

**Notice of Meeting and Agenda**  
**Walsh County Water Resource District**  
**Tuesday, September 12th, 2023**  
**Walsh County Courthouse Lower Level Office #3**

- 8:00 a.m.** Call to Order  
Roll Call  
Agenda Approval
- Consent/Approval
- Minutes September 5th Meeting
  - Bills
- 8:15 a.m.** Jason Johnston, Walsh County Hwy Dept
- Cost Sharing on drains
  - Bridge project updates
- 9:00 a.m.** Dan Fischer, Fisher Land Surveying & Engineering
- Drain 97 Projects
- 9:15 a.m.** Kevin Mudder and Richie Hagen, Co. Rd 15/Voss culvert
- 9:30 a.m.** Prairie Centre Township Board
- Miller Farms Dike Complaint, Sections 23/24
- 9:45 a.m.** FEMA Sites
- 10:15 a.m.** Dike Permit Applications
- Kevin Mudder, Forest R.
  - Tom Hurtt, N. Branch Park R.
  - Ryan Sobolik, Forest R.
- Applications to Install Subsurface Water Management System
- Mark A. Novak- Perth Township, Sections 23/24
  - Spencer Bina – Golden Township, Sections 11/12
- 10:45 a.m.** John and Louis Kadlec Jr.
- Mike Swartz dike complaint

**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, September 12, 2023  
Walsh County Courthouse, Grafton, ND**

September 12, 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 Campbell, Vice Chairman Larry Tanke and Manager Albin Jallo. Commissioner Ernie Barta was also in attendance.

***The agenda was reviewed. Manager Jallo moved to add scheduling Park River Joint Water Resource board meeting, and review of culvert quotes from Houston Engineering to the agenda; 2<sup>nd</sup> by Chairman Tanke. Motion carried.***

***A motion to approve the minutes of the September 5th board meeting and the bills as presented, was made by Vice Chairman Tanke; 2<sup>nd</sup> by Manager Jallo. Motion carried.***

**Jason Johnston, Walsh Co. Highway Dept.:**

Several legal drain bridges were discussed with the board. A bridge project on Drain 98 and County Rd 6 north of the beet piler by Voss is complete. The bridge was removed and replaced with a large aluminum box culvert. One landowner contacted him after construction was complete regarding potential flooding at the site due to the size of the crossing installed. A member of the board spoke with the landowner prior to the meeting as well. The consensus reached is that this culvert is controlled with flaps, and was studied prior by KLJ to ensure it is proper sizing.

He is taking bids for the removal of bridges that were closed on Drain 48 located at 154<sup>th</sup> Ave NE and 74<sup>th</sup> St NE, and Drain 50 located 2 miles east and 2 miles south of North Salt Lake on 156<sup>th</sup> Ave and 76<sup>th</sup> St NE. Commissioner Barta and Johnston brought forth discussion regarding cost sharing legal drain projects and the portions each party should pay on these projects now and in the future. Barta has been working since last winter with the county state's attorney to settle past cost share issues between the county and the water resource district. A resolution to the issue has not been proposed, and given the amount of time that has elapsed, the board is wanting to move ahead on the issue as soon as possible. There is approximately \$300,000 owed by the county to the WRD. Barta mentioned that bridge inspections are costly and he that he would like to see them cost shared as well.

**Dan Fischer, Fischer Land Surveying and Engineering:**

Dan Fischer attended by phone to provide an update. The board previously contacted Fischer Land Surveying to provide Darryl Borgeson an estimate for surveying work within the Drain 97 drainage area, in Vernon Township Sections 15 and 16. The board will not pay for the survey and the board informed Fischer that it is up to Borgeson to hire him.

**Kevin Mudder and Richie Hagen, County Road 15 and culverts at Voss:** Mudder and Hagen presented information on water issues on Hagen's property at Voss, as it relates to culverts located primarily upstream and along the property in the county's road ditch. Hagen has a dike on one side to protect his structure and continues to have water issues on his property. Water is flowing south under Co. Rd. 15 and making its way to Hagen's property once it crosses the railroad tracks. The culverts in question are not

culverts the water board had involvement with, though it was well understood the issues that he is facing at the site. It was recommended that Hagen consult with the township regarding the culvert immediately downstream of Hagen's property, in the township road.

**Prairie Centre Township Board- Miller Dike Complaint:** Prairie Centre Township board members were invited to discuss the complaint by Miller Farms regarding a culvert at the SE ¼ of Section 23 and SW ¼ of 24 that was recently modified at the request of Mark A. Novak. Township officers Bill Suda and Don D. Novak provided information on the culverts and existing drainage. The project was authorized by their board. Kevin Mudder completed the culvert work and presented an overview of the work completed. Culvert elevations and drainage flow was discussed. Mudder stated that the water has not flowed east from that intersection and ordinarily flows north once it goes thru the road on 143<sup>rd</sup> Ave, following an existing ditch on the east side of 143<sup>rd</sup> Ave NE. The board will continue to look into the complaint.

Don D. Novak asked about snagging and clearing of wood debris from a nearby coulee in Prairie Centre Township. The bridge is located north and east of Veseleyville, between Sections 10 and 15. The board advised them to work with the Highway Department on removal of the trees next to the bridge. Don also mentioned flooding at Terry Barta's farmstead this past spring. The district provided information on ring dike cost share.

**FEMA:** Sarah Johnston brought drain damage photos to the board for review. She will be meeting with ND Department of Emergency Services to conduct onsite inspections of damages this next week.

**Dike Construction Permit Applications:** Applications tabled at the last meeting were reviewed.

- **Kevin Mudder** of Forest River applied to construct a dike to protect his rural residence along the Forest River. ***Vice Chairman Tanke moved to approve Mudder's application; 2<sup>nd</sup> by Jallo. Motion carried.***
- **Tom Hurtt** of rural Hoople submitted an application to construct a dike to protect his farmstead along the N. Branch of the Park River. ***Vice Chairman Tanke moved to approve Hurtt's application; 2<sup>nd</sup> by Manager Jallo. Motion carried.***
- Both applications will be forwarded on to the Department of Water Resources for review and approval. Sarah provided the board preliminary information regarding Ryan Sobolik's proposed ag dikes. Sobolik will submit applications for their review at the next meeting.

**Applications to Install Subsurface Water Management Systems:** The application tabled at the last meeting was reviewed, along with one new application.

- **Mark A. Novak WC2023-015:** Proposed tile installation in NW ¼ Section 24, NE ¼ Section 23, and NW ¼ of Section 23, all in Perth Township, to outlet into a natural waterway in Section 24 in Perth. ***Manager Jallo moved to issue tile permit WC2023-015; 2<sup>nd</sup> by Vice Chairman Tanke. Motion carried.***
- **Spencer Bina WC2023-017:** Proposed tile installation in NW ¼ Section 12 and NE ¼ Section 11, both in Golden Township, to outlet in NW ¼ Section 12 in Golden Township into a natural waterway. ***Vice Chairman Tanke moved to issue tile permit WC2023-017; 2<sup>nd</sup> by Manager Jallo. Motion carried.***

**John and Louis Kadlec Jr.:**


The Kadlec's attended the meeting to discuss a complaint made against them in regards to their dike on Section 4 of Rushford Township. During the meeting, the board received the written complaint submitted via mail by Mike Swartz, who lives across the road from the diked field. Swartz's complaint outlined the water issues he experienced this past year with flooding along 65<sup>th</sup> St NE and in his yard. The dike's elevation was the main concern, along with a new culvert that was installed in the county road. After the complaint was reviewed, the Kadlec's stated to the board that the dike was lowered in 2010, to the height mandated by the WRD and using the WRD's contractor. They described the issue with drainage in that area, starting in the west of that section, and requested of the board that they be allowed to keep the dike elevation the same. The board will continue to look into the complaint.


**Miscellaneous:**

- Correspondence from the Pembina County WRD regarding Drain 55 assessments was received and reviewed. Sarah will touch base with the Pembina Co. regarding any potential changes to the assessed landowners and acreages.

The next board meeting will take place on September 19th at 8:00 a.m.

Attest:

  
Sarah B. Johnston, Administrative Assistant

  
Daryl Campbell, Chairman