

MINUTES

STUTSMAN COUNTY WATER RESOURCE BOARD

April 30, 2025

The regular meeting of the Stutsman County Water Resource Board was called to order by Chairman, Joel Lees, on April 30, 2025, at 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.

Additionally present were a number of individuals indicated on the attached sheet.

Also present was Melissa Magnuson from Dalsted & Ryan, P.C., as the secretary/treasurer of the Stutsman County Water Resource Board.

**MINUTES**

The first order of business was to review and approve the minutes of the March 26, 2025, regular meeting minutes. Dennis Clark moved and John Schock seconded a motion to approve the minutes as presented. Motion passed.

**W-660 - COMPLAINT OF UNAUTHORIZED CONSTRUCTION OF A DIKE OR DAM  
SUBMITTED BY MICHAEL J. KOUSHKOUSKI ON SECTION 8/142/63,  
STUTSMAN COUNTY, NORTH DAKOTA**

Next, Joel Lee discussed the Complaint that was to come before the board in a meeting and of his potential conflict of interest. John Schock also mentioned his potential conflict of interest. The board decided to hear the complaint before deciding if the two potential board members that had a conflict would not be able to vote on the complaint.

Mike Koushkouski came up to the podium and Melissa Magnuson swore Mike in. Mike went through the order and photographs contained in his complaint. He also utilized Google Earth to show Google images to the board of where the water is located. Mike told the board that prior to 2009, the prairie road on his property was not lost, but he did ask for a culvert and when the township put in a culvert, it was high. When Mike went to talk to the township about the placement of the culvert, the response that he received was that once the culvert was in, they cannot change it.

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However, later on Mike found out that if a road is acting as a dike or dam, then it is illegal. Mike went back to the township to request the culvert be placed in a different position.

Brian Albrecht then spoke on behalf of Ashland Township. Brian Albrecht was sworn in. He stated that he is unsure how a road that has been located in one spot for several years could be considered a dike. Brian also utilized Google Earth to show his concerns about the water that could possibly come downstream and affect other properties if the culvert was moved.

After hearing from Mike and the township, the board discussed the conflict of interest and Anthony Roorda made a motion to have Joel Lees and John Schock be recused from voting on the complaint. Dennis Clark seconded the motion. Motion passed.

Next, for discussion, was a site visit to the area where the complaint is located. Anthony Roorda made a motion for the site visit. Arlyn Schmidt seconded the motion. Motion passed. It was discussed that the site visit would occur on April 30, 2025, at 6:00 p.m.

**FINANCIALS**

Next the board addressed the bills and financials. Dennis Clark moved and Anthony Roorda seconded a motion to approve bills and financials. Motion passed.

**CHECK NUMBERS**

- 1. Dalsted & Ryan, P.C. - \$2,970.19 #2973

There being no further business before the board, Anthony Roorda moved and Dennis Clark seconded a motion to adjourn. Motion passed. The meeting was adjourned at approximately 11:05 a.m.

RESPECTFULLY SUBMITTED:

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MELISSA P. MAGNUSON

Secretary

**BOARD APPROVAL OF MINUTES**

The board approved the minutes this \_\_\_\_ day of \_\_\_\_\_,  
2025.

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

MINUTES

STUTSMAN COUNTY WATER RESOURCE BOARD

**SPECIAL SITE VISIT**

April 30, 2025

On April 30, 2025, Anthony Roorda called to order a special meeting of the Stutsman County Water Resource Board at 6:02 p.m. at 8501 20<sup>th</sup> Street Southeast, Buchanan, North Dakota. Members present were Anthony Roorda, Arlyn Schmidt, Dennis Clark, John Schock, and Joel Lees.

Additionally present were a number of individuals indicated on the attached sheet.

Also present was Melissa Magnuson from Dalsted & Ryan, P.C., as the secretary/treasurer of the Stutsman County Water Resource Board.

**W-660 - COMPLAINT OF UNAUTHORIZED CONSTRUCTION OF A DIKE OR DAM  
SUBMITTED BY MICHAEL J. KOUSHKOUSKI ON SECTION 8/142/63,  
STUTSMAN COUNTY, NORTH DAKOTA**

Anthony Roorda discussed the purpose of the meeting, which was a site visit. Members of the board looked at the culvert and where the water was located near the culvert. Mike Koushkouski explained that he wanted a legal culvert and mentioned that the culvert was too high. The question asked of Mike Koushkouski was if he had the culvert surveyed and knew the culvert was illegal placed in its current location. Mike's answer was no.

The township discussed the height difference between the culvert on the high side verses the lower side, was about six inches and that the culvert has been in place since 2009. Dennis Clark discussed that while the Stutsman County Water Resource Board cannot necessarily tell a township to move a culvert, he requested that Mike Koushkouski and the township come up with a compromise.

Joel Lees discussed that the culvert should be placed a little above grade level and that this culvert is higher than grade level. Joel Lees also discussed that the reason the culvert was not put in at grade level was because they did not have a long enough culvert. Anthony Roorda stated that in his

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opinion, the culvert was not at grade, however, the board could not order the township to change it. Anthony Roorda continued to state that the Stutsman County Water Resource Board can only give an opinion. The township discussed that last year they had about 26 inches of rain and an unusually cool summer, which led to not as much water getting evaporated and they also discussed that there needed to be a survey of the culvert.

Dennis Clark again stated that he would like to see the township work with Mike Koushkouski. Arlyn Schmidt mentioned that he was glad he came to the site visit because what he saw was better than what he thought the water was going to look like based on the pictures provided at the regular meeting. Arlyn Schmidt said, in his opinion, it is not worth it to tear up the road and put in a lower culvert based on what he saw.

Arlyn Schmidt moved to dismiss the complaint. Anthony Roorda seconded the motion for dismissal of the complaint. Motion passed.

There was a roll call vote. Dennis Clark moved to dismiss the complaint. Arlyn Schmidt moved to dismiss the complaint, and Anthony Roorda moved to dismiss the complaint. It should also be noted that Joel Lees and John Schock did not vote.

Anthony Roorda mentioned to Mike Koushkouski that his recourse is to deal with the township directly.

Anthony Roorda made a motion to adjourn. Dennis Clark seconded the motion. Motion passed.

There being no further business before the board, the meeting was adjourned at approximately 6:32 p.m.

RESPECTFULLY SUBMITTED:

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MELISSA P. MAGNUSON  
Secretary

April 30, 2025

**BOARD APPROVAL OF MINUTES**

The board approved the minutes this \_\_\_\_ day of \_\_\_\_\_,  
2025.

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