

RICHLAND COUNTY WATER RESOURCE DISTRICT
Richland County Courthouse, Wahpeton, ND
April 11, 2023

The Richland County Water Resource District ("RCWRD") met April 4, 2023, at 8:00 A.M. at the Richland County Courthouse.

THOSE PRESENT: Managers Arv Burvee, Tom Kubela, Gary Friskop, Clint Arndt, Brandon Ward, Engineering Technician Justin Johnson, Secretary-Treasurer Tiffany Bladow.

THOSE ABSENT:

Approval of Agenda

A motion was made by Mgr. Burvee and seconded by Mgr. Arndt and unanimously carried to approve the agenda as presented.

Minutes

The March 21, 2023, minutes were presented. A motion was made by Mgr. Ward and seconded by Mgr. Arndt to approve the March 21, 2023; minutes as presented. Upon roll call vote, the motion carried unanimously.

Financial Matters

March 2023 Financial Reports- A motion was made by Mgr. Kubela and seconded by Mgr. Arndt to accept the March 2023 financial reports as presented. Upon roll call vote, the motion carried unanimously.

Charles Gruchalla joined the meeting.

NE1/4 Section 32, Walcott East Twp

Mr. Gruchalla voiced his concern to the Board about the overland flooding of his yard and the land around it. His main concern is that the approach that was put in the NW1/4 Section 33 Walcott East Twp. The RCWRD approved Rieger to put the culvert in Appl #09-240, with Walcott Township sign off. The Board advised Charles to file an official complaint form in order for the Board to be able to look into it. He explained by having the approach south of the township ditch along 59th St. SE it inhibits the water to break out to the south.

Charles Gruchalla left the meeting.

Gabe Bladow, Houston Engineering Inc. joined the meeting via zoom.

Drain #66A

Will have a landowner meeting on Tuesday April 18, 2023 @ 9AM.

Drain #14

After discussion it was decided to continue to wait on this project until the Legislative has made their decision on the threshold bill.

Gabe Bladow left the meeting.

Mail

1. Sign Cost Share Contract for Dr. #66A
2. Sign Contract with Industrial Builders for Sheyenne River
3. Sign Contract with Industrial Builders for Wild Rice River

A motion was made by Mgr. Arndt and seconded by Mgr. Ward to approve the signing of the Pre-Construction cost share agreement for Dr. #66A. Upon roll call, the motion carried unanimously.

A motion was made by Mgr. Burvee and seconded by Mgr. Ward to approve the signing of the Agreement with Industrial Builders for the snagging and clearing of the Sheyenne River. Upon roll call, the motion carried unanimously.

A motion was made by Mgr. Kubela and seconded by Mgr. Arndt, to approve the signing of the Agreement with Industrial Builders for the snagging and clearing of the Wild Rice. Upon roll call, the motion carried unanimously.

A motion was made by Mgr. Arndt and seconded by Mgr. Ward to approve switching banks to Bell Bank. Will open checking and savings accounts with Bell Bank. Upon roll call vote, voting NO was Kubela, the remainder voted YES, and the motion carried.

Applications

Application to Install a Subsurface Water Management System #23-010 for Arlo Leedahl in the NW1/4 and NE1/4 Section 18, Helendale Township

The Board reviewed *Application to Install a Subsurface Water Management System #23-010*. Under the application, Arlo Leedahl seeks to install a 125-acre drain tile system in the NW1/4 and NE1/4 Section 18, Helendale Township. The project will include a gravity outlet located on the north boundary of the Northwest Quarter. The Board reviewed the application, design plan, water flow map, and all accompanying data submitted as part of the application.

Mgr. Kubela moved, and Mgr. Ward seconded the motion, to approve Appl #23-010 and to authorize the Secretary-Treasurer to sign SUBSURFACE WATER MANAGEMENT PERMIT #23-010, subject to the following conditions:

- that Applicant install and maintain proper erosion protection at all outlets;
- that Applicant re-establish all disturbed areas to previous conditions, including re-seeding;
- that Applicant will not install Applicant's tile system within 20 feet, on either side of any rural water lines under any blanket easements, or otherwise beyond any existing easements the Rural Water District has for Applicant's property being tiled;
- that Applicant must turn off any pump outlets and control structures during "critical flood periods," as determined by the Richland County Water Resource District;
- that Applicant must apply for an amendment to this SUBSURFACE WATER MANAGEMENT PERMIT in advance of any proposed alterations to outlet locations, the addition of any outlets, or improvements or modifications to the tile system that could increase the capacity or drainage area of the tile system;
- that Applicant remove silt or vegetation, or repair erosion or scour damages **directly** caused by Applicant's tile system, but only up to one mile downstream from a project outlet, unless the distance to the nearest assessment drain, natural watercourse, slough, or lake is less than one mile downstream of the proposed outlet, in which case the Applicant remove silt or vegetation, or repair erosion or scour damage only between the outlet and the discharge into the nearest assessment drain, natural watercourse, slough, or lake.

With regard to this condition, Applicant's obligations to remove silt or vegetation, or repair erosion or scour damages, will only arise upon submission of substantial evidence to the Board by a downstream landowner or road authority that Applicant's tile system **directly** caused accumulation of silt or vegetation, erosion, or scouring.

Upon roll call vote, the motion carried unanimously.

Under Section 61-32-03.1, the District cannot attach any additional conditions to Applicant's permit. However, for Applicant's protection, and to ensure protection of Applicant's tile system, the District recommends Applicant consider complying with the following :

- that Applicant obtain easements from the owners of any property not owned by the Applicant but on which the Applicant will install, construct, and maintain Applicant's tile system;
- that Applicant obtain a pipeline easement from the owners of property not owned by the Applicant but on which the Applicant will install, construct, and maintain a buried pipeline;
- that Applicant obtain written permission from all applicable road authorities to discharge into, or otherwise utilize, any township, county, or state road ditches; to install, operate, and maintain buried pipe in any township, county, or state road ditches; or to bore or cut through any township, county, or state roads and road ditches; and
- that Applicant obtain all other necessary and requisite licenses, permits, registrations, and/or approvals from all applicable federal, state, county, and municipal governments, and any other applicable governmental entities.

Application to Install a Subsurface Water Management System #23-011 for Peter Leedah in the NW1/4 and SW1/4 Section 7, Helendale Township

The Board reviewed *Application to Install a Subsurface Water Management System #23-011*. Under the application, Peter Leedah seeks to install a 135-acre drain tile system in the NW1/4 and SW1/4 Section 7, Helendale Township. The project will include a gravity outlet, with a control structure, located on the South boundary of the Southwest Quarter. The Board reviewed the application, design plan, water flow map, and all accompanying data submitted as part of the application.

Mgr. Ward moved, and Mgr. Burvee seconded the motion, to approve Appl #23-011 and to authorize the Secretary-Treasurer to sign SUBSURFACE WATER MANAGEMENT PERMIT #23-011, subject to the following conditions:

- that Applicant install and maintain proper erosion protection at all outlets;
- that Applicant re-establish all disturbed areas to previous conditions, including re-seeding;
- that Applicant will not install Applicant's tile system within 20 feet, on either side of any rural water lines under any blanket easements, or otherwise beyond any existing easements the Rural Water District has for Applicant's property being tiled;
- that Applicant must turn off any pump outlets and control structures during "critical flood periods," as determined by the Richland County Water Resource District;

that Applicant must apply for an amendment to this SUBSURFACE WATER MANAGEMENT PERMIT in advance of any proposed alterations to outlet locations, the addition of any outlets, or improvements or modifications to the tile system that could increase the capacity or drainage area of the tile system;

that Applicant remove silt or vegetation, or repair erosion or scour damages **directly** caused by Applicant's tile system, but only up to one mile downstream from a project outlet, unless the distance to the nearest assessment drain, natural watercourse, slough, or lake is less than one mile downstream of the proposed outlet, in which case the Applicant remove silt or vegetation, or repair erosion or scour damage only between the outlet and the discharge into the nearest assessment drain, natural watercourse, slough, or lake.

With regard to this condition, Applicant's obligations to remove silt or vegetation, or repair erosion or scour damages, will only arise upon submission of substantial evidence to the Board by a downstream landowner or road authority that Applicant's tile system **directly** caused accumulation of silt or vegetation, erosion, or scouring.

Upon roll call vote, the motion carried unanimously.

Under Section 61-32-03.1, the District cannot attach any additional conditions to Applicant's permit. However, for Applicant's protection, and to ensure protection of Applicant's tile system, the District recommends Applicant consider complying with the following :

that Applicant obtain easements from the owners of any property not owned by the Applicant but on which the Applicant will install, construct, and maintain Applicant's tile system;

that Applicant obtain a pipeline easement from the owners of property not owned by the Applicant but on which the Applicant will install, construct, and maintain a buried pipeline;

that Applicant obtain written permission from all applicable road authorities to discharge into, or otherwise utilize, any township, county, or state road ditches; to install, operate, and maintain buried pipe in any township, county, or state road ditches; or to bore or cut through any township, county, or state roads and road ditches; and

that Applicant obtain all other necessary and requisite licenses, permits, registrations, and/or approvals from all applicable federal, state, county, and municipal governments, and any other applicable governmental entities.

Application to Install a Subsurface Water Management System #23-012 for R&P Rydell LTD Partnership; Richard Rydell in the N1/2 Section 17, Fairmount S Township

The Board reviewed *Application to Install a Subsurface Water Management System #23-012*. Under the application, R&P Rydell LTD Partnership; Richard Rydell seeks to install a 298-acre drain tile system in the N1/2 Section 17, Fairmount S Township. The project will include 4 gravity outlets, with no control structures, located through the Northwest Quarter, into a natural. The Board reviewed the application, design plan, water flow map, and all accompanying data submitted as part of the application.

Mgr. Burvee moved, and Mgr. Arndt seconded the motion, to approve Appl #23-012 and to authorize the Secretary-Treasurer to sign SUBSURFACE WATER MANAGEMENT PERMIT #23-012, subject to the following conditions:

- that Applicant install and maintain proper erosion protection at all outlets;
- that Applicant re-establish all disturbed areas to previous conditions, including re-seeding;
- that Applicant will not install Applicant's tile system within 20 feet, on either side of any rural water lines under any blanket easements, or otherwise beyond any existing easements the Rural Water District has for Applicant's property being tiled;
- that Applicant must turn off any pump outlets and control structures during "critical flood periods," as determined by the Richland County Water Resource District;
- that Applicant must apply for an amendment to this SUBSURFACE WATER MANAGEMENT PERMIT in advance of any proposed alterations to outlet locations, the addition of any outlets, or improvements or modifications to the tile system that could increase the capacity or drainage area of the tile system;
- that Applicant remove silt or vegetation, or repair erosion or scour damages **directly** caused by Applicant's tile system, but only up to one mile downstream from a project outlet, unless the distance to the nearest assessment drain, natural watercourse, slough, or lake is less than one mile downstream of the proposed outlet, in which case the Applicant remove silt or vegetation, or repair erosion or scour damage only between the outlet and the discharge into the nearest assessment drain, natural watercourse, slough, or lake.

With regard to this condition, Applicant's obligations to remove silt or vegetation, or repair erosion or scour damages, will only arise upon submission of substantial evidence to the Board by a downstream landowner or road authority that Applicant's tile system **directly** caused accumulation of silt or vegetation, erosion, or scouring.

Upon roll call vote, the motion carried unanimously.

Under Section 61-32-03.1, the District cannot attach any additional conditions to Applicant's permit. However, for Applicant's protection, and to ensure protection of Applicant's tile system, the District recommends Applicant consider complying with the following :

- that Applicant obtain easements from the owners of any property not owned by the Applicant but on which the Applicant will install, construct, and maintain Applicant's tile system;
- that Applicant obtain a pipeline easement from the owners of property not owned by the Applicant but on which the Applicant will install, construct, and maintain a buried pipeline;
- that Applicant obtain written permission from all applicable road authorities to discharge into, or otherwise utilize, any township, county, or state road ditches; to install, operate, and maintain buried pipe in any township, county, or state road ditches; or to bore or cut through any township, county, or state roads and road ditches; and

that Applicant obtain all other necessary and requisite licenses, permits, registrations, and/or approvals from all applicable federal, state, county, and municipal governments, and any other applicable governmental entities.

Dr. #31 Application #23-013 W1/2 of NE1/4 Sec. 33 Summit East Twp

Jay Miller sent in application to have an approach put in by the RCWRD as there is no access into the field and he will be farming it this year. Mgr. Kubela moved, and Mgr. Ward seconded the motion, to approve Appl #23-013. Upon roll call vote, voting No was Arndt, the remainder voted Yes, and the motion carried.

Dr. #65 Application #23-014 NE1/4 Sec. 35 Brandenburg Twp

Stan Stein and Darin Prochnow request RCWRD to remove snow from the south and north side of bridge to allow water to run through during spring run-off. Mgr. Burvee moved, and Mgr. Kubela seconded the motion, to approve the application with a 50/50 cost share with the applicants, for preventative snow removal. Appl #23-014. Upon roll call vote, the motion carried unanimously.

Mike Bassingthwaite, Interstate Engineering, Inc., and Kelly Miller joined the meeting.

Drain #1 Reconstruction

Mr. Bassingthwaite provided the Board with the bid tabulation from the bid opening held March 21, 2023. Low bidder was JAV, LLC with a base bid of \$302,245.30 and base bid plus alternative of \$346,561.30. Discussion followed regarding the total estimated cost of the project and funding options. Discussion concluded with a motion made by Mgr. Burvee and seconded by Mgr. Arndt to award JAV, LLC, based on their bid of \$346,561.30. Upon roll call, the motion carried unanimously.

Kubela abstained from voting.

Mgr. Burvee and Mgr. Arndt seconded the motion to approve that if the final cost of the Reconstruction of Dr.#1 comes in below Estimated Cost, the Board will pay back the general fund first, then any money left after will go back to Kelly Miller. Upon roll call, the motion carried unanimously.

Kubela abstained from voting.

Mike Bassingthwaite and Kelly Miller left the meeting.

Monte Gylland joined the meeting.

Mr. Gylland voiced his concern about Dr. #2 being full of snow and would like the Board to remove the snow from the drain.

A motion was made by Mgr. Burvee and seconded by Mgr. Ward to split the cost with Monte Gylland to remove 2 miles of snow from Dr. #2 in the North side of section 27 & 26 Colfax East.. Also, Justin to hire a contractor to do the work. Justin will also contact Brad Hage to see if he wants to split the cost to remove the snow on his portion of Dr. #2.

Spring Snow Removal Projects

Discussion was held about snow removal in the Legal drains.

Township ROW Mowing

Discussion was held about mowing of Legal drains that are next to Township Road ditches that require mowing.

David Berg, Bremer Bank joined the meeting via zoom.

Mr. Berg discussed the Boards investments that our at Bremer.

David Berg left the meeting.

Miscellaneous

A motion was made by Mgr. Kubela and seconded by Mgr. Ward to approve the purchase of a new iPad for Justin. Upon roll call, the motion carried unanimously.

A motion was made by Mgr. Burvee and seconded by Mgr. Arndt to approve Infinite Edge LLC to be added to the approved contractor's list. Upon roll call, the motion was carried unanimously.

Adjournment

There being no further business to come before the Board, Chr. Friskop adjourned the meeting at 11:50 A.M.

Respectfully submitted,

Tiffany Bladow
Tiffany Bladow
Secretary/Treasurer

Gary Friskop
Gary Friskop
Chairman of the Board