

RICHLAND COUNTY WATER RESOURCE DISTRICT
Richland County Courthouse, Wahpeton, ND
April 10, 2018

The Richland County Water Resource Board (RCWRB) met April 10, 2018 at 8:00 AM at the Richland County Courthouse, Wahpeton, North Dakota.

THOSE PRESENT: Managers Arv Burvee, Gary Friskop, James Haugen, Don Moffet, Robert Rostad, Engineering Technician Justin Johnson and Secretary-Treasurer Monica Zentgraf.

THOSE ABSENT: None

Minutes

The April 3, 2018 minutes were presented. A motion was made by Mgr. Burvee and seconded by Mgr. Moffet to approve the April 3, 2018 minutes as corrected. The motion carried unanimously.

Mail

- 1.) MnDak Upstream Coalition- The Coalition encouraged comments regarding Fargo-Moorhead Flood Diversion Project, "Plan B" be sent to the Minnesota Department of Natural Resources. The Coalition also requested a contribution for on-going expenses. The Managers directed Engineer Bassingthwaite to prepare written comments on the Fargo-Moorhead Flood Diversion Project, "Plan B" Environmental Impact Study. Consensus of the Managers was that no financial contribution will be given to the MnDak Upstream Coalition by the RCWRD.
- 2.) Richland County Commission- Minutes of the March 2018 meetings.
- 3.) Bank of New York Mellon- Pledged securities totaled \$631,433.33 on March 30, 2018.

Township Surface Drainage Form

The Managers reviewed a generic form for the Township Boards use when processing surface drainage requests.

Banking Services

A brief discussion was held regarding banking services available through Wells Fargo Bank and Bremer Bank.

Applications

Appl #18-002, Bruce Yaggie: SW1/4SW1/4 Sec 12, Abercrombie West The application for installation of 77 acres of drain tile was acknowledged by the Board. No formal action required as project is less than 80 acres and does not require a state permit.

Appl No. 18-003, Mary Kay Theede: NW1/4 Section 4, LaMars Township

Applicant seeks to install a subsurface water management system ("drain tile") in the NW1/4 Section 4, LaMars Township, Richland County, North Dakota. The project will include one gravity flow outlet located in the SECR NW1/4 Section 4. The outlet will discharge water directly into Richland County Drain No. 3. The Richland County Water Resource District owns and operates Drain No. 3.

Because the project will discharge directly into a legal assessment drain, no THIRTY DAY NOTICE was necessary to downstream landowners under N. D. Century Code § 61-32-03.1. Under the tile law passed during the 2017 Legislative Session, the Board can attach conditions to protect its drain.

According to records on file with the Richland County Recorder's Office, Mary Kay Theede owns the NW1/4 Section 4, where Applicant intends to install the tile system. Because the project will discharge directly into a legal assessment drain, no THIRTY-DAY NOTICE is necessary to downstream landowners under N.D. Cent. Code § 61-32-03.1.

A motion was made by Mgr. Burvee, seconded by Mgr. Rostad, and unanimously carried to approve *Application to Install a Subsurface Water Management System* No. 18-003 subject to the following conditions:

- 1) That Applicant notify the Richland County Water Resource District in advance of any proposed alterations to outlet locations, or addition of any outlets;
- 2) That Applicant provide, install, and maintain adequate erosion protection at any and all outlets into Richland County Drain No. 3;
- 3) That Applicant reseed any of the District's right of way disturbed by Applicant's activities, and maintain any reseeded areas for a period of one year from the date of completion to ensure the seeding adequately repairs any disturbed areas.
- 4) That all work to be done in a neat and professional manner;

Under Section 61-32-03.1, the District cannot attach any additional conditions to Applicant's permit. However, for Applicant's protection, and to ensure protection of Applicant's tile system, the District recommends that Applicant consider complying with the following:

- 1) That Applicant notify the Richland County Water Resource District in advance of any proposed improvements to the tile system, or any proposed increase in the capacity or drainage area of the tile system and, if necessary, submit an additional permit application;
- 2) That Applicant obtain all other necessary and requisite licenses, permits, registrations, and/or approvals from all applicable federal, state, county, and municipal governments, and any other applicable governmental entities.

Adjournment

There being no further business to come before the Board, Chr. Friskop adjourned the meeting at 8:50 A.M.

Respectfully submitted,

Monica Zentgraf
Monica Zentgraf
Secretary

Gary Friskop
Gary Friskop
Chairman of the Board