

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

Meeting Minutes

September 11, 2023 – 9 a.m.

MEMBERS PRESENT: Chairman Jerry Hieb, Managers Bret Fehr, Scott Legge, Dan Buttke, Bruce Anderson, Mike Opat Houston Engineering, Sean Fredricks (via WebEx), Shawn Olauson Barnes County Commissioner

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

Manager Anderson moved to approve the minutes from the August 14, 2023 meeting and the August 16, 2023 Special Meeting. Manager Buttke seconded the motion. Motion carried; minutes approved as printed.

OLD BUSINESS

VC Little Dam

Mike reported we are still waiting on the state to issue the permits, with the new cost share policy we need all permits in hand to submit the cost share request for construction. If we get the permits by October 24th, we can get on the Dec. agenda for the SWC meeting for cost share consideration. Then we can't start the bidding process until after funding is in place, now we are looking at potential bidding in the winter. When the permits come in, the Board can look at things and decide what to do in terms of bidding then. We haven't received any indication as to when the state is going to issue the permits. Last month the Board approved the quote from Metcalf to the archaeology, that agreement is in place, they plan to do the field work and drone flight work this month. No action was taken by the Board today.

NRCS-RCPP: Ten Mile Lake

Mike reported we are still waiting for official paperwork to come from the NRCS national office. Field work will be done this fall. Discussion was held on potential mitigation sites. No action was taken by the Board today.

Thordenskjold Drain

Mike reported the Board at the last meeting decided to move forward with the formal hearing during the winter, he suggested the Board could wait until October/November to set a date, that will give us time to work on notifications that are required for the formal reassessment hearing process. No action was taken by the Board today.

Sheyenne River Bank Stabilization Study:

Mike left a hard copy draft memo in the office of the information discussed at the last meeting; he is working on a digital copy for the office as well. He mentioned that the RRJWRD meets Wednesday this week, he will give them an update and share the results. Mike suggested for the next step, after harvest, hold future meetings with other water boards, stakeholders, and the general public up and down the river to discuss options to potentially move this forward. No action was taken by the Board today.

Clausen Springs Dam

Mike reported at the last meeting the Board discussed potentially doing the trash rack repair over the winter, he talked with Trademark Tooling, they were a little concerned but considering this option. This is still the tentative plan for the trash rack repair.

Mike reported he was hoping for a quote from a contractor for today's meeting on the brush removal, he did not receive one. In his discussions with BJ Kratz (NDG&F) BJ mentioned that they have a crew that does brush removal off dams, he said that they used to clear Clausen years ago, it hasn't been done for a while now. He said that they would do the brush removal for the WRD, they have completed the work already, BJ plans to come back to use chemical on the stumps at some point. Mike mentioned that BJ was able to drive across the spillway with his pickup, Mike discussed the possibility of having Torrey M. meet onsite with BJ to see about a navigable route to the trash rack. If this is unsuccessful, we will continue with the winter plan.

Mike then discussed the void repair. The Board was waiting to get the brush removed before formally approving the quote from Strata. Mike asked BJ to widen the path and is planning to ask Tom M. to drive down there to make sure the brush is wide enough, before going with a loaded truck. Mike reminded the Board that the magnitude of the void is unknown, the quote is for an estimated amount, hopefully that is enough, if not additional material will be billed per yard. The Board agreed on the extremely high importance of this repair. After more discussion Manager Fehr moved to approve the quote from Strata for the void repair. Manager Legge seconded the motion. Upon roll call vote, the motion carried unanimously.

Stewart – Anderson Drain

Mike reported at the last meeting the Board decided to proceed with the riprap lined channel option and submit a permit application to the DWR. The permit application has been submitted, the state reached out and said they would consider waiving the thirty-day comment period if the township submitted a letter of support for the project. The township submitted a letter that was sent to the state, we haven't received anything from the DWR yet. Mike mentioned that he provided Scott Cummings an updated plan set, specifications with the riprap and a bid form hoping to have numbers for today's meeting, he was unable to get that done. Sean sent out a draft agreement with Scott Cummings for the Board to review. Mike mentioned the possibility of holding a special meeting if needed to take action on the permit, bid and agreement to get the work done this fall, the Board agreed. Discussion was held on budget and funding options, the Board agreed to have Sean work on the bond issue for this project. Mike then discussed an exposed utility line, the utility company said they no longer have anyone that is served by that line, they are going to abandon, cut and remove it.

Hansen/Hurley Complaint

Mike reported we've been holding the complaint in abeyance waiting for the Hurley surface drain permit to come through from the state, the Board and others have received correspondence from the state for the thirty-day comment period, this helps the state to determine whether this is of statewide or interdistrict significance or not. He stated the Board is not in a position to take any action on the permit or the complaint today, it is uncertain if the Board will have anything by the October meeting. Hopefully, by the November meeting the permit will be back from the state for the Board to process the permit and take corresponding action on the complaint. Mike and Sean discussed the thirty-day comment period and explained that typically Board's do not submit comments. Mr. Hansen stated his concerns of not seeing an engineer's report or downstream impact statement, he stated Mr. Hurley is required to provide that information. Sean explained that the applicant is not required by the state statute or administrative code to provide any type of engineering report or impact statement, if the state wants any additional information such as that they can request it from the applicant. Sean also explained that when the Board receives the determination from the state, they will direct Mike to complete the 8pt questionnaire and draft a report, then the Board may consider holding a hearing so the public can express their concerns regarding potential impacts. Discussion was held on whether this is a blue line waterway or not, Mike will bring a map of the area for the next meeting. Mike discussed potential timing for the hearing, and the importance of having relatively recent drone footage collected before winter conditions arrive and it's too late. This should be discussed at the next meeting especially if the Board has not received the determination back from the state by then. No action was taken by the Board today.

Tomahawk Dam – update

Mike stated there is not much to update, they had struggles getting the site dewatered in July, they are doing concrete pours once a week and making progress.

Snagging/Clearing 2023-24

Mike reported the cost share application has been submitted, DWR reached out for additional information, we are waiting on the paperwork to come through from the DWR.

Fall Cattail Spraying

Heather reported that maps have been submitted, Mike Larson plans to be here sometime this week.

Hobart Lake

Manager Anderson reported test results showed high sulfates, he closed the drain on September 5th, 2023, the current elevation is 1416.86. Mike discussed the issue that came up with the utility at Hobart Lake and the special meeting where the utility permit was issued, the contractor from that project suggested registering the District's project with One Call. After discussion, Manager Fehr moved to authorize Mike and Heather to register Hobart Lake Project with ND One Call. Manager Anderson seconded the motion. Upon roll call vote, the motion carried unanimously.

NEW BUSINESS

Surface Drain Appl. No. 6221-Pat Hurley Drain

The DWR has sent out a Solicitation of Views for comments or information regarding the Application submitted. The thirty-day comment period ends September 20, 2023, the DWR will notify the Board of its determination.

The Board reviewed three under 80-acre notifications that were submitted.

Engineer Report

Mike reported the elevation at Sanborn Lake is 1426.05 well below the threshold. With the Cornell Township Project, the landowners are still working on the alignment on the Cass Co. side, no action on this yet.

Legal Report

Sean reported the Cornell Township Project is still ongoing, once the project has a proposed assessment list the Maple River Board reach out to the WRD and give an update. The RRJWRD meets Wednesday, Mike will provide an update on the Sheyenne Riverbank Stabilization Project.

Heather mentioned that the WRD has two 36" plastic culverts in the back shop lot at the Highway Dept. they have been there for years, one has some holes from it being moved around, Jamie Smith (BC Highway Superintendent) asked that they be removed from the shop lot. More discussion at next meeting.

Bills

Manager Legge moved to pay bills as presented. Manager Anderson seconded the motion. Upon roll call vote, the motion carried unanimously.


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

APPROVED:



Bruce Anderson, Vice-Chair

ATTEST:



Heather Manson, Secretary-Treasurer

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

September 11th, 2023

PLEASE SIGN IN BELOW

Arnon O. Larsen

BCC

Donald J. Gussen, V, C.

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