

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

- 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), Steven Deal, Scott Gillespie, Steven Schmidt, Jason Beyer, and Allen Wold. Absent: Doug Dahlen, John Kapphahn. Also present: District Engineer James Guler, Engineer Chad Engels, District Attorney Lukas Croaker and Administrator Jamie Beyer.
- AGENDA** Upon motion by Wold, seconded by Gillespie and carried unanimously, the Regular Agenda was approved.
- CONSENT AGENDA** Upon motion by Gillespie, seconded by Schmidt and carried unanimously, the Consent Agenda was approved.
- PUBLIC COMMENT** Landowner Jonathan Mathias stated that a culvert included in the 640<sup>th</sup> Road Raise has been replaced and converted in material from concrete to corrugated steel and he believes it may not be sized correctly. Board Manager Steven Deal stated that he had received a call inquiring why a gate was removed from the culvert. Administrator Jamie Beyer stated that Engineer Technician Troy Fridgen stated that the former and replacement culverts have the same hydraulic capacity, and that the gate installed on the new culvert was removed because the former culvert had no gate. Engineer Technician Troy Fridgen will confirm that the new culvert was placed at the same elevation.
- TCD #8 PETITIONS** Beyer motioned, seconded by Schmidt and carried unanimously, to open the hearing to consider three petitions requesting authority to use Traverse County Ditch #8 as an outlet for projects proposed in portions of Section 15, Range 44, Eldorado Township, Stevens County: Parcel #16-0052-002 S1/2NW1/4 owned by Karen & Mark Graf and Parcel #16-0053-000 SW1/4 owned by Curtis & Janna Horning and Parcel #16-0052-003 W1/2SE1/4, Parcel #16-0052-001 N1/2NW1/4, Parcel #16-0052-000 E1/2SE1/4, Parcel #16-0051-001 S1/2NE1/4, Parcel #16-0051-000 N1/2NE1/4 owned by Flatland, LLP. District Engineer James Guler provided a map of the drainage assessment area and watershed indicating that surface water already utilizes the Traverse County Ditch #8 drainage system. Neighboring landowners asked about the condition of TCD #8 and inquired about the possibility of various capital improvement projects. Engineering staff stated that, if a redetermination was completed, the petitioning lands would be included in the new assessment district. Landowner Steve Fridgen inquired about work being completed by Traverse County on the north side of Sections 16 and 17; engineering staff stated that the work will be restricted by the channel and culverts in Section 18, which are not being changed.
- BRUTLAG ARRIVES** Board Manager Ben Brutlag arrived at the meeting.
- Board Manager Jason Beyer stated the value of a drainage system retrofit and improvement is the additional storage capacity that is created in the channel; Engineer Chad Engels stated that culvert sizing would control flow, and the design of the sizing would be matched with the outlet's adequacy. President Linda Vavra encouraged landowners to take action if they are interested in an improvement of the TCD #8 drainage system. Attorney Lukas Croaker read the order, which includes the following:
- Parcel #16-0052-002: Benefits \$100 and Outlet Fee \$382.09  
Parcel #16-0053-000: Benefits \$200 and Outlet Fee \$764.18  
Parcel #16-0052-003: Benefits \$100 and Outlet Fee \$382.09  
Parcel #16-0052-001: Benefits \$100 and Outlet Fee \$382.09  
Parcel #16-0052-000: Benefits \$100 and Outlet Fee \$382.09  
Parcel #16-0051-001: Benefits \$100 and Outlet Fee \$382.09  
Parcel #16-0051-000: Benefits \$100 and Outlet Fee \$382.09
- Upon motion by Beyer, seconded by Gillespie and carried unanimously, the orders were approved. Upon motion by Beyer, seconded by Schmidt and carried unanimously, the hearing was closed.
- ADMINISTRATIVE COMPLIANCE ORDER** District Attorney Lukas Croaker summarized the terms of the Board's February 25, 2025 Administrative Compliance Order issued to Landowner Ronald Anderson, which required that Mr. Anderson remove the subsurface drainage tile, culvert, and fence and restore the Property to its previous condition on

or before June 18, 2025 or, as an alternative, Mr. Anderson apply for, and receive, an after-the-fact permit from the District for work on the Property on or before June 18, 2025. Administrator Jamie Beyer stated that a permit application was submitted June 5, 2025 and is currently in the comment period. Mr. Ronald Staples spoke on behalf of Mr. Ronald Anderson, relaying an intention to avoid District Court. Mr. Ronald Staples stated that neighbors believed they had permission to maintain an existing channel to SCD #1, that, without maintenance, did hold back water on the neighboring property. Mr. Ronald Staples stated that he believes Mr. Ronald Anderson and the neighboring landowners can come to a resolution on a portion of the berm that was built; Mr. Ronald Staples stated that the land is so flat that the channel had been planted with a crop in the past. District Attorney Lukas Croaker stated that the board could elect to request enforcement from District Court, delay action, elect additional conditions, or table the issue to a future meeting to allow the landowner to remedy the issue. Neighboring Landowner Duane Sperr stated that the area is too flat to be drained by underground tile, and that the tile would be inadequate. Mr. Ronald Staples also stated that he believed the tile and surface inlet described as newly installed were included and installed under a previous permit and are not in violation. Upon motion by Gillespie, seconded by Beyer and carried unanimously, the landowner was given until the July 17, 2025 board meeting to remedy the issue.

**JD #11 LAT. #4  
PRELIMINARY  
REPORT**

District Engineer James Guler stated that the JD #11 Lateral #4 Preliminary Survey and Engineer's Report has been filed with the District; he met with two landowners on June 17, 2025, and they were supportive of the project moving forward.

**GCD #3  
UPDATE**

Delivery of project culverts have been delayed due to supplier problems. District Engineer James Guler met with a landowner who requested a change to the project plans, for culverts proposed on his property. Upon motion by Beyer, seconded by Schmidt and carried unanimously, the landowner's request to eliminate Culvert #12 and extend the length of Culvert #8 by 20' was approved.

**GCD #21  
UPDATE**

The contractor may begin construction after July 4, 2025. Additional project staking will start next week. Upon motion by Gillespie, seconded by Wold and carried unanimously, President Vavra is authorized to sign the construction contract agreement and Notice to Proceed contingent upon confirmation and legal review of insurance and contract documents.

**REDPATH  
PHASE 2B**

District Engineer James Guler has notified Riley Construction that ditching needs to be fixed and a culvert needs to be adjusted; it is within the Owner's rights to order that the work be done by an outside contractor if Riley Construction is not responsive to the written request. The construction contract allows for the District to coordinate a remedy, upon notice, and assess the cost to the construction contract. Change Order No. 2 included a provision to move the project's substantial completion date to June 27, 2025. Board Managers discussed the potential for liquidated damages, including legal, engineering, and administrative costs incurred after the contractual June 27, 2025 substantial completion date. District Engineer James Guler stated that he has met with representatives from Riley Construction many times regarding their disagreement on installed quantities, but to date, no documentation has been provided to describe how the contractor's quantities are being calculated.

**DNR FHM &  
REDPATH  
PHASE 3**

Administrator Jamie Beyer stated that the DNR's Flood Hazard Mitigation Program was awarded \$9 million in bonding funds. District staff are preparing an application to request \$12 million; the application requests \$6 million in new funding from the Flood Hazard Mitigation Program, to be matched with \$4 million in new funds from the Red River Watershed Management Board and the District, and \$2 million which was spent under the current construction contract. In total, of the proposed \$12 million request, \$10 million in new funds will likely allow the District to complete construction of the Redpath levy walls. Future phases will involve the construction of the inlet channel and concrete structures.

**NORTH OTTAWA  
LEASE**

Administrator Jamie Beyer stated that the current lessee has agreed to plant soybeans in Cell A3, and the Project Team has agreed to set aside the rent to begin a fund for native vegetation planting in the future. The DNR stated that it may take 2 – 3 years for proper native vegetation planting conditions.

**TORT LIABILITY  
WAIVER**

Gillespie motioned to not waive the monetary limits on tort liability established by Minn. Stat. § 466.04. Beyer seconded. Motion passed unanimously.

**ADVISORY  
MEETING**

Administrator Jamie Beyer will contact participants to schedule a District Advisory meeting. Chair Ronald Staples requested that Big Stone Commissioner Chad Zimmer replace former Commissioner Jay Backer.

**ELECTIONS**

Vice President Beyer called for nominations for the position of President. Gillespie motioned, seconded by Wold and carried unanimously, to nominate Linda Vavra for the position of President. Upon motion by Gillespie, seconded by Schmidt and carried unanimously, nominations were ceased and a unanimous ballot was cast for Linda Vavra to serve as President.

Vavra called for nominations for the position of Vice President. Gillespie motioned, seconded by Deal and carried unanimously, to nominate Jason Beyer for the position of Vice President. Upon motion by Gillespie, seconded by Deal and carried unanimously, nominations were ceased and a unanimous ballot was cast for Jason Beyer to serve as Vice President.

Vavra called for nominations for the position of Treasurer. Gillespie motioned, seconded by Beyer and carried unanimously, to nominate John Kapphahn for the position of Treasurer. Upon motion by Gillespie, seconded by Beyer and carried unanimously, nominations were ceased and a unanimous ballot was cast for John Kapphahn to serve as Treasurer.

Vavra called for nominations for the position of Secretary. Gillespie motioned, seconded by Beyer and carried unanimously, to nominate Allen Wold for the position of Secretary. Upon motion by Gillespie, seconded by Beyer and carried unanimously, nominations were ceased and a unanimous ballot was cast for Allen Wold to serve as Secretary.

**NEWSPAPERS**

Upon motion by Gillespie, seconded by Brutlag and carried unanimously, the Wheaton Gazette, Northern Star, Grant County Herald, Daily News, Daily Journal, and Chokio Review were approved as the District's Official Newspapers.

**ANNUAL  
RESOLUTION**

Upon motion by Gillespie, seconded by Schmidt and carried unanimously, the District's 2025 – 2026 Annual Resolution was approved.

**COMMITTEES**

Vavra presented Committee assignments.

**DRAINAGE  
WORK GROUP**

Wold provided an update of Drainage Work Group discussions, including whether consensus and non-consensus opinions need to be split between two separate reports; DNR notice procedures; FEMA policy changes; Drainage Work Group survey submissions and anticipated results.

**MW RESOLUTIONS**

Administrator Jamie Beyer presented a brief summary of Minnesota Watershed resolutions submitted for consideration in August.

The meeting was adjourned.