

Barnes County Water Resource District

PO Box 306

Valley City, ND 58072

701-845-8508

December 10th, 2018

MEETING MINUTES

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

Also Present: See attached List

Chairman Hieb called the meeting to order at 9:20 a.m.

Manager Fehr made the motion to approve the November 13, 2018 minutes. Seconded by Manager Legge. Motion carried, minutes were approved.

OLD BUSINESS

Hobart Lake: Mr. Opat discussed the contract for MNVTL, he stated they were the cheapest and have been doing the testing so far. The thought was to basically retain them ahead of time to do the testing for the next couple years, then submit that as a cost to FEMA. Manager Legge made the motion to keep MNVTL to continue testing for the next couple years. Seconded by Manager Anderson. Upon roll call vote, the motion carried unanimously. Mr. Opat stated next, we should close this project out he handed out a cost update based on what we know to date. He reported with the recent decision to settle with Colville that added cost there, and the added cost of Moore Eng. time with being on job site with ESA the cost exceeds the budget. Mr. Hassell talked with Justin Messner at the state level, he suggested to submit a request for additional funds. After more discussion, Manager Legge made a motion to ask for additional funds from FEMA. Seconded by Manager Fehr. Upon roll call vote, the motion carried unanimously. Chairman Hieb stated that all the paperwork is in except for the two elevators, he asked can we close out this project with FEMA if the elevators are still pending payment? Mr. Opat and Mr. Fredricks stated they did not know how FEMA would respond to that, Mr. Opat will check into this.

Chairman Hieb mentioned the Colville situation that transpired, it came about that there was another situation regarding a clear title issue with some land that was sold by Mr. Colville. Mr. Fredricks has been working with the landowners legal and this has been finalized, Chairman Hieb asked for the boards thoughts on if the WRD should pay this expense the landowners incurred?

The board agreed, Manager Fehr made the motion to add \$70.00 to Mr. Sjostrom's easement, and \$585.00 to Josh and Tristan Johnson's easement. Seconded by Manager Legge. Upon roll call vote, the motion carried unanimously.

Mr. Opat relayed to the board there are some issues of supplier and subcontractors from ESA that have not been paid. Moore Eng. has been contacted by a couple who have not been paid, Mr. Fredricks stated they have not filed claims on the contractor's bond yet. He also stated that under obligation we have given notice to Surety, it was asked how much involvement will be needed from Mr. Opat and Mr. Fredricks? Mr. Fredricks stated we are not going to litigate but there will be minimal involvement.

Kathryn Dam: Mr. Opat gave an update, he stated that Barr Eng. has the fieldwork done. He has been working on the contract between the WRD and Moore Eng. to get that in place going forward with final design & construction. He stated when putting things together and the uniqueness of this project, we are noticing costs we don't normally incur. He stated the engineering number will be higher than what was in the submittals for funding, there are contingency funds and we ultimately won't know anything until this is bid out. Mr. Opat will have a Task Order for review at the next meeting.

Griggs/Barnes Joint Board: Manager Fehr reported that Dahl Consultants, Inc. is putting together a Cost Proposal, it was discussed to contact Stutsman Co. WRD to get their thoughts they are included in the whole watershed. There was also discussion on cost estimates for a channel cleanout at the very beginning bottom end, this is by Dan Wogsland property and the permitting process.

10 Mile Lake: Manager Anderson read the email from Paul Abrahamson....

There is no change since the **11/9/2018** from direct observation of the Moore Engineering Elevation Marker which was **1430.8** msl and represents **5403.49** acre feet at **freeze up**.

No further readings are posted on the NDSWC Observation Well 142-060-10CCC-2, which on 11/07/2018 was **1434.21 msl**.

Date	Elevation (msl)	Change (ft)
2018/08/14	1433.84	
2018/09/11	1433.93	.11
2018-10-16	1434.11	.18
2018-11-07	1434.21	.10

Please note from the Hydrograph that the 2018 11 09 point measurement of the Spiritwood Aquifer is near the 2011 historic high.

VC Little Dam: Chairman Hieb had nothing new to report from the last meeting.

Dams owned by BCWRD: Chairman Hieb started discussion and gave an overview, he asked how do we officially give these dams back to the landowners? How do we get the SWC to grant this transfer of ownership? Mr. Fredricks explained we have two options... one is if the landowners have some kind of record/documentation, they can provide the WRD with copies of the documents and we can convey these to the state. Another option is, have a fairly brief agreement between the WRD and the landowners then provide a copy to the SWC. He stated we would need to provide copies of abstracts or any kind of agreements with NRCS. After more discussion, Manager Anderson made the motion to have Mr. Fredricks go forward with drawing up an agreement to mail to the landowners. Seconded by Manager Legge. Upon roll call vote, the motion carried unanimously.

NEW BUSINESS

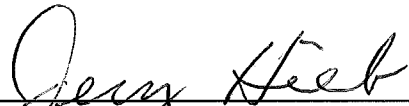
Moore Eng.-Agreement Extension: Mr. Fredricks relayed to the board we have concluded the engineering selection process, if the board chooses they can approve this amendment to extend our current agreement for three years. Manager Fehr made the motion to sign the extension of our current agreement with Moore Engineering. Seconded by Manager Anderson. Upon roll call vote, the motion carried unanimously.

Engineer Report & Legal Report: Neither Mr. Opat or Mr. Fredricks had anything else to report.

Bills: Manager Fehr made the motion to pay the bills as presented. Seconded by Manager Legge. Upon roll call vote, the motion carried unanimously.

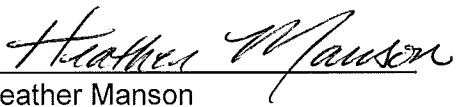
There being no further business to discuss, the meeting was adjourned at 10:10 a.m.

APPROVE:



Jerry Hieb, Chairman

ATTEST:



Heather Manson
Secretary-Treasurer

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

December 10th, 2018
Meeting Attendance

PLEASE SIGN IN BELOW

LeRoy Trebold
Shawn Olson
Arist Winbler