

**BOIS DE SIOUX WATERSHED DISTRICT  
BOARD MEETING MINUTES  
March 20, 2025**

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

**AGENDA** Upon motion by Kapphahn, seconded by Gillespie and carried unanimously, the Agenda was approved with the addition of Ring Dike Program and Eldorado Township Permit.

**CONFLIT OF INTEREST** No conflicts of interest were declared.

**CONSENT AGENDA** Upon motion by Beyer, seconded by Gillespie and carried unanimously, the Consent Agenda was approved.

**BRUTLAG ARRIVES** Board Manager Ben Brutlag arrived.

**PUBLIC COMMENT** No public comment.

**PA #24-154  
K. DEAL TCD #23  
PETITION TO  
OUTLET** Upon motion by Kapphahn, seconded by Beyer and carried unanimously, the joint hearing was opened to consider the petitions requesting authority to use Traverse County Ditch #23 as an outlet for Kevin and Julie Deal: 120 acres in the SE1/4 of Section 32 and 80 acres in the SW1/4 of Section 33, Redpath Township, Traverse County (Portions of Parcels #10-0146000 & #10-0151000).

**DAHLEN ARRIVES** Board Manager Doug Dahlen arrived.

Engineering staff presented the location of the proposed project. All of the project's acres in Parcel #10-0151000 are contained within the TCD #23 subwatershed, draining into JD #14 downstream; some acres in Parcel #10-0146000 drain west into JD #14. Neighboring landowner Mr. Chadd Berger requested that a drainage ditch to the north be cleaned, and stated that storage is limited by telephone utility locations. Engineering staff confirmed that there is approximately 3' of fall over the course of  $\frac{3}{4}$  of a mile. Attorney Lukas Croaker read the proposed orders Authorizing the Use of TCD #23 as an Outlet that included benefits of \$120.00 and an outlet fee of \$4,660.00 for Parcel #10-0146000; benefits of \$80.00 and an outlet fee of \$3,106.67 for Parcel #10-0151000. The order also specified that the petitioner is responsible for administrative and hearing costs. Mr. Kevin Deal stated his intention to clean sediment and debris from the drainage ditch going north. Kapphahn made a motion, seconded by Beyer, to approve the two orders, contingent upon Traverse County issuing a permit for the cleanout and for the cleanout to be completed. All voted aye. Motion carried. Upon motion by Gillespie, seconded by Beyer and carried unanimously, the hearing was closed.

**PA #25-005  
K. LEININGER** Permit applicant Mr. Kevin Leininger redesigned a project in collaboration with neighboring landowners. Upon motion by Gillespie, seconded by Kapphahn and carried unanimously, the subwatershed restriction was waived and the permit is approved contingent upon final landowner signatures on the permit, erosion control at the outlet, and a requirement that the landowner monitor the outlet channel and repair any changes.

**LTWQIP NO. 1  
PHASE #3  
TREE QUOTE** Upon motion by Wold, seconded by Beyer and carried unanimously, the Lake Traverse Water Quality Improvement Project Phase #3 tree/shrub price quote from Traverse SWCD in the amount of \$1,327.30 was approved contingent upon no cottonwoods be included.

**REDPATH PHASE  
2B PUNCHLIST &  
CULVERT** District Engineer James Guler stated that the contractor for Redpath Phase 2B is currently shut down for winter but will continue working on the final punchlist and dirtwork in the spring. District Engineer Technician Troy Fridgen requested that an area blocking drainage into TCD #35 be prioritized; if the contractor isn't able to address this in the near future, it is requested that an outside contractor be hired within the next 2 – 3 weeks.

Attorney Lukas Croaker presented terms for the lease of portions of the SW1/4 of Section 15, Redpath Township – owned by the District; a lease term that the land must be worked before the lease's

expiration will be emphasized in the bid instructions similar to the draft lease agreement. Upon motion by Kapphahn, seconded by Dahlen and carried unanimously, the Terms & Conditions were approved for advertisement and the draft lease agreement was approved.

**PA #25-010  
M. MATHIAS &  
640<sup>TH</sup> AVE ROAD  
RAISE**

Engineering staff confirmed receipt and review of Permit Application #25-010, Marilyn Mathias, W1/2 of Section 7, Eldorado Township, Stevens County. A set of draft conditions were sent to the landowner that match the conditions placed on the 640<sup>th</sup> Ave Road Raise permit (Permit #23-043). The landowner requested that two additional conditions be added: to allow subsurface drainage over/through the project berm, and for easement documents to become invalid if the 640<sup>th</sup> Ave Road Raise project is not constructed. Gillespie motioned, seconded by Kapphahn, that the permit conditions were approved with the addition that the permit is only valid if the 640<sup>th</sup> Ave Road Raise project is constructed. Senior Interstate Project Engineer Damon DeVillers stated that he has met with the landowner, and the landowner is willing to sign the temporary and permanent easements. The motion unanimously passed. Senior Interstate Project Engineer Damon DeVillers stated that construction can begin as soon as the easements are signed and the weather allows.

**ELDORADO ROAD**

Eldorado Township Representative David Horning presented a road raise project; the road raise is intended to establish a baseline level of public safety and access to agricultural fields. Upon motion by Gillespie, seconded by Dahlen and carried unanimously, engineering staff are authorized to provide culvert sizing for the project.

**BDSWD NO. 5  
BOND RETURNED**

Some of the BdSWD #5 petitioners were in attendance, and requested that remaining bond funds be returned. Landowners stated frustration with road conditions, public safety, and the negative influence that a downstream ephemeral area deemed "public water" can have on the ability for a project to be permitted through the DNR, even if the project addresses chronic upstream flood conditions and improves downstream water quality. Upon motion by Gillespie, seconded by Beyer and carried unanimously, staff are authorized to return the balance of \$12,029.15 based on the percentage of funds each petitioner provided.

**RRWMB GRANT  
APPLICATION:  
CULVERT  
INVENTORY**

A joint Red River Watershed Management Board grant application will be submitted to support culvert inventory updates. Upon motion by Brutlag, seconded by Gillespie and carried unanimously, staff are authorized to estimate the amount needed for expenses related to culvert inventory updates for: private culvert replacements permitted since the last culvert inventory update; culvert changes implemented with recent District projects; areas that previous engineering firm inventoried; targeted areas for future District projects.

**HAY BID LEASE  
TERMS & LICENSE**

Upon motion by Gillespie, seconded by Kapphahn and carried unanimously, the Terms and Conditions for District haying on the North Ottawa collection channel and cell berms and the draft license agreement were approved for use.

**DISTRICT ROAD  
RAISE COST  
SHARE POLICY**

Upon motion by Kapphahn, seconded by Gillespie and carried unanimously, staff are authorized to review the current Road Raise Cost Share Policy and provide revisions at a future meeting.

**FIVEMILE CREEK  
PILOT PROGRAM**

District Engineer Troy Fridgen is working with Environmental Zoning Administrator Greg Lillemon to identify landowners willing to utilize the District's Fivemile Creek Sediment Removal Pilot Program. Upon motion by Kapphahn, seconded by Dahlen and carried unanimously, engineering staff are authorized to provide recommended culvert sizes for the Fivemile Creek Grant/Traverse County line.

**SOIL LOSS  
COMMITTEE RECS**

Administrator Beyer summarized the District's February 25, 2025 Soil Loss Committee meeting in which she showcased the BWSR/MCGA/U of M Alternative Practice Decision Tool. Since that time, she has also reviewed the 1W1Plan "Beast" calculator, that also compares riparian water quality benefits to a list of NRCS practices. Upon motion by Dahlen, seconded by Kapphahn, and carried unanimously, staff are authorized to promote these calculators for use by District landowners.

**DORAN CREEK**

Engineering, legal, and administrative staff have met to discuss utilization of RIM easement grants and NRCS NWQI practice grants for portions of the Doran Creek Restoration Project. There are two types of easements that must be acquired: a temporary easement for construction and one time access, and a permanent easement for access, construction, and future maintenance. Landowners can enroll Doran Creek Restoration Project lands in a permanent RIM easement with the Board of Water and Soil Resources, if they desire. If a landowner pursues this type of easement, it is recommended that the District designate a separate easement and payment for narrower access, project construction, and

maintenance activities. Upon motion by Gillespie, seconded by Beyer and carried unanimously, the District rate for these easements will be set at 20% of the RIM easement elected by the landowner.

**TCD #52** Engineering staff recently met with TCD #52 landowners to discuss areas in need of stabilization. A bridge is to be scheduled to be removed, and a limited channel area is in need of a two-stage ditch design to slow and store flow and prevent erosion. Upon motion by Kapphahn, seconded by Deal and carried unanimously, engineering and legal staff are authorized to research project implementation options.

**TCD #27** Traverse County Commissioner Dwight Nelson confirmed that Traverse County recently approved the offer to cost-share a TCD #27 culvert that is sitting at the wrong elevation. Upon motion by Kapphahn, seconded by Gillespie and carried unanimously, the price quote was approved in the amount of \$42,565.00 from John Riley Construction, Inc.

**GCD #29** Engineering staff recently met with GCD #29 landowners to discuss areas of repair needed in the public subsurface drainage system. Landowners identified an area that is known to have a suboptimal base, and where tile has been installed and repaired twice due to an extremely sandy soil type. District Engineer James Guler will collect price quotes for soil boring services.

**DAHLEN LEFT** Board Manager Dahlen left the meeting.

**FHM TESTIMONY** Board managers watched the recorded testimony provided by Red River Watershed Management Board Executive Director Rob Sip, District Engineer Chad Engels, and Roseau River Watershed Administrator Tracey Halstensgard on Flood Hazard Mitigation requests, House File 692.

**RING DIKE COST SHARE** Upon motion by Gillespie, seconded by Deal and carried unanimously, engineering staff are authorized to submit requests for up to four District ring dike plan estimates.

**UPDATES** Board managers provided updates from committees and legislative activities.

Upon motion by Beyer, seconded by Wold and carried unanimously, the meeting was adjourned at 12:33 PM.

The meeting was adjourned.