

MINUTES OF MEETING
MAPLE RIVER WATER RESOURCE DISTRICT
CASS COUNTY HIGHWAY DEPARTMENT
WEST FARGO, NORTH DAKOTA
AUGUST 5, 2010

The Maple River Water Resource District met on August 5, 2010, at 9:00 a.m. at the Cass County Highway Department, West Fargo, North Dakota.

Present were Jurgen Suhr, Manager; Wesley Beilke, Manager; Carol Harbeke Lewis, Secretary-Treasurer; Kimberly Bomstad, Accounting Tech/Administrative Assistant; Sean M. Fredricks, Attorney for the Board; Chad Engels, Engineer for the Board; Brady Woodard, Moore Engineering, Inc.; Rich Sieg, Cass County Highway Department Superintendent; Dan Zink, Red River Valley and Western Railroad; Roger Haberman, Industrial Builders, Inc.; Gerald Moderow and Craig Runck, property owners in Durbin Township; Wayne Kellerman, property owner in Watson Township; Dean Sprunk, property owner in Highland Township and Steve Christl, property owner in Everest Township. Manager Rodger Olson was absent.

Red River Valley and Western Railroad – Maple River Grain spur line

Dan Zink informed the Board that Red River Valley and Western Railroad would like to add a track on the east side of the main line, north of Maple River Grain, in Section 3 of Everest Township. Since most of the drainage for the area runs through Drain #62, they would like to remove the bridge over the drainage channel north of Maple River Grain and replace it with a 36 inch culvert. The existing 36 inch culvert in the northeast corner of Section 3 through the east/west township road would be replaced with two 24 inch culverts. The Board indicated there should not be a problem with the project, but will wait to act on the matter until they receive the permit.

Drainage Complaint from Dean Sprunk against Kellerman Brothers (David Kellerman, Wayne Kellerman and Larry Kellerman) in the SE 1/4 and the NE 1/4 of Section 36 of Highland Township and the NW 1/4 of Section 31 of Watson Township and Obstruction to Drain Complaint from Dean Sprunk against the Kellerman Brothers in the NE 1/4 of Section 36 in Highland Township and the NW 1/4 of Section 31 in Watson Township

Rich Sieg informed the Board that the Cass County Highway Department will be in the area and would be willing to clean the west ditch of Cass County Highway 7 to improve the drainage for Section 36 of Highland Township. They would need to go out into the field approximately 10-12 feet to maintain the slope of the road ditch for maintenance purposes. Wayne Kellerman indicated he was in agreement with cleaning the ditch.

Dean Sprunk said he would agree to the installation of a sluice gate on the west end of the 24 inch culvert through Cass County Highway 7 near the half-mile line between Section 31 of Watson Township and Section 36 of Highland Township, so water drains north through the improved county road ditch. Mr. Kellerman said he would pay for the sluice gate if the county would install it. Mr. Sprunk also wants a 24 inch culvert through the east/west township road north of his farmstead in the NW 1/4 of Section 36 in Highland Township. The Water Resource District will assist the property owners with developing criteria for operation of the sluice gate. Highland Township would need to approve the culvert installation by Mr. Sprunk's farmstead.

Sean Fredricks suggested Mr. Kellerman submit a permit application for the project that would include criteria for operation of the sluice gate so it could be recorded and stay with the property. If everything can be worked out, Mr. Sprunk's complaints could be dismissed.

Request to clean the Everest Channel in Section 24 of Everest Township

Gerald Moderow asked the Board about cleaning the Everest Channel in Section 24 of Everest Township. Chad Engels said it is a legal drain, but there is no assessment district in place to pay for maintenance or improvements. The Board held a public meeting to discuss reconstructing the channel, but there was not enough interest to pursue a project. Mr. Engels pointed out that the channel is designed for summer rain events, not spring flooding. The Board asked Mr. Engels to provide a proposal at the next meeting for a hydraulic study to determine the capacity of the channel with and without crossings. Manager Suhr said the Water Resource District does not have funds to pay for the study, but the property owners could do so if they want to proceed.

Obstruction to Drain Complaint by Arthur Ratchenski against Gerald Moderow in the NE 1/4 of Section 24 in Everest Township

Mr. Moderow commented on the Board's determination regarding the Obstruction to Drain Complaint by Arthur Ratchenski against Gerald Moderow in the NE 1/4 of Section 24 in Everest Township. He opined that a culvert is not needed through the approach because water does not flow that way.

Low water crossing near the outlet of Drain #14 between Sections 24 and 25 of Raymond Township – verification of right-of-way

Mr. Engels will discuss the low water crossing near the outlet of Drain #14 between Sections 24 and 25 of Raymond Township with Dane Larsen.

Lynchburg-Buffalo Channel Improvements – State Water Commission funding

The Board directed the Secretary-Treasurer to contact the State Engineer to request consideration for cost share from the State Water Commission on the costs incurred to-date on the Lynchburg-Buffalo Channel Improvements Project.

Approval of culvert installation through Cass County Highway 27 to drain 100 acres located in the northeast corner of Section 23 in Davenport Township into Drain #34

It was moved by Manager Beilke and seconded by Manager Suhr to send a letter to Keith Berndt, Cass County Engineer, stating the Water Resource District has no objection to the installation of a culvert through Cass County Highway 27 to drain 100 acres located in the northeast corner of Section 23 in Davenport Township into Drain #34 and that they prefer the culvert installed be no larger than the culvert into Drain #34. Upon roll call vote, the motion carried unanimously.

Letter from Keith Berndt, Cass County Engineer, regarding a proposed culvert installation through Cass County Highway 1 between Sections 17 and 18 of Lake Township to allow water to flow east

The Board received and filed a letter from Keith Berndt, Cass County Engineer, regarding a proposed culvert installation through Cass County Highway 1 between Sections 17 and 18 of Lake Township to allow water to flow east. The Secretary-Treasurer was directed to send Mr. Berndt a letter stating the Water Resource has no objection to the culvert installation.

Utility Permit for Qwest to install buried telephone cable under the Maple River in Section 20 of Maple River Township

It was moved by Manager Beilke and seconded by Manager Suhr to approve the *Utility Permit* for Qwest to install buried telephone cable under the Maple River in Section 20 of Maple River Township, subject to the conditions set out by the Water Resource District Engineer. Upon roll call vote, the motion carried unanimously.

Requests of Drainage on Highway Right of Way for Wesley Belter to clean the west ditch along State Highway 18 in Sections 10 and 27 of Maple River Township

The Board received and filed a *Request of Drainage on Highway Right of Way* for Wesley Belter to clean the west ditch along State Highway 18 in Sections 10 and 27 of Maple River Township.

Embden Dam weed control

It was moved by Manager Beilke and seconded by Manager Suhr to approve paying the local property owner for weed control at Embden Dam. Upon roll call vote, the motion carried unanimously.

2009 Audit

It was moved by Manager Beilke and seconded by Manager Suhr to approve the 2009 audit of Maple River Water Resource District. Upon roll call vote, the motion carried unanimously.

2011 Budget, 2010 Maintenance Levy Assessments and Levy for the Red River Joint Water Resource District

It was moved by Manager Beilke and seconded by Manager Suhr to approve the 2011 Budget, 2010 Maintenance Levy Assessments and levying two mills for the Red River Joint Water Resource District for 2011. Upon roll call vote, the motion carried unanimously.

Minutes

It was moved by Manager Beilke and seconded by Manager Suhr to approve the minutes of the July 1, 2010, meeting. Upon roll call vote, the motion carried unanimously.

Bills

It was moved by Manager Beilke and seconded by Manager Suhr to approve payment of Checks #4712 through #4727 and the electronic funds transfers, as presented. Upon roll call vote, the following Managers voted in favor: Suhr and Beilke. Manager Olson was absent. Motion carried.

Upper Maple River Dam

Mr. Engels gave an update on the Upper Maple River Dam Project.

Adjournment

There being no further business to be considered by the Board, it was moved by Manager Beilke, seconded by Manager Suhr and unanimously carried to adjourn the meeting.

APPROVED:

Rodger Olson
Chairman

ATTEST:

Carol Harbeke Lewis
Secretary-Treasurer