

MINUTES

STUTSMAN COUNTY WATER RESOURCE BOARD

January 29, 2025

The regular meeting of the Stutsman County Water Resource Board was called to order by Vice-Chairman, Anthony Roorda, on January 29, 2025, at approximately 10:00 a.m. in the County Commissioner's Room of the Stutsman County Courthouse. Members present were Anthony Roorda, John Schock, Dennis Clark, and Arlyn Schmidt. Joel Lees appeared by phone.

Additionally present were a number of individuals indicated on the attached sheet. Also Clayton Hillstrom appeared via phone.

MINUTES

The first order of business was to review and approve the minutes of the December 23, 2024, regular meeting minutes. John Schock moved and Dennis Clark seconded a motion to approve the minutes as presented. Motion passed.

W-657-COMPLAINT OF UNAUTHORIZED DRAINAGE IN THE SOUTHEAST QUARTER OF SECTION 12/139/65, STUTSMAN COUNTY, NORTH DAKOTA

Next, Elayne Patzner addressed the Water Resource Board regarding her complaint. Elayne Patzner was sworn in. Elayne Patzner went through the letter and all of the photographs contained in her complaint. She also noted that they are concerned that there is no place for the water to go. In 2024, they received significant water and the property continues to be in the cattails, which makes it difficult to mow down those areas. Ms. Patzner noted that previously they had hauled in some silt to even out some of their property already. Elroy Patzner believes that no culvert was existing in the area and indicated that in 2020 Todd Michel tried to visit with him about installing a culvert. Elroy indicated he was not interested in installing a culvert and also indicated in prior years they used to pump the water over the road to move the water through the system. However, with the amount of water currently, he was not sure if this would be a viable option.

Tyler Michel then spoke on behalf of Lippert Township and was sworn in. Mr. Michel indicated that as long as he remembers that there was a culvert existing in the area and that it was an equalization culvert. Mr. Michel said it is his understanding

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that the county removed a 12 inch collapsed culvert and replaced it with a 15-18 inch culvert size. Mr. Michael noted that the reason for the upsizing in the culvert was that new regulations require culverts to be bigger than 12 inches. Some discussion was had regarding the water across the road and it noted that it has been awhile since the water overtopped the road in the area and that currently based on the photographs provided by the township, it would be 1 to 1.5 feet before it went over the top. Elroy then claimed that five years ago he mowed the ditch and there was no culvert in at that time. Elroy then noted that with the significant rain of 2024, there was concern that if a significant rain flow occurs again, that they would experience flooding on their property.

Duane Anderson, representing Woodbury Township, was then sworn in. He explained that Todd Michel called him last year regarding a collapsed culvert and asked if the township was willing to pitch in. Woodbury Township did agree to pitch in to pay for the cost of the culvert. Duane Anderson also noted that in April 2020 he marked all of the culverts and he located a culvert in the location. Duane provided a map of all of the areas that he identified the culverts in the township. He also provided some Google Earth maps showing the areas from 1990, 2017, 2020, and 2023.

Anthony Roorda then explained to the parties that this is a difficult situation because the township must provide for the natural flow of water and that if they were to impede the natural drain, it could result in other neighbors being negatively affected by the amount of water in the area. It could be difficult for the township to take any action without consent of the neighbors.

Further, that typically in these types of situations, the Water Resource Board does not have authority to approve culverts or to assess if the culvert was appropriately placed and size.

Anthony Roorda then requested Ms. Geroux to provide any additional information regarding other options. Ms. Geroux then reminded the board of admitting the paperwork from today. John Schock moved and Dennis Clark seconded a motion to admit the list of description of culverts on a township map and the Google Earth maps consisting of four pages. Moton passed.

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Ms. Geroux then provided Ms. Patzner with various options that they could explore. Josh Loosmore also indicated that there is currently significant legislation that would provide significant cost share for local entities for water conveyance projects. This would be the type of project potentially contemplated by this situation.

The board and individuals present then discussed the various roads that the water could either be moved through or that the township could attempt to block the flow of the water to try to lower the amount of water on the Patzner property.

Ms. Geroux then also explained to Ms. Patzner that any resolution between herself and the township would be between those parties and not with the Water Resource Board unless they would require any further assistance of the board. In further discussion regarding potential avenues for resolution, it was noted that they could look at moving the water north, which means that the water would eventually end up in the storm sewer system by Applebee's in Jamestown. Alternatively, they could look at moving the water to the south. This would be the system that would move through Central Sales property, the Country Club, and into the James River.

Ms. Patzner was also advised of the temporary drainage permit application process and the solution was identified which included potential drainage for that permit to be presented to the Water Resource Board and the Department of Water Resources for further review.

Seeing no further discussion regarding the matter, John Schock moved and Dennis Clark seconded a motion to deny the complaint of unauthorized drainage because the board lacks the authority relative to the installation of culverts in township roads.

MISCELLANEOUS

Next, the board addressed general business. Ms. Geroux indicated that she received documents from the County Auditor for 2024 and 2025 audit. The County is exploring utilizing a third party for the preparation of its audit and the board discussed the process in comparison to the revenue of the board. Ms. Geroux also noted that the State Auditor's Office has completed the 2023 audit, but the final version has not been circulated at this time.

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Next, Ms. Geroux noted to the board that one of the C.D.'s will be coming up for renewal on February 6, 2025. Ms. Geroux provided the interest rates and inquired if the board would like to see C.D's moved to a different length and interest rate. John Schock moved and Dennis Clark seconded a motion to move the approximate \$67,000.00 into a six month C.D. at 4% at Unison Bank. Motion passed.

FINANCIALS

Dennis Clark moved and Arlyn Schmidt seconded a motion to approve bills and financials. Motion passed.

CHECK NUMBERS

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|--------------------------------------|-------|
| 1. IRS - \$322.07 | #2965 |
| 2. Dalsted & Ryan, P.C. _ \$2,050.00 | #2966 |

Josh Loosmore presented to the Water Resource an update on the current status of the feasibility study. Ms. Geroux noted that a steering committee meeting is anticipated to be on February 11, 2025, at the Crystal Springs Campground.

See no further business before the board, John Schock moved and Dennis Clark seconded a motion to adjourn. The meeting was adjourned at 12:00 p.m.

RESPECTFULLY SUBMITTED:

ABBAGAIL GEROUX
Secretary

BOARD APPROVAL OF MINUTES

The board approved the minutes this ____ day of _____, 2025.

JOEL LEES, Chairman, or
ANTHONY ROORDA, Vice-Chairman