

## MINUTES

### STUTSMAN COUNTY WATER RESOURCE BOARD

May 31, 2023

The regular meeting of the Stutsman County Water Resource Board was called to order by Chairman, Joel Lees on May 31, 2023, at approximately 10:00 a.m. in the Commissioner's Room of the Stutsman County Courthouse. Members present were Dennis Clark, John Schock, Arlyn Schmidt and Joel Lees. Additionally present was Tim Brenner of the Crystal Springs Campground, John Fiebeger, and Gregg Spenningsby. Additionally, Abigail Geroux, Secretary of the Board, was also present.

#### **MINUTES**

The first order of business was to review and approve the minutes of the April 26, 2023, regular meeting. Upon review, a motion was made by Arlyn Schmidt and seconded by Dennis Clark to approve the minutes as presented. Motion passed.

Next, Tim Brenner from the Crystal Springs Campground then addressed the Board regarding concerns he had with the rising elevations of Stink Lake and Crystal Springs Lake. Mr. Brenner provided a memo from Steven Wertz, Preliminary Engineering and Hydraulics regarding raising I-94 near the area. This report provided some elevations at least from the time frame of 2020. Mr. Brenner indicated he is concerned that the campground is becoming an island and that a number of buildings are at risk of flooding. Mr. Brenner noted that the North Dakota Department of Transportation is currently working on raising the road an additional 10 feet. It is his understanding that the DOT anticipates replacing culverts intended to equalize the water on both sides of the river. Mr. Brenner indicated, his neighbor, who lives on a farmstead NE of the camp. Brian Knetter had also expressed some concern regarding the rising water levels in the area. Mr. Brenner wanted to address the Board regarding these issues to see if they had any potential solutions for handling this higher volume of water. Arlyn Schmidt indicated that he is quite familiar with Stink Lake. Arlyn Schmidt explained that he was aware the Stink Lake used to become dry in the Summertime until the year of 1963. It was around that time that the railroad proposed pumping water from Stink Lake up 52' feet which would then allow the water to naturally flow into the Missouri River. The railroad eventually abandoned this idea and instead ended up raising the railroad instead. Again, Arlyn Schmidt indicated the DOT instead of looking at moving the water

also determined to raise the road. He noted that this whole area is a basin and acts as an outlet for water coming into it all the way from Cleveland. Arlyn Schmidt also recalled that a family around the Ruele Development put in a damn but a complaint was issued to our Water Resource Board and the Board ultimately required the damn to be removed because the damn was dangerous. Arlyn Schmidt recalled that he did not believe the damn would have corrected the concerns that the Ruele Development had.

Arlyn Schmidt also provided some additional historic information that he was aware of. He indicated that in the area of Devils Lake, the last time the water was as high as it was now was back in 1820 and Devils Lake Area did not have issues until August 3, 1993 when an 8" rain saturated the area and then the Winter of 1993 to 1994 the Devils Lake area had a 100' of snowfall. Ever since then, Devils Lake has been significantly higher and they ultimately placed a ring dike all around Devils Lake. Arlyn Schmidt indicated that although Devils Lake is not the same area as Crystal Springs, likely the solutions that Crystal Springs would have available to it one similar to what Devils Lake encountered. Arlyn Schmidt also indicated that he is familiar with the location of Knetter's house. He indicated that his house is currently quite high and that he did not believe that there would be an issue with his house becoming flooded. Arlyn Schmidt also noted that the Board did a site visit back in the 1990's and the campground obtained a permit to hold water in Crystal Springs. After some significant discussions with Mr. Brenner regarding various options and the timelines in order to obtain potential relief, the Board encouraged Mr. Brenner into looking into moving buildings to higher land owned by the campground. The Board also indicated that if Mr. Brenner felt he needed our office's assistance in getting the Department of Water Resources to prepare a feasibility study, they would be willing to explore that option with his Board should they so needed. Board members then noted that the Crystal Springs Campground has historically been an asset to our community, that the campground has always been very well maintained. Mr. Brenner noted that they have approximately 5,000 people come through the campground every year. The Board encouraged Mr. Brenner to return to the Water Resource Board if he had any other questions or concerns.

#### **REQUEST OF JOHN FIEBIGER**

Next, John Fiebiger addressed the Board. He noted that there was a culvert placed on his property located in Sec. 21 Township 137-63. He inquired with the Board if they have

received notice as required under North Dakota Century Code 24-06-34. Mr. Fiebiger felt that this required any county or township who was going to make any installations, repairs, or modifications to culverts to provide notice to the local Water Resource Board. Board members then indicated they would not have any specific memory if they were provided notices. The Board receives a number of notices periodically throughout the years. Ms. Geroux explained to Mr. Fiebiger if he would like he can make an open records request to see if our office is able to locate any correspondence regarding this matter. Mr. Fiebiger indicated he would like that and Ms. Geroux explained that there could potentially be some costs involved which would have to be paid prior providing any of the documentation.

Next, the Board addressed the 2024 proposed budget. Ms. Geroux provided the letter she received from the Stutsman County Auditor indicating that the Board could ask for a 2% budget increase in real dollars over last year. Ms. Geroux then prepared a budget in accordance with this information. Ms. Geroux also provided documentation regarding the request to levy for the chairman to sign and also provided prior years income and expense reports for Board's review. Upon review of the documents, John Schock moved and Dennis Clark seconded a motion to approve the budget as presented. Motion passed.

Next, the Board reviewed the bills and financials. Upon review of the bills and financials, Arlyn Schmidt moved and Dennis Clark seconded a motion to approve the bills and financials as presented. Motion passed.

**CHECK NUMBERS**

1. Dalsted & Ryan - \$ 677.50 #2897

Ms. Geroux then presented to the Board various correspondences the Board received since the prior meeting.

Seeing as there was no further business before the Board, Arlyn Schmidt moved and Dennis Clark seconded a motion to adjourn the meeting. Motion passed. The meeting was adjourned at approximately 11:35 a.m.

RESPECTFULLY SUBMITTED:

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ABBAGAIL GEROUX  
Secretary

**BOARD APPROVAL OF MINUTES**

The board approved the minutes this \_\_\_\_ day of \_\_\_\_\_,  
2023.

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