

**Notice of Meeting and Agenda**  
**Walsh County Water Resource District**  
**Tuesday, July 18th, 2023**  
**Walsh County Courthouse Lower Level Office #3**

- 8:00 a.m.** Call to Order  
Roll Call  
Agenda Approval
- Consent/Approval
- Minutes July 11th Meeting
  - Bills
- 8:15 a.m.** Bennett Johnson- Surface Application 6207- Novak
- 8:40 a.m.** Adjourn. Move to the Farmers Room for the Drain 98/Drain 7 Informational meeting.
- 10:15 a.m.** Resume Board Meeting in WRD Office  
-Correspondence
- 10:20 a.m.** Drainage Permit Applications:  
-Scott LeClerc
- 11:30 a.m.** Meet with the County Commission to present budget
- 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, July 18th 2023  
Walsh County Courthouse, Grafton, ND**

July 18<sup>th</sup>, 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 Jallo. Commissioner Ernie Barta was also in attendance.

The agenda was reviewed. ***A motion to approve the agenda was made by Vice Chairman Tanke; 2<sup>nd</sup> by Manager Jallo. Motion carried.***

***A motion to approve the minutes of the July 11th board meeting was made by Vice Chairman Tanke; 2<sup>nd</sup> by Manager Jallo. Motion carried.***

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

**Surface Drainage Application 6207-Novak:**

Bennett Johnson of Vogel Law met with the board and introduced engineer Sarah Sesselman of Burian & Associates. Mark Novak and his wife also attended. Johnson invited Sesselman to present information to help answer the board's questions, which the board outlined in their letter to the ND Department of Water Resources in May, regarding Mark Novak's proposed surface drainage project west of Minto on the Forest River. Sesselman presented preliminary information regarding the stream channel's survey and the proposed bypass. She emphasized that the proposed project would not result in any big changes to the water that breaks out in that location. She also stated that under current conditions, with a 10 year event, there is water overtopping the road on the immediate upstream and downstream culverts next to the proposed site. When asked how far the drainage ditch being proposed would be from the roadway, Sesselman said it would be located approximately 50 ft. Sesselman will provide Jacob Wognum of HEI the technical information presented today. Manager Jallo inquired about existing flood conditions and Mark Novak provided this information. Thereafter, the board adjourned to attend the next scheduled meeting.

***ADJOURNED*** 8:50 a.m.

The board adjourned to hold to the Drain 98/Drain 7 public information meeting being held by the board in the Farmers Room. Information from this meeting will be available online.

***RECONVENED*** 10:15 am.

**Correspondence:**

Correspondence was reviewed. On July 17<sup>th</sup>, Kevin Mudder of Forest River filed a water complaint pertaining to the dike elevations at the bridge north of town. The board read the complaint and acknowledged it. The complaint was filed in follow-up to an earlier board meeting this spring with Mudder. Jason Johnston indicated that he and a couple of the commissioners met with the mayor of Forest River and others from Forest River after the board initially met with Mudder this spring. Discussion followed on what the next steps should be. Johnston will provide Jacob Wognum of HEI the bridge plans. Wognum will survey the dike to the west of the bridge and bring that information back to the board for future work on the issue with the county highway department.

**Drainage Permit Applications:**

- Scott LeClerc WC2023-008: The application from LeClerc returned after being amended by Ellingson Drainage. The application proposed installing drain tile in the SW ¼ of Section 32 of Martin Township and discharge through a culvert on 151<sup>st</sup> Ave NE to the west immediately into Legal Drain #74.

**Jacob Wognum- HEI:**

Provided his monthly progress report with the following projects:

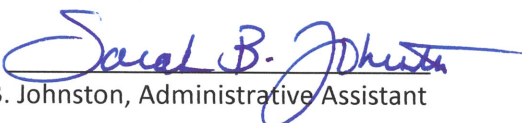
- Drain 4A- Provided preliminary estimate for boring new culvert under railroad.
- Drain 31- grass seeding and punch list items remaining.
- Drain 87- staking completed for bridge replacement with culverts at 145<sup>th</sup> Ave NE to be installed this month.
- Drain 7/98- drainage areas updated and public informational meeting today.
- Park River Snag and Clear Phase 8 planning continues.

**Miscellaneous:**

- **Nick Rudnik, Ditch Clean out:**  
Brought back from the previous board meeting. Section 21 is in the D98 assessment area and this ditch can be cleaned out. Section 16 is not currently in the assessment area so water would not be allowed to flow into the assessment area of D98.
- **Budget for 2024:** The board met with the county commission from 11:30 am – 11:55 a.m. to present the WRD's budget. The board is requesting 4 mills for next year's budget.
- **Devils Lake Basin Joint Board:** Requested \$3,080 contribution for FY 2024. Manager Jallo serves on this joint water resource board and stated that the funding level has increased by 10% this year so that they have a little bit more money to work with. **Manager Jallo moved to approve the request for \$3,080; 2<sup>nd</sup> by Vice Chairman Tanke. Motion carried.**

The next board meeting will take place on July 25<sup>th</sup> at 8:00 a.m.

  
Daryl Campbell, Chairman

Attest:   
Sarah B. Johnston, Administrative Assistant

**Proceedings of the Walsh County Water Resource District Board Meeting  
Informational Meeting DRAIN 98 & DRAIN 7 Assessments**

**Tuesday, July 18th 2023**

**Farmers Room**

**9:00 am -10:05 am**

**Walsh County Courthouse, Grafton, ND**

The board began by introducing its members and Jacob Wognum of Houston Engineering. Mr. Wognum emphasized that the purpose of the meeting was to talk with landowners about the potential reassessment of Drain 98 and Drain 7. At the present time, legal proceedings towards reassessment are not underway, but rather, information is being gathered by the board through public input. He also mentioned his work with re-delineation of these watersheds using LIDAR.

The Drain 7 drainage area was described along with a brief history of the drain. Maps showing the existing drainage area as well as the proposed drainage area was presented. The maps showed a shift and expansion in the drainage area, with the result being less land to the east being including in Drain 7 drainage area, and more land being added to the west of the existing drainage area. Areas added to Drain 7 span from approximately Highway 81 west past Highway 18, and continuing westward out to the Park River and Pisek areas.

Next, Wognum presented an overview of the Drain 98 drainage area, covering some of the history of the drain. Maps presented showed the existing assessment drainage area and the proposed drainage area. Using the recent drainage area delineation, Drain 98 would see a few additional parcels added to it. Drain 98 would continue to discharge into a portion of the Drain 7 drainage area.

Then Wognum provided a map showing the changes to these drains, and how the new areas fit in relationship to adjacent drains shown on the map. Wognum then noted relevant laws pertaining to the reassessment process and mentioned that the board may hold additional informal informational meetings like this one. He also outlined the fact that board will look into landowner input that is provided during this meeting, and that it is helpful if landowners complete the comment forms provided.

Twenty-two people attended the meeting, of which approximately twenty were landowners. Eight landowners asked questions or made comments during the meeting, of which Wognum and board members responded. One landowner in the proposed Drain 7 assessment area, located to the west of the existing area, asked if landowners can be assessed for two drains, such as both 98 and 7, to which the board responded "yes".

A couple of landowners commented on the existing Drain 7 drainage area. One landowner asked why people aren't currently being assessed if the WRD has the data on the drainage area. Vice Chairman Tanke responded that it has taken time to re-evaluate the drainage area. He included in his response how the Drain 90 project that did not materialize could have been included in Drain 7's assessment. One landowner inquired about whether his understanding was correct regarding people in the failed drain 90 area draining into Drain 7 without being assessed.

Manager Jallo responded and confirmed that some people in the failed proposed Drain 90 area were not paying on Drain 7 despite draining into it. Manager Jallo also clarified that this project is not a drain reconstruction. A landowner followed up to that comment, and asked about cost share for drainage projects. Vice Chairman Tanke reiterated that this is a reassessment being proposed and not construction.

One landowner from Minto commented that Drain 7 is a benefit to people in Harriston Township, and that there is too much water in it, resulting in economic losses. Vice Chairman added to this comment that the failed proposed Drain 90 could have taken water from Drain 7 and carried it east to provide better drainage. Another landowner in the existing Drain 7 area mentioned how he felt the drain was acting as a dike to hold water away from the east, holding water on the west side of the drain. Wognum responded that Drain 31 could be assessed for Drain 7 too, and Manager Jallo pointed out that Drain 31 is not paid down yet for that to be eligible.

One landowner commented that he did not agree with the process followed for Drain 87 a few years back and commented on the century code and the majority required for construction of the drain. Chairman Campbell responded that the century code is followed to a "T", including on Drain 87. He reiterated to the landowner, on two occasions during the meeting, that everyone was gathered to discuss the potential reassessment of Drain 98 and Drain 7, and that the construction of Drain 87 was not a topic for today, but rather a discussion for another time---and that the group would not be voting on Drains 98 and 7.

One landowner asked if Drain 7 was being changed, and Wognum assured him it was only the assessment area being changed, and not the drain itself.

One landowner commented that the bridge at the elevator in Minto cannot handle more water and won't last long. He added that in the spring water runs over County Road 15 west of Exit 168 of I-29.

Wognum reiterated the need for comments, and that the costs pertaining to these drains is not for a new project, but rather to reassess the existing drain, up to \$4/ac. One landowner asked about the current amounts being assessed on these drains. Sarah Johnston provided that Drain 98 was assessed \$3/acre in 2022 and Drain 7 was assessed \$2.

Chairman Daryl closed the meeting by thanking everyone for their participation and added that there will be another meeting to discuss the proposed changes.

Meeting ended 10:05 a.m.

Attest:   
Sarah B. Johnston, Administrative Assistant

  
Daryl Campbell, Chairman