

**BOIS DE SIOUX WATERSHED DISTRICT
BOARD MEETING MINUTES
January 16, 2018**

CALL TO ORDER The meeting was called to order by President Vavra at 9:16 a.m. Present: Linda Vavra, Jason Beyer (by phone), Doug Dahlen, John Kapphahn, and Steven Schmidt. Also present: Engineer Tech Troy Fridgen, Attorney Tom Athens (by phone), and Administrator Jamie Beyer.

NORTH OTTAWA LETTER President Vavra gave a summary of the letter received from the DNR regarding North Ottawa land use management. The board reviewed a response letter drafted by Athens, Vavra, Wold, Engels and Jamie Beyer. Upon motion by Beyer, seconded by Dahlen and carried unanimously, the board authorized that the letter be sent.

Upon motion by Dahlen, seconded by Schmidt and carried unanimously, the meeting was adjourned at 9:45 am.

**BOIS DE SIOUX WATERSHED DISTRICT
BOARD MEETING MINUTES
January 18, 2018**

CALL TO ORDER The meeting was called to order by President Vavra at 9:00 a.m. Present: Linda Vavra, Jason Beyer, Jerome Deal, Scott Gillespie and Allen Wold. Also present: Engineer Chad L. Engels, Engineer James Guler, Engineer Tech Troy Fridgen, Accountant Renee Kannegiesser, Attorney Tom Athens and Administrator Jamie Beyer.

The February meeting will be held on February 22, 2018.

FEBRUARY DATE

AMEND AGENDA

Upon motion by Beyer, seconded by Deal and carried unanimously, the agenda was amended to include discussion of a donation for Herman Riverwatch.

CLAIMS

Upon motion by Deal, seconded by Gillespie and carried unanimously, the Claims of January 18, 2018 were approved as presented.

MINUTES

Upon motion by Wold, seconded by Deal and carried unanimously, the Minutes of December 13, 2017 were approved.

**TREASURER'S
REPORT**

Upon motion by Deal, seconded by Schmidt and carried unanimously, the Treasurer's Report of January 18, 2018 was approved.

John Kapphahn arrived at the meeting.

**DRAINAGE
COMMITTEE
POLICY
CHANGES**

Engels presented policy change recommendations provided by the Drainage Committee related to culverts. The Drainage Committee recommended that the District clarify its policy related to the replacement of private crossings on legal ditches. The Drainage Committee provided policy language which states that the ditch fund will pay for the cost of the replacement culvert, less the cost of a 24 inch culvert, and the private landowner is responsible for all other costs including installation, associated materials, and maintenance. The policy will continue to encourage consolidation of private crossings where possible. Engels also presented recommended policy language related to public road crossings. It was decided that policy related to public road crossings will follow Minnesota Statute 103E.721. Engels also presented recommended policy language related to side inlet culverts. It was decided that landowner or road authority initiated side inlet installations shall require a permit and they are at the expense of the project sponsor, but the Ditch Authority may provide cost share from the ditch fund on as needed basis. Ditch authority initiated side culvert installations shall be paid by the ditch. Upon motion by Gillespie, seconded by Beyer and carried unanimously, these changes were approved. The Drainage Committee also recommended a policy to allow Fridgen to make ditch repair decisions up to \$10,000 per ditch if time is of the essence and ditch benefits exceed \$10,000. Upon motion by Schmidt, seconded by Gillespie and carried unanimously, the policy was approved. Upon motion by Gillespie, seconded by Deal and carried unanimously, Engels and Athens were authorized to review District rules to evaluate for conformance with District policies.

**PERMIT #17-083
TRAVERSE CO
HWY DEPT**

Permit #17-083 filed by Traverse Co Hwy Dept. – Work proposed by the County would replace 7 upstream culverts. Engineering staff recommends that the four downstream culverts also be considered for replacement. Board Managers requested that a TCD #23 landowner meeting be scheduled.

**FRIDGEN EQUIP,
CONFERENCE &
CELL PHONE
REIMB.**

Upon motion by Beyer, seconded by Schmidt and carried unanimously, the Board approved the purchase of \$500 metal detecting equipment and GPS conference attendance for Fridgen. Upon motion by Beyer, seconded by Gillespie and carried unanimously, Fridgen will be reimbursed \$50/month for data and cell phone.

TCD #7

Upon motion by Schmidt, seconded by Beyer and carried unanimously, the Request for Maintenance of TCD #7 was approved, in the amount of \$[insert].

TCD #37

Engels summarized the status of the dispute between Mr. Scott Leininger and Whaley Excavating. Upon motion by Beyer, seconded by Deal and carried unanimously, Athens and Engels are authorized to draft a letter suggesting a settlement. Guler and Fridgen relayed drainage requests they have received from landowners outside of the Watershed District who wish to use TCD #37. Upon motion by Beyer, seconded by Deal and carried unanimously, staff are authorized to publish and coordinate a landowner meeting.

- JD #3** Jim Guy requested a new approach through JD #3, and board members reviewed a project cost estimate. Upon motion by Gillespie, seconded by Beyer and carried unanimously, the Board approved project reimbursement pursuant to the District Policy and (due to the nature of the ditch's features) will waive the riprap and fabric project requirements. Mr. Guy was told to submit a permit application.
- JD #7** Norm Ahrens and Troy Koltes requested a new approach through JD #7, and board members reviewed a project cost estimate. Upon motion by Gillespie, seconded by Beyer and carried unanimously, the Board approved project reimbursement pursuant to the District Policy. Norm Ahrens and Troy Koltes were told to submit a permit application.
- NORTH OTTAWA** Athens summarized discussions with the DNR over land management at North Ottawa. For 2018, less than 1/3 of the land will be conventionally farmed; over 2/3 will not be conventionally farmed. The entire impoundment continues to be designated a wildlife refuge, prohibiting hunting. Athens recommended that another meeting be hosted to discuss North Ottawa land management beyond 2018. Fridgen presented three options to address upcoming maintenance expenses to replace monitoring equipment. Upon motion by Schmidt, seconded by Beyer and carried unanimously, \$1,460 was approved to repair two sensors.
- Gillespie left the meeting.
- JD #6** Guler presented preliminary costs for a JD #6 retrofit. Upon motion by Beyer, seconded by Deal, Athens was authorized to draft a petition for landowner use and for staff to coordinate a landowner meeting.
- WCD #8** Viewers have finished their redetermination of WCD #8. Upon motion by Beyer, seconded by Wold and carried unanimously, the Board ordered a final hearing on February 22, 2018.
- WCD SUB-1** Guler presented preliminary costs for a WCD Sub-1 retrofit. Upon motion by Beyer, seconded by Wold and carried unanimously, Athens was authorized to draft a petition for landowner use and for staff to coordinate a landowner meeting.
- JD #11** Upon motion by Beyer, seconded by Wold and carried unanimously, Loretta Peterson was appointed viewer and Dwight Veldhouse was appointed alternate on the JD #11 redetermination. Athens informed that an alternate is only designated in case one of the three appointed viewers is unable to complete the redetermination.
- BOND COUNSEL** Due to the number and size of upcoming ditch construction projects, Athens will contact bond counsel.
- ENGINEERING RATES & 1W1P PTMAPP** Engels stated there will be no rate increase for 2018, and that he will be working with Beyer to refine the 2018 engineering budget. Engels negotiated the recently proposed 1W1P PTMApp funding request and informed the board that the culvert inventory recently completed by the BdSWD and the existing BdSWD hydro-conditioned digital elevation model will be used as the Bois de Sioux Watershed's contribution to the 1W1Plan's purchase of PTMApp software.
- MUSTINKA/RED PATH CORRIDOR** Upon motion by Kapphahn, seconded by Wold and carried unanimously, a disbursement of \$20,000 was approved towards the approved cost-share on the MNDot Mustinka/Redpath Corridor project.
- REDPATH** Athens reported Bois de Sioux Watershed's appraisal has been completed on the Breckenridge Dilly Redpath land; Dilly's appraisal has not been received. Deal made motion, seconded by Schmidt, to authorize Athens to negotiate a land purchase using the two appraisals. Roll call vote – Wold, no; Deal – aye; Beyer – no; Vavra – aye; Schmidt – aye. Motion carried.
- HERMAN RIVERWATCH** Upon motion by Deal, seconded by Beyer and carried unanimously, \$300 was allocated to the Herman-Norcross Riverwatch Team to reimburse for travel costs associated with the upcoming International Water Institute Conference in Grand Forks.
- 2018 ADMIN RATES** Upon motion by Deal, seconded by Kapphahn and carried unanimously, the 2018 Administrative Rate of \$135 an hour was approved.
- LEVY CALENDAR** Upon motion by Kapphahn, seconded by Deal and carried unanimously, the levy calendar was approved.
- CLA AUDIT AGREEMENT** Upon motion by Beyer, seconded by Deal and carried unanimously, the 2018 CliftonLarsonAllen Audit Scope & Service Agreement was approved.

**TAX
EXEMPTIONS**

Upon motion by Beyer, seconded by Deal and carried unanimously, Board approved property tax exemption requests for unfarmed land.

**RRWMB SPRING
WORKSHOP**

Upon motion by Deal, seconded by Wold and carried unanimously, travel costs will be reimbursed for board members and staff attending RRWMB Spring Workshop March 21st & 22nd was approved.

**POSTAGE
MACHINE**

Upon motion by Beyer, seconded by Deal and carried unanimously, the Dakota Mailing Postage Machine lease was approved.

**NORTH OTTAWA
LAND LEASES**

Upon motion by Beyer, seconded by Deal and carried unanimously, Bois de Sioux Watershed will return rent + \$100/acre for a Watershed-made flooding event at North Ottawa that damages crops that is not qualify for crop insurance.

At 12:40 pm, Engels coordinated the bidding of North Ottawa farmland leases:

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|--------------------------|---------------|
| North Ottawa Lease 18-01 | Truman Raguse |
| North Ottawa Lease 18-02 | Truman Raguse |
| North Ottawa Lease 18-03 | Truman Raguse |
| North Ottawa Lease 18-04 | Truman Raguse |
| North Ottawa Lease 18-05 | Truman Raguse |
| North Ottawa Lease 18-06 | Truman Raguse |

At 1:00 pm, the meeting was adjourned.