

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

12/14/2009  
Minutes

Present: Chairman Jeff McMillan, Pat Hurley and Don Johnson  
Also present: Commissioner's Harlan Opdahl and Roger Berntson, Shelly Nelson, Wes Elston and Dan Elston.

Meeting was called to order by Chairman McMillan.

Motion to approve the minutes with corrections was made by Pat, seconded by Don. The motion carried. Motion to approve the Revenue and Expenditure reports was made by Pat, seconded by Don. The motion carried.

Discussion on the cleanout project for section 22 of Anderson Township was held. Dan and Wes Elston were in attendance to check on the progress. Pat reported that Gerald Gerntholz feels that other landowners should contribute to the cost of the cleanout. It was decided to invite all landowners, US Fish and Wildlife Service, BNSF, Barnes County Highway Department and Anderson Township officers to the next meeting. The Corps of Engineers will be contacted to see if the cleanout would present any 404 implications. Discussion on retention gates for the culverts was held. Jamie will provide a cost estimate in January for 36" x 40' culvert with gates. It was noted that the culvert north of the Gernholtz farmstead would have to be lowered approximately 2 feet. This cleanout may cost a total of \$20,000.00 or roughly \$2.00 per foot.

Property owners within the Thordenskjold Drain will be invited to the Boards next regular meeting to discuss cleaning out the last 2 miles of the drain. This cleanout expense will be assed to the property owners. It was decided that this meeting will be held at 10:30 am.

Clausen Springs dam repair funding report. Funds for a \$3 million repair to the emergency spillway have been secured (barring any major increases to the Engineer's estimate). Jeff and Jamie attended the State Water Commission and the Red River Joint Meetings in Bismarck. The Red River Joint Board decided to cost share ½ of the local share up to \$500,000. The State Water Commission will be assisting with 1.3 million dollars. The Game and Fish has committed to 1 million. The Barnes County Commissioners are allowing \$200,000.00. Soil boring has begun and will be completed by January 2010. Discussion was held on the size of the draw down pipe. The board will

discuss a draw down pipe larger than 10" with the SWC and Game & Fish. Jamie was instructed to check on how the project funding will be distributed.

Pat reported on the Obstruction to drain complaint, Section 27 Norma Township filed by Milo Bucholz. The complaint states that the cleanout has not been completed, that the Water Resource District raised the culvert in the Nelson's driveway without jurisdiction and that Board member Pat Hurley ignored phone calls. The Board has found the following when investigating the complaint. Nelson's have cleaned out the drain from their drive way north to the bottom of the slough in the NE ¼ of section 27. This work was completed on 12/04/2009. KLJ confirmed that the culvert in Nelson's driveway was not raised. The elevation in the Nelson driveway is within 1 tenth + or - of the elevation set for the culvert in 1987. The driveway was however washed out during spring flooding but the culverts were not. All complaints must be first directed to the office and not to individual board members, unless there is an emergency. A written response will be sent to Mr. Bucholz with these findings. Discussion was held on assisting Nelson's and Hendrickson's with cleanout expenses. Pat suggested that the Board assist Nelson's \$1492.00 and Hendrickson's \$1,500.00. This was tabled until January.

The office received two drain tile permits. The applicants will be sent notice that all local requirements must be submitted prior to the Boards approval.

Bills were submitted and approved.

Next meeting will be on January 11, 2010.

Respectfully submitted,

Jamie Smith, Secretary