

**Proceedings of the Walsh County Water Resource District Board Meeting
Tuesday, May 7th, 2024
Walsh County Courthouse, Grafton, ND**

Chairman Daryl Campbell called the meeting of the Walsh County Water Resource District Board to order. Roll call was taken. All Present: Chairman Daryl Campbell, Vice Chairman Tanke, Manager Albin Jallo, and Admin. Assistant Sarah Johnston. Other attendees today: Commissioner Ernie Barta, Jason Johnston,

Agenda: A legal drain cleanout permit application from Dave Hankey was received. ***Vice Chairman Tanke moved to approve the agenda with the addition of Hankey's permit, 2nd by Manager Jallo. Motion carried.***

Minutes & Bills: The minutes from the April 30th Board Meeting were reviewed. The bills were presented. ***Manager Jallo moved to approve the minutes and the bills as presented, 2nd by Vice Chairman Tanke. Motion carried.***

Drainage/Dike Complaints: Jacob Wognum of Houston Engineering and board attorney Dan Gaustad visited regarding watercourse and waterway aspects of complaints, and the recent findings on the Holt dike which will be presented today.

Grafton Township Board/Luke Holt Complaint Survey SW ¼ S3:

Jacob Wognum of Houston Engineering presented the survey findings pertaining to the Luke Holt dike complaint. The survey included the study of the drainage basin on both sides of the road. The findings concluded that the dike w/culvert built by Luke Holt does not hold back more than 50 acre feet of water. Upon the closure of the dike complaint, the Grafton Township Board and landowners in attendance then filed a new complaint and left the meeting. The new complaint involves an obstruction to a drain (please see later on in these minutes).

Walsh County Highway Dept. Drainage Permit for Lone Wolf Farms in SE ¼ S26 in Walsh Centre:

The highway permit application was acknowledged by the board and signed by Chairman Campbell.

Nodak Electric Cooperative- Drain 87 site: The easement was presented in the final draft. It was signed by Chairman Campbell.

Drain Tile Issues along State Highway 32 in NE ¼ ND ¼ Section 4- Lampton Township:

Jason Peterson of the ND Dept. of Transportation attended the meeting to discuss issues the state is seeing with tile drainage systems in our County. Sometimes landowners are not seeking permits to discharge tile systems into DOT right of way (ROW). He brought forth specific issues on Mark Myrdal's recent installation of drain tile by Landmark Industries. Mark and his salesperson, Jon Kippen, were in attendance. In addition to the tile system not being permitted with NDDOT to discharge into the state highway ROW, the outlet pipe is improperly placed and directly discharges into the ditch 4 ft inside of the ROW, rather than having an offset flow parallel to the ditch, possibly utilizing a V-ditch. Kippen stated that not meeting the State's requirements was an oversight on his part. Regarding the WRD's tile permit conditions that were not being met, the board reiterated to

Mark and Jon that proper erosion control, rip rap and grass seeding are required at the outlet location. Mark then provided his permit application to Jason Peterson, and the application was discussed and signed by Chairman Campbell. Mark is going to be allowed a short time frame by the NDDOT and the WCWRD to get the system up to compliance. During discussion of other scenarios requiring NDDOT tile discharge permits, Peterson reminded the group that when systems discharge into County roads at intersections with State Highway, those systems also need to be permitted with DOT because it is a short distance from the County ditch to the State ditch.

Grafton Township- New Complaint against Luke Holt, SW ¼ S3:

Manager Jallo moved to accept the new “obstruction to a drain” complaint into the agenda, 2nd by Vice Chairman Tanke. Motion carried. The complaint was filed by Grafton Township Board members Lawrence Burianek, Jim Tallackson and Austin Lessard. Landowners Beau Rutherford, Carl Unruh and Jon Gerszewski also signed the complaint. The complainants stated that Luke Holt’s recent earthwork and culvert in SW¼ SW ¼ of S3 is an obstruction to a drain. Earlier in the meeting, the Township said the watercourse area was plowed through and left prone to erosion.

The Board revisited the map of the drainage area surveyed by Houston Engineering and discussed how the waterway meets the definition of a natural watercourse. The watercourse approaches 147th Ave NE from the West, flows thru the culvert in the township road, and eventually thru the SW¼ SW ¼ of S3 and into NW ¼ S10 where it meets with the Middle Branch of the Park River.

Manager Jallo moved to designate the natural drainage described above as a watercourse (N.D.C.C. 61-01-06), 2nd by Vice Chairman Tanke. Motion carried. Manager Jallo moved for approval of the assessment that Luke Holt’s earthwork (with culvert) meets the definition of an “obstruction to drain” (N.D.C.C. 61-16.1-51), 2nd by Vice Chairman Tanke. Motion carried.

John Miller Farms Dike Permits:

The board provided Jennifer Lindenberger information regarding two dike permits that were still in pending status with the Department of Water Resources on NW ¼ S32 and NE ¼ S32, in Walsh Centre Township. The dike permit inquiries are part of a complaint filed by Mark A. Novak against John Miller Farms.

Subsurface Water Management System Application WC2024-009:

An application to install drain tile was submitted by Roger Gorder on NW 1/4 and SW ¼ S32 in Oakwood Township. The system will drain tile 298 acres and discharge into Legal Drain #87. ***Vice Chairman Tanke moved to approve permit application WC 2024-009 with normal permit conditions, 2nd by Manager Jallo. Motion carried.***

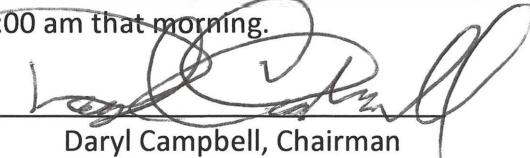
Legal Drain Permit Cleanout Applications were received from Hankey Farm and Gudajtes Farms. Neither application had work to do in a legal drain and applicants, and it was recommended they contact the appropriate road authority.

Jacob Wognum, Houston Engineering:

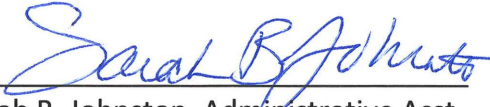
The Emergency Action Plan estimates were provided. The board recommended proceeding with the plans that included the survey option. Drain 25 preliminary design alternatives were discussed.

Drain 7 and 98 potential reassessments were tabled. Potential areas for Snag and Clear on the Park River were discussed. Jacob will prepare estimates for Drains 4A and 28.

With no further business, the meeting was adjourned. The Board will meet again on Tuesday, May 14th. The Forest River Joint Water Resource Board meets at 9:00 am that morning.



Daryl Campbell, Chairman

Attest: 
Sarah B. Johnston, Administrative Asst.

Handwritten notes or scribbles at the top of the page, possibly including the number '117'.