

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

Minutes
12/10/12

Present: Vice Chairman-Pat Hurley, Manager-John Kohler and Manager- Jerry Hieb

Also present: See attached

The meeting was called to order by Vice Chairman Hurley.

Manager Kohler moved to approve the minutes of the November meeting. Manager Hieb seconded the motion. All were in favor. The motion carried. Manager Kohler moved to approve the Revenue and Expenditure Reports. Manager Hieb seconded the motion. All were in favor. The motion carried.

Hobart Lake

Barry Borg requested that a ditch block be placed at the driveway of Columbia grain to divert inflows of water into Hobart Lake. Mr. Borg was advised to work with the Highway Superintendent and the County Commission as this would require working in the county right of way. Discussion was held on the elevation of a culvert that is located under the private rail road spur. Mike Opat stated that the scope of work for the outlet project included lowering and resizing the culvert in question. Mr. Opat also informed the group that the FEMA Mitigation Grant was still being ranked and has not yet been sent onto Denver for approval. Discussion was held on possible realignment of the project. Mr. Borg requested that the board consider adding multiple control devices to the outlet scope of work to monitor flows into and out of the lake.

Sanborn Lake

Sean Fredricks made several comments regarding how the inter-state significance permit process works. He was very hesitant to suggest that the State Water Commission would approve the use of this permanent project under emergency permits as needed. The Secretary reported that Fred Offner would like to work with the board, but that he wanted certain criteria to be met before approving the outlet. Mr. Offner would accept the outlet if the board allowed the ditch to remain on his property and that the ditch be defined and sloped to confine the flows. He also wants reimbursement for the top soil that was eroded out. Mr. Offner also

indicated that he felt the board could reroute the flow of water to utilize the road ditch system so as to not cross his property. Mr. Offner also indicated to the secretary that he is tired of waiting for the board to take action and that this needs to be resolved sooner than later. The Board took this into advisement. Discussion was held on the status of the access installation. This has not yet been completed by Wade Klubben Excavating. Manager Hieb moved to have the professional staff amend the current drainage application to include an operational plan. Vice Chairman Hurley seconded the motion; all were in favor, the motion carried. Kurt Tompkins, USFWS, will extend the temporary permit until June 15th, 2013.

Legal Drain #2 Extension

Discussion was held regarding the bills for the illegal extension. Lake View Trucking has not yet received payment from former Manager Lettenmaier. It was decided to advise Lake View to continue communicating with Mr. Lettenmaier regarding payment as he is the responsible party. The portions of the drain that were deepened, widened or extended need to be restored as per USDA guidelines. USDA has determined that wetlands have been adversely affected. The regional USDA Office will be determining whether or not to use the culverts in the RR as a bench mark. Kurt Tompkins, USFWS, will extend the temporary permit until June 15th, 2013.

Drainage Permit Resolution

Sean Fredricks discussed the current State Law regarding Drainage permits. Sean stated that their maybe some new legislation regarding permits for less than 80 acres for indexing purposes. Manager Hieb felt strongly that the District should have a resolution stating that a free permit be filed for indexing or at the least request copies of tile plans for projects under 80 acres. Discussion was held on requiring utility permits for projects that outlet into legal drains. It was decided to acquire these on an as needed basis from the professional staff.

Ten Mile Lake

Paul Abrahamson requested a copy of the draft minutes prior to approval. These can be sent out upon completion of the secretary or when they are sent to the board. Discussion was held on the current request to the SWC. Discussion was held. Mr. Abrahamson was advised to have his concerned citizen's group send in a drainage permit with a sketch to the State Water Commission to facilitate an elevation answer.

Board Discussion

Discussion was held on meeting times. It was decided to hold the January meeting at 9:00 AM. This is to be in effect until spring. Manager Kohler turned in his resignation stating his dissatisfaction with the current relationship with the County Commission. The Secretary passed the letter of resignation to Commissioner Eldred Knutson.

Being no further business, Manager Evenson moved to adjourn the meeting. The motion seconded by Manager Hieb. The motion carried. The meeting adjourned.

Next meeting to be held on January 14th, 2013

Respectfully submitted,

Jamie Smith

Secretary

Barnes County Water Resource