

Barnes County Water Resource District
PO Box 306
Valley City, ND. 58072
701-845-8508

05/04/2009

Minutes

Present: Jeff McMillan, Pat Hurley, Don Johnson

Also present: Dennis Smith, Bill Bertrom, Harlan Opdahl, Vernon Jewett, Eugene Johnson, Doris Jewett, Lynn Holcomb, Barry Borg, David Lokken, Kerry Johnson, William Hass, Richard Hass, Tim Hass, Shawn Anderson, Donald Jorrissen, Brad Cruff, Scott Legge, Mylo Bucholz, Karen Bucholz, and Kerry Johnson.

Meeting called to order by Chair Jeff McMillan at 8:00 AM.

A motion to approve the Revenue & Expenditure reports was made by Pat Hurley. Seconded by Don Johnson, motion carried.

Pat move to approve the minutes of the March meeting. Don seconded, the motion carried. Note that due to flooding the April meeting was cancelled.

Vernon Jewett requesting the board's recommendation for pipe installation along State Hwy. 10 (Business loop). Spring thaw and heavy rain storms cause major damage to driveways and approaches in this area. Homeowners feel that if the majority of the water was diverted into the ditch on the north side of Hwy 10 it would resolve this matter. The board will do an onsite evaluation prior to making its recommendation to the State DOT.

William Hass and Lynn Holcomb were in attendance to discuss an outlet for the slough that is causing major problems to the township road in section 25 of Ashtabula Twp. Lynn Holcomb has signed an appeal with the NRCS to lower level the Hydraulic level. That has been approved. The ditch maybe lowered an additional 14". Mr. Hass along with his son's still have concerns regard the water coming into section 25 and would like to see the drainage from Grand Prairie Township stopped or slowed down. A onsite meeting later this week with Holcomb, Hass and board members should present some insight. A date and time will be set later in the week.

Drain tile applications were reviewed. #3356- Gary McClafin and # 3342 by CD Coop/AJ Farms were reviewed. Both were approved contingent on receiving the proper documentation from NRCS and the Corps of Engineers.

Dake Lokken, Manager of Columbia Grain, approached the board regarding water backing up from Hobart Lake. Flooding this spring has caused costly damage. The continual rise of Hobart Lake and Mr. Lokken was inquiring if long range plans have been established for re routing the water. Barry Borg also voiced concern as he is a property owner near Hobart Lake. He stated that the ND DOT at one time completed a survey to establish what level the lake would be start to flow east. Board members decided to meet Dave and Barry onsite. Concerns were also raised as to weather or not the culvert that runs under County road 22 is large enough. Jamie will talk to Kerry Johnson, Barnes County Road Superintendent, about this and report back to the board.

Mylo Bucholz was in attendance to discuss the drain located in Section 27 of Norma Township. Discussion was held on the nature of the drain. It was agreed that it is a natural watercourse. Mylo feels that a cleanout is needed to provide relief to his property. He would like to see the entire drain cleaned and sited 61-16.1-51 of the North Dakota Century Code. The Myron Nelson driveway washed out during the spring flood. It was decided to let this be discussed via each party's lawyers.

The board asked John Anderson to come forward to discuss drain permit # 2555 which was approved on July 21st, 1987. John stated that previous Board members Clayton Johnson, Morris Peterson and Terry Bryn gave permission to keep it clean. Mr. Anderson stated the "Something is holding the water back" He stated that he counted 9 spots where water was running of their road.

Brent Gustufson from the NRCS discussed a EWP available for snagging and clearing. This money would be available for work done outside of the road right of way. A blanket application will be made.

Legal Drain #2 was discussed. Pat moved to accept the funding from Stewart Twp. and to take authority of the drain under the advisement of the Drain Advisory Board contingent to the Auditors office setting up the proper accounts. Don seconded the motion, carried. Discussion was held on assessments. It was decided to continue the \$1.50 per acre assessment. This will need to be done annually for maintaining the drain. The District Secretary will be responsible for doing this.

A minimal discussion was held on the Oakhill/Spring Creek culvert. There has been some controversy regarding who is responsible for the costs of its repair. The Board of County Commissioners has decided to ask for the Attorney General's opinion regarding the matter. The Resource district maintains that they will only contribute \$3,000.00 to the project in a good faith gesture. It is the understanding of the Board that Century Code states under statue 24-03-06 that sole responsibility of drainage issues in a township road is to the township itself.

The Clausen Springs Dam emergency spillway was severely eroded on April 14th. During the course of 3 days the spillway was reduced significantly, endangering the City of Kathryn, 3 rural farmsteads and County Road 21 south. With assistance from the Resource District Engineer, Corps of Engineers, the National Guard and many local

volunteers the erosion was stopped. Currently Moore Engineering is developing estimates for repair work and doing the preliminary survey work. Jamie will continue to update the board on the progress of this project.

The US Fish and Wildlife dam, otherwise know as Tomahawk also washed out. This dam is the responsibility of the US Fish and Wildlife service.

Discussion was held on a policy regarding the policy for the use of the pump that the District owns. Jamie will draft a policy and present it at the next meeting. Discussion was also held on a rental rate. This will be explored.

The Warren Van Bruggen farm is inundated with water. (T 138 N –R 61 W, section 36, SW ¼) He is trying to simply save his farmstead at this point. Brent from NRCS, stated that there was not an easy fix for this problem as it is similar to the issues in section 25 of Ashtabula Twp. Both areas' are in a basin. Mr. Van Bruggen has explored the possibility of drain tile, but this will provide little relief. Another solution may be to run the water into the ditch along county road #7 south. Pumping the water off may be simply a short term solution. No decision was made at this point. NRCS and the District will continue to work with Mr. Van Bruggen to try to find a remedy.

Glen Klobernick of Edna Township, section 22 reported that water is not getting to the culvert and that it is backing into his yard. Brent stated that NRCS could do a Minimal Effect Agreement but that would be a temporary fix. The land is simply to flat and the water has no where to go once it gets there. No permanent solution was established.

Les Kohl stopped into the office in regards to the Wimbledon drain needing a cleanout. The board intends to discuss this with the Griggs County Water Resource District prior to any comment on this.

An agreement was dropped off in the office between Dennis Ertlet and Ken Kohler. This agreement stats that both parties agree to removing a dike on the south side of the SW ¼ of section 8, T 138 N R 56 W. This will allow water to flow more freely to the north side of the NW ¼ of section 17 T 138 N, R 56 W.

Note from Ken Reid, Barnes County FEMA Liaison, Re sizing of culverts in township roads will be approved thru the Corps of Engineers and SHIPPO for any flood related repairs.

Motion to adjourn by Don, seconded by Pat, the motion carried.

Follow the meeting Jeff and Don followed up with Vernon Jewett. Jeff reported back to the office that Randy Johnson will shot elevations. After those are received the District will make a recommendation to the State DOT.

Respectfully submitted,
Jamie Smith, Secretary