

MINUTES OF MEETING
MAPLE RIVER WATER RESOURCE DISTRICT
CASS COUNTY HIGHWAY DEPARTMENT
WEST FARGO, NORTH DAKOTA
AUGUST 6, 2015

The Maple River Water Resource District met on August 6, 2015, at 8:00 a.m. at the Cass County Highway Department, West Fargo, North Dakota.

Present were Jurgen Suhr, Manager; Gerald Melvin, Manager; Carol Harbeke Lewis, Secretary-Treasurer; Mike Opat, Engineer for the Board; and Mark Belter, property owner in Maple River Township. Chairman Rodger Olson was absent.

Application to Install a Subsurface Drain #20155 for the Belters in Section 33 and the SE 1/4 of Section 29 in Maple River Township

The Board reviewed *Application to Install a Subsurface Drain No. 20155* dated July 13, 2015, for Belter Family Farm, LLLP; CL Belter Farm Partnership, LLLP; Wes Belter; Mark Belter; Charles Belter; and Lynda Belter. 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 application does not propose drainage of statewide significance, so the Board has jurisdiction to approve the permit (without forwarding to the State Engineer’s Office to consider and approve). Under the application, Applicants seek to install a drain tile system in all of Section 33 of Maple River Township, Cass County, North Dakota. The project will include a gravity outlet that will discharge in the NW 1/4 through existing township road culverts and will flow north along the east boundary of the SE 1/4 of Section 29 in the township road ditch until discharging into the Maple River.

Because the project will discharge into the Maple River, the Board will require Applicants to install and maintain erosion protection to protect the Maple River and to protect downstream landowners from erosion. Because the proposed project will discharge onto property owned by the Applicants, the application did not require a *Thirty-Day Notice* under N.D. Cent. Code Section 61-32-03.1, and the Board cannot require Applicants to obtain flowage easements from landowners downstream from where the tile discharge enters the Maple River.

According to records on file with the Cass County Recorder’s Office, Belter Family Farm, LLLP, and CL Belter Farm Partnership, LLLP, own all of Section 33; Judy Belter owns the SE 1/4 of Section 29 less 29.56 acres owned by Mark and Bridget Belter.

It was moved by Manager Melvin and seconded by Manager Suhr to approve *Application to Install a Subsurface Drain No. 20155* dated July 13, 2015, for Belter Family Farm, LLLP; CL Belter Farm Partnership, LLLP; Wes Belter; Mark Belter; Charles Belter; and Lynda Belter regarding Section 33 of Maple River Township, subject to the following conditions:

- 1) That Applicants obtain easements from the owner of any land, besides land owned by Applicants, on which Applicants will construct the tile system;
- 2) That Applicants provide and maintain adequate erosion protection at any and all outlets into the Maple River;
- 3) That Applicants obtain written permission from the Maple River Township Board of Township Supervisors to discharge into, or otherwise utilize, any of its township road ditches;
- 4) That Applicants notify the Maple River Water Resource District in advance of any proposed alterations to outlet locations, or addition of any outlets;
- 5) That Applicants 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 Applicants 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; and
- 7) That Applicants 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.

Minutes

It was moved by Manager Melvin, seconded by Manager Suhr and unanimously carried to approve the minutes of the July 2 and 31, 2015, meetings.

Upper Maple River Dam

Mike Opat explained the proposed chimney drain protective filter designed by Barr Engineering regarding the Upper Maple River Dam. The drain will allow any seepage through the dam to pass to the downstream side. A Change Order for the work will be presented for the Board's consideration at the next meeting. Change Orders will also be presented for grouting bore hole #7 and for lower structure drainage.

Contractor's Application for Payment No. 2 was reviewed. The contractor hopes to complete the project by late October. The contractor will soon begin to backfill the structures at the site. Another tour of the site has been scheduled for August 21, 2015.

Pontiac Township Improvement District No. 73

Mr. Opat reviewed the *Engineer's Final Statement of Cost* regarding Pontiac Township Improvement District No. 73.

It was moved by Manager Melvin and seconded by Manager Suhr to approve Final Balancing Change Order No. 5 for Reiner Contracting, Inc. to decrease the contract price in the amount of \$53,739.04 for Pontiac Township Improvement District No. 73. A copy of the Change Order is attached hereto.

Swan Creek – improvements from Cass County Highway 10, north 1.5 miles

The Cass County Highway Department has completed the project at the Cass County Highway 10 crossing on Swan Creek. A cost estimate for improvements from Cass County Highway 10, north 1.5 miles, will be presented and reviewed at the next meeting.

Garsteig Dam – NRCS dam assessment

Options for repairs and to bring the Garsteig Dam up to current standards continue to be reviewed.

Detention Project Planning Teams

Work continues on the funding applications to the Natural Resources Conservation Service to request federal funding through the Regional Conservation Partnership Program for Swan Creek Watershed and the Upper Maple River Watershed Detention Studies.

Mr. Opat explained the increase of estimated costs are due to additional modeling needed, which would be beneficial taking the project to construction and potential federal funding.

Lynchburg / Buffalo Channel Improvements

Property owners contacted Chairman Olson about the removal of cattails and sediment from the Lynchburg Channel and Buffalo Channel. The channel will be inspected after the crops are off. The Board could address any significant problem this fall.

Bills

It was moved by Manager Melvin and seconded by Manager Suhr to approve the payment of Checks #5420 through #5432 and the electronic funds transfer, as presented. Upon roll call vote, the following Managers voted in favor: Suhr, and Melvin. Manager Olson was absent. Motion carried.

Adjournment

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

APPROVED:

Rodger Olson
Chairman

ATTEST:

Carol Harbeke Lewis
Secretary-Treasurer