

**BOIS DE SIOUX WATERSHED DISTRICT
BOARD MEETING MINUTES
December 15, 2022**

- CALL TO ORDER** The meeting was called to order by President Vavra at 9:00 a.m. Present in the District Office: Linda Vavra, Jason Beyer, Ben Brutlag (arrived later), Jerome Deal, Scott Gillespie, Steven Schmidt, and Allen Wold. Absent: Doug Dahlen, John Kapphahn. Also present: District Engineer Chad Engels, Engineer James Guler, Attorney Lukas Croaker, Engineer Technician Troy Fridgen, and Administrator Jamie Beyer.
- AGENDA** Upon motion by Gillespie, seconded by Schmidt and carried unanimously, the agenda was approved with the following additions: JD #12 Side Inlet Culvert, 2022 Drainage System Inspections, Lake Samantha O & M Agreement, LTWQIP No. 1 Phase 3 Notice of Award, Personnel Committee COLA Recommendation.
- CONSENT AGENDA** Upon motion by Deal, seconded by Beyer and carried unanimously, the Consent Agenda was approved.
- CONFLICT OF INTEREST** No conflict of interest was declared.
- PUBLIC COMMENT** No public comment was received.
- ARRIVALS** Board Manager Brutlag and Attorney Lukas Croaker arrived at the meeting.
- REDPATH** A Redpath Project presentation was given. Senator-Elect Jordan Rasmusson suggested sources that could be approached to provide letters of support.
- WCD #SUB-1** Upon motion by Beyer, seconded by Gillespie and carried unanimously, the Order Setting Hearing on the Detailed Survey Report for the Improvement of Wilkin County Ditch #Sub-1 and the Final Hearing Notice were approved. The hearing on the engineer's detailed survey report, viewers' report, property owners' report, and DNR Commissioner's final advisory report will be held on Thursday, January 26, 2022.
- JD #12 GRADE STABILIZATION COST SHARE** The District received bills in the amount of \$128,231.33 for a JD #12 joint grade stabilization project with Wilkin SWCD, who will provide \$89,804.25 in cost-share. Upon motion by Beyer, seconded by Gillespie and carried unanimously, the balance of the project cost will be paid using District Buffer funds.
- 2022 DITCH INSPECTIONS** Engineer Technician Troy Fridgen presented the 2022 Drainage Ditch Inspection report.
- 2023 LEVIES & BUDGETS & ASSESSMENTS** Beyer motioned, seconded by Gillespie and carried unanimously, to open the Public Hearing on the Budgets and Levies for the 2023 General Fund, Construction Fund, and Budget and Assessments for the Ditch Systems. Budgets and fund balances for 2023 were reviewed, along with the corresponding proposed 2023 assessments and levies. Gillespie motioned, seconded by Beyer, to approve the Resolution of Ad Valorem Tax Levy (with a \$178,700 General Fund ad valorem levy tax and a \$1,614,065.81 Construction Fund ad valorem levy tax). Roll call vote: Schmidt – aye, Beyer – aye, Deal – aye, Wold – aye, Gillespie – aye, Brutlag – aye, Vavra – aye. Motion carried. Board managers and staff reviewed the proposed 2023 ditch assessments. Landowner Tom Zych asked if the District would support a JD #4 transfer of authority from Big Stone-Traverse Counties to the District. Board managers requested that affected landowners petition Big Stone County directly or request that the Big Stone County Commissioners hold a hearing and order the District to take over responsibility for the ditch system in accordance with Minn. Stat. § 103D.625, subd. 1. Gillespie motioned, seconded by Beyer and carried unanimously, to approve the Resolution for Ditch Assessment Levies (in the total amount of \$481,700, which does not include assessments for county bond repayment schedules assessed by bond holding counties. Roll call vote: Schmidt – aye, Beyer – aye, Deal – aye, Wold – aye, Gillespie – aye, Brutlag – aye, Vavra – aye. Motion carried. Upon motion by Gillespie, seconded by Beyer and carried unanimously, the 2023 General and Construction Budgets were approved. Upon motion by Beyer, seconded by Gillespie and carried unanimously, the Amended 2022 General, Construction, and Ditch budgets were approved. Administrator Jamie Beyer recapped that in 2019, board managers requested that a set index be used for the District's internal interest rate for future years and Accountant Renee Kannegeisser recommended that the District use the Long-Term Federal Interest Rate for December, which was 4.34% in December 2022. Gillespie motioned, seconded by
- INTERNAL INTEREST RATE**

Beyer and carried unanimously, to update the internal interest rate to 4.34%. Upon motion by Beyer, seconded by Gillespie and carried unanimously, the hearing was closed.

- LTWQIP NO. 1 PHASE 3 BID** Engineer James Guler presented the bid tabulation for the Lake Traverse Water Quality Improvement Project No. 1 Phase #3, along with an updated Statement of Cost. Upon motion by Beyer, seconded by Deal and carried unanimously, the Notice of Award to Wagner Company was approved in the amount of \$2,492,281.
- REDPATH PHASE 2A BID** Bid documents for Phase 2a have been drafted and are being reviewed by various agency partners. This phase will involve rehabilitation of approximately two miles of the Mustinka River, construction of a portion of the north levee embankment, and pre-loading at the outlet structure.
- FIVEMILE CREEK** A technical committee for the Fivemile Creek project met and discussed possible modeling extents. Engineering staff will next meet with DNR staff.
- LIGHTNING LAKE CPL GRANT** Staff were notified that the District's Conservation Partners Legacy grant for the Lightning Lake Project No. 1 was successful, and the District was awarded a full \$500,000 grant. The project would replace the degrading outlet structure with a rock riffle design beneficial for walleye spawning; it is estimated to cost \$660,000. Upon motion by Beyer, seconded by Schmidt and carried unanimously, staff are authorized to sign the grant agreement.
- GRANT COUNTY ELBOW LAKE REQUEST** Grant County Commissioners agreed to submit correspondence to the DNR to request a review of the Ordinary High Water Level for Elbow Lake, and later for consideration to lower elevations on Lake Samantha.
- NORTH OTTAWA FARMALND LEASE BID** North Ottawa had restricted acres (small grain or corn silage) and unrestricted acres for lease. Upon motion by Brutlag, seconded by Schmidt and carried unanimously, \$250/acre unrestricted and \$250/acre restricted was approved from Raguse Family Partnership.
- LAKE SAMANTHA O & M MANUAL** Board managers reviewed recommended changes to the Operation & Maintenance Plan Samantha – Elbow Lake Outlet submitted by Attorney Lukas Croaker. Upon motion by Wold, seconded by Deal and carried unanimously, the manual was approved with the recommended changes.
- COPELAND/ WESTERN 32 LAND HOLDING** Board managers discussed lands held by the District, including the Copeland land located in the SW1/4 of Section 32, Western Township. District Engineer Chad Engels discussed the feasibility of a Western 32 impoundment site relative to other options within the watershed. A significant and problematic issue with the current site is that its frequency of use would be very limited. The site would only have the ability to attenuate floodwaters when the adjacent ridge to the east is overtopped. Because the ridge overtops infrequently, the impoundment would only be utilized on a limited basis. Due to the limited frequency of use, the economic feasibility of the project has become an issue. If the District determines that flood storage is still needed within the watershed, the District Engineer recommends that the board consider possible storage options further downstream where a greater portion of the watershed can be controlled and at a location where continuous use is possible. Beyer motioned, seconded by Wold, to sell the parcel. Administrator Beyer stated that there is a current lease agreement that expires December 31, 2023. Gillespie stated that the new owner would request immediate possession to receive the rental income. Board managers stated a preference for unawarded real estate offer submissions to be kept confidential. Staff will research the issue. Upon motion by Beyer, seconded by Wold and carried unanimously, the motion was amended to include direction to sell the parcel by sealed offer. Roll call vote: Schmidt – aye, Beyer – aye, Deal – aye, Wold – aye, Gillespie – aye, Brutlag – aye, Vavra – aye. Motion carried. Board managers reviewed and discussed other District land holdings.
- JCWMP GRANT DISBURSEMENTS** Administrator Beyer stated that the Claims of December 15, 2022, approved earlier in the meeting included disbursements of Joint Watershed Based Implementation Fund Grant C21-9685 (\$4,104.44) and C23-5729 (\$354.07).
- UPDATES** Board managers discussed drainage proposals brought to the Drainage Work Group. Board Manager Linda Vavra was elected as MAWD President.
- WOLD LEAVES** Board Manager Wold left the meeting.
- 2023 COLA**

Based on information gathered from counties and health insurance costs, Gillespie relayed a Personnel Committee cost of living adjustment of 3% for employees in 2023. Upon motion by Deal, seconded by Beyer and carried unanimously, the recommendation was approved.

The meeting was adjourned at 12:14 pm.