

Notice of Meeting and Agenda
Walsh County Water Resource District
Tuesday, May 2nd,2023
Walsh County Courthouse Lower Level Office #3

- 8:00 a.m.** Call to Order
Roll Call
Agenda Approval
Consent/Approval
- Minutes April 25th Meeting
 - Bills
- 8:15 a.m.** Attorney Dan Gaustad
- Diversion licenses for Jelinek and Kelley DWR permits
- 9:15 a.m.** Tile Pump Shutoff Status
- 9:30 a.m.** Ring Dike program details
- 9:45 a.m.** Flood Damages
- FEMA claim status from 2022 flood
 - Damage reports due for 2023
- Other items**
- Miscellaneous Correspondence

Reminders:

In accordance with North Dakota law, Water Resource Districts may, if necessary, depart from or add to the agenda at meetings.

People with disabilities who plan to participate in the meeting and need special arrangements should contact the Water Resource District office at 701-352-0081.

**Proceedings of the Walsh County Water Resource District Board Meeting
Tuesday, May 2nd, 2023
Walsh County Courthouse, Grafton, ND**

May 2nd, 2023 – 8:00 a.m.

Vice Chairman Larry Tanke called the meeting of the Walsh County Water Resource District Board to order. Roll call taken: Vice Chairman Larry Tanke and Manager Albin Jallo were present. Chairman Campbell was not in attendance. Vice Chairman Tanke conducted the meeting. Commissioner Ernie Barta was also in attendance.

A motion to approve the agenda was made by Manager Jallo; 2nd by Vice Chairman Tanke. Motion carried.

A motion to approve the minutes of the April 25th Board meeting was made by Manager Jallo; 2nd by Vice Chairman Tanke. Motion carried.

A motion to approve the bills as presented was made by Manager Jallo; 2nd Vice Chairman Tanke. Motion carried.

Diversion License Agreements for Jelinek and Kelley DWR groundwater permits –

Dan Gaustad presented diversion license agreements for Britta Jelinek and Clark Helland, and Lane Kelley. Jelinek/Helland will need to contact the Grand Forks County Water Resource District to work on the details of the project. ***Manager Jallo motioned to accept the agreements for Jelinek/Helland and Lane Kelley; 2nd by Vice Chairman Tanke. Motion carried.***

Tile Pump Shutoff Status:

Discussion was held on river levels and ditches. The board felt it was okay to start the pumps again.

Ring Dike program details:

- Sarah Johnston contacted the DWR regarding further details on the program. They pay 60% of approved projects, up to \$55,000 per project at this percentage. The landowner can do the work themselves. There are general guidelines for dimensions depending on the height of the dike. People can build a low dike if that is all that's needed. Each person's application for cost share will need to be prepared and managed as a separate grant application. The newspaper advertisement will go out next week in the Grafton Record. The board will also assist in getting the word out to people who might need a dike.

Flood Damages:

According to Sarah, FEMA claims are still in process for 2022 and will be completely submitted shortly. Damage reports are due to Brent Nelson for 2023 on May 12th.

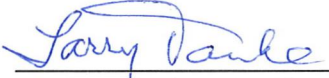
Barry Kingsbury presented issues along Drain 70 in Farmington Township at the intersection of 74th Place and 147th Ave NE. He stated that when Drain 70 was installed, an east-west culvert was removed at the north portion of this intersection. He said two culverts (likely 30" diameter) historically acted as a relief valve for flooding the sections north and west of this intersection, and protected people along the river from overland flooding. Kingsbury inquired as to whom would pay for repairs of the roadway on 147th Ave and the board indicated that it would need to be the township. After much discussion, Kingsbury then stated they are

requesting to install the culverts at the original location so as to allow relief to those roads. The board discussed needing to keep the water in Drain 70. Kingsbury added that the culverts would be useful in times of flooding since the drain was built to handle drainage, not floods. He added that the culverts that his township would add would be for flooding and would be elevated at a higher elevation so that most of the water would still stay in the Drain 70 route, but that additional high water in flood times could be carried across 147th Ave NE so as to allow the road some relief and not wash and erode. The board also indicated that they understand the need for the culverts there and that the WRD assumes no financial responsibility for the work that Kingsbury presented on behalf of his township. The board also indicated that the township could also file for FEMA damages on the damage on 147th Ave to the road. Kingsbury indicated that he understood any of the work described today would be at the township's expense.

Miscellaneous:

- Ernie Barta attended early in the meeting and brought a couple of issues forth. There are complaints about the volume of water being pumped from Nelson County into the Forest River and the issue is one that needs to be looked at closer. Monitoring of pumping is taking place by Jim Redford's data collection service.
- Barta also presented a letter from Forest River Township supervisors regarding Surface Drainage Application #6207. Sam Mondry who is a township supervisor from Forest River attended the meeting later on with this same letter his township issued in response to the DWR *Solicitation of Views*. The board advised him to submit the comments directly to DWR because the township was sent a solicitation of views directly. The board then reviewed their own comments in response to Surface Drainage Application #6207 and a letter responding to DWR was signed off on by the close of the meeting.
- The board reviewed the drainage area for Drain 97, and discussed the characteristics of the flow through that drain this spring.

The next board meeting will take place on May 9th at 8:00 a.m.


Larry Tanke, Vice Chairman

Attest: 
Sarah B. Johnston, Administrative Assistant

Notice of Meeting and Agenda
Walsh County Water Resource District
Tuesday, May 9th,2023
Walsh County Courthouse Lower Level Office #3

- 8:00 a.m.** Call to Order
Roll Call
Agenda Approval
- 8:15 a.m.** Consent/Approval
- Minutes May 2nd Meeting
 - Bills
 - Financial Report
- 8:45 a.m.** Ernie Barta/Jason Johnston: May 2nd formal complaint on Forest R. dike
- 10:00 a.m.** Pending Water Permits/Drainage Permits
- 10:15 a.m.** Drainage Complaints

Other items

- Miscellaneous Correspondence

Reminders:

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**Proceedings of the Walsh County Water Resource District Board Meeting
Tuesday, May 9th, 2023
Walsh County Courthouse, Grafton, ND**

May 9th, 2023 – 8:00 a.m.

Vice Chairman Larry Tanke called the meeting of the Walsh County Water Resource District Board to order. Roll call taken: Chairman Daryl Campbell, Vice Chairman Larry Tanke and Manager Albin Jallo were present. Vice Chairman Tanke conducted the meeting. Walsh Co. Commissioner Ernie Barta and Highway Superintendent Jason Johnston also attended. Jacob Wognum of HEI and Attorney Dan Gaustad attended via Zoom.

*Additions to the agenda: Orville Kjelland, Abe and David Hankey. **A motion to approve the agenda with additions was made by Chairman Campbell; 2nd by Manager Jallo. Motion carried.***

A motion to approve the minutes of the May 2nd board meeting was made by Manager Jallo; 2nd by Chairman Campbell. Motion carried.

A motion to approve the bills as presented was made by Manager Jallo; 2nd Chairman Campbell. Motion carried. The financial report was not reviewed and was tabled to the May 16th meeting to allow the meeting to proceed on schedule.

Orville and Aaron Kjelland –

Orville and Aaron appeared to discuss the bridge replacement that is taking place on Drain 97 about ½ mile east of Orville's farm along 65th St NE. On behalf of the township, Orville requested that the culverts replacing the bridge be installed diagonally NW to SE at that location, rather than running straight N to S aspect. This is due to the way water flows through that area. Aaron commented that they do not need the field approach immediately west of the drain and this can be removed to make way for the diagonal placement they are recommending. The board was agreeable to the diagonal placement of the culverts. In addition to the township's business, Orville discussed the need for a ring dike at his farmstead. Sarah Johnston provided him the design criteria and dike permit application needed to apply. Orville asked a few follow up questions on the cost share timeline and project work. Sarah will check with the Dept. of Water Resources and get back to him.

Forest River Dike Complaint-

Commissioner Ernie Barta and Jason Johnston presented their dike complaint filed on May 2nd after that board meeting. They described areas needing to be addressed near Forest River flood situation that caused damages there this spring. The water needs to be routed to the north of the town and currently is moving south towards the bridge, putting pressure on the bridge, road, and the residents of the town. In a letter dated from 2014, Sharon Lipsh gave permission for the town to cut the road between the bridges if they needed to.

There are a lot of questions on the situation as far as the history of that dike, who owns it, and how things may have changed over time. LIDAR photos from Jacob Wognum of HEI showed changes in the dike elevations. The Board acknowledged the highway department's concerns regarding damage to infrastructure, and they also have concerns about how flooding impacts the town. Board members reminded Commissioner Barta and Jason Johnston that landowners petitioned in the past to have a legal drain project south of Forest River that would help the water situation in that area. That legal drain project eventually failed to pass.

Surface Drainage Water Permit 6207- Novak-

In addition to presenting on the Forest River Dike Complaint, Jason Johnston also presented his department's comments regarding the Mark Novak surface water permit 6207 that Johnston is submitting to the Department of Water Resources.

Drainage Complaints-

Abe & Dave Hankey attended the meeting to present information pertaining to a written complaint they received from Paul Suda Farms regarding subsurface drainage along the SW ¼ of 156N-54W-S27 which the Hankey's were legally permitted by the WCWRD in August of 2022. The complaint from Sudas includes that water is being diverted onto their property from this drainage. The board will likely consult with an engineer on this issue. They will notify the Hankeys of any developments on the issue.

Later in the meeting, Attorney Dan Gaustad and engineer Jacob Wognum were brought in to provide the board consult on issues of dikes, legal or illegally constructed, as well as other drainage issues heard by the board this morning. In addition, dikes along Drain 87 were also discussed.

Miscellaneous:

- Discussion was held between the board, Dan Gaustad and Commissioner Ernie Barta regarding the county's unpaid bills to the WRD for drain work that is now considerably past due. Attorney Gaustad is waiting for States Attorney Kelly Cole's initial response on the issue. Barta would like to see the issue settled as soon as possible.
- The Department of Water Resources contacted the office during the meeting and discussed with Sarah additional details of the dike program. Sarah provided additional details about the program to the board, including the fact that work cannot start until the cost share agreement is signed. Cost share funding will not be approved for submitted applications until late August. Applications will be due to the WRD office before June 15th.
- Initial damage reports from Spring 2023 flooding is due to the Walsh County Emergency Management office by this Friday.
- Sarah discussed switching to the 32 hour schedule for summer, as agreed to at the time of her hiring this past winter. She will be working M-F with flexibility for time away. Sarah will continue to notify board members in advance of her scheduled absences.

The next board meeting will take place on May 16th at 8:00 a.m.



Daryl Campbell, Chairman

Attest: 
Sarah B. Johnston, Administrative Assistant

Notice of Meeting and Agenda
Walsh County Water Resource District
Tuesday, May 16th,2023
Walsh County Courthouse Lower Level Office #3

- 8:00 a.m.** Call to Order
Roll Call
Agenda Approval
- Consent/Approval
- Minutes May 16th Meeting
 - Bills
 - Financial Report- May 9th
- 8:15 a.m.** Kevin Mudder – Concerns regarding drains
- 8:30 a.m.** Snag & Clearing DWR funding award contract review
- 8:45 a.m.** Miscellaneous Drainage Complaints or Follow-up
- 9:00 a.m.** Miscellaneous Drainage Permits or Follow- up
- Other items**
- Miscellaneous Correspondence

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Proceedings of the Walsh County Water Resource District Board Meeting
Tuesday, May 16th, 2023
Walsh County Courthouse, Grafton, ND

May 16th, 2023 – 8:00 a.m.

Chairman Daryl Campbell called the meeting of the Walsh County Water Resource District Board to order. Roll call taken: Chairman Daryl Campbell and Manager Albin Jallo were present. Vice Chairman Larry Tanke attended by phone. Walsh Co. Commissioner Ernie also attended.

Additions to the agenda: Letter from WC Commissioners regarding Surface Drain Permit No. 6207, Wages for Board Members. A motion to approve the agenda with additions was made by Manager Jallo, 2nd by Vice Chairman Tanke; Motion carried.

A motion to approve the minutes of the May 9th board meeting and the bills as presented was made by Manager Jallo; 2nd by Vice Chairman Tanke. Motion carried. The quarterly financial report from May 9th remains tabled and Jennifer Lindenberger will be contacted to present it at a June meeting.

Kevin Mudder:

Kevin wanted to let the water board know about his ideas for a culvert to be moved to help improve the spring flood situation downstream of Chyle Dam. The culvert is located east of the dam on County Rd 19 and 126th St and is proposed to be moved 50 feet to the north. He is working for Cleveland Township on this and just wanted to see if the board needed to ok this. The board said there is no issue for that work to be done at this site if the township is in approval.

Kevin wanted to discuss the drop structure area of Drain 98 about 3/8 mile to the east of 143rd Ave NE rural in Section 24 of Prairie Centre. Kevin is questioning the correct height for the dike that protects the emergency spillway on the south side. The emergency bypass spillway is on both sides of the drop structure. The emergency spillway on the south side is blown out and needs to be addressed with a dike alignment. The north side is intact. The office will call on the engineer who has done work on that drain for more information.

He also brought his concerns regarding the Forest River Dike situation. Commissioner Barta confirmed that the county owns a portion of the dike. Kevin does not think that the dike in the county right of way is permitted and needs to come down. Vice Chairman Tanke reminded the group that dikes are required to be permitted, regardless of who's right of way it's in. Commissioner Barta said that there are upcoming meetings scheduled to handle the dike issues.

Snagging & Clearing DWR Funding Award Contract:

The total approved project cost is \$88,036, with 50% of this amount up to \$44,018 of DWR funds being contracted for cost share at this time. Upon recommendation of DWR and Sean Fredericks, the WRD will look closer at the endorsements needed to satisfy the contract.

Miscellaneous Drainage Complaints/Follow-up:

The board reviewed their response to Brock Wieber at Dwyer Law regarding the complaint set forth by Paul Suda Farms pertaining to drainage at SW ¼ of Section 27 of Prairie Centre Township and how it affects the land they are farming on the NE ¼ of Section 34. Dwyer Law requested the WRD to look at studying the water issues there.

Miscellaneous Drainage Permits/Follow-up:

Lane Kelley returned the groundwater license agreements drafted as the result of earlier contact with the board on the issue of needing to divert water for irrigation. The agreements are necessary for him to proceed in the permitting process with the DWR for diverting water from Matejcek Dam. The license agreements were ready for the final signatures and are subject to him getting through the process at the state level. ***Vice Chairman Tanke moved to finalize the groundwater license agreements for Lane Kelley; 2nd by Manager Jallo. Motion carried.***


Miscellaneous:

- Wages for Board Members: ***Vice Chairman Tanke moved to increase board member wages to \$30/hr.; 2nd by Manager Jallo. Wages are currently at \$27/hr. Motion Carried.***

The next board meeting will take place on May 23rd at 8:00 a.m.



Daryl Campbell, Chairman

Attest: 
Sarah B. Johnston, Administrative Assistant

Notice of Meeting and Agenda
Walsh County Water Resource District
Tuesday, May 23rd,2023
Walsh County Courthouse Lower Level Office #3

- 8:00 a.m.** Call to Order
Roll Call
Agenda Approval
- Consent/Approval
- Minutes May 16th Meeting
 - Bills
- 8:20 a.m.** Matejcek Dam Beach & Dock
- 8:45 a.m.** Park River Snagging & Clearing Contract
- 9:00 a.m.** Drain Repairs/FEMA damage assessments and reporting

Other items

- Miscellaneous Correspondence

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Proceedings of the Walsh County Water Resource District Board Meeting
Tuesday, May 23rd, 2023
Walsh County Courthouse, Grafton, ND

May 23rd, 2023 – 8:00 a.m.

Chairman Daryl Campbell called the meeting of the Walsh County Water Resource District Board to order. Roll call taken: Chairman Daryl Campbell and Manager Albin Jallo were present. Vice Chairman Larry Tanke was not in attendance. Jason Johnston, Highway Superintendent also attended.

*Additions to the agenda: PERS start date for Sarah Johnston. **A motion to approve the agenda with additions was made by Manager Jallo; 2nd by Chairman Campbell. Motion carried.***

A motion to approve the minutes of the May 16th board meeting and the bills as presented was made by Manager Jallo; 2nd by Chairman Campbell. Motion carried.

Matejcek Dam beach & docks:

Manager Jallo visited Matejcek Dam and brought in photos of the spring damage. Docks are not in the water yet and the beach needs repairs due to erosion this spring. The reservoir water levels are still relatively high, but the work can be done now. Jason Johnston offered the assistance of the highway department to repair the damages, and would charge time and materials only. He could also fix the hole at the bottom of the boat ramp. The board agreed to hire the highway department to make the repairs. Discussion was also held on potential solutions to address the erosion that occurs on the beachline. Jason described one possible solution, which would be a retaining wall structure. Chairman Campbell mentioned the issues of the recreational dams with sediment loading. Sarah Johnston will look into possible funding for beach modifications and mentioned the ND Outdoor Heritage Fund as one potential source. Other ideas for improvements were bounced around. Sarah will need to review the rehabilitation planning that is currently with the rehab committee and look at potential for further planning on the beach erosion issues.

The new dock will be delivered to Matejcek Dam next week by ND Game and Fish. The dock was funded collaboratively by the Dakota Prairie Wildlife Club and ND Game and Fish, with the Walsh Co. Water Resource District board acting as the local sponsor. The board discussed the annual launch and removal of docks at the reservoir. There is damage to the large dock due to it not being removed in a timely manner. Manager Jallo is willing to donate his time to help with removing the docks. The highway department could also assist for a fee of time and materials, if volunteers are not available. Sarah will make note of the dock and beach procedures and bring them to the next meeting so that everyone involved with the Dam is on the same page. The Highway Department will launch the small dock for the weekend. That dock will be returned to Game and Fish next week when they swap it out with the new one. Other discussion on Matejcek Dam included answering questions Sarah had about maintenance. The 4H group led by Todd Knutson provides trash removal throughout the summer. Overnight camping is not approved and a sign may be needed to remind people of the rule.

Snagging & Clearing DWR Funding Award Contract:

Sarah reached out to Sean Fredricks regarding the endorsements that WRD's may need on these DWR contracts and has not yet received a response. She will follow up with NDIRF.

Drain Repairs:

Brad Suda contacted the water board during the meeting and reported damages on Drain 87 on 66th Ave NE and Drain 7. The office has documented the damage and will submit to FEMA.

PERS start date for Sarah Johnston:

Sarah was recently contacted by ND PERS regarding her retirement benefit enrollment. Sarah worked PT hours as needed for the WRD starting on December 10th ahead of her scheduled start date. This was due to the board needing some assistance before she officially started full-time on January 3rd, 2023. The PERS coordinator advised looking into changing the start date to December 10th, to allow for the month of December to be counted towards the time in service for retirement benefits. **Manager Jallo moved to revise Sarah Johnston's start date to December 10th, 2022 for the purpose of ND PERS retirement benefits; 2nd by Chairman Campbell. Motion carried.**

Miscellaneous:

- Knife River Temporary Permit ND2023-21701 was reviewed by the board. Water from the Fordville Aquifer will be utilized to wash aggregates. The ND DWR notifies the board as a courtesy.
- The board discussed issues with people littering and illegal dumping of trash and unwanted items in road ditches, streams, etc. Some areas are especially problematic with large items being dumped.

The next board meeting will take place on May 30th at 8:00 a.m.



Daryl Campbell, Chairman

Attest:



Sarah B. Johnston, Administrative Assistant

Notice of Meeting and Agenda
Walsh County Water Resource District
Tuesday, May 30th,2023
Walsh County Courthouse Lower Level Office #3

- | | |
|------------------|--|
| 8:00 a.m. | Call to Order
Roll Call
Agenda Approval |
| 8:15 a.m. | Consent/Approval <ul style="list-style-type: none">• Minutes May 23rd Meeting• Bills |
| 9:00 a.m. | Dwyer Law- Drainage Complaint- Paul Suda Farms, Inc. |

Other items

- Miscellaneous Correspondence

Reminders:

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**Proceedings of the Walsh County Water Resource District Board Meeting
Tuesday, May 30th, 2023
Walsh County Courthouse, Grafton, ND**

May 30th 2023 – 8:00 a.m.

Chairman Daryl Campbell called the meeting of the Walsh County Water Resource District Board to order. Roll call taken: Chairman Daryl Campbell, Vice Chairman Larry Tanke and Manager Albin Jallo were present. Walsh County Commissioner Ernie Barta also attended.

*Additions to the agenda: Red River Retention Authority, Red River Joint Water Resource District (RRJWRD) Funding Request, Park River Snag & Clear Project DWR contract. **A motion to approve the agenda with additions was made by Vice Chairman Tanke; 2nd by Manager Jallo. Motion carried.***

A motion to approve the minutes of the May 23rd board meeting and the bills as presented was made by Vice Chairman Tanke; 2nd by Manager Jallo. Motion carried.

Dwyer Law- Drainage Complaint – Paul Suda Farms, Inc.:

Jack Dwyer and Brock Wieber outlined the request that is being made on behalf of Paul Suda Farms, Inc. Dwyer corrected and clarified the information that his office submitted previously regarding drainage issues. Thereafter, the focus of the conversation pertained to stream crossing standards along Co. Road 8 and 61st St south of Veseleyville. Prairie Centre township has several sections of land affected by spring flooding and drainage issues. Dwyer discussed Sections 34 and 27, which are the basis of his client's complaint. According to the board, the water should be flowing north along County Road 8 as it has in the past. Within the past two years, it began flowing primarily south along Co. Road 8. The board will submit a request to study culvert sizes in this area by submitting a Stream Crossing Determination Request to the ND Department of Water Resources.

Red River Retention Authority:

Keith Weston of the Red River Retention Authority visited the office on May 26th. Sarah Johnston provided the board a summary of that visit. The Walsh Co. WRD has a seat on the Red River Joint Water Resource District Board and Weston inquired as to whether Vice Chairman Tanke will continue to fill it. Vice Chairman Tanke indicated that he will continue to sit on the Red River Joint board.

Red River Joint WRD Funding Request:

The RRJWRD sent a letter soliciting a mill levy request for the 2024 budget. The 1.5 mills or \$83,520 that the RRJWRD is requesting is in addition to the WCWRD's 4 mills received from the County. The mill levy request is ultimately up to the County Commissioners for approval, and would go to them for review after this board's approval. ***Manager Jallo moved to approve the RRJWRD's mill levy request in the amount of 1.5 mills or \$83,520; 2nd by Vice Chairman Tanke. Motion carried.***

Park River Snag & Clear Project DWR Contract:

Sarah Johnston brought the contract back to the board for further discussion after corresponding with attorney Sean Fredricks regarding his comments pertaining to DWR contracts at a recent meeting. He described how contracts with contractors should list the State as an additional party in the Indemnity, Hold Harmless and Liability clauses when WRD's and contractors who are doing work on the ND Department of Water Resources cost share contracts. ***Vice Chairman Tanke moved to approve the Park River Snag & Clear Phase 8 cost share contract with the ND DWR; 2nd by Manager Jallo. Motion carried.***

Miscellaneous:

- **Drain 98:** Dan Fischer of Fischer Land Surveying and Engineering spoke with the board by phone regarding his recent visit to Drain 98 to review the damaged drop structure. The emergency spillway needs brush removal. Fischer will do a set of revised plans for this area of the drain.

The next board meeting will take place on June 6th at 8:00 a.m.



Daryl Campbell, Chairman

Attest: 
Sarah B. Johnston, Administrative Assistant