

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

Meeting Minutes

July 8, 2024 – 9:00 AM

MEMBERS PRESENT: Chairman- Jerry Hieb, Managers – Scott Legge, Bret Fehr, Bruce Anderson, Perry Schlagel, Mike Opat – Houston Engineering, Sean Fredricks – Ohnstad Twichell, Shawn Olauson – Barnes County Commissioner. Also present by Microsoft Teams were Jordan Prazak, engineer for Mr. Hurley; Chad Miller, Maple River WRD; Kurt Lysne, Moore Engineering.

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

Manager Legge moved to approve the minutes from the June 10, 2024, meeting. Manager Fehr seconded the motion. With a voice vote the motion was carried unanimously.

Cornell Twp. Improvement District No. 80 – Maple River WRD

Manager Chad Miller, Maple River Water Resource District, and Kurt Lysne, Moore Engineering and engineer for the Maple River Water Resource District, participated in the meeting. Kurt presented a map of the proposed project and briefly discussed project specs; he explained that the construction of the project would all be in Cass Co. with some benefits to properties in Barnes County.

Sean discussed SB 2372, a bill passed during the 2023 Legislative session. Under SB 2372, if a project benefits two counties a Joint Board must be created. The Board previously entered into a joint powers agreement with Maple River WRD but under SB 2372 the Boards would have to actually form a joint board. Discussion was held on creating two different joint boards, one being the Barnes Co./ Maple River Joint WRD with two representatives from BC, the other being with the Cass Co. Joint WRD / Barnes Co. WRD with three representatives from BC. The Board directed Sean to draft Joint Board agreements for review at a later meeting.

OLD BUSINESS

VC Little Dam

Mike reported there is a pre-construction meeting on site at 1 pm today, Manager Anderson will be attending to represent the Board. He also mentioned that with current river conditions construction may be pushed to later August or early September.

NRCS-RCPP: Ten Mile Lake

Mike reported NRCS is not budging on the mitigation piece, they are working on finalizing the economic analysis for a justification of cost, he is hoping to have a report by the end of this month. He indicated that if the project cannot proceed, there is a possibility to do a different WRD project in the future.

Thordenskjold Drain

Mike reported the hydraulic model based off the survey of the entire drain is complete. Mike will present the preliminary report after analyzing the drain crossings and channel capacity for the Board to review and prioritize issues. He stated that no construction projects will begin this season, this winter will more than likely consist of applying for cost share and developing reports. No action was taken by the Board.

Clausen Springs

Weather conditions have delayed the installation of the trash rack. The dam safety evaluation must be completed, Mike and Heather submitted cost-share applications to the DWR and RRJWRD. The DWR's pre-commission meeting is July 11th, if cleared, it will be listed on the full commission meeting August 8th for funding approval. Manager Anderson stated he can attend the meetings with Mike to answer questions regarding the project. The RRJWRD's Executive meeting is July 10th with the Full Board meeting on September 18th, Manager Anderson will be available to answer questions regarding the project as well.

Sheyenne Riverbank Stabilization Study

Mike reported he talked with Keith Weston, he suggested calling a meeting of the Sheyenne River Joint WRD to see if there is interest in moving this project forward. Mike will work with the Cass Co. staff to get the meeting set up sometime in August.

Hansen/Hurley Complaint

Sean reported his office served the Board's Findings and Order on the parties. He explained the appeal process and that both parties have an opportunity to appeal the Board's decision to the DWR and District Court. Sean reminded the Board that the Board ordered Mr. Hurley to close or fill the recent drainage improvements by August 7, 2024. The Board's order requires Mr. Hurley close or fill the drainage with material adjacent to the channel. Alex Mastellar indicated Mr. Hansen wants the Board to mandate installation of riprap or a sheetpile weir. Jordan Prazak countered that, from Mr. Hurley's perspective, this channel washed out naturally. Sean noted that installation of riprap or a weir may require a Corps of Engineers permit and, in his opinion, mandating riprap or sheetpile seems to go beyond "closing or filling" the drainage to its original condition. Mr. Hurley indicated he has a contractor lined up to fill-in the drain and he will try to ensure completion by the Board's August meeting. He will then call Mike to inspect. The Board indicated they cannot comment on the sufficiency of Hurley's remedial work until Mike has the opportunity to inspect it. The Board will wait to see what Mr. Hurley does, Mike will inspect, and the Board can then discuss the sufficiency of Mr. Hurley's remedial work.

Manager Anderson reported that Hobart Drain is still open with an elevation of 1416.95, also Sanborn Lake has an elevation of 1426.33.

NEW BUSINESS

Svea Drain-Kent S.

Kent Sortland explained that there is interest from folks to make this a legal assessment drain. Sean explained the petition/bond process along with requirements and the costs associated. Mike explained the permitting requirements, the benefitted acres within the watershed and wetland impacts. Discussion was held on the difference between private maintenance and what the WRD would own and maintain if this were to happen. Heather stated there is an office file with information on the drain, Mike and Sean will review those past records, more discussion will be held at the next meeting. The Board agreed to keep this on the agenda.

Fall cattail spraying

Heather talked with Mike Larson about spraying cattails this fall, Larson agreed to spray the legal drains, as of now no private spraying will be done. Discussion was held which drains to spray. Sean prepared and presented a contract with Larson Helicopters that includes indemnity and insurance requirements to protect the Board. After more discussion, Manager Legge moved to approve the draft agreement with Larson Helicopters. Manager Anderson seconded the motion. Upon roll call vote, the motion carried unanimously.

Engineer Report

Mike had nothing more to add.

Legal Report

Sean mentioned the Board received an incomplete tile application this morning before the meeting, he has notified the applicant. This will more than likely be on the August agenda.

Bills

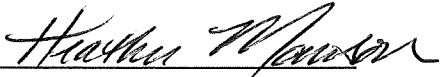
Manager Legge moved to pay bills as presented. Manager Fehr seconded the motion. Upon roll call vote, the motion carried unanimously.

With nothing further to discuss, the meeting was adjourned at 10:56 a.m.

APPROVED:


Jerry Hieb, Chairman

ATTEST:


Heather Manson, Secretary-Treasurer

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

July 8th, 2024

PLEASE SIGN IN BELOW

Mark Can

Keith Lorthol

Lo Ann

Sherrill Ayler

Thomas Olson

BCC

Kevin Lorthol

Bob Lott

