

**BOIS DE SIOUX WATERSHED DISTRICT
BOARD MEETING MINUTES
AUGUST 20, 2026**

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 (arrived later), Doug Dahlen, Steven Deal, John Kapphahn, Steven Schmidt, and Allen Wold. Absent: Jason Beyer, Scott Gillespie. Also present: Administrator Jamie Beyer, Attorney Lukas Croaker, District Engineer James Guler, and Engineer Technician Troy Fridgen.

AGENDA Upon motion by Kapphahn, seconded by Dahlen and carried unanimously, the Regular Agenda was approved with the addition of North Ottawa Maintenance.

CONFLICTS OF INTEREST Board Manager John Kapphahn stated his conflict of interest with Samantha Lake.

PUBLIC COMMENT No public comment was received.

CONSENT AGENDA Upon motion by Wold, seconded by Dahlen and carried unanimously, the Consent Agenda was approved with \$225,532.22 added to the Claims of August 20, 2026.

WILKIN SWCD EXPANDED COST SHARE Wilkin Soil and Water Conservation District Co-District Manager Beatrice Newman provided information on forestry mulching services now offered to treat invasive species and unwanted tree growth. Staff have implemented a ranking sheet to prioritize mulching requests that concentrate on conservation. Newman requested that the Board allow the current \$5,000 allocation from BdSWD for soil health cover crop contract cost-share to be made available for mulching requests, if needed. Mulching contract cost-share requests will have to demonstrate proximity to water – either adjacent or within ¼ mile – to qualify. Wilkin SWCD's local policy allows a 50% cost-share, capped at \$3,500. Wold motioned, seconded by Brutlag, to add eligibility for forestry mulching. Motion carried.

BCD #8 PETITION Administrator Jamie Beyer recently sent blank BCD #8 Improvement petition signature pages to applicable landowners. She stated that on August 18th, Big Stone County hosted an informational meeting on general drainage ditch processes, and that interest seems to be increasing for potential projects in the Bois de Sioux Watershed District covering Big Stone County. District Engineer James Guler stated BCD #8 and BCD #15 (which is a subsurface tile system) both outlet to Lannon Lake, and landowners have concerns that the elevation of Lannon Lake is so high that it is back-feeding into BCD #15. Engineering staff suspect that BCD #15 tile is in need of maintenance. Upon motion by Kapphahn, seconded by Deal and carried unanimously, District staff are authorized to use up to \$5,000 for landowner coordination, informal meetings with landowners and DNR staff, and to continue project development.

ELBOW LAKE EAW RGU District Engineer James Guler provided an overview of a proposal to evaluate the Grant County Elbow Lake Project Environmental Assessment Worksheet to determine the need for an Environmental Impact Statement. The same proposal can be used no matter whether the District or Grant County serves as the Regulating Government Unit (RGU). Moore Engineering staff stated that counties routinely fulfill this role for their own projects. Administrator Beyer recommended that – because Board Manager John Kapphahn is a landowner in the project area, handling of the project by Grant County would reduce conflict of interest concerns, real or perceived. Upon motion by Wold, seconded by Schmidt and carried unanimously (Kapphahn recused himself from discussion and action), staff are authorized to present the proposal and request that Grant County serve as the RGU for their project.

WBIF #4 GRANT WORK PLAN Upon motion by Dahlen, seconded by Kapphahn and carried unanimously, the Watershed Based Implementation Fund work plan #4 was approved for submission to the Board of Water and Soil and Resources for the following amounts:

Non-Structural & Soil Health	\$160,000	Ag Filtration, Storage, Protection	\$442,400
Shoreline Stabilization	\$15,000	Subsurface Sewage Treatment	\$25,000
Well Sealing	\$5,000	Ditch Retrofit BMPs	\$384,000
Stream Restoration Dev.	\$260,530	Project Development	\$133,509
Tech Assistance & Engineering	\$165,000	Grant Administration & Plan Coord.	\$15,000

**NRCS PERMIT
EXEMPTIONS**

Board Managers discussed the current General Permit for Construction of NRCS Standard Water and Sediment Control Basins and Terraces, which exempts construction from the District's permitting process. Board Manager John Kapphahn stated that the policies do not consider outlet conditions; Board Manager Steven Schmidt stated that the policies do not consider conditions upstream. Engineer Technician Troy Fridgen stated that these projects have the potential to impact neighboring properties, and that in some cases, maintenance agreements should be implemented. Engineering staff requested an opportunity to review dike heights and elevations. Upon motion by Schmidt, seconded by Dahlen and carried unanimously, the General Permits for NRCS projects were stricken from the Policy and Procedures Manual.

**BWSR BUFFER
ORDINANCE
MANDATORY
REVIEW**

Administrator Beyer summarized an email received from BWSR Buffer and Soil Loss Specialist Laura DeBeer notifying the District of BWSR's Amended Administrative Penalty Order Plan, updated Buffer Program Procedures, and revised Model Draft Ordinance and Rule Templates. She stated that counties and watershed districts must review their local controls by July 31, 2027. Upon motion by Kapphahn, seconded by Dahlen and carried unanimously, the Soil Loss Committee is authorized to review the District's local controls in the Buffer Rule.

**NORTH OTTAWA
DITCHING**

Engineer Technician Troy Fridgen stated that the North Ottawa Impoundment is in need of ditching, in order to move water east and south through individual cells. Upon motion by Dahlen, seconded by Deal and carried unanimously, up to \$35,000 is authorized for ditch maintenance and purchasing cameras for water level monitoring. DNR staff have requested that Cells A4 and B4 be treated for cattail control.

**WCD #25
IMPROVEMENT**

Upon motion by Kapphahn, seconded by Dahlen and carried unanimously, the Wilkin County Ditch #25 Final Hearing on the Improvement Petition, Amended Detailed Survey Report, Amended Viewers' Reports, Property Owners' Report, and Commissioner's Final Advisory Report was reconvened. Engineering staff presented the details of the proposed ditch realignment, straightening the channel through Section 20 rather than jogging mid-section through Section 17. District staff have left telephone messages for the Section 20 property owner, and have also sent a notice by mail; there has been no response. Engineering staff were able to talk to the tenant who subsequently gave them the contact information for the landowner. Upon motion by Kapphahn, seconded by Schmidt and carried unanimously, the Amended Viewers Report and Amended Engineers Report were approved and staff are authorized to send a certified notice to the Section 20 landowner notifying them of the realignment. Viewer Steve Neppel described additional recent changes to the Amended Viewers' Report, affecting landowners in Sections 9, 10, 14, 25, and 23. No additional comments from the public were received. Dahlen motioned, seconded by Schmidt and carried unanimously, to approve the Amended Viewers' Reports, Amended Detailed Survey Report, to establish the improvement project with separable repair and construct the lateral. Upon motion by Wold, seconded by Deal and carried unanimously, the hearing was closed.

**GRANT COUNTY
CONS. JD #2**

Upon motion by Kapphahn, seconded by Dahlen and carried unanimously, the public hearing on the engineer's repair report for Grant County Cons. Judicial Ditch #2 was opened. Engineering staff discussed the US Fish and Wildlife's plans to replace the outlet structure on their property to maintain the water at an elevation of 1109' and to add an overflow channel to limit the water bounce to a maximum elevation of 1111' – restricting storage to only 2'. Staff and landowners are concerned that the US Fish and Wildlife's use of the subsurface drainage as an outlet for their property utilizes the majority of the capacity of the system. During large events the concern is an overflow channel will pass the flooding to downstream properties. The GCD #2 repair project, as currently designed, will cost an average of \$30 - \$44 / acre for 15 years. The US Fish and Wildlife property cannot be assessed project costs. A landowner requested that portions of GCD #2 that were historically tile, be replaced with tile and not left as open ditch. Upon motion by Kapphahn, seconded by Brutlag and carried unanimously, the hearing was recessed in order to consider changes to the repair project design and meet with landowners.

JD #11 LAT. #4

District staff have received minimal communication from Viewers Joe Jacobs, Brad Wick, and Dave Schmidt, who were assigned to the JD #11 Lateral No. 4 redetermination. The viewers' proposal included an August 31, 2026 deadline for a number of redetermination related reports and activities. Mr. Joe Jacobs stated to District staff that his subcontracting engineering firm has not provided the information they need; Moore Engineering did provide comparable information in October 2025. This information was supplied again in August 2026. Attorney Lukas Croaker stated that Minnesota Statute § 103E.305 applies and that the Board can disqualify the viewers for failure to perform their duties.

Upon motion by Kapphahn, seconded by Deal and carried unanimously, the District Administrator is authorized to make a determination that the appointed viewers are disqualified if the terms of the viewers' proposal are not met by August 31, 2026, and to appoint new viewers.

**GCD #21
FINAL HEARING**

The Minn. Stat. § 103E.555 public hearing to review the Engineer's Report on the closeout of the contract to Improve GCD #21 was reconvened. Engineering staff provided an update of the work completed. Mr. Jamie Lubenow, of Wagner Company, Inc., was present to answer questions. Engineer Technician Troy Fridgen was directed to coordinate any future maintenance for GCD #21 separate from this contract. Dahlen motioned, seconded by Schmidt, to approve the Final Balancing Change Order in the amount of -\$49,877.68 and Pay Application No. 7 in the amount of \$57,834.04. All in favor except Wold, motion carried. Upon motion by Kapphahn, seconded by Schmidt and carried unanimously, the hearing was closed.

**GENERAL,
CONSTRUCTION &
LAKE TRAVERSE
WATERSHED
BUDGETS & LEVIES**

Upon motion by Dahlen, seconded by Schmidt and carried unanimously, the public hearing on the 2027 General Budget & Levy, Construction Fund Budget & Levy, and Lake Traverse Water Quality Improvement Budget & Levy was opened. Kapphahn motioned, seconded by Dahlen, to approve the Resolution of Ad Valorem Levies that included the following: \$250,000 General Fund levy; 75% of 0.04836 percent Construction Fund Levy; a \$20,000 Lake Traverse Water Management District levy. These levels will be reviewed at the December 17, 2026 board meeting.

The meeting was adjourned.