

**WARD COUNTY WATER RESOURCE BOARD  
MINUTES  
NOVEMBER 13, 2023**

Chairman Tom Klein called the meeting to order at 9:30 a.m. Water Resource Board members present were Dale Dohms, Loren Johnson, Travis Zaboltny and Jason Zimmerman. Others present: Water Resource Board Secretary/Treasurer Sarah Walker, Water Resource Board Attorney Bryan Van Grinsven via WebEx, Water Resource Board Engineer Dennis Reep and Karli Frohling from HDR, Steve Fennewald and Kim Shaw from the City of Surrey.

Agenda: Zimmerman moved and Dohms seconded to approve the agenda. Motion passed 5-0.

Previous Minutes: Johnson made a motion to approve the minutes from October 9, 2023. Zimmerman seconded the motion. Motion passed 5-0.

Bills/Statement of Accounts:

- The statement of accounts was reviewed. Zaboltny had questions regarding the Cogdill and McGee Hankla invoices which were addressed. It was recommended in regard to Cogdill's services that a quote for flood pump maintenance be added to the December agenda. Zimmerman made a motion to approve all bills and transfer funds from the money market account in the amount of \$100,000 to checking. Johnson seconded the motion. Motion passed 5-0.
- Walker presented the Nedrose bank account information to the Board and asked if funds should be transferred to the checking account as there will be no more activity. Zimmerman and Klein indicated that the Board previously decided to keep the account open until the sewer system is transferred to the City. No action taken.
- The Request for Proposal for Public Depositories and mailing list to be sent to financial institutions was reviewed. People's State Bank, State Bank of Kenmare and Aspire Credit Union will be added to the mailing list. Johnson moved and Zaboltny seconded to proceed with the mailing. Motion passed 5-0.

City of Surrey – Drainage Ditch: Steve Fennewald and Kim Shaw from the City of Surrey appeared with a concern regarding drainage from the property adjacent to the West Creek. The owner has a cattle operation and the City is worried about the resulting drainage that eventually runs through the City. The Water Resource Board has not adopted any regulations addressing such issues. It was recommended that the City of Surrey reach out to the State Department of Health – Department of Environmental Quality. No action taken.

Hunting on Water Resource Land: Tom received an inquiry from a gentleman who wanted to know if he could hunt on Water Resource owned land. It was determined that hunting is permitted if the land is not posted. No action taken.

VFW Clearing Quote: The Board received a bid from DL Barkie to clear and clean debris behind the VFW property. Zaboltny moved and Zimmerman seconded to have DL Barkie complete the work. Motion passed 5-0.

Audit Action Item: The Board reviewed the management letter from BradyMartz to finalize the audit. Reep noticed a typo. Walker will have it corrected for signature. The Board will request a quote from BradyMartz for the 2023 audit. Zimmerman made a motion that Klein sign the letter with changes. Zaboltny seconded. Motion passed 5-0.

Engineer's Comments: The following items were presented to the board.

- City of Minot Planning Packet – no recommendations.
- Aasen – plat application – Sundre Township – no recommendations.
- Fogarty – plat application – Afton Township – no recommendations.
- Peterson – plat application – Rice Lake – Reep made the following recommendations: a storm water management plan may be required if a special use permit application is applied for, no development as a result of the plat should obstruct any watercourse or divert surface water flows and development of properties adjacent to Rice Lake should meet Ward County minimum guidelines to account for the natural overflow elevation of Rice Lake and for wave run-up.
- Rademacher – plat application – Foxholm – no recommendations.
- Sangray – special use application – Des Lacs – no recommendations.

Johnson made a motion to accept and adopt HDR's recommendations. Dohms seconded the motion. Motion passed 5-0.

Low Head Dams: Reep and Frohling provided a status report. 100% of the lab results from Terracon for all borings have been received and compiled. Existing conditions models have been setup and run for Ward County Dam 1 and Eastside Estates Dams. They are working on existing conditions for Burlington Dam 3 (see below). Hydraulic modeling is mostly complete. There was internal discussion regarding Burlington Dam 3 and how it will affect design. Construction permits and sovereign land permits are in process. NDDWR letter was sent and funds have been received. No action taken.

Low Head Dams – Burlington Dam 3 Design: Due to the existing concrete and stop log structure for the dam, the scope of work will require structural modifications and an alternative selection the other dams in the project will not. After discussion of the alternatives, Zimmerman moved and Johnson seconded to halt further HDR action in order to permit dialogue with the upstream landowners about future operations of the dam. Motion passed 5-0.

Office Updates: Walker reminded Board members to activate their County email addresses. Walker also inquired about how snow days are to be handled. Generally, holidays and other time off follow the Ward County calendar and directives. Zimmerman made a motion and Johnson seconded to follow County recommendations. Motion passed 5-0.

Review and File: ND Water Legislative Updates – no action taken.

Melius-Ehr Property: Zimmerman moved to conduct an executive session to consult with the Board's attorney and discuss negotiation strategy regarding the Melius-Ehr property under authority of N.D.C.C. § 44-04-17.1, 44-04-19.1 and 44-04-19.2; second by Johnson. Motion passed 5-0. The executive session commenced at 11:03 a.m. and concluded at 12:06 p.m.

Melius-Ehr Property: Following the executive session, Zabloutney moved and Dohms seconded to direct the Water Resource Board Attorney to proceed as instructed. Motion passed 5-0.

Zimmerman moved and Dohms seconded to adjourn the regular meeting. Motion passed 5-0. The next regular meeting will be Monday, December 11, 2023 at 9:30 a.m.

Ward County Water Resource Board meeting

November 13, 2023

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Bills Approved and Paid:

#8172 HDR Engineering	3122.12
#8173 Office Depot	100.72
#8174 Menards	61.39
#8175 ND Water Users Association	300.00
#8176 McGee Law Firm	4287.00
#8177 Sarah Walker	2765.65
#8178 Cogdill Construction	5000.00
#8179 HDR Engineering	80249.96
Xcel	77.71
Ottertail	40.96
NDPERS-October/November	399.20
IRS-941	981.28
SRT	2.46
Verendrye	<u>75.00</u>
	\$97,462.95

Submitted by:

Date Approved: 12-11-2023

  
Secretary/Treasurer

  
Chairman