

RICHLAND COUNTY WATER RESOURCE DISTRICT  
Richland County Courthouse, Wahpeton, ND  
October 18, 2022

The Richland County Water Resource District ("RCWRD") met October 18, 2022, at 8:00 A.M. at the Richland County Courthouse.

THOSE PRESENT: Managers Arv Burvee, Tom Kubela, Don Moffet (via Telephone), Engineering Technician Justin Johnson, Secretary-Treasurer Tiffany Bladow.

THOSE ABSENT: Clint Arndt, Gary Friskop

### **Approval of Agenda**

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

### **Minutes**

The September 20, 2022, and October 4, 2022, minutes were presented. A motion was made by Mgr. Kubela and seconded by Mgr. Moffet to approve the September 20, 2022, and October 4, 2022, minutes as presented. Upon roll call vote, the motion carried unanimously.

### **Financial Matters**

**September 2022 Financial Reports-** A motion was made by Mgr. Kubela and seconded by Mgr. Moffet to accept the September 2022 financial reports as presented. Upon roll call vote, the motion carried unanimously.

**October 2022 Vouchers-** Vouchers for the month of October 2022 were presented for the Board's review and approval. A motion was made by Mgr. Moffet and seconded by Mgr. Kubela to approve Vouchers #19002 through #19016 upon roll call vote, the motion carried unanimously.

**Bremer Bank Collateral Report-** 110% of the District's securities totaled \$4,585,240.56. Bremer Bank's Collateral Report in the amount of \$8,244,763.00 adequately covers the District's funds.

### **Mail**

- 1) Letter from Bremer for the RCWRD to sign to release some of the pledge's being we transferred money from savings to the wealth account.
- 2) Email from USACE that we are relieved of the requirements for monitoring of Drain #7

### **Applications**

#### **Application to Install a Subsurface Water Management System #22-092 for Raymond Schroeder in the SW1/4 Section 17, Fairmount N Township**

The Board reviewed *Application to Install a Subsurface Water Management System #22-092*. Under the application, Raymond Schroeder seeks to install a 146-acre drain tile system in the SW1/4 Section 17, Fairmount N Township. The project will include 2 gravity outlets 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. Kubela moved, and Mgr. Moffet seconded the motion, to approve Appl #22-092 and to authorize the Secretary-Treasurer to sign SUBSURFACE WATER MANAGEMENT PERMIT #22-092, 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.

**Appl #22-093 Drain Tile under 80ac.**

Drain Tile Notification Appl #22-093 was reviewed at this time. No action was required by the RCWRB as the project involves less than 80 acres of drain tile. No disclosure of information is allowed per NDCC § 61-32-03.1.

**Appl #22-094 Dr. #5 SW 1/4 Sec. 1 Walcott West Twp.**

Application submitted by MLGC, LLC. request to install fiber optic cable under Dr. #5 The Managers reviewed Interstate Engineering's report regarding the project. A motion was made by Mgr. Kubela and seconded by Mgr. Moffet to approve Appl #22-094 and issue a utility permit accordingly. Upon roll call vote, the motion carried unanimously.

**Snagging and Clearing**

A motion was made by Mgr. Kubela and seconded by Mgr. Moffet to hire Industrial Builders to do the upcoming 2023-year snagging and clearing for the Wild Rice and Sheyenne Rivers.

**Technician's Report**

Update on JBX, LLC, he will be starting on Dr. #5(37) site 263, as TrueNorth Steel delivered the CMP. Justin spoke with the Board about concerns on the delivery cost and timing.

Charlie Gruchalla had multiple conversations with office staff regarding concerns about an approach that he believes is the cause of his farmstead flooding almost every year. Charlie believes the approach was put in without a Hydraulic study and insists that there should have been one done. Charlie stated he is working with his lawyer and will possibly act against all parties involved. Currently there is no action the board needs to take.

Houston Engineering, Inc will have Mike Opat working on the Tom Brosowke complaint.

**Adjournment**

There being no further business to come before the Board, Chr. Burvee adjourned the meeting at 9:25 A.M.

Respectfully submitted,

*Tiffany Bladow*  
Tiffany Bladow  
Secretary/Treasurer

*Arv Burvee*  
Arv Burvee  
Chairman of the Board