

REGULAR MEETING MINUTES
FOSTER COUNTY WATER RESOURCE BOARD

Carrington, ND
November 13, 2024

The regular scheduled meeting of the Foster County Water Resource Board was held on Wednesday, November 13, 2024, commencing at 7:00 am at the Foster County Courthouse in the Jury Room with all board members present except Jeff Edland. Also present were Danielle Koeplin, Secretary/Treasurer and Brian Johnson. Attorney Kale Van Bruggen and Engineer Jennifer Malloy were present via Microsoft Teams.

Meeting was called to order by Chairman, Doug Zink.

AGENDA. The agenda was reviewed, and was followed for the balance of the meeting.

MINUTES. Board members had received a copy of the minutes of the regular meeting of October 9, 2024. After discussion, it was moved by Stangeland, second by Stedman, to approve the minutes of the October 9, 2024 meeting. All in favor. Motion carried.

FINANCIAL REPORT. The financial condition of the board was reviewed, with a balance of \$308,238.23 per the statement of October 31, 2024, being held at Bremer Bank in Carrington. (Assessment Drain No. 1 Bond Balance-\$0.00) Motion to approve by Bachmeier, second by Stedman, all in favor. Motion carried.

BILLS AND STATEMENTS. The following bills were discussed, being approved for payment upon motion by Bachmeier, second by Stedman. All in favor. Motion carried.

Rinke Noonan (General Services)-\$7,486.50

Rinke Noonan (Drain No. 1)-\$6,086.60

Apex Engineering (General Service)-416.00

Apex Engineering (Drain No. 1)-\$19,183.50

Johnson Excavating (Kelly Creek/Scott's Slough/SE4 Sec. 24 Cleanout)-\$35,100.00

FOSTER COUNTY ASSESSMENT DRAIN NO. 1. After discussion it was moved by Stedman, seconded by Stangeland to approve Change Order No. 1 on the Contract for Construction of Drain No. 1, and to ratify the signature of Vice Chair Brent Bachmeier on behalf of the District. All in favor. (Zink abstained from the vote) Motion Carried.

FOSTER COUNTY ASSESSMENT DRAIN NO. 1- EASEMENT ACQUISITION. After discussion it was moved by Stedman, seconded by Stangeland to approve the Easement for Foster County Drain No. 1 Assessment Drain between Karl Hoppe and the District effective October 9, 2024 and to authorize Vice Chair Brent Bachmeier to sign the Easement on behalf of the District. All in favor. (Zink abstained from the vote) Motion carried.

SCOTT'S SLOUGH/KELLY CREEK CLEANOUT. After discussion it was moved by Stangeland, seconded by Bachmeier that the District will not do any further work/cleanout in Sections 22 & 23. Township. 147N Range. 66W until the District is made whole due to incurred expenses related to legal fees and clean-out costs. All in favor. Motion carried. As of today's date the prior work that was authorized is complete and there is no current blockage within the area that was cleaned out by Johnson Excavating.

RESIGNATION LETTER OF SECRETARY/TREASURER KOEPLIN. After discussion it was moved by Stangeland, seconded by Stedman to accept Danielle Koeplin's letter of resignation-effective January 31, 2025. All in favor. Motion carried.

BILL PROPOSED BY THE DWR. Kale Van Bruggen reported on a bill proposed by the Department of Water Resources amending Century Code 24-03-08 and the timing of requesting stream crossing studies. Van Bruggen also reviewed the 2024 Policies and Positions of the ND Water Resource District Association on stream crossing studies. After discussion, it was moved by Stedman, seconded by Bachmeier to approve the following proposed policy resolution to amend paragraph 40 of the ND Water Resource District Association 2024 Resolutions and Positions and authorize counsel to send the proposal to the ND Water Resource District Association on behalf of the District:

We support the use of an objective standard, such as the North Dakota stream crossing standards, to determine reasonable culvert sizes that avoid waters which flow into and accumulate in roadway ditches from overflowing onto adjacent and adjoining lands. We support allowing an engineering standard to be used in determining culvert sizes depending on topographic conditions. **We support the ability of water resource boards to compel a determination by the Department of Water Resources of the required design discharge of an existing or proposed crossing according to stream crossing standards before or after a determination has been made by the applicable road authority.** Further, we support efforts to improve the ability of townships and counties to obtain quick approval for emergency procedures for roadway drainage. We request that affected water resource districts and local road authorities can simultaneously meet with federal regulatory agencies at regularly scheduled interagency meetings in order to resolve regulatory issues on all projects.

All in favor. Motion carried.

ADJOURNMENT. It was mutually agreed the next board meeting will be held December 11, 2024 being no further business; it was moved by Stedman, and seconded by Bachmeier to adjourn at 7:39. All in favor. Motion carried.

Danielle Koeplin,
Recording Secretary

Doug Zink
Chairman

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