

Barnes County Water Resource District

PO Box 306

Valley City, ND 58072

701-845-8508

January 8th, 2018

MEETING MINUTES

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

Also Present: See attached List

Chairman Hieb called the meeting to order at 9:07a.m. He then turned the meeting over to Secretary Manson who asked for nominations for Chair. Manager Anderson nominated Jerry Hieb for Chairman, Secretary Manson called for any other nominations. Manager Anderson moved to cast a unanimous nomination for Jerry Hieb for Chairman. Seconded by Manager Fehr, upon roll call vote motion carried unanimously. Then Chairman Hieb asked for nominations for Vice Chair. Manager Olauson nominated Bruce Anderson, Chairman Hieb called for any other nominations for Vice Chair. Seconded by Manager Fehr, upon roll call vote motion carried unanimously. Chairman Hieb also asked for nominations for Secretary/Treasurer. Manager Fehr nominated Heather Manson, Chairman Hieb called for any other nominations. Manager Anderson moved that we cast a unanimous ballot for Heather Manson as Secretary/Treasurer. Upon roll call vote motion carried unanimously.

There was discussion on the portfolio holders, Commissioner Froelich had stated that Manager Jorissen had put in a letter of resignation effective January 1, 2018. It was decided to table the portfolios until the February meeting, they will stay as they are now and be decided with the new board member.

Manager Olauson made a motion to approve the minutes from the December 11th, 2017 meeting. Seconded by Manager Anderson. Motion carried. Minutes approved.

Next were the 2018 meeting dates, all being the second Monday of each month except for November that meeting will be on Tuesday. Manager Fehr made a motion to approve the meeting calendar for 2018 as presented. Seconded by Manager Olauson. Upon roll call vote motion carried unanimously.

OLD BUSINESS

Hobart Lake: Mr. Opat presented to the board a pay application to consider, then gave an update on the project. In the pay application, the contractor is requesting payment for the borings, pipe they put in, some ditching, and for stored materials on hand. The first pay application presented is for \$221,978.59, the WRD per our contract have accessed liquidated damages worth \$13,000 due to Milestones not being reached. Mr. Opat recommended that for now hold on to the liquidated damage money, then deal with it at the end when everything is done. The contractor is done working for the winter, and will be back in the spring. Mr. Opat stated that the board can fill in the amount for payment, if they want to withhold the \$13,000. He also stated typically the pay applications are signed before presented to the board, the contractor has verbally agreed to this just has not signed it. He recommended we approve the pay application contingent on getting a signed version from the contractor, then submit for payment. There was small discussion on the pay application, then Manager Olauson with the assistance of Mr. Fredricks made the motion to approve application for payment #1 in the amount of \$208,978.59 which would exclude \$13,000 of liquidated damages contingent upon receipt of a signed application payment contract. Seconded by Manager Anderson, upon roll call vote motion carried unanimously. Mr. Fredricks will send a set-off notice and email a copy to the board, Mr. Opat will work on getting the contractors signature.

Mr. Winkler was asked by Secretary Manson to bring his concern to the board. He asked who is responsible for something happening at the coffer dam on the West side of Old #10 because that is a snowmobile trail. There are signs out there, does the board consider that adequate? Chairman Hieb relayed that he believed the trail association wherever they go, they have insurance. The trail association puts the signs out and he believes the liability goes to the trail association.

Kathryn Dam-update: Mr. Opat and the board gave an overview of this proposed project to Mr. Matt Pedersen. They discussed how if nothing changes the board will wait till after the biennium to see if there is money left for this project. Mr. Pedersen was given copies of literature.

Chairman Hieb also brought up a discussion with Mr. Pedersen that the SWC gave the VC Little Dam to the WRD. The board would like to transfer ownership of the Dam back to the city of Valley City. They feel the city should have it beings it is within city limits, and it could possibly be tied together with the flood program. Also, the city might qualify for more grants regarding safety. Chairman Hieb and Manager Anderson are talking with the city about this.

Snagging/Clearing: The board and Mr. Opat gave Mr. Pedersen an overview of this project also, they discussed what has been completed and what the board would like to continue to do. Mr. Pedersen asked if there are local funds and there was some discussion on what has been done in the past with funding.

Legal Drain II – Ditch Block: still pending

Griggs/Barnes Joint Board: Manager Fehr stated the Griggs Board is still looking for a third member, and with Manager Jorissen's resignation we are down a guy also. Not sure if we are having a January meeting that is to be determined.

10 Mile Lake: Manager Anderson read an email from Paul Abrahamson stating these are the latest elevations for 10 Mile. Note no changes.

12/10/2017 from direct observation of Moore Engineering Elevation Marker at freeze-up was 1431.00 msl

11/07/2017 from the NDSWC Observation Well 142-060-10CCC-2 elevation was 1433.57 msl

This is the SWC last reading made for 2017.

NO CHANGES

Todd Wendel-Drain Tile Application: Manager Anderson and Mr. Fredricks noted that one downstream landowner was not notified, and no deed was given to the board. Mr. Fredricks relayed it would be in Mr. Wendel's best interest to send a notice, Secretary Manson will call Mr. Wendel to inform him another deed is needed.

NEW BUSINESS:

Robert Bruns-Drain Tile Application: Mr. Bruns was present for any discussion needed. Mr. Opat and Mr. Fredricks had questions regarding a NE ¼ parcel, it was suggested that a 30-day notice be sent to the landowner. Mr. Bruns will get the required information, he did ask how long the application is valid? Mr. Fredricks replied two years from the date of approval.

Memo to Townships: Mr. Fredricks gave an overview of the presentation he did at the convention in Bismarck. It is informational about culvert responsibilities, jurisdiction, and other drainage issues with township roads. Manager Anderson suggested putting this information in the packets for the Spring Township meeting.

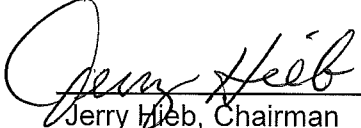
Engineer Report: There was discussion on the annual engineering contract. Mr. Opat stated that Moore Engineering's rates will stay the same, and if chosen an amendment can be done to the agreement. Manager Anderson made a motion to retain Moore Engineering as the engineering firm for the Barnes County Water Resource District. Seconded by Manager Fehr. Upon roll call vote motion carried unanimously.

Legal Report: Mr. Fredricks proposed a \$5 increase with his legal contract. Manager Fehr made a motion to retain Ohnstad Twichell as the legal firm for the Barnes County Water Resource District. Seconded by Manager Olauson. Upon roll call vote motion carried unanimously.


Bills: Manager Olauson made a motion to pay bills as printed. Seconded by Manager Anderson. Upon roll call vote motion carried unanimously.

Meeting adjourned at 11:00 am.

APPROVE:


Jerry Heib, Chairman

ATTEST:


Heather Manson
Secretary-Treasurer

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

January 8th, 2018
Meeting Attendance

PLEASE SIGN IN BELOW

John Traded - BC Comm

Arvid Winkler

Robert Buss

Harold Brown

Donald Jorissen

Kurt Tompkins

David Nantpeter