

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

November 30th, 2021

**SPECIAL MEETING MINUTES
10 MILE LAKE HEARING**

MEMBERS PRESENT: Managers – Bret Fehr, Scott Legge, Bruce Anderson, Dan Buttke, Josh Hassell - Moore Eng., Andrew Smith – Moore Eng., Sean Fredricks – Ohnstad Twichell

ABSENT: Chairman Jerry Hieb

Also Present: See attached list

At 10:00 a.m. Manager Anderson began with introductions then turned discussion over to Josh Hassell with Moore Eng.

Mr. Hassell started the discussion with explaining that the adjacent drainage project to the south being pursued by Edna Twp. is separate project, unrelated to the WRD's proposed 10 Mile Lake Outlet Project. He went over the history of 10 Mile Lake dating back from 1993 to today's Public Hearing on the proposed project, explaining high surface elevations, temporary emergency drain permits, significant rainfall events, conversations with NRCS & USFWS on drawdown elevations, public informational meetings, with survey data collected & preliminary drawings developed.

Mr. Hassell discussed all the work completed to date for the attending landowners. Then explained the proposed project and the preliminary design plans in detail, he touched base on the permitting process and water quality considerations. The Board has already considered downstream impacts and that analysis will also be part of the permitting process. Discussion was held regarding project features including the right of way summary and easements, Mr. Hassell explained the right of way necessary for the project, including the permanent right of way needs, permanent spoil easements, and temporary construction easements that will be necessary to accommodate project construction. Mr. Hassell also discussed existing wetland easements .

Mr. Hassell explained the project cost estimate, the assessment list, the benefit analysis conducted by the Board for properties within the proposed district, how the Board apportioned assessments to properties in relation to their benefits, the multiple meetings conducted by the Board to consider project benefits and assessments, and the history of project development. The Board's process has been lengthy and transparent, for the benefit of the public and landowners in the area. Mr. Hassell also explained the cooperation between the Barnes County Water Resource District and the Stutsman County Water Resource District regarding the project and this assessment process.

The project cost estimate was discussed with available funding sources, including the potential cost-share from the North Dakota State Water Commission. In addition, Mr. Hassell explained the State, County, and township road crossing improvements required to accommodate the project, and the State and County cost obligations for those improvements under North Dakota law.

Sean Fredricks explained the various timeframes available for landowners who want to appeal their assessments, including the 10-day appeal period following the assessment hearing (that the Board will conduct later, if the assessment vote is successful) to the State Engineer, and the 30-day appeal period to District Court following the final approval of the assessment list.

Mr. Hassell next explained the voting process, and he showed an example of an assessed property ballot and an example of a right of way ballot. He explained that the ballots were developed and mailed using the most current data on file with the Barnes and Stutsman County tax rolls, as required by North Dakota law. Mr. Fredricks pointed out that all landowners listed on the ballot must sign for the votes to be fully counted. Mr. Hassell and Mr. Fredricks indicated the vote closes on December 30, 2021 @ 5p.m., and all ballots are due in the Barnes County WRD office 5 p.m. on December 30. Mr. Fredricks included Ballot Instructions with the ballot packets mailed out to landowners, including directions for landowners who wish to request updated ballots. Mr. Fredricks explained that if any landowners present current deeds that demonstrate ownership different than what the tax rolls indicate, his office will send updated ballots.


Mr. Hassell stated the votes will be tallied in January. If the vote fails, project development will cease. IF the vote were to pass, then the Board would conduct an assessment hearing; at that hearing, landowners could submit information or ask questions regarding their properties, their benefits, or their assessments. He further explained that if the vote is successful and the project moves forward, the Board will have to conduct economic analysis regarding cost-share from the State. In addition, he explained the regulatory process, funding, final design, road crossing process, and right of way acquisition will all take time. Once the Board completes those, the Board could proceed with bidding and project construction.

After the public hearing, Josh Hassell, Andrew Smith, and Sean Fredricks were available for landowner questions.

Manager Anderson thanked landowners for attending along with Moore Eng. & Ohnstad Twichell for all their hard work.

The Hearing ended at 10:30 a.m.

APPROVE:


Bruce Anderson, Vice -Chair

ATTEST: 
Heather Manson
Secretary - Treasurer