

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

**Meeting Minutes**  
January 10<sup>th</sup>, 2022

MEMBERS PRESENT: Chairman Jerry Hieb, Managers – Bruce Anderson, Dan Buttke, Scott Legge, Bret Fehr, Josh Hassell – Moore Engineering, Sean Fredricks – Ohnstad Twichell (via phone), Mike Opat – Houston Engineering, Barnes County Commissioner Shawn Olauson (via phone)

Also Present: See attached list

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

Manager Anderson motioned to approve the December 13<sup>th</sup>, 2021 minutes as printed. Seconded by Manager Legge. Motion carried; minutes approved as printed.

The Board reviewed the 2022 Meeting Date Notice. After discussion, Manager Fehr motioned to approve the meeting dates. Seconded by Manager Anderson. Motion carried; the meeting dates approved as printed. Manager Legge motioned to keep the Portfolio's the same as 2021 with no changes. Seconded by Manager Fehr. Upon roll call vote, the motion carried unanimously.

Sean Fredricks discussed the Reorganization process, then opened the floor for nominations for Chair. Manager Anderson nominated Jerry Hieb. There were no other nominations. Upon roll call vote, Jerry Hieb was unanimously re-elected Chair. Sean Fredricks then opened the floor for nominations for Vice Chair. Manager Legge nominated Bruce Anderson. There were no other nominations. Upon roll call vote, Bruce Anderson was unanimously re-elected as Vice Chair. Sean Fredricks then asked for nominations for Secretary-Treasurer. Manager Anderson nominated Heather Manson. There were no other nominations. Upon roll call vote, Heather Manson was unanimously re-elected as Secretary-Treasurer. The Board discussed the appointment of legal counsel. Sean Fredricks proposed a \$5.00 across the board rate increase. Manager Fehr motioned to keep Mr. Fredricks on a legal counsel. Seconded by Manager Anderson. Upon roll call vote, the motion carried unanimously.

## **OLD BUSINESS**

**10 Mile Lake:** Manager Anderson read the elevation report submitted by Paul A., a copy of this report is on file at the WRD office. Josh Hassell reported that the vote closed on Dec. 30<sup>th</sup> @ 5 p.m. Ballots were reviewed and entered in the vote tally spreadsheet. There were ballots that were not counted due to deficiencies, including failure to include or provide documentation (e.g., power of attorney), as well as ballots received after the closing date. The Board reviewed the voting summary spreadsheet prepared by

Moore Engineering. Mr. Hassell explained that, unfortunately, the vote failed. Out of the 991 individual ballots mailed out, 534 were returned. Of those returned ballots, 164.5 were votes in favor of the project, and 369.5 were votes against the project. With that in mind, the project vote failed. The failed vote does not preclude the Board from proceeding with another vote but at this point, the project is concluded. After discussion, Manager Legge moved to confirm the vote outcome results of 164.5 votes received for the project and 369.5 votes received against the project, resulting in a failed vote. Seconded by Manager Anderson. Upon roll call vote, the motion carried unanimously.

The Board thanked Mr. Hassell for all his work with this project, and for everything he's done throughout the years with the WRD.

Paul Abrahamson thanked Mr. Hassell, and everyone involved with Moore Eng. for the tremendous amount of work they have put into this project, he stated this was a big effort on everybody's part, we got a result and that's what we wanted to do. Mike Clemens thanked the Board, and the landowners that contributed bond money to start this whole process. He stated that a lot of education/information was gathered in this process, with the dry fall the water has dropped about two feet, he feels confident that there is some retention capacity with the lake now.

**VC Little Dam:** Mike Opat reported that the SWC has approved funding for the design phase. He and Manager Anderson met with the BC Commission, they discussed the history of the dam, then requested funding for the local share. The BC Commission unanimously agreed to fund up to \$340,000 with the condition, the City of VC taking over ownership and maintenance of the dam if the state agrees. The BC Commission also requested the WRD look for other partners for funding as well. Manager Anderson met with Mayor Carlsrud and the VC Commission; they are in favor of working together with a stipulation that the City would like to include an observation deck with this project. Manager Anderson stated the City seemed somewhat receptive to the idea of taking over maintenance of the dam once complete. Mike O. suggested having Sean Fredricks work with Carl Martinek to draft an agreement regarding Memorandum of Understanding regarding the maintenance for both parties to review/consider. The Board agreed to have Sean Fredricks contact Mr. Martinek. Mike O. discussed his concerns about the escalation in the current labor market and material cost, the Board needs to keep this in mind.

**Legal Drain 2 – warranty agreement:** Wade Klubben has signed and returned the drafted the agreement with the three-year warranty, that includes the Offner and Diemert culvert sites.

**Fingal Dam:** Manager Buttke reported that Bret Kapaun asked if the WRD could help fund repairs to the Fingal Dam. Discussion was held on ownership of the dam. The Board agreed that they cannot use public funds for private projects. There was discussion of possibly being a "pass through" for cost share funding from the state for the Fingal Wildlife Club. Manager Anderson recommended Mike Opat contact the DWR to confirm ownership of the dam, he then can report potential options at the next meeting.

**Snagging/Clearing:** Mike Opat discussed cost share the state has approved, the County has approved their contribution as well. Sean Fredricks drafted an agreement with IBI and the parties have signed the agreement. Mike will be coordinating with IBI to get started on this. It was mentioned that the continuous snow could be an issue this year.

**Hobart Lake:** Manager Anderson reported water testing results are showing high sulfate numbers, the gate was closed on Friday January 7<sup>th</sup>, 2022, it will remain closed until spring.

Manager Anderson talked with Dan Jacobson (Lower Sheyenne) about the bank erosion issues along the Sheyenne River. Mr. Jacobson mentioned there is money in the Lower Sheyenne budget, he suggested setting up a meeting and to have a representative from the Upper Sheyenne present for discussion. Mike Opat suggested to meet in March, possibly the Bald Hill Dam Operations meeting, there will be representatives from the Upper Sheyenne present.

#### **NEW BUSINESS**

Mike Opat discussed possible NRCS-RCPP funding that could be utilized for potential projects such as Meadow Lake or Eckelson Lake. He explained that this could be worth pursuing, then suggested requesting a representative to attend the next meeting to explain the program. The Board agreed, Mike will contact NRCS.

Mike O. reminded the Board to keep thinking of projects for the Water Development Plan, that information should be submitted in March/April.

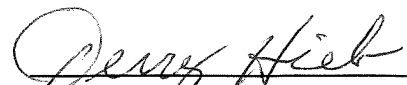
**Engineer Report:** Mike O. handed out Houston Eng. 2022 Fee Schedule for the Board's review. He explained the restructure of labor categories, which included his \$5.00 rate increase. After discussion, Manager Fehr motioned to accept the Houston Eng. 2022 Fee Schedule. Seconded by Manager Legge. Upon roll call vote, the motion carried unanimously.

**Legal Report:** Sean Fredricks had nothing new to report.

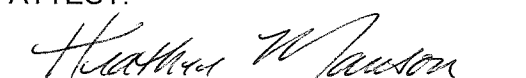
**Bills:** Manager Legge motioned to pay the bills as presented. Seconded by Manager Fehr. Upon roll call vote, the motion carried unanimously.

With nothing further to discuss the meeting was adjourned at 10:30 a.m.

APPROVE:

  
Jerry Hieb, Chairman

ATTEST:

  
Heather Manson, Secretary - Treasurer

ECURP  
Jan 10<sup>th</sup>, 2022

Making sign-in  
~~Donald Jorssen~~

via phone ....

Shawn Olafson  
Paul Abrahamson  
Mike Clemens  
Nick ? (bad phone connection)