

MINUTES OF MEETING
MAPLE RIVER WATER RESOURCE DISTRICT
CASS COUNTY HIGHWAY DEPARTMENT
WEST FARGO, NORTH DAKOTA
APRIL 2, 2015

The Maple River Water Resource District met on April 2, 2015, at 9:00 a.m. at the Cass County Highway Department, West Fargo, North Dakota.

Present were Rodger Olson, Chairman; Jurgen Suhr, Manager; Gerald Melvin, Manager; Carol Harbeke Lewis, Secretary-Treasurer; Brenda Lovgren, Administrative Assistant; Sean M. Fredricks, Attorney for the Board; Mike Opat, Engineer for the Board; Pat Downs, Red River Retention Authority; Brady Woodard and Kyle Volk, Moore Engineering, Inc.; and Tom Soucy, Cass County Highway Department.

Minutes

It was moved by Manager Melvin, seconded by Manager Suhr and unanimously carried to approve the minutes of the March 5, 2015, meeting.

Garsteig, Embden and Absaraka Dam maintenance

Mike Opat reviewed the minor maintenance repairs that were suggested by the State Water Commission to the Garsteig, Embden, and Absaraka Dams. Bid Proposals for the repairs were received from Pro Landscapers LLC.

It was moved by Manager Suhr and seconded by Manager Melvin to proceed with minor maintenance repairs to the Garsteig, Embden, and Absaraka Dams and to accept the Bid Proposals by Pro Landscapers LLC, as presented. Upon roll call vote, the motion carried unanimously.

Detention Project Planning Teams

Mike Opat reported that meetings have not been set for Detention Project Planning Teams. Research is being done regarding project funding through the Natural Resources Conservation Service (NRCS). Four Cass County watersheds have been identified for potential detention projects. Pat Downs reviewed the procedures required for approval by the NRCS. Each project must have a positive benefit:cost (b:c) ratio. Seventy percent of planning costs will be reimbursed by the NRCS, not to exceed \$500,000 per watershed study project. Funding is not negated from planning if the project doesn't meet more than a 1:1 b:c ratio. Project approval allows up to 5 years to begin construction of a project. In addition, project planning funds are eligible to be converted to construction funds.

Swan Creek – bridge replacement project west of Casselton - infrastructure planning

Tom Soucy reviewed the Cass County Highway Department 2015-2019 Capital Improvement Plan Proposed Structure Projects map. The bridge on Cass County Highway 10 at Swan Creek, west of Casselton, will be converted to four, 11'x19' box culverts. Repairs to the bridge on Cass County Highway 26, west of Page, were also discussed. Future projects will be coordinated with Water Resource District projects.

Drain #39 inspection

Brady Woodard reported that he spoke with Leonard Township regarding assistance with cleaning Drain #39. Mike Opat discussed funding options for cleaning the ditch and erosion repair.

It was moved by Manager Melvin and seconded by Manager Suhr to authorize Moore Engineering, Inc. to inspect the affected area and recommend potential solutions regarding cleaning and erosion repair on Drain #39 in Leonard Township. Upon roll call vote, the motion carried unanimously.

Application to Install a Subsurface Drain No. 20151 for Bruce Glasow in the NW 1/4 of Section 35 in Maple River Township

The Board reviewed *Application to Install a Subsurface Drain No. 20151* dated March 24, 2015, for Bruce Glasow. The Board reviewed the criteria in Section 89-02-01-09 of the North Dakota Administrative Code and concluded the project does not meet any of the “statewide” elements; therefore, the Board concluded the application does not propose drainage of statewide significance, so the Board has jurisdiction to approve the permit (without forwarding to the Office of the State Engineer to consider and approve). Under the application, Applicant seeks to install a drain tile system in the NW 1/4 of Section 35 in Maple River Township, Cass County, North Dakota. The project will include a single gravity outlet that will discharge directly into Drain #15. The Maple River Water Resource District owns and operates Drain #15.

Mike Opat reviewed the application and recommended that because the project will discharge directly into Drain #15, the Board should require Applicant to install and maintain erosion protection to protect Drain #15 and to prevent erosion. Mike Opat and Sean Fredricks further recommended that the Board require Applicant to execute a *Utility Permit* regarding the discharge into Drain #15. Because the proposed project will discharge directly into Drain #15, the application did not require a *Thirty-Day Notice* under N.D. Cent. Code Section 61-32-03.1, and the Board cannot require Applicant to obtain any flowage easements from downstream landowners.

According to records on file with the Cass County Recorder’s Office, Bruce and Mara Glasow and Dallas and Paula Glasow own the NW 1/4 of Section 35 in Maple River Township.

It was moved by Manager Suhr and seconded by Manager Melvin to approve a *Utility Permit* to allow Applicant to discharge into Drain #15, and to approve *Application to Install*

a *Subsurface Drain No. 20151* dated March 24, 2015, for Bruce Glasow in the NW 1/4 of Section 35 in Maple River Township, subject to the following conditions:

- 1) That Applicant obtain easements from the owner of any land, besides land owned by Applicant, on which Applicant will construct the tile system;
- 2) That Applicant provide and maintain adequate erosion protection at any and all outlets into Cass County Drain #15 (Applicant is solely responsible for any damages to Cass County Drain #15 as a result of the tile project);
- 3) That Applicant notify the Maple River Water Resource District in advance of any proposed alterations to outlet locations, or addition of any outlets;
- 4) That, upon a determination by, and notice from, the Maple River Water Resource District that Drain #15 is full or otherwise unable to accommodate the discharge of water from Applicant's tile system, Applicant must turn off any and all pumps;
- 5) That Applicant notify the Maple River Water Resource District in advance of any proposed improvements to the tile system, or any proposed increase in the capacity or drainage area of the tile system and, if necessary, submitting an additional permit application;
- 6) That Applicant must close all outlets during flood occurrences or under conditions that may cause adverse impacts to downstream landowners, as determined by the Maple River Water Resource District;
- 7) That Applicant obtain an approved *Utility Permit* from the Maple River Water Resource District regarding any and all outlets into Cass County Drain #15; and
- 8) 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.

Upon roll call vote, the motion carried unanimously.

Application to Install a Subsurface Drain No. 20152 for Bruce Glasow in the NW 1/4 of Section 32 in Davenport Township

The Board reviewed *Application to Install Subsurface Drain No. 20152* for Bruce Glasow in the NW 1/4 of Section 32 in Davenport Township. A *Thirty-Day Notice* has been sent to the downstream landowner. The Board requested further clarification from the landowner as to the location of the tile outlets on the map attached to the permit.

Casselton Township Improvement District No. 64

It was moved by Manager Melvin and seconded by Manager Suhr to approve the *Agreement* between the Maple River Water Resource District, the City of Casselton, and

Steven S. Link regarding *East View First Addition* adjacent to Drain #64 in Casselton Township. Upon roll call vote, the motion carried unanimously.

Application for Roach Subdivision in the SW 1/4 of Section 34 in Everest Township

The Board has no comment to submit regarding the Cass County Planning correspondence on the application for Roach Subdivision in the SW 1/4 of Section 34 in Everest Township.

North Dakota Insurance Reserve Fund – proxy for annual meeting

It was moved by Manager Melvin and seconded by Manager Suhr to authorize the Secretary-Treasurer to sign the proxy relating to the North Dakota Reserve Fund annual meeting. Upon roll call vote, the motion carried unanimously.

FM Flood Risk Management District No. 1 - Assessment District Ballots

It was moved by Manager Melvin and seconded by Manager Suhr to authorize the Chairman to vote “yes” and to sign the FM Flood Risk Management District No. 1 ballots on behalf of the Maple River Water Resource District. Upon roll call vote, the motion carried unanimously.

Bills

It was moved by Manager Suhr and seconded by Manager Melvin to approve the payment of Checks #5364 through #5382, the electronic funds transfers and the wire transfer, as presented. Upon roll call vote, the following Managers voted in favor: Olson, Suhr, and Melvin. The Chairman declared the motion carried.

Adjournment

There being no further business for the Board to consider, it was moved by Manager Suhr, seconded by Manager Melvin and unanimously carried to adjourn the meeting.

APPROVED:

Rodger Olson
Chairman

ATTEST:

Carol Harbeke Lewis
Secretary-Treasurer