

Barnes County Water Resource District

PO Box 306

Valley City, ND 58072

701-845-8508

March 12th, 2018

MEETING MINUTES

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

ABSENT: Manager Scott Legge

Also Present: See attached List

Chairman Hieb called the meeting to order at 9:02a.m.

Manager Olauson made a motion to approve the minutes from the February 12th, 2018 meeting. Seconded by Manager Anderson. Motion carried. Minutes approved.

OLD BUSINESS

Hobart Lake: Mr. Opat stated that he did not have any updates. Mr. Fredricks stated that the Colville Right-of-way situation has not been decided on yet either, he has not heard anything from the judge. It was asked if the judge has a time limit for a decision, Mr. Fredricks stated no. Chairman Hieb had some communication with Mr. Lewis about his concerns with his contract. After much discussion, it was decided to meet with Mr. Lewis one more time to explain every single provision along with the modifications he has requested. Chairman Hieb stated one more meeting and then it's done, this costs us every time that this contract is being rewritten. Mr. Fredricks agreed.

Kathryn Dam: There was some discussion on the status of this project, and signing the OHF contract. An overview was given of the project so far, and that Karlene Fine has the authority to extend the agreement for up to a year without having to get approval from her board. Mr. Opat did state that there needs to be some decisions made on the project though. He suggested reaching out to Matt Pederson again, and find out if he has had any discussion or if there is a chance he will bring the project up for reconsideration. Or if he says this is what it is and it won't change, then we can at least decide on if we want to proceed or not. The SWC meets on April 12th.

Griggs/Barnes Joint Board: Manager Fehr relayed that there is now a full Joint Board, and the board is seeking outside council on some issues and possibly dissolving the project. Manager Olauson stated that if we are going to dissolve it, we are going to do that the right way. More discussion at the next meeting, there are some questions on some bills from Renaissance Eng. Next meeting is on March 19th.

10 Mile Lake: Manager Anderson stated he had not received an email for Mr. Abrahamson. Discussion from last meeting minutes it stated 1431.00 msl at freeze-up. It was directed to Secretary Manson to forward his email to the board members and Mr. Opat when it is received.

SWC 2019-2021 Biennium: Mr. Opat started the discussion by stating that the project forms are due March 23rd, today we need to finalize the project list. Discussion on the projects to submit. Kathryn Dam is already sort of approved but should submit again, Little Dam hopefully we can get that turned over to the city. Brown Dam (study) we should still submit that, Eckelson Lake for an outlet/detention type operation on that, 10 Mile Lake which at this point is stuck but it is still worth putting on the list. Silver Creek (study) and who should be the project sponsor, Manager Fehr stated have the Griggs/Barnes Joint Board on that one. Manager Olauson asked if it payed to put Snagging/Clearing on the list? Mr. Opat said yes, even though the legislature took snag/clear out as a potential cost share category. I believe the other boards we work with are doing the same as a means to show there is still a need for snagging/clearing. Mr. Opat has drafts filled out for all the projects discussed, Secretary Manson will submit them. Manager Fehr made a motion to accept the project list with the additions Mr. Opat presented, and submit them to SWC. Seconded by Manager Olauson. Upon roll call vote the motion carried unanimously.

Robert Bruns-Drain Tile Application: Mr. Bruns had called the office again and stated that he is continuing trying to work with the landowner. He will bring paperwork to the WRD office once he has it.

Commissioner Froelich had a statement regarding drain tile. He stated the zoning board passed a resolution to have a hearing at the next zoning meeting which is April 12th, to make drain tile a utility. After the hearing it will be brought to the Commission on April 17th to see whether it is approved or not. If it is approved the Commission will be requesting that the WRD inform whoever is coming in for drain tile to get a variance from the zoning board. This is for county and township roads, except for Eckelson Township who has their own zoning. On March 20th at the next Commission Meeting Commissioner Froelich will be putting on the agenda for discussion and possible approval that anyone doing any drain tiling will need a permit to drain into a county road, the township roads will be up to the townships. The reason we are doing this is because the state has taken the WRD authority away as far as what happens. Anyways, if it is approved by the Commission we will let you know, we will give you a draft of the permit and zoning regulations – it's not going to affect your board's decision it's just to inform the people so they don't go ahead and do it, then get slapped with a fine. Manager Anderson asked if the Commission has the authority to do this, Commissioner Froelich stated the States Attorney says we do – we don't do much without talking to the States Attorney first. Manager Anderson asked if the Commission wanted the WRD board in attendance at the next Commission meeting, he stated come if you want to.

LeRoy Triebold replied that he has been in this very room when he has heard Kerry Johnson (Highway Dept. Superintendent) say we can't be using ditches to run water, so this is a slippery slope we are going on. Commissioner Froelich replied that he has never heard that. He stated that they are looking at regulations that Cass Co. has, and their Highway Superintendent gives the authority and if it gets down to it, then the County Commissioners can overrule him. This isn't to stop drainage, it is to protect the taxpayers.

NEW BUSINESS

Legal Drain II: Manager Fehr stated the meeting went well, there were some questions and discussion on the 2017 minutes. Discussed the future maintenance plan, and using an engineering firm more often in the future for culverts to make sure it is done up to standards. He also presented the Maintenance Plan for the next 5 years.

Loren Alfson – Silver Creek: Mr. Alfson was not present, the board had some questions on bills that were received. Board directed Secretary Manson to get in touch with Mr. Alfson to see if he can make Monday's Joint meeting.

Chairman Hieb relayed some things from the Upper Sheyenne for new business. He talked about the study on the condition of the Sheyenne River, and that our interest is how the Sheyenne River looks where it hasn't had increased drainage, and how does it look after? To see if there are parts of the river system that have more erosion than others. He also stated there are going to be meetings throughout this area for public input. The Annual Flood Report for the Sheyenne River meeting is on March 21st at the Valley City Eagles Club at 9:00 am, the board should attend.

Lee Cook with Excavation Services & Aggregate was in attendance, he is the contractor with the Hobart Lake Outlet Project. He stated he will be at every meeting if there are any questions that the board has that need to be answered. He discussed some of the process of installing the pipe, a lot of the issue was related to the weather conditions. Some days it was 40-50 degrees and the next day the wind chill would be below zero, obviously going into the spring that will change. He feels they (ESA) made a tremendous effort in pushing forward with the project, and they are committed to getting going this spring as soon as the weather allows it. Mr. Cook's hope is to finish this project strong and get it done, then the board will re-visit the issue of the liquidated damages at the end of the project.

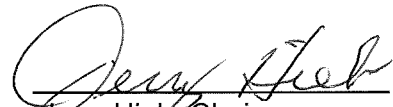
Engineer Report: Mr. Opat brought a map of Eckelson Lake and landowners for Manager Legge. The other thought was regarding the agenda, he suggested a draft agenda be sent for any additions to be made – then a final agenda be presented.

Legal Report: Mr. Fredricks stated he had nothing else to add.

Bills: Manager Anderson made a motion to pay bills as presented except for Ren. Engineering, the board wants clarification on those bills. Seconded by Manager Fehr. Upon roll call vote motion carried unanimously.

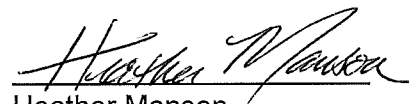
Meeting adjourned at 10:00 am.

APPROVE:



Jerry Hieb, Chairman

ATTEST:



Heather Manson
Secretary-Treasurer

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

March 12th, 2018
Meeting Attendance

PLEASE SIGN IN BELOW

~~Harold Brown~~

Joel Francis

Donald Grisser

LeRoy (nebold)

David Winkler