

Notice of Meeting and Agenda
Walsh County Water Resource District
Tuesday, October 10th, 2023
Walsh County Courthouse Lower Level Office #3

- 8:00 a.m.** Call to Order
Roll Call
Agenda Approval
- Consent/Approval
- Minutes October 3rd Meeting
 - Bills
- 8:30 a.m.** Dan Gaustad, Pearson Christenson, PLLP
- Reassessment process, permit applications, county cost share, Forest River Dike Complaint
- 10:00 a.m.** Ken Slominski- Culvert Request, Drain 28 in Walshville Township SE ¼ S19
- 10:15 a.m.** Applications to Install Subsurface Water Management Systems
- Steven Schuster: Applications WC2023-018/WC2023-019 Section 36 Harriston Twp. /Section 1 Ardoch Twp.
- 10:30 a.m.** Surface Drainage Permit Application No. 6207
- Mark A. Novak
Bennett Johnson, Vogel Law
Sarah Sesselman, PE - Burian & Associates
- 11:30 a.m.** Cory Kouba, Drainage issues Cleveland Twp. S19
- 11:45 a.m.** FEMA Updates
Scheduling public hearing on N. Branch Park R. w/ PRJWRD
Assessment hearings & PRJWRD Board Meeting October 24th

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, October 10th, 2023
Walsh County Courthouse, Grafton, ND**

October 10th, 2023 – 8:00 a.m.

Chairman Daryl Campbell called the meeting of the Walsh County Water Resource District Board to order. Roll call was taken. Members present: Chairman Campbell and Manager Albin Jallo. Members not present: Vice Chairman Tanke. Dan Gaustad and Commissioner Ernie Barta were in attendance, as well as members of the public.

The agenda was reviewed. Manager Jallo moved to approve the agenda; 2nd by Chairman Campbell. Motion carried.

A motion to approve the minutes of the October 3rd board meeting, and the bills as presented, was made by Manager Jallo; 2nd by Chairman Campbell. Motion carried.

Dan Gaustad, Pearson Christenson, PLLP:

- *Outstanding bills/County Cost share:* Commissioner Barta was in attendance to discuss issues with the board surrounding cost share amounts the County owes the WRD. The issue centers around whether or not the County and the WRD agreed to pay drain bills in amounts that differ from the 60%/40% split of project costs outlined by the Century Code. Also brought into question was whether or not a cost share split is applied to the total project costs or if it only applies to the project's material costs. The county owes approximately \$300,000 on invoices from 2022. Gaustad will move ahead on a resolution and Barta will inform the commissioners on the status of the issue.
- *Reassessment process:* Drain 98 and Drain 7 are involved in a proposed reassessment project which would potentially add acres for assessment to Drain 98 and remove a portion of Drain 7's assessed acres. Century code updates have been made regarding the assessment process. Much more work will need to be done before any proposed reassessment hearing would be held with landowners to whom the assessment involves.
- *Forest River Dike Complaint:* Jacob Wognum attended by Zoom and presented the Forest River Dike technical memorandum regarding the bridge on the north side of the town of Forest River. The dike upstream of the bridge on the north bank affects more than 50 acre feet and is unpermitted. Wognum will update his memo on how much of a reduction is needed, to include the dike profile & cross-sections with locations/quantities of the reductions. He will also be in touch with the Department of Water Resources again.
- *Permit applications:* Mark A. Novak's surface drainage permit 6207 is listed on the agenda for 10:30 am today. Gaustad is available to stay for the engineer's presentation. The board intends to eventually hold a public hearing on the proposed project.

Ken Slominski, Culvert request on Drain 28:

Ken appeared to request a culvert on Drain 28 in Walshville Township. The SE ¼ of Section 19 needs to drain south into Drain 28, and currently there is not a culvert there. He proposed adding a north/south culvert between Section 19 and Section 30, just west of the intersection 156th Ave and 57th St NE. HEI will run a hydraulic study to determine the culvert size. He added that there are culverts needing replacement in Drain 28 on the south side of the intersection at 56th St NE and 157th Ave NE, going east/west.

Applications to Install Subsurface Water Management Systems WC2023-018 and WC2023-019:

Steven Schuster applied for tile drainage permits involving nearly all the E ½ of Section 36, minus small tracts near Warsaw. The proposed tile project in the NE ¼ of Section 36 in Harriston township will include a single pump outlet discharging into the west ditch of County Road 4 along the SE ¼ of Section 36, crossing through the road and into the east ditch where it drains naturally into the W ½ E1/2 of SW ¼ of Section 31 of Pulaski Township. From there it continues south through 60th St NE where it discharges into an oxbow channel of the Forest River. The proposed tile project in the SE ¼ of Section 36 in Harriston Township involves a single pump outlet along the south side the SE ¼ of Section 36, and discharges south through County Road 4 onto the NE ¼ of Section 1 in Ardoch Township. From there it discharges into an oxbow channel of the Forest River after crossing Eric and Mary Stanislawski's land, from whom he has presented signed permission. Attorney Gaustad was present and reviewed the application materials. The landowner in the W ½ E1/2 of SW ¼ of Section 31 of Pulaski Township will receive downstream notification. **Manager Jallo moved to approve tile applications WC2023-18/WC2023-019; 2nd by Chairman Campbell. Motion carried.**

Surface Drainage Permit Application 6207:

The final proposed project design was presented to the board by Jordan Prazak of Burian & Associates. During the presentation, he showed changes to the channel's dimensions that were necessary after the initial design was presented in July by Sesselman. Those in attendance who discussed the application included applicant Mark A. Novak, Lara Novak, Attorney Bennett Johnson of Vogel Law, Sarah Sesselman of Burian & Associates, Jacob Wognum of Houston Engineering, and Dan Gaustad of Pearson Christenson, PLLP and members of the board. Stamped plans are still pending and Attorney Johnson commented that the new version needs to go to the parties involved. He inquired about the timeline for a public hearing on the project. Attorney Gaustad advised that board needs time to thoroughly review the new plan and he will discuss the timeline further with Johnson.

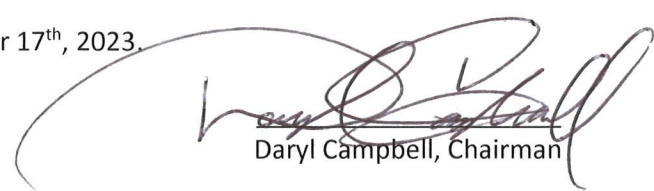
Cory Kouba, Drainage issues in Cleveland Township, Section 19: The board contacted Cory by phone to discuss the issues he is having with drainage in the NE ¼ of Section 19. He expressed concerns with the number of tiled acres and wetlands being drained into the natural waterway that runs through his quarter. After some discussion, the board outlined what is expected of landowners who are draining and operating tile pumps.

Miscellaneous:

- **Drain 25:** Scope of work and estimation is needed at this time. Sarah will continue to work on this. She is wrapping up site visits this week for FEMA claims with Dept. of Emergency Services.
- Luke Holt stopped in during the meeting to discuss an issue with a culvert installed in Grafton Township between Sections 3 and 4. The board advised him to work with the township board.
- Annual drain assessment hearings for government drains will be held starting at 8:30 am on October 24th with the commissioners meeting soon after. The Park River Joint Water Resource District board meeting will be held at our office at 11:00 am that same morning to discuss the N. Branch Park River off channel retention project. The public hearing for this project is tentatively scheduled for December 12th, most likely at the Pembina County Courthouse.

The next board meeting is scheduled for Tuesday, October 17th, 2023.

Attest: 
Sarah B. Johnston, Administrative Assistant


Daryl Campbell, Chairman