

Barnes County Water Resource District

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March 13, 2017

MEETING MINUTES

MEMBERS PRESENT: Managers – Chairman Jerry Hieb, Shawn Olauson, Bret Fehr; Mike Opat-Moore Engineering; Sean Fredricks – Ohnstad Twichell P.C. Absent – Bruce Anderson, Dale Jorissen

Also Present: See Attached List

Chairman Jerry Hieb called the meeting to order at 9:00 am.

Manager Olauson made a motion to approve the minutes for February 13, 2017. Manager Bret Fehr second motion. Minutes approved.

OLD BUSINESS

Snagging & Clearing: Chairman Hieb reported that the project is complete and was very successful. The ice was perfect for doing things & the snow didn't accumulate on the ice so they had very good luck. He also talked about the superintendent Scott Nelson that took care of the trees along the river and how he did a good job in communication with all the landowners and had no trouble pulling trees up onto the land. He also had no problems getting people that wanted wood, he believes they cut somewhere around 1,000 trees. Mike from Moore Engineering passed out a map to the board showing how far the project was about to go. The board also spoke about \$50,000 to be matched by the State Water Commission with a total amount of \$100,000 for the project, the board is still waiting to hear back from the State Water Commission for an additional \$25,000.

Stewart Drain Annual Meeting Report: Bruce Anderson was not present but Jerry spoke with him and got some information that he passed on. Bruce stated that Klubben Construction cleaned snow out in the drain, gates are still frozen shut and are a third full of silt so they are hoping when everything melts the gates will open. The Board may need to take some action to flush the silt. Stewart Drain will be on the April meeting agenda. Neil Amann was present to speak to the board about some of the issues at the bottom of the drain. Mr. Amann serves on the Stewart Drain advisory board. Mike from Moore Engineering gave Neil some ideas of what

can possibly be done at his gate. There was a motion by Manager Olauson and second by Manager Fehr to authorize Moore Engineering to examine the gates on the Stewart Drain. Roll call vote, motion passed unanimously.

Engineers Report: Mike Opat reported on repairs to the culvert crossing wing walls on the Thordenskjold Drain. Mike indicated that Industrial Builders would work with the Board regarding their rates and is willing to honor the estimate given in 2016; but they could not offer any further discounts if the Board offered flexibility in the schedule. There was discussion on the Kathryn Dam and the Board discussed approaching the State Water Commission for additional cost share, but no action was taken. Jerry stated that he will speak to the city of Valley City regarding the Little Dam and convey the Board's desire to turn that dam over to the city.

Attorneys Report: Sean Fredricks from Ohnstad Twichell P.C., explained the Hovde hearing was canceled. Sean reminded the Board the hearing was not required by statute, but the Board previously agreed to allow a hearing following a request from Mr. Hovde; Mr. Hovde alleged he wasn't aware of his appeal rights or how to request an appeal. However, the State Engineer's Office recently notified Sean that Mr. Hovde had, in fact, appealed to the State Engineer's Office regarding the Board's dismissal of Hovde's complaint. Sean submitted a written objection to the appeal due to Mr. Hovde's failure to properly notify the Board of the appeal, as required by statute. The State indicated they have concluded their review and will provide notice of its decision in the near future. Sean also provided an update on legislative matters. Sean also had a question regarding the Carol Bjorge/Steve Winter issue discussed at the last meeting. The Board previously directed Sarah to send copies of the Board's previous minutes regarding this issue to the landowners and the township; Jessica Jenrich will talk to Jamie and have her send the minutes to the parties, along with a letter stating that the drain/culvert is not the WRD's jurisdiction or responsibility. The board would like this on next month's agenda.

NEW BUSINESS

Hobart Project: There was discussion about the Hobart Drain project. Dick Monson was present to talk about how he was told by NRCS & FSA that he is not in compliance. Moore Engineering prepared a letter to request a variance for signature by both Mr. Monson and Chairman Jerry Hieb that Moore will forward to FSA. FSA's committee will meet at the end of the month and will consider the request. Mike also provided an update on the project. John Froelich was present and told the Board if there are any issues or changes, the Board should approach the Count Commission; the Commission is responsible for project costs for the project, less cost-share. The Board will not advertise for bids until they have signed purchase agreements regarding right of way; there are three flowages easements landowners who have not signed.

Arvid Winkler was in and was asking about the Barry Borg ditch with the Hobart project. Mike stated that Barry's ditch is not part of the project, but the elevation of the ditch was used to set the elevation for the project, per the approval from the NRCS.

Upper Sheyenne board: Jerry provided an update regarding the Upper Sheyenne Joint Board's recent meeting. Benson County submitted a cost-share request to the Upper Sheyenne Board for \$2500; the City of VC also submitted a request for \$2500. The Upper Sheyenne Joint Board provided cost-share for improvements to Mill Dam in VC and could possibly provide cost-share for the Kathryn Dam, but Jerry was not sure if the Joint Board would provide cost-share for the City of Valley City since the city is not a member. At the meeting, Jerry moved to approve Valley City's cost-share, but the motion died for lack of a second. There Upper Sheyenne Joint Board also discussed a \$60,000 study. Jerry Hieb was elected Vice Chair of the Upper Sheyenne Joint Board.

Joint Griggs/Barnes County: Bret stated that there is not much going on other than they are waiting to hear back from the State Water Commission and the Corps of Engineers. They sent an application for permit to the Corps in November, then received a letter back asking for more information. The joint board provided additional information at the end of January.

Bills: Balance in account as of the end of February was \$96,133.69 and in the WRD Specials account the balance is close to \$25,000. The total amount of bills is \$156,738.59 which includes the dues for the Red River Joint which is \$88,685.00 (2016 & 2017). Motion by Olason, second by Fehr to pay all the bills except the Red River Joint. Roll call vote. Motion passed.

There was more discussion regarding the bills. The board questions whether or not the Thordenskjold & Stewart Drain bills have come out of those drain funds (the "WR Specials" account) Mike recommended to the board that when someone new is hired for the secretary/treasurer position that they may want to have an audit done. Froelich said he will talk to Harold Rotunda, who does the auditing for the county, to have him come in and conduct a WRD audit under the county's contract with Harold.

Moore Engineering has been asked by other Water Resource Districts about becoming the engineer for their districts and Mike asked if he could get a recommendation letter from the BC WRD board. Jerry said he will do that for him.

Meeting adjourned at 11:10 A.M.

Respectfully submitted,

Jessica Jenrich

Acting Secretary/Treasurer
Barnes County Water Resource Board

