

Barnes County Water Resource District

PO Box 306

Valley City, ND 58072

701-845-8508

September 10, 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 9:08 a.m.

There was discussion on the August 13<sup>th</sup>, 2018 minutes. Manager Anderson made a motion to approve the minutes with the corrections that were discussed. Seconded by Manager Fehr. Motion carried, minutes approved with corrections stated.

## OLD BUSINESS

**Hobart Lake:** Chairman Hieb asked Beth D. (ESA) if she had an update, she stated that they are doing the two culverts on the 114<sup>th</sup> site now and then they have some concreting to do on the small dam. After that they will be moving to 34<sup>th</sup>, she is hoping by Friday they will be ready for the punch list. Then Chairman Hieb asked Mr. Opat if he had anything to add, he stated that ESA has submitted pay application #6. The total amount of work on the pay application was \$63,230.51 the WRD is still retaining just over 5% on contract which is around \$18,000. Of that \$63,230.51 when you consider the liquidated damages amount total from the start of the project that amount is \$56,000 – so when you subtract that from the amount submitted we think it would be appropriate to entertain a motion on the payment amount of \$7,230.51. Manager Legge made the motion to pay ESA in the amount of \$7,230.51. Seconded by Manager Olauson. Upon roll call vote, the motion carried unanimously.

Manager Anderson suggested to Beth D. that the rural crossings should be done before the dam work or seeding of the channel. He stated that harvest is coming, and both of those roads get used a lot and some landowners have brought this concern to him.

Mr. Opat also stated that the water quality testing is all lined up and ready to go. He mentioned that Mr. Hassell thought it might be possible to pre-pay that and submit it into FEMA and see if they would cover it. He asked if that is something the board would consider? Manager Fehr asked what that amount would be, Mr. Opat thought that a year is what the board would have a chance on getting and that total is around \$6,200. Chairman Hieb relayed it is worth a try.

Manager Legge made the motion to pre-pay the water quality testing at the risk of FEMA covering it. Seconded by Manager Fehr. Upon roll call vote, the motion carried unanimously.

Mr. Opat also reported to the board that the state approved the O&M Plan, everything is done with that and ready to go. One thing the state pointed out, was if anything changes in terms of operation they need to be notified so the permit can be modified to reflect any changes.

There was discussion on when ESA completes the project what is the next step of the WRD. Mr. Opat explained testing needs to be done to make sure parameters are met, operation can begin when it is substantially complete. Then we come to an agreement with the contractor on which points of the operation we (WRD) are going to take over, then there is a decision on the punch list and the amount of time given for ESA to finish the punch list. Manager Anderson asked if the seeding of the channel must be done before we open the valve? Mr. Opat stated the board is going to have to decide on that, he relayed that typically you do not pay them until all the seeding is established. If the board is going to start running water down it that may change things, that is an understanding the board needs to come to with the contractor under his warranty. It was discussed to keep an eye on it, then decide who is going to be responsible if it washes out.

Manager Fehr brought up a concern of a landowner by the North side of the RR tracks, they are wondering if the RR will allow water to run under the tracks once water starts to run? Why does the RR have water backed up on the North side? Chairman Hieb relayed that there should be an equalizer culvert there, Mr. Opat thought that was an issue we had no jurisdiction with. Manager Fehr asked if a water sample needs to be done now? Mr. Opat stated yes, before we operate it and he will get that scheduled.

Manager Anderson is going to get Mr. Miller's signature for the Field Order regarding spoil piles to be placed on his property. Manager Anderson will get that paperwork to Mr. Hassell.

There was some discussion on the DOT project along Interstate 94.

**Kathryn Dam:** Mike Opat said there is not much new to report. Outdoor Heritage Fund has asked for an update, he has sent them the new numbers. He stated they are moving forward with the design team now.

**Griggs/Barnes Joint Board:** Manager Fehr reported that they have approved the engineer contract and authorized a preliminary plan. There was a meeting amongst landowners and they are doing a wetland delineation on Rose Slough, the landowners are going to pay for this. Chairman Hieb asked if the board is going to go with the new route that has been proposed? Manager Fehr said that it is a possibility, we are waiting for the completion of the delineation and Dahl Consultants are going to put together a couple plans to look over.

**10 Mile Lake:** Manager Anderson stated he has not received an email yet from Mr. Abrahamson, and that he would imagine with no big rains it has evaporated more and gone down.

**VC Little Dam:** Chairman Hieb reported that he met with the Mayor of VC and city administrator. He stated the only way the city would take ownership of the dam is if the WRD participated in fixing it, preferably putting down rock below the dam. Both agreed that dam safety is the most important thing, Chairman Hieb gave them paperwork to review and will meet again to discuss.

**Snagging/Clearing – Eckelson Lake:** Manager Legge stated that it has been sprayed and we will see how that takes. Otherwise, nothing new to report.

**Engineer Services Selection:** Mr. Fredricks stated that the board needs to approve the Final Report, then Secretary Manson can send off the notices. What has been done previously is approve an extension with our current agreement. Manager Fehr made the motion to approve the Final Report along with the extension of our current agreement with Moore Eng. Seconded by Manager Olason. Upon roll call vote, motion carried unanimously.

**Cattail Spray-Legal Drain II:** Manager Legge reported that both drains have been sprayed.

**Road Report – Stewart/Anderson Twp:** Manager Anderson talked with George Piatz, and Mr. Piatz will be getting in touch with Pete Paulson. Mr. Piatz is upset that the WRD is not going to pay for all the work being done to the twp road, beings the water from Legal Drain II is causing the issue. During the last meeting the board voted to pay ½ of the bill. They agreed to stay with this option, if the township disagrees there can be more discussion on this once a bill is presented. Manager Anderson will wait to hear from Mr. Piatz or Mr. Paulson.

## **NEW BUSINESS**

**Dams owned by BCWRD:** Mr. Opat handed out a list of the dams in Barnes County that are owned by the WRD, there was discussion on which dams to turn over to the landowners. Mr. Fredricks relayed to the board if they are going to convey ownership you must have an agreement with the landowners and the state. Mr. Opat suggested to go through the process to get some off this list, Chairman Hieb stated if we do this we should transfer ownership to as many as we can that are stock dams and let the landowners be responsible. Mr. Opat asked the board if they would like him to map out the dams they own to see who the property owners are? Manager Anderson made the motion to have Moore Eng. map out the dams that BCWRD own. Seconded by Manager Fehr. Upon roll call vote, the motion carried unanimously.

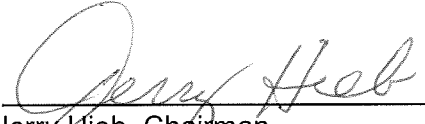
**Engineer Report and Legal Report:** Neither Mr. Opat nor Mr. Fredricks had any additional items to report.

Chairman Hieb asked if with the Griggs-Barnes Joint Board if there is an agreement as to how the board progresses? This led to some discussion on the spending habits of the board in the past, Manager Legge said they are going to spend some money on the preliminary plan. This led to discussion on some concerns with the project development of Silver Creek.

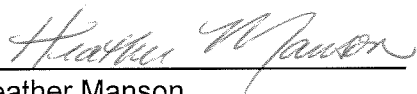
**Bills:** Manager Anderson made the motion to pay the bills with the addition of ESA for \$7,230.51. Seconded by Manager Legge. Upon roll call vote, the motion carried unanimously.

There being no further business to discuss, the meeting was adjourned at 10:30 a.m.

APPROVE:

  
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Jerry Hieb, Chairman

ATTEST:

  
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Heather Manson  
Secretary-Treasurer

Barnes County Water Resource District

PO Box 306

Valley City, ND 58072

September 10<sup>th</sup>, 2018

Meeting Attendance

PLEASE SIGN IN BELOW

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Avoid Winkler

Kurt Tompkins FWS

Bob Dooly, SSA