

Barnes County Water Resource District

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Valley City, ND 58072

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January 12, 2015

MEETING MINUTES

PRESENT MEMBERS: Manager Bruce Anderson; Manager Shawn Olauson; Manager Bret Fehr; Manager Dale Jorissen; Mike Opat & Joshua Hassell – Moore Engineering;

Absent: Chairman Jerry Hieb and Sean Fredricks – Ohnstad Twichell Law Firm

Also Present: See Attached List

Election of Officers - Secretary Linda McKenna called the meeting to order and entertained a motion for nomination of Chairman for the water district.

Manager Jorissen made a motion to nominate Jerry Hieb for the Chairman.

Manager Anderson seconded with Manager Fehr requesting a unanimous vote be cast for Jerry Hieb as Chairman for Barnes County Water Resource District.

Motion approved with a roll call vote.

Manager Olauson nominated Manager Bruce Anderson for Vice Chairman.

Manager Jorissen seconded, with Manager Fehr requesting a unanimous vote be cast for Bruce Anderson as Vice Chairman for Barnes County water Resource District. Motion approved with a roll call vote.

Vice Chairman Anderson called the meeting to order at 9:05 am.

Manager Olauson made a motion to approve the December 8, 2014 Minutes.

Manager Fehr seconded motion. Motion approved.

Manager Fehr made a motion to approve the Hurley/Vogel Special Meeting Minutes December 12, 2014. Manager Jorissen seconded motion. Motion approved.

OLD BUSINESS

RRJB – Manager Anderson and Manager Jorissen were at the Red River Joint Board meeting. Manager Anderson reported on election of officers and the update on SWC cost/share policy changes and diversion project update. Manager Anderson gave an update on our Hobart Lake project. State Snagging and Clearing projects were discussed and the importance of doing proper notifications and clean up of projects was discussed.

VC Little Dam/ Kathryn Dam – Mike Opat updated that their new equipment has come in and they did some test work with it. They are ready to get information, as soon as there is a break in the weather and before spring runoff. Barr Engineering has also been in touch with Moore Engineering regarding the Little Dam project and there are grants and cost/share dollars for this project, like with the Kathryn Dam. Mike recommended that our district pursue this now for the Little Dam study to get started. Manager Fehr made a motion to have Moore Engineering get started on a cost share/grant request from the US Fish & Wildlife Service for the Little Dam Project. Manager Jorissen seconded. Motion approved with a roll call vote.

Thordenskjold Drain - No report at this time.

Sanborn Lake Project – Commissioner Froelich had no report as the State's Attorney needed more information for the ongoing easement project. Mike Opat added that Sean Fredricks thought it would be a good idea for the district to have a Joint Powers Agreement with the County Commission, on the Sanborn Lake Project, like we have with the Hobart Lake Project. Discussion followed.

Manager Jorissen made a motion for Sean Fredricks to draw up a Joint Powers Agreement with the Barnes County Commissioners. Manager Olauson seconded. Motion approved with a roll call vote.

10 Mile Lake – Paul Abrahamson informed the district that they were not going forward with a permit from the Corp (404 Permit) because it is not navigable water nor will it ever contribute to navigable waters. Looks like funding/cost share is going to be hard to get, but Paul knows of other projects in this basin with the same situation and he will look at what they did with control structures, etc. Discussion how Rose Slough/Silver Creek project could/would affect 10 Mile Lake. In the mean time 10 Mile committee will put time into proactive measures, in case we get another high water emergency.

BNSF Railroad Letter – Dwight Grotberg addressed the district, and gave a background of this situation. Joe Pesek was also in attendance and addressed the district with information. Railroad now is waiting to see what monetary amount the landowners are willing to put forward for this culvert project. Dwight asked railroad what the cost would be but the railroad has not gotten back to Dwight as of this meeting date. Joe Pesek mentioned that Kerry Johnson (BCHD) may have a dollar amount from one of the engineers on this project. Dwight will try contacting our Washington representatives for their assistance and we will get the minutes from Dec 2014 meeting explaining water district BNSF Application. Dwight will leave information he has, for water district to share with Sean Fredricks.

Hobart Lake - Mike Opat reminded the district of the rescheduled public meeting on 2-23-15 here at the BC Highway Dept. at 9:30 am. Sean Fredricks had emailed each manager a copy of the Joint Resolution for their review. Mike Opat explained talks he has had with the State Health Dept. and Engineer, on the pollution issue to the Sheyenne River and how Hobart Lake water has been getting to the Sheyenne without any help. The Devils Lake water has taken a big percentage of the sulfate water allowed into Sheyenne River and about how far down the Sheyenne River does this get diluted. (1310-1320 is sulfate level in Hobart Lake) Mike and Sean are working with the state on these issues.

Discussion followed. Manager Olauson made a motion to approve the Joint Powers Agreement between BC Commission and BC Water Resource District. Manager Jorissen seconded. Motion approved with a roll call vote.

Griggs/Barnes WRD - Manager Fehr turned it over to Bob Brooks from Griggs County WRD. Griggs water district feels it's time to work into the legal stage for this process in Rose Slough and Silver Creek. Griggs County has a contractor (Earth Worm Excavating) for a drag line cleaning operation in project area. Area farmers are most concerned about the control structure to be used and the timely release of water. Discussion followed regarding joint water district. Managers Fehr and Jorissen will be at Griggs County WRD meeting on Jan. 14, 2015.

Sheyenne River Snagging /Clearing - Josh Hassell handed out a copy of the cost-share request that was put together from the information Brady, with Moore Engineering, and the contractor that he met with regarding snagging and clearing on the Sheyenne River. Brady seemed to think that they could get 50% of the clearing, south of Valley City, done this year. Josh explained the handout information. Mike Opat explained that setting up a Snagging/Clearing District budget is limited to \$100,000 under the law. Snagging/Cleaning projects can be scheduled till the \$100,000.00 is used up, which could take 2 years or whatever project time it takes. Districts cannot start another project till first \$100,000 has been depleted. Our request is set up 50% cost share with state funds and the other 50% district funds or set up an assessment district to pay this percent. The Snagging/Clearing District is set up of County Commission and the County Water Resource District, no need to get okay from land owners. Hearing needs to be set up to inform area landowners. Kathryn dam north was set as the first area for snagging/clearing project. Discussion followed. Manager Jorissen made a motion for Moore Engineering to submit a Cost Share Request application to the State Water Commission and for Ohnstand Twitchell and Moore Engineering to

get going on setting up a Snagging and Clearing District. Manager Olauson seconded. Motion approved with a roll call vote.

Hurley/Vogel Complaint – Manager Anderson read the information Sean Fredricks sent on this order of business. Manager Anderson showed pictures (from his phone) he had taken of the Vogel property and they did remove what the district requested of them to remove. Discussion followed.

NEW BUSINESS

Stewart Drain – Manager Anderson went over the billing from Anderson Excavating. This bill was not only for Legal Drain 2 (Stewart Drain) but on Sanborn Lake Project also. Legal Drain 2 should be up to date on maintenance. Manager Anderson will bring up, at the Annual Advisory Board Meeting for Legal Drain 2 in February, expanding assessments because of the landowners benefitting from Legal Drain 2 but not in on assessment program. Any changes in assessments will need to have public hearing, but BCWRD will have final vote on any changes.

Cass County Retention Sites – Mike Opat brought up Maple River Water Shed project impacting the Minnie Lake Township of Barnes County. They would like to establish local teams, with a Manager of the Water Resource District and a local landowner as part of the team. Manager Olauson will represent BCWRD and will try and recruit a landowner that will be interested being on this team. Mike Opat will work directly with Manager Olauson.

Baldhill Creek - Mike Opat showed a power point of a study done back in 2012. The study was of site 951 by Cooperstown and Baldhill Creek Site and maybe combine these two studies would be a great benefit for Valley City. Lower Sheyenne Board came to BCWRD and said they were interested in Baldhill Creek site. BCWRD said to go ahead and study, but no sponsorship from our district.

The next step in the study was to take preliminary Geo Technical soil samples for project to see if area was suitable for project design and what impact it would have above project area. We also put in cost share application to the State, at that same time and we found out the State had changed its policy on cost share and this project was not eligible. This is why it has been two years or more in waiting. Now a new cost share policy with the State has gone into effect and Dan Jacobson, with Red River Joint Board, was contacted by Mike Opat to open up conversation on this project. Manager Anderson had talked to Dan Jacobson, while in Bismarck, regarding this project and brought information back to our new water district managers to get their input and open up dialogue for this project to move forward. Mike Opat showed a map of the proposed project dry dam and discussion followed.

Commissioner Froelich expressed that area farmers are not at all in favor of this dry dam talk for the area. Commissioner Froelich is not in favor of this project but the BC Commission should be informed that the project is being introduced again. Mike Opat said all that is in need of doing now is getting the soil testing done to see if it is feasible for any of this project to proceed. Mike Opat will talk with Dan Jacobson to proceed and it will be summer before we get started on this project.

Moore Engineering – Mike Opat showed a power point on the background of Moore Engineering. Only engineering firm that responded to our advertizing. This firm is a 100% Employee owned. Local commitment to the basin for over 50 years. They have the largest team of water resource engineers in the Red River Valley. They work for 10 water districts; most of them on the east side of North Dakota, with a couple water districts in the west and 1 water district in Minnesota. Mission Statement: ***Your Success is Our Success.*** Mike went on to explain the engineering core teams for the firm. We have Historical Knowledge of the Barnes County Area and are getting to know the landowners of your county. Managers decided to vote on engineering firm at the February Meeting.

Portfolios Assignments: Managers agreed to keep portfolios same as last year.

Bills: Managers would like to table Anderson Excavating bill till the February meeting. Manager Olauson made a motion to pay December bills in the amount of \$4,338.34. Manager Fehr seconded. Motion approved with a roll call vote.

Leroy Triebold brought up an article in the Fargo Forum regarding joint water districts of Minnesota and North Dakota about culvert installation, from under sizing to over sizing of culverts. Manager Anderson had the article for anyone to read.

Manager Fehr made a motion to adjourn. Manager Olauson seconded. Adjourn at 11:55 am.

Respectfully submitted,



Linda McKenna

Secretary

Barnes County Water Resource Board