

Barnes County Water Resource District

PO Box 306

Valley City, ND 58072

701-845-8508

March 11<sup>th</sup>, 2019

## MEETING MINUTES

**MEMBERS PRESENT:** Chairman Jerry Hieb, Managers – Bret Fehr, Daniel Buttke, Bruce Anderson, Mike Opat - Moore Engineering, Sean Fredricks – Ohnstad Twichell, Commissioner John Froelich

**ABSENT:** Manager Scott Legge

Also Present: See attached List

Chairman Hieb called the meeting to order at 9:07 a.m.

Manager Fehr made the motion to approve the February 11<sup>th</sup>, 2019 minutes. Seconded by Manager Anderson. Motion carried, minutes approved.

## OLD BUSINESS

**Hobart Lake:** Mr. Fredricks reported finally all the ROW and closings are done. Manager Anderson asked about the status of the extension request to FEMA for additional funds. Mr. Opat explained we are still waiting to hear back from them, we are continuing to submit bills into their system and they are still processing. Hopefully by the next meeting we will have an answer.

The discussion led to snowfall amounts, then Mr. Fredricks asked what Sanborn Lake looks like right now? Manager Anderson said he hasn't looked since last fall and then the ditch leading up to there possibly had 4ft of water, he said with this spring melt it may get interesting. Mr. Fredricks suggested we may need to apply for an emergency permit, per our agreement with BNSF so it doesn't flood the tracks. Manager Anderson agreed we will have a lot of melt runoff going into there and it will be an issue. There was discussion when to apply for the emergency permit, Chairman Hieb stated the Upper Sheyenne flood report will be out on March 20<sup>th</sup> we will have an idea of what to expect. Mr. Fredricks agreed then explained after that meeting we will have a sense of what is going to happen and should be prepared to have a quick special meeting to discuss and go forward with applying for an emergency permit if we feel there is going to be an issue. Manager Anderson asked if we can give the SWC a heads up, so we don't blindsides them if this hits? Mr. Fredricks said the more advance notice you give them the better.

It was suggested to put Sanborn Lake on the next agenda and discuss working with downstream landowners on a permanent ROW, something long term needs to get figured out. After more discussion Manager Fehr made a motion to authorize Mike O. to notify the State that a possibly emergency permit for Sanborn Lake could be coming. Seconded by Manager Anderson. Upon roll call vote, the motion carried unanimously.

Chairman Hieb mentioned having a drone fly over the Sanborn drain to have video footage of the area. Mike O. agreed, he explained it can be presented on the white board then everyone can be on the same page.

**Kathryn Dam:** Manager Anderson mentioned that Scott Cummings is going to be taking out about 3-4 miles of trees east of Hastings, we can contact him if we can use these trees for the root balls in the project. Mr. Opat stated that it is nice that it is so close to the project site, hopefully we will be able to use some of them, Mr. Opat will get in touch with him. He also explained that at this point the key things are landowner access and ROW. He suggested setting up a few meetings with landowners to make sure they are both okay with what is proposed with the project, also access and where we can and can't store things. Chairman Hieb and Mr. Opat will work on meeting with Todd Tangen and Paul Wadeson.

**Griggs/Barnes Joint Board:** Manager Fehr reported that nothing has changed since the last meeting, there is a meeting scheduled for March 18<sup>th</sup> at 9 a.m.

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

**Dams owned by BCWRD:** Mr. Fredricks explained that we are still waiting to hear back from the State.

**Eckelson Lake:** Mr. Opat reported that MNVTL has a plan to do the water testing this week, weather permitting. Tim Schwehr had asked with this outlet of water is it because of the water quality or water level? Manager Anderson explained what the board is considering with pumping water. Then Mike O. explained ultimately the idea is to address the water levels, but before we are able to know what we can do we need to know what the water quality is. Discussion on the Legal Drain that was there and abandoned, John Schwehr stated the SWC was out there in 63' and classified it as a natural drain. Mr. Opat stated right now we are dealing with what is out there legally, then Chairman Hieb brought up how confusing it can be with the word "legal". Mr. Opat explained with us a Legal Drain is referred to a Legal Assessment Drain with an assessment district and the board runs it, sometimes people use "legal" as having a permit.

## **NEW BUSINESS:**

**Tree spraying-Legal Drain 2:** Manager Anderson reported that the advisory board wants the trees and thistle sprayed along the drain, the thistle is becoming a problem. Some information was gathered and given to the board, it was decided once it gets closer to spring thaw we will

have a better idea. Manager Anderson also reported that the cattail spraying has been working well.

There was discussion on assessment drains, it was discussed that some of the box culverts in the Thordenskjold Drain that were put in on the original project need repair on the wing walls. Mike O. suggested putting this on the next agenda.

**Engineer Report:** Mr. Opat suggested in the likelihood of a flood we should have a game plan and be aware of what to do. We do have an Emergency Action Plan (EAP) for Clausen Springs, Manager Anderson asked what that all entails? Mr. Opat explained there are three levels to the EAP first is monitoring water levels as there is the potential to develop into something, second would be the case of water flowing over the spillway, with the third being an emergency of a potential washout. With this plan there is a calling tree that has everything spelled out on who gets called. After discussion Manager Anderson will monitor the Stoney Slough run and Hobart, Manager Buttke along with Chairman Hieb will monitor Clausen Springs and we will contact Mr. Opat immediately.

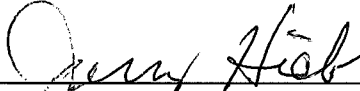
Mr. Opat asked about removing snow from Legal Drain 2? Manager Anderson explained the advisory board is watching this, they don't want to dig it to soon because we keep getting snow. Wade Klubben is on call for when they do the snow removal.

**Legal Report:** Mr. Fredricks expressed some concerns with the Silver Creek project, he does not want to see a bunch of money being spent and end up in the same situation with another lawsuit. He went onto explain that developing a legal assessment drain in the state of North Dakota is a unique process, understanding how the SWC works there is a lot that goes into it. It was mentioned there seems to be a disconnect on the information as to who is in charge of what?

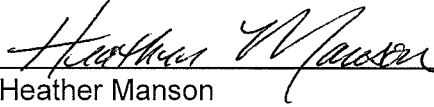
**Bills:** Manager Anderson made a motion to pay bills, withhold paying Dahl Consultants contingent on the physical report presented at Monday's Joint Board meeting and will re-visit next BC meeting. Seconded by Manager Buttke. Upon roll call vote, the motion carried unanimously.

There being no further business to discuss, the meeting was adjourned at 10:49 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

March 11<sup>th</sup>, 2019  
Meeting Attendance

PLEASE SIGN IN BELOW

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John Fowler - BC  
John Schwab  
Tom Lund  
Avid Winkler