

Barnes County Water Resource District

PO Box 306

Valley City, ND 58072

701-845-8508

April 9<sup>th</sup>, 2018

## MEETING MINUTES

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

Also Present: See attached List

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

Manager Olauson made a motion to approve the minutes from the March 12<sup>th</sup>, 2018 meeting. Seconded by Manager Fehr. Motion carried. Minutes approved as presented.

## OLD BUSINESS

**Hobart Lake:** Mr. Opat started the discussion stating obviously we were hoping we'd be moving some material out there, but mother nature is not cooperating so we will have to wait and see how that goes. Mr. Opat was at the last County Commission Meeting and stated he had a good discussion with the Commissioners about the Hobart Project, he discussed the history and timeline along with the permit issue. He relayed that we will keep the Commissioners posted on the status of the project and will have a discussion at the end once it is completed.

**Kathryn Dam:** Chairman Hieb stated that he hasn't had a chance to talk with Matt P. Mr. Opat relayed that the SWC meets this week, it would be helpful if someone could get in touch with him. The Outdoor Heritage Funds are not going to be there forever, at some point the board must make a decision on how they want to proceed. The SWC currently considers the rock weirs recreational so it is at a lower priority level, we would like them to consider the construction of the rock weirs to be part of the dam safety component instead.

**Griggs/Barnes Joint Board:** Manager Fehr stated that there is a meeting on Monday April 16<sup>th</sup>, mailings have been sent out to landowners to notify them of meeting on the possible dissolution of the project. At this point the current plan is not viable, Manager Fred Lukens has been in contact with the SWC about the possibility of have a rep attend the meeting. Mr. Mutschler asked if the plan is to keep the Joint Board going? Chairman Hieb stated yes. Mr. Mutschler then asked if the Joint Board plans to hire/appoint Mr. Sean Fedricks or Moore Engineering? Manager Fehr

stated that we haven't decided that at this point, it's in discussion right now and we are looking at our options.

**10 Mile Lake:** Manager Anderson read the email from Mr. Abrahamson stating... Please note there is NO CHANGE in 10 Mile elevation which was 1431.00 msl at freeze-up.

**SWC 2019-2021 Biennium:** Manager Anderson read the confirmation email that the Project Planning Forms have been received.

**Robert Bruns-Drain Tile Application:** Mr. Bruns was in attendance and stated that he is still working on an easement with the neighboring landowner. He did state that he is leaning towards a new tile plan with a different contractor, and brought in some preliminary plans. There was discussion with the board, along with Mr. Opat and Mr. Fredricks – then it was decided that the safest thing would be to get the new information and to go from there. This will stay on the agenda for next month.

Chairman Hieb asked Commissioner Froelich to discuss the County's new Drainage/Ditch Cleaning Permit Application.

Commissioner Froelich stated that the zoning board is having a meeting to decide if drain tile will be considered a utility. That means if it is closer than 75 feet to the center of the road, whether it is a county or township road you will need a variance from the zoning board. Century Code says that for a utility we can require you to go back 75 feet without getting a variance. If we give you a variance then we will ask for the landowners to sign an agreement with the county, that if drain tile should be moved because of road work the landowner that has the drain tile would be responsible for the cost of moving that tile. Chairman Hieb asked if Eckelson twp must follow this, being they have their own zoning authority. Commissioner Froelich stated yes. He relayed that the county is not against drain tiling, this is to protect the taxpayers.

Mr. Fredricks stated that the ND Water Resource District Assoc. is drafting a tile bill, at the next session they may need somebody from counties or townships to testify on the bill. He is sending Commissioner Froelich a draft bill for him and the highway superintendent to consider. This bill being drafted, will hopefully give the WRD the ability to again require the condition of road authorities being notified of water being discharged into county ditches.

Commissioner Froelich also stated that the County Commissioners approved a drainage/ditch cleaning permit. Anyone who is going to discharge water into a Barnes County road ditch will need to get a permit from the Highway Dept., which it will then go to the Commission for approval. The Commission appreciates if the WRD would inform people that they need to fill this out and get approval. Mr. Fredricks stated he can add this application to the WRD forms it would not be considered a condition, but send a copy out with every permit application the WRD approves. We can add it to WRD forms and make sure it goes out, but it is informational and not a WRD policy. Manager Anderson made a motion to direct Mr. Fredricks to add the language that any applicant discharging water into a County ditch must have permission from the County to do it. Also, to include a copy of the Highway permit in our application. Seconded by Manager Legge. Upon roll call vote, motion carried unanimously.

## **NEW BUSINESS**

**Eckelson Lake:** Manager Legge and Mr. Opat will get together to get an idea of what is looking to be done, then Mr. Opat can scope it out and put a budget to it. Manager Legge did ask how much money the farmers would have to contribute, and the estimated cost of project? Mr. Opat explained there are a lot of variables and it boils down to what the board decides to do.

**Little Dam:** Chairman Hieb stated that nothing has transpired, he and Manager Anderson will meet with VC Mayor and the City Manager.

**Upper Sheyenne Joint & Flood Meeting:** Chairman Hieb and Manager Olauson attended this meeting at the Eagles Club, Chairman Hieb stated that the meeting was very interesting. There was discussion on the lowering of the lake and river, along with temperatures and potential weather coming. Manager Anderson asked if there was discussion on erosion studies? Chairman Hieb relayed that there are currently 12 sites that are being checked, there now has been 4 sites added to this from Ashtabula up to the beginning of the Sheyenne River.

**Commission Report-County Drainage Appl:** Commissioner Froelich wanted to add, the hearing on making tile a utility is on April 12<sup>th</sup> if anybody wants to come they are welcome. If it is approved at the zoning meeting, it will then go to the Commission at the next meeting for their approval. He stated it would be good to have a couple members from the WRD board in attendance at these meetings. He also stated that he appreciated Mr. Opat coming to the last Commission Meeting to discuss the cost overrun of Hobart Lake, Mr. Opat provided very helpful information.

**Cattail Spray – Legal Drain II:** It is stated on the Legal Drain II maintenance plan to spray cattails in the fall for 2018. Manager Legge stated the advisory board wants to see how well this last spray took, and what the width of the coverage is. They do not want it to get too wide in the channel, the advisory board will contact the WRD if they want the drain sprayed this fall.

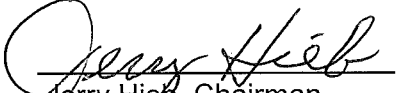
**Engineer Report:** Mr. Opat stated he had nothing else to report.

**Legal Report:** Mr. Fredricks stated he is working on some legislative items, and is thinking a potential June meeting to invite the legislators from our district to talk with them. He will keep in touch on this. Also, we received a favorable order from the judge regarding the Colville motion. The judge dismissed Mr. Colville's motion to dismiss, we can proceed with the eminent domain action and Mr. Fredricks will try working with Mr. Colville's counsel for a possible resolution.

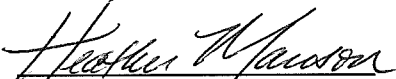
**Bills:** Manager Anderson made a motion to pay bills as presented with the addition of Klubben Exc. Seconded by Manager Fehr. Upon roll call vote motion carried unanimously.

Meeting adjourned at 10:17 am.

APPROVE:

  
Jerry Hieb, Chairman

ATTEST:

  
Heather Manson  
Secretary-Treasurer

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

April 9<sup>th</sup>, 2018  
Meeting Attendance

PLEASE SIGN IN BELOW

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Scott Rogers  
Gwen Franklin

Donald Jorissen

~~W. A. [unclear]~~

Arvid Winkler

Harold Bross

Robert Bruy

KURT TOMPKINS