

**BOIS DE SIOUX WATERSHED DISTRICT
BOARD MEETING MINUTES
SEPTEMBER 17, 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, Jason Beyer, Ben Brutlag, Doug Dahlen, Scott Gillespie, John Kapphahn, and Steven Schmidt. Absent: Steven Deal, Allen Wold. Also present: Administrator Jamie Beyer, Attorney Lukas Croaker, District Engineer James Guler, Engineer Technician Troy Fridgen, Engineer Chad Engels.
- AGENDA** Upon motion by Dahlen, seconded by Schmidt and carried unanimously, the Regular Agenda was approved with additions of: Dollymount/Eldorado/640th Avenue Road Raise and TCD #52 Update.
- 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 Kapphahn, seconded by Dahlen and carried unanimously, the Consent Agenda was approved.
- DOLLYMOUNT / ELDORADO / 640TH AVENUE ROAD RAISES** Engineer Technician Troy Fridgen has been working with representatives from Dollymount and Eldorado Townships in reference to permit conditions for permit application #25-109, #26-059, and #26-070. District staff recommend that Dollymount officials contract directly with an engineer to put together specifications for the proposed road raise elevation and permit conditions which include: appropriately increased culvert capacity and mitigation needs for upstream impacts, including the farmstead located in the SE1/4 of Section 19, Eldorado Township. Questions were raised about why sizing culverts is an easier exercise from determining possible road raise elevations. Engineer Chad Engels stated that culvert sizing is determined by the Red River Valley's BTSAC guidelines, and is based on upstream contributing watershed area. Culverts can be blocked, frozen, or inundated during large flood events, and then roads can become the controlling structure to hold back floodwater – which makes road elevations ultimately more important when it comes to potential upstream impacts. Determining road elevations requires an understanding of the gradient of elevation changes in the topography of the contributing watershed flow. Meeting participants talked about spillway possibilities to relieve upstream flood pressure. Engineer Technician Troy Fridgen discussed maintenance needs on the main channel of TCD #37. Engineering staff clarified that a redetermination of TCD #37 will not include an outlet fee for Stevens County properties added to the system. Mr. Jonathan Mathias stated that material from a berm in Section 7 of Eldorado Township was used for the 640th Avenue road raise. Upon motion by Gillespie, seconded by Kapphahn and carried unanimously, staff are authorized to measure the missing material and include an acknowledgement in the District's 640th Avenue Road Raise permit file that the material was removed from a berm that existed prior to the District's establishment, and can be restored by the landowner, if desired.
- WCD #25 IMP.** Upon motion by Kapphahn, seconded by Gillespie and carried unanimously, the Findings and Order Establishing Improvement and Redetermination of Wilkin County Ditch #25 was approved.
- JD #11 LAT. NO. 4 IMPROVEMENT** Administrator Jamie Beyer discussed a disqualification of Viewers Joe Jacobs, Brad Wick and Dave Schmidt on September 1, 2026. Upon motion by Beyer, seconded by Gillespie and carried unanimously, the appointment of Steve Nepl, Dan Swedlund, Loretta Pederson, and Alternate Kurt Krueger was approved.
- GC CONS. JD #2 REPAIR** Upon motion by Dahlen, seconded by Kapphahn and carried unanimously, the public hearing on the engineer's repair report for Grant County Cons. Judicial Ditch #2 was reconvened. Staff met with landowners, two Grant County Commissioners, and the Grant County Engineer to discuss the extents and cost of the project. Landowners in attendance at the meeting suggested minor changes and were overly supportive of the project moving forward. Board Manager John Kapphahn stated that he received several phone calls in support of the repair project. Upon motion by Kapphahn, seconded by Beyer and carried unanimously, the Findings and Order Initiating the Redetermination of Benefits and Damages, and Appointing Viewers was approved. The repair hearing was recessed until the viewing process is complete.

**GCD #21
TRANSFERS**

Upon motion by Kapphahn, seconded by Schmidt and carried unanimously, the Resolution Authorizing the Transfer of Funds for the District's Clean Water Cost Share (in the amount of \$514,242.21) and the Resolution Authorizing the Transfer of Funds for the District's Culvert Cost Share (in the amount of \$154,880.00) were approved. Upon motion by Kapphahn, seconded by Beyer and carried unanimously, staff are authorized to transfer \$210,000 in excess funds as a prepayment on the GCD #21 improvement bond.

**SCD #1 / #7 / #8
IMPROVEMENT**

Staff have been notified that Stevens County Ditch #1 landowners are prepared to file Improvement Petitions with the District for Stevens County Ditch Nos. 1, 7, and 8. Additionally, a landowner is prepared to file an initial security (personal check in-lieu-of bond) in the amount of \$50,000 for development of the Improvement of Stevens County Ditch Nos. 1, 7, and 8. Landowners are seeking a definitive total bond amount. Moore Engineering has worked with District and Stevens County staff to put together a phased project development proposal, that includes efforts by the Stevens County Highway Department to collect data on the existing conditions of the drainage systems, and a pre-project phase to clarify issues that most directly influence a project's feasibility – both from a landowner support and permitting standpoint. Board Manager Scott Gillespie stated concerns over a past decision to replace a bridge at the outlet of Stevens County Ditch #1 with a culvert. Staff discussed constraints on the District's cash flow, and the difficulty accruing and carrying a large debt balance for project development. Stevens County officials have indicated that they do not wish to transfer the legal authority for these drainage systems to the Bois de Sioux Watershed District, and have informally requested that Stevens County engineering staff oversee proposed construction. Staff summarized the proceedings that would be needed to facilitate the project, including: improvement petition, landowner improvement bonding, viewing of the improvement benefits (this process will also require an inherent redetermination of the existing benefits), public waters permitting, Wetland Conservation Act permitting, consolidation of Stevens County Ditch Nos. 1, 7, and 8, and project bonding. Upon motion by Dahlen, seconded by Beyer and carried unanimously, District staff are authorized to meet with Stevens County officials to determine if Stevens County can take the lead on coordination of an improvement/repair, and the District's involvement limited to permitting.

**REDPATH FHM
FUNDING AWARD**

Administrator Jamie Beyer stated that the District was recently notified of a \$6 Million Flood Hazard Mitigation Grant Award to the District. This grant award must be matched \$1:\$1. The Red River Watershed Management Board will provide 2/3 of the local match. DNR staff have stated that they will consider recognition of \$710,000 in local fund match for funds spent ahead of the award. Administrator Jamie Beyer stated that the DNR requires a detailed project description, which is later used to solicit construction bids. If the winning construction bid exceeds current available funding, the District is required to make-up any shortfalls. Board Managers were supportive of construction/bid documents that describe a project phase (Phase 3) cost of approximately \$9 million, and an alternate bid for a segment of the inlet channel, which could be awarded if current funds are available.

**REDPATH LAND
DISPOSITION**

Administrator Jamie Beyer stated that an informal offer has been received for the purchase of Parcel Nos. 10-0113003; 10-0113000; and 10-0110000. Board Managers discussed the District's Land Disposition Policy, previous grant agreement obligations, and the condition of the parcels, which include acres and easement rights that must be retained for the Redpath Flood Impoundment. Board Managers directed staff to survey and prepare parcels for sale, and draft easement and competitive sale documents.

**FUTURE AG LEASE
TERMS**

Board Managers discussed standard District agricultural lease terms. Upon motion by Gillespie, seconded by Dahlen and carried unanimously, staff are authorized to draft lease documents with a straight three-year term and annual rent due on March 1st. Board Managers supported efforts by District staff to research if the District can directly contract the two natural resource enhancement cells with a local producer. Administrator Jamie Beyer reviewed the difficulties the District has had with competitive bid renters who subsequently are unable or unwilling to comply with natural resource enhancement lease terms for the two North Ottawa restricted cells. Board Managers requested District staff to confirm that the District can contract directly with a local producer to manage the specialized terms and conditions of North Ottawa restricted cells. Board Manager Jason Beyer stated that he has been contacted by a Riverview Dairy official to explore options to provide water from the Impoundment to their nearby facility.

**CITY OF DUMONT
CULVERT
MAINTENANCE
AGREEMENT**

Upon motion by Gillespie, seconded by Dahlen and carried unanimously, staff are authorized to draft a Culvert Maintenance Agreement with the City of Dumont, for gates installed on behalf of, and operated by, the City of Dumont.

WBIF BWSR GRANT AGREEMENT Upon motion by Gillespie, seconded by Kapphahn and carried unanimously, Board of Water and Soil Resources Grant Agreement #C27-0129 in the amount of \$1,605,439.00 was approved pending District legal review.

DORAN CREEK PHASE I DNR PERMITTING & NRCS COST SHARE District staff continue efforts to schedule a Phase 1 permitting update meeting with DNR staff. NRCS has approved issuance of cost-share for a limited culvert replacement program, in which District staff gained insight into the requirements, processes, and efficiency of federal funding. Preliminary analysis suggests that the cost share program provided limited funding matched with high project design and installation documentation costs.

TCD #52 REPAIR Engineer Technician Troy Fridgen worked with a contractor to stabilize a portion of the TCD #52 erosion caused to velocities and a bend in the channel. The project required more rock than what was initially projected.

GCD #33 PRIVATE APPROACH Administrator Jamie Beyer stated that Engineer Technician Troy Fridgen worked with Parcel #09-0126-000 Landowner to cost-share a private driveway approach, pursuant to the District's Policy, on GCD #33 in 2024. Invoices for the \$2,040.00 outstanding balance were sent to the landowner in 2025 and 2026; no payment has been provided. Upon motion by Kapphahn, seconded by Gillespie and carried unanimously, staff are directed to send a notice of the \$2,040.00 assessment to the landowner by certified mail.

ANNUAL RESOLUTION Upon motion by Dahlen, seconded by Beyer and carried unanimously, the District's 2026 – 2027 Annual Resolution was passed.

DRAINAGE WORK GROUP Attorney Lukas Croaker described his efforts working with the Drainage Work Group subcommittee to draft legislation regarding a streamlined drainage system abandonment procedure. Staff and Board Managers expressed concern that promoting legislation that affects 103E statutes could encourage Board of Water and Soil Resources staff to add surprise clauses, similar to efforts in other statute chapters during the past two legislative sessions, that authors failed to control or even oppose.

The meeting was adjourned.