

MINUTES

STUTSMAN COUNTY WATER RESOURCE BOARD

October 27, 2021

The regular meeting of the Stutsman County Water Resource Board was called to order by Vice Chairman Anthony Roorda on October 27, 2021 at approximately 9:05 a.m. in the Commissioner's Room of the Stutsman County Courthouse. Members present were Anthony Roorda, John Schock, Arlyn Schmidt, Dennis Clark, and Greg Spenningsby sitting as alternate for Joel Lees. Abbagail Geroux, Secretary of the Board, was also present. Additionally, Josh Hassell from Moore Engineering appeared by telephone.

**MINUTES**

The first order of business was to review and approve the minutes of the September 29, 2021 regular meeting. Upon review, a motion was made by Arlyn Schmidt and seconded by John Schock to approve the minutes as read. Motion passed.

**REMOVAL OF BEAVER DAMS**

The Board then addressed the first item on the agenda which was the beaver dam removal within Stutsman County. Ms. Geroux indicated that Joel Lees was unable to attend the meeting, however, he was contacted by Cody Krause from USDA regarding beaver dams which required removal within Stutsman County. The Board has historically paid for the costs of the dynamite for the removal of beaver dams, and Cody Krause needed approval in order to begin the removal of the beaver dams. The paperwork has not yet been received by the Stutsman County Water Resource Board, but due to the timeframe involved, there was a request to ratify the actions taken on behalf of Joel Lees and also to allow Joel Lees or Anthony Roorda to sign off on any paperwork required by Cody Krause in order to conduct their removal of beaver dams in the future. It was also noted that the paperwork would then be sent to the Stutsman County Water Resource Board for review and approval for payment for the portion that the Water Resource Board agrees to pay.

John Schock moved and Greg Spenningsby seconded a motion to ratify Joel Lees' actions with regards to signing off on the beaver dam removal, and to allow Joel Lees or Anthony Roorda to sign off on any paperwork authorizing the same in the future. Motion passed.

## **TEN MILE LAKE PROJECT**

The next item on the agenda was the Ten Mile Lake Outlet Project. Ms. Geroux provided a background to the Board regarding the project. The Board signed a Joint Powers agreement with Barnes County on July 28, 2021 for the Ten Mile Lake Project. It was noted that most of the project lies within Barnes County, but there are some parcels that would be benefitted by the project in Stutsman County, and that was the reason for the Joint Powers Agreement. Notably, the Joint Powers Agreement indicates that Barnes County will conduct a majority of the meetings and be responsible for the cost involved in conducting the hearings and providing the notices. However, this Board still wanted to approve of the assessment list and be generally apprised of the process of the project. Dennis Clark asked Josh Hassell of Moore Engineering how many parcels were affected. He indicated that 164 parcels were assessed in Stutsman County, and he would provide a more specific list of the landowners involved.

Discussion occurred on how the cost of the assessment for the project would be assessed onto the properties. The preliminary assessment indicates the total amount likely to be assessed to all of the properties depended on the final cost once the project was completed. Mr. Hassell indicated that they anticipated that the project would be bonded out over a 15-20-year period, and that the interest rate is running approximately 2.5% - 3.5% for these types of projects. He also noted that they would seek funding from various funding avenues to lower the cost of the project, and therefore lower the cost to the landowners.

There was some discussion regarding the effect on landowners in Stutsman County. It was noted by the Board at a previous meeting that a couple of the landowners attended, but at the meeting where they determined if they would sign the Joint Powers Agreement, no landowner attended the meeting. Josh Hassell indicated that Barnes County also conducted a meeting and invited everyone within one square mile of the area anticipated to be affected by the project to attend and discuss the project. He indicated that there were a few people from Stutsman County there, but not many. It was noted that a hearing for the project will be held on November 30<sup>th</sup> with voting to close 30 days thereafter, and they would be able to determine if the project passed by early January 2022.

Mr. Hassell indicated that they were looking at starting the project in the fall of 2022 with the tentative completion

date in 2023. This would be dependent on approval for drainage application and to go through the funding process for certain types of projects through various funding mechanisms. It was noted that the process for obtaining approval for a drainage permit may take additional time if it is considered of statewide significance. It was also noted by Mr. Hassell that the preliminary design of the project has been funded. He also noted that the Department of Environmental Quality will have requirements on the water quality for water entering the Lake Ashtabula watershed and the Sheyenne River. These will likely be addressed in the operating manual for the project. It was then asked if the project was fully in Barnes County or if it included property in Griggs County. Mr. Hassell indicated that the project stayed entirely within Barnes and Stutsman County, and the project did not affect Griggs, but some of the water flowing in the watershed does flow into Griggs County.

Seeing no further questions, John Schock moved and Dennis Clark seconded a motion to approve the Resolution as presented. Seeing no further discussion, Anthony Roorda called for a roll call vote. Anthony Roorda, John Schock, Dennis Clark, Arlyn Schmidt, and Greg Spenningsby sitting as alternate for Joel Lees, all voted in favor of the motion. No votes against the motion. Motion passed. Greg Spenningsby then requested Mr. Hassell provide the Board members with an assessment list organized by county so they could have a better understanding of the individuals who will be assessed as part of the project in Stutsman County.

#### **BILLS, FINANCIALS, AND OTHER BUSINESS**

Next the Board addressed a Notice of Application for Appropriation of Groundwater received from the Department of Water Resources. The Board also discussed some ongoing regular business, in particular with the funding in the Board's checking account, the cost of a yearly auditor, and an update with regards to the Applied Blockchain request for drainage. Ms. Geroux indicated that after the meeting, the engineer's office indicated that a permit was likely not required and therefore, Ms. Geroux put together a letter indicating approval pursuant to the Board's motion at the September 2021 meeting. Next, the Board reviewed the bills and financials. Arlyn Schmidt and Dennis Clark seconded a motion to approve the bills and financials. Motion passed.

**CHECK NUMBERS**

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| 1. Joel Lees - \$527.22                    | #2829 |
| 2. Arlyn Schmidt - \$441.50                | #2830 |
| 3. John Schock - \$500.42                  | #2831 |
| 4. Anthony Roorda - \$336.59               | #2832 |
| 5. Dennis Clark - \$818.87                 | #2833 |
| 6. IRS - \$607.41                          | #2834 |
| 7. Forum Communications Company - \$232.00 | #2835 |
| 8. Dalsted & Ryan, P.C. - \$794.08         | #2836 |

Seeing no further business before the Board, Arlyn Schmidt moved and John Schock seconded a motion to adjourn the meeting. Motion passed. Meeting adjourned at 10:10 a.m.

RESPECTFULLY SUBMITTED:

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ABBAGAIL GEROUX  
Secretary

**BOARD APPROVAL OF MINUTES**

The board approved the minutes this \_\_\_\_ day of \_\_\_\_\_,  
2021.

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