

**Barnes County Water Resource District
Po Box 306
Valley City, ND 58072
701-845-8508**

February 8th, 2021

MEETING MINUTES

MEMBERS PRESENT: Chairman Jerry Hieb, Managers – Bret Fehr, Scott Legge, Bruce Anderson, Josh Hassell - Moore Engineering, Sean Fredricks – Ohnstad Twichell (via phone), Barnes County Commissioners Shawn Olauson & Vicky Lovell (all via phone)

ABSENT: Manager Dan Buttke

Also Present: See attached list

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

Manager Legge motioned to approve the January 11th, 2020 minutes. Seconded by Manager Anderson. Motion carried; minutes approved as printed.

OLD BUSINESS

Hobart Lake: Manager Anderson had nothing new to report from last meeting, the drain is still closed.

Kathryn Dam: Josh Hassell (Moore Eng.) presented the Contractor's Pay Application No. 1 from Veit for consideration, he explained that the dam is 90% removed the only thing left is the abutment on the east side of the river on the Wadeson's side. He shared photos and gave a construction update; the contractor has been out there working since the beginning of January. After discussion, Manager Legge motioned to approve the Contractor's Pay Application No. 1 request for work complete to date of \$269,010.00. Seconded by Manager Anderson. Upon roll call, the motion carried unanimously. Mr. Hassell explained that Veit has an agreement with Todd Tangen to utilize some of his trees for toe wood and that was a private agreement as they would be working outside the ROW for this project. He reminded the board neither the WRD or Moore Eng. entered into this agreement and that a copy is on file at the WRD office. He also mentioned there is a possibility Veit will submit an extension request due to abnormal weather conditions, this has not come in yet, he will keep the board informed. Mr. Hassell also discussed cost share reimbursement and all the entities involved, Moore Eng. will work with

Secretary Manson on cover letters for these. They will also help with the reimbursement request to the Outdoor Heritage Fund, and the agreement extension.

10 Mile Lake: Mr. Hassell reported they are still working with a couple landowners on that upstream alignment. There is a landowner informational meeting scheduled for Wednesday February 10th, 2021 located at Broten's bin site. There will be discussion on information relating to data that is available for the benefits, and to walk through the watershed delineation that is available to try to reduce any errors and fact check the data that has been collected. Paul Abrahamson's 10 Mile Report is on file at the WRD office.

Griggs-Barnes-Stutsman Joint WRD Report: Manager Legge reported that the vote failed, the board will look at a smaller scale project if asked by landowners. There is a meeting scheduled for June to see if there is any interest, otherwise they are meeting on a as needed basis.

VC Little Dam: Chairman Hieb visited with the City Administrator a while back, it was mentioned to him that the City of Valley City would like to keep the Little Dam intact. He also mentioned the possibility of a joint project between the City and WRD in the future. Chairman Hieb would like ownership of the Dam to be turned over to the City, then they could incorporate it into their flood control.

Eckelson Lake: Manager Legge had nothing to report.

Sanborn Lake: Mr. Hassell reported that this is still with the OSE for permit approval. There has been some correspondence regarding a culvert downstream from rail line right before it hits the Sheyenne River, Mr. Hassell stated that this culvert is much larger than the upstream culverts so there should not be any impacts. He is heading there to take photos for the OSE to have on file. It looks as if they are moving forward processing the permit. The O&M Plan was discussed and water quality testing, the hope is for the OSE to approve this not of statewide significance.

Snagging/Clearing: Chairman Hieb reported that IBI plans to move in on Eugene Smestad's land today, and that they have been contacting landowners along the way regarding access to the river and if anyone wants the wood. He stated that it is the same foreman as before so things should go smoothly. IBI plans to get 5 road miles completed, that will bring them close to Brown's Dam. After more discussion, Manager Anderson made the motion to approve the agreement with Industrial Builders, Inc. Seconded by Manager Legge. Upon roll call vote, the motion carried unanimously.

NEW BUSINESS

Legal Drain 2 Assessment – Tim Kelley: Mr. Kelley asked the board if there is still a need for this special assessment, what the limit of funds are, and what the assessment fee does every year for the drain? Manager Legge stated yes, the assessment will continue and explained that the assessment fee is utilized for maintenance such as snow removal on the lower end of the drain, cave-in's, and culvert replacement, along with cattail and broad leaf spraying. The yearly collection with this assessment is \$27,973.75, Manager Legge stated that the only time this assessment would stop is if there would get to be \$167,842.50 collected in this account and that is highly unlikely. There was discussion if any state funds or other sources will help pay for the maintenance, Mr. Fredricks explained that the state does not provide cost share on maintenance. Mr. Kelley asked how the percentage is determined and allocated to each landowner for the assessment fee? Manager Legge and Manager Anderson both explained that the percentage is determined by the amount each landowner is benefitted by the drain. The WRD engineers use LIDAR to see what percentage of each quarter of land drains into the drain to determine benefit, they explained that it varies all the way along the drain. Manager Anderson then mentioned that the culverts west of the highway all need to be replaced and that is going to be costly. The Annual Advisory Meeting is scheduled for February 23rd, 10:00 am at the BC Courthouse in the Commission Chambers.

Mud Lake Outlet – Joe Pesek: Mr. Pesek was present and explained the situation going on in the NW ¼ of sect 19 Mansfield Twp. There is a ¼ mile wide stretch of cattails on the Stutsman County side in Winfield Twp. that is holding back water, this water is causing a road in Mansfield Twp. to be inundated. Chairman Hieb remembers this area, he agreed the cattails are very thick. Manager Anderson mentioned in a situation like this it is the landowner's responsibility to spray, the WRD only takes care of assessment drains. Mr. Pesek suggested the BCWRD approach the Stutsman Co. WRD, Manager Legge stressed this will not happen and that this is a landowner issue not a County issue. Mr. Pesek stated that landowners also have the responsibility to keep the natural waterways clear on their property, if the landowner in Stutsman Co. refuses to spray the cattails where do we turn? Mr. Fredricks explained that townships have some capabilities, he strongly suggested that Mr. Pesek get in touch with Tom Moe Association of Townships attorney.

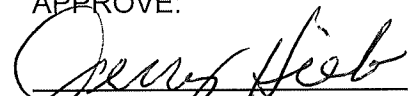
Engineer Report: Mr. Hassell reported that IBI will be out for snagging/clearing next week, they would prefer that the cold weather make more ice. He also mentioned that Mr. Gross participated in a landowner informational meeting in LaMoure County, there could be a potential legal drain project that has some benefit to landowners in Barnes County as well. This will be a landowner driven project, the lead county on this would be LaMoure County. The board discussed the possibility of attaching Meadow Lake to this, Mr. Hassell explained that this is in the very beginning phase and more information will come with this possible project.

Legal Report: Mr. Fredricks reported that he is continuing working on legislative matters, he will keep all entities updated. He thanked everyone who emailed legislators about SB2208.

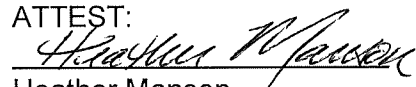
Bills: Motion to pay bills with the addition of Veit's Contractor Pay Application No. 1 made by Manager Legge. Seconded by Manager Fehr. Upon roll call vote, the motion carried unanimously.

With nothing further to discuss the meeting was adjourned at 9:57 a.m.

APPROVE:


Jerry Hieb, Chairman

ATTEST:


Heather Manson
Secretary - Treasurer

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

February 8th, 2021

PLEASE SIGN IN BELOW

Keon Haugstad
Donald Johnson

Call in ...

Shawn Clauson
Mike Opat
Paul Ahrensman
Vicky Lovell
Tim Kelley