed.
- RECONVENED HEARING K & S BLUME GCD #29** 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 continued. District Engineer James Guler described a calculation of benefits and entrance fee similar to adjacent property, and including a portion of the drainage system's repair bond assessed to-date. Attorney Lukas Croaker read the order, which included the following: benefits of \$88,519.37, and an outlet fee of \$18,093.65 – to be paid prior to any work being done under the permit. Upon motion by Dahlen, seconded by Kapphahn and carried unanimously, the Order was approved. Upon motion by Gillespie, seconded by Dahlen and carried unanimously, the hearing was closed.
- P.A. #25-056 S. MILLER WCD #8 CULVERTS** Engineering staff described an area of the southwest corner of Section 19 of Bradford Township, Wilkin County, included in the 2018 – 2019 repair of Wilkin County Ditch #8 that did not get a side inlet culvert with that project. The landowner has identified an area that could have benefitted from resized culverts and berm. Upon motion by Kapphahn, seconded by Wold and carried unanimously, payment is authorized on behalf of Wilkin County Ditch #8 for the side inlet culverts and project details will be coordinated by Engineer Technician Troy Fridgen.
- P.A. #25-078 R. BEYER EROSION CONTROL** Engineering staff describe a proposed project in the NE1/4 of Section 14, East Lake Valley Township in Traverse County, on Traverse County Ditch No. 16 (TCD #16) in response to Traverse Electric's objective to bury an overhead electric line. The landowner requested that the line be buried past the footprint of a potential retrofit, and that he be allowed to flatten the backslope of TCD #16 to prevent erosion and install side inlet culverts with traps at the landowner's own cost. Upon motion by Kapphahn, seconded by Dahlen and carried unanimously, the permit is approved with standard conditions placed described by engineering staff (seeding, riprap, etc).

**P.A. #25-082
M. SUMMER**

Engineering staff described the proposed project, which includes both a gravity subsurface drainage outlet and a pumped subsurface drainage outlet, both outlets must flow east to west across an adjacent property to Twelvemile Creek. The applicant recently purchased the property and has an easement for the gravity outlet across the neighbor's property, but not for the location of the pump outlet. Applicant stated they offered to provide a continuous tile line under the adjacent property, instead of a pump, but the offer was not accepted by the neighboring property owner. Other options – such as directing all flow to the gravity outlet or directing flow and pumping to the road ditch at the edge of fields rather than mid-field, were explored by applicant. However, due to site elevations, other options resulted in very deep cuts and large expense. The adjacent landowners provided written comments in opposition. Engineering staff stated that the proposed project meets the District's policies; Attorney Lukas Croaker stated that, although this is the case, the adjacent landowners could choose to pursue civil action. Upon motion by Dahlen, seconded by Brutlag and carried unanimously, the permit application was approved contingent upon proof of land ownership and proof of easement rights for the gravity outlet.

**PUBLIC HEARING
TCD #27
TRANSFER TO
JD #11**

Upon motion by Dahlen, seconded by Kapphahn and carried unanimously, the public hearing to consider the petition requesting the transfer of part of the Traverse County Ditch #27 drainage system to Judicial Ditch #11 ("JD #11") was opened in accordance with Minn. Stat. § 103E.801. District Attorney Lukas Croaker summarized the notice procedures associated with the petition. District Engineer James Guler provided the overall condition and relationship between JD #11, Lateral 4 and upstream reach of Traverse County Ditch #27 ("TCD #27"). The northern most two miles of TCD #27 are already flowing north into JD #11 Lateral 4. Transferring the associated estimated assessment district will also allow the viewers to consider the inclusion of these parcels with the redetermination of benefits of JD #11 and the determination of benefits and damages associated with the determination of benefits and damages associated with the JD #11 Lateral 4 improvement proceedings. No public comment in opposition was provided. Upon motion by Dahlen, seconded by Kapphahn and carried unanimously, the Order to Transfer was approved. Upon motion by Dahlen, seconded by Schmidt and carried unanimously, the public hearing was closed.

**GRANT COUNTY
CONS JD #2**

A draft repair petition has been prepared for use by landowners. US Fish and Wildlife staff intend to replace a damaged control structure on an upstream waterbody, but they have not been able to drawdown the waterbody without inundating neighboring lands with floodwater. Engineer Troy Fridgen is coordinating isolated repairs of the aging, concrete public tile to provide some drain functionality for the US Fish and Wildlife waterbody drawdown. DNR staff have requested an on-site visit to review maintenance extents for a portion of the legal drainage system upstream of Ash Lake.

GCD #3

The contractor is waiting until this fall to install project culverts.

GCD #21

Engineering staff stated that the project may be close to completion at the end of the month; there may be some work areas that could be better accessed following freeze-up. District Engineer James Guler described work in Change Order No. 1, including some private tile relocations and dozer work needed to address site-specific conditions. Upon motion by Gillespie, seconded by Kapphahn and carried unanimously, Change Order No. 1 in the amount of \$39,050.00 and Pay Application No. 2 in the amount of \$597,241.74 was approved. District Engineer Troy Fridgen has received calls regarding proposed connections to this system, and other public tile systems. Board managers discussed potential issues (e.g., the diameter of the public tile vs. tap-tee diameters and quantities) and agreed that in all cases of a connection, or proposed connections, a landowner must submit a permit application for consideration.

**WCD #SUB-1
RAILROAD
CULVERTS**

Signed easements for the culvert replacement under the BNSF railroad will be signed and mailed today. A 702 utility must be relocated prior to construction. Upon motion by Kapphahn, seconded by Dahlen and carried unanimously, the price quote of \$28,236.34 was approved. There is still one utility remaining to relocate.

**SCD #1
SCD #7
SCD #8**

Engineer Chad Engels stated that he and President Linda Vavra recently attended an informal meeting hosted by Stevens County Ditch Nos. 1, 7, and 8 landowners to discuss an improvement petition and process. An early project proposal by ISG engineers estimated an improvement project to cost \$9,000,000 or more, and take 4 – 5 years to complete. Initially, the statutory minimum \$10,000 bond was discussed. The proposed project would extend the current legal drainage system by 1.5 miles to reach Twelvemile Creek. A number of challenges were identified with the project area and design. Board Manager Scott Gillespie requested that staff share what the Bois de Sioux Watershed District has learned regarding project design and permitting success probabilities.

**USF&W
EASEMENTS**

District Engineer Chad Engels stated that a suit has been filed in Stearns County, Minnesota by US Fish and Wildlife questioning the legitimacy of drainage systems easements that were not recorded. Attorney Lukas Croaker referenced how drainage property interests are statutorily acquired but that the District has been recording easements, in addition to the statutory rights, for its projects for seven years. There is little possibility of US Fish and Wildlife signing new easements to have drainage system footprints recorded. The District's easements run with the land and would be inherited by US Fish and Wildlife if the land is subsequently purchased by them. Some drainage authorities have petitioned for redeterminations without accompanying repairs or improvements, in order to emphasize, and have recorded, drainage easements.

**PERSONNEL
HANDBOOK &
POLICIES**

Attorney Lukas Croaker has drafted changes for the District's Personnel Handbook and Policies, to include provisions and/or references for the new Minnesota Paid Leave Act, Data Practices Act, and Open Meetings Law. These proposed policies will be discussed again in October. At the August Board meeting, Board Managers requested a Policy Committee meeting; this meeting will be scheduled around or following harvest, if possible.

**DORAN CREEK
UPDATE**

Engineer James Guler provided an update on the WACA permit from Wilkin SWCD. Wilkin SWCD staff are waiting for a wildlife no-loss exemption recommendation from Minnesota DNR staff. Because it has not yet been received, and because Wilkin SWCD can no longer request a decision time period extension, they have requested that the Bois de Sioux Watershed District request an extension. Upon motion by Kapphahn, seconded by Dahlen and carried unanimously, the District requests a permitting decision extension to November 4, 2025. Administrator Beyer stated that two landowners (of three), have completed the necessary paperwork to secure federal cost-share for the installation of side inlet culverts. The cost share is approximately \$19,000, with additional cost share to be provided by an RRWMB Base Funding grant. Landowners will next be asked to sign temporary construction easements and permit application documents. The next set of side inlet culvert landowner applications must be submitted before February 2026 to NRCS.

**REDPATH
PHASE 2B**

Engineer James Guler stated that the contractor is nearing substantial completion for Redpath Phase 2B construction.

**FDRWG PROJECT
TEAMS &
FIVEMILE
CREEK**

Administrator Jamie Beyer stated that the District currently has three project teams that received 50/50 cost-share from the Flood Damage Reduction Work Group: North Ottawa, Twelvemile Creek, and Moonshine. She recommended that a Fivemile Creek Project Team be established to help fund the activities with Grant County to organize flood mitigating landowner practices and project alternatives. Board managers supported the submission. Flood Damage Reduction Workgroup Coordinator Bethany Bethke was in attendance and provided a summary of how funds are used in other watershed districts. Board Managers requested that President Linda Vavra, Board Manager Allen Wold, Board Manager Steven Deal, and Engineer Troy Fridgen be included as project team participants.

**BWSR MDM
GRANT**

Board of Water and Soil Resources Conservationist Pete Waller stated that the Multipurpose Drainage Management Grant will continue to be offered on a quarterly basis, with \$900,000 offered in Fiscal Years 2026 and 2027.

DOLLYMOUNT

Dollymount Township Official Steven Fridgen requested reimbursement of \$105,277.86 on behalf of the 640th Avenue Road Raise Project. Upon motion by Wold, seconded by Schmidt and carried unanimously, the payment was approved.