

Barnes County Water Resource District

PO Box 306

Valley City, ND 58072

701-845-8508

August 14<sup>th</sup>, 2017

**MEETING MINUTES**

**MEMBERS PRESENT:** Managers- Bret Fehr, Shaun Olauson, Dale Jorissen, Bruce Anderson, Chairman Jerry Hieb, Mike Opat-Moore Engineering, Sean Fredricks-Ohnstad Twichell

Also Present: See attached List

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

Manager Olauson made motion to approve the minutes from July 10<sup>th</sup>, 2017 meeting. Manager Jorissen seconded the motion. Motion carried, minutes approved.

**OLD BUSINESS**

**Hobart Lake:** Mr. Opat started discussion with the bid opening held on August 8, there were four bids properly submitted and the apparent low bidder is Excavation Services & Aggregate(ES&A) out of Jamestown ND. He went on to explain the price of pipe has come down and hungry contractors made for a good bid number. Next in discussion was the permit for the project, an extension is needed and must be agreed upon by the State and WRD. Motion to extend the permit for the Hobart Lake Outlet Project was made by Manager Anderson. Seconded by Manager Olauson. Upon roll call vote motion carried unanimously. Board asked Mr. Fredricks to draft a letter for the extension of the project to submit to the State. Mr. Bjornson asked when, and if ES&A will be doing the boring for the project? Mr. Opat stated that the boring is part of the bid, whether ES&A does it or they subcontract we don't know right now. That will be discussed at the pre-construction meeting, Mr. Bjornson will be in attendance for any questions regarding logistics and track details with the elevators. Commissioner Froelich requested Mr. Opat to email commissioners when the meeting is scheduled.

Chairman Hieb discussed the fence issue with Mark Swanberg. Water follows the right of way fence line, we have permission from the state to go around the culverts. Mr. Swanberg gave an estimate for his fence. After discussion, Manager Anderson made a motion to pay Mark Swanberg up to \$1,200 (for materials) to move his fence with written agreement. Seconded by Manager Jorissen. Upon roll call vote motion carried unanimously. Jerry will talk with Mr. Swanberg and keep in touch with Mr. Fredricks for the agreement.

More discussion on the bids for Hobart Lake Outlet Project. Manager Fehr made a motion to award a construction contract to Excavation Services & Aggregate and to authorize Chairman

Hieb to sign the construction contract, along with a notice to proceed. Seconded by Manager Jorissen. Upon roll call vote motion carried unanimously.

**Kathryn Dam-update:** Mr. Opat stated that there is nothing new as of last month, our design phase has been approved. Beings there are new members on SWC our previous application has been resubmitted, and should go in front of the commission again. Awaiting a memo from the State. Manager Anderson made a motion for Secretary Manson to contact Beth Nangare with SWC and request that Kathryn Dam be pushed to their October meeting, also to reach out to the Industrial Commission to find out our status. Seconded by Manager Olauson. Upon roll call vote motion carried unanimously.

**Legal Drain II – Ditch Block:** Chairman Hieb is still working with Mr. Praska on this.

**Edna Township-Water Issues:** Manager Jorissen explained that Mr. Jewett had made a request to the township to lower the culverts. The township wants to know where the water will end up before they will even consider lowering the culverts. Moore Engineering will run off larger maps of the area to show everything east, this is tabled until the next meeting.;

**Barnes/Griggs Joint Board:** Manager Fehr reported that KLJ got back to him after the last meeting. KLJ stated it would roughly cost a little over \$5,000 for the assessment. Mr. Mutschler asked Manager Fehr exactly what KLJ was asked to do? The Corps requested a wetland assessment channel. This brought questions of talk of possibly bypassing some landowner's and would that change the path of the drain, would it change the placement of the control structure? Discussion on the current control structure, which is just a culvert block in the ditch. Mr. Mutschler pointed out that if the slough is not going to be drained, look at what it will do to Lee Rose's farmstead. Manager Jorissen expressed concerns with this project, we have done nothing but pay bills and not move any dirt. Discussion on moving forward with project or ending it. It was mentioned to come up with a timeline for this project at the Joint Board, then present that to the BCWRD. Chairman Hieb relayed that there is a Joint Board for these issues, and they can be discussed at the Joint Board meeting.

**Hwy 32 Drainage-John Triebold:** Secretary Manson contacted Mr. Triebold, he stated he has not heard anything back from the state. Neither has the WRD, still pending.

**10 Mile Lake:** Manager Jorissen read the text from Paul Abrahamson stating the water elevations are 1431.2 msl, and on 07/06/2017 it was 1431.8 msl.

**Snagging/Clearing-update:** Manager Anderson read through an article that was sent from the SWC. There was discussion on Sheyenne River banks, and that bank stabilization issues will have top priority. Commissioner Berntson commented that the county is more concerned with bank stabilization right now, Commissioner Froelich said he would personally have a hard time putting money towards snag/clear right now.

**Water issue Eckelson- Schwehr/Legge:** The board read over the note and maps that Mr. Legge had dropped off, Mr. Schwehr was present to discuss this issue with the board. Water is still not draining, spraying the cattails is first on the plan. But the culverts to the north are holding back the water, they are township culverts on the road just NW of Gerntholz's. Discussion on if this is

a township issue Mr. Schwehr stated there are problems with the township, and with trying to get anything done. Manager Anderson suggested that the farmers get their private cattail spraying done, also talk with Kurt T. (USFWS) to see if he had any suggestions on how to help with this. Mr. Schwehr asked to keep this on the agenda.

Manager Anderson talked with Mr. Schwehr about when the Legal Drains get sprayed, all private spraying will be arranged by the farmer and paid by the farmer.

**Legal Drains-cattail spraying:** Discussion on the two bids we got for the spraying of Legal Drains. Motion to hire Larson Helicopters (Mike Larson) for the cattail spraying of Legal Drains and to have Secretary Manson contact him, also to have his contact information available for the area farmers made by Manager Jorissen. Seconded by Manager Olauson. Upon roll call vote motion carried unanimously.

## **NEW BUSINESS**

**John Svenningson complaint:** Mr. Svenningson brought his complaint along with photos to discuss with the board. Trees are holding water back from draining in a natural water course, but because of farming up against it and all the trees breaking down water won't drain through. With the trees falling over and the grass growing over it is blocking the water flow. It was asked if Mr. Svenningson has talked with the landowner, he stated he has no way of getting in contact with them. He has talked with the people who rent and farm the land, but they have not responded to him in the last three months. Mr. Svenningson has talked to the township, they are not pushing the issue and said to talk with the land owner's. Mr. Fredricks explained that if there is natural build up then the landowner is not negligent, if a natural water course is purposefully being obstructed the township can have some authority in their right of way. Discussion on the township road and the culvert, water comes from Noltimier and flows to Getchell townships then to a slough. Manager Jorissen suggested going to the tax department at the courthouse to get the landowner's address, send him a certified letter along with map and photos. Explain to him that you want to work with him to get this done, also check with state's attorney to see what jurisdiction and rights the township have. Keep on the agenda and have Mr. Svenningson report back to us.

**Neil Amann-spoil piles:** Mr. Amann handed out maps to board members, he went on to explain that years ago, the WRD put in three culverts on county road one that went through his CRP. He stated WRD made this mess and left the spoil piles, he wants the spoil piles leveled off along with the frontage road cleaned up. He also requested a Texas crossing be put in. After lengthy discussion about the past, if there was an agreement with the state involving culverts and clean out. The question came up is the WRD liable to pay for any maintenance that goes with this issue? More discussion on who is paying for this? The board then requested an estimate for the Texas crossing and culverts before any work be done. Manager Jorissen made the motion to smooth off spoil piles *in a onetime deal* from the WRD. Seconded by Manager Anderson. Upon roll call vote motion carried unanimously.

Some discussion with Mr. Fredricks on the new drainage regulations.

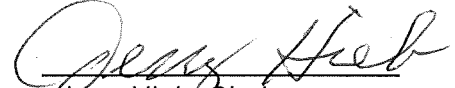
Commissioner Froelich stated that he had some concerns with the Hobart Lake Outlet Project, discussion on overages during phase one that were unexpected. Mr. Opat stated that with the construction bid being what it is, this does help a lot.

Mr. Opat had nothing else for the engineer report, Mr. Fredricks had nothing else for legal report.

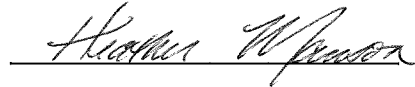
**Bills:** Motion to pay bills with the addition of the Times Record and Litchville Bulletin bills made by Manager Olauson. Seconded by Manager Jorissen. Upon roll call vote motion carried unanimously.

Meeting adjourned at 11:30 A.M.

APPROVE:

  
Jerry Hieb, Chairman

ATTEST:



Heather Manson  
Secretary-Treasurer

Barnes County Water Resource District  
PO Box 306  
Valley City, ND. 58072

August 14<sup>th</sup>, 2017  
Meeting Attendance

PLEASE SIGN IN BELOW

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Avoid Winkler

Rodger Berntson

Donald Jorissen

Jalen Schuecker

Harold Gross

Ed Thom

Ann Marie Thom

Dave Mutschler

Darren Bjornson

Neil J. C.

John Swearingen

Tom Olson

Joen Trueler