DRAFT LaMoure County Water Resource District Regular Meeting June 24, 2026 9:00 am

Present in person; Jason Gross, Glenn Haugen, Nathan Nitschke, Derek Klug, Kerry Ketterling. Billi Jo Warcken- Secretary-Treasurer, Karin Boom, Co-Secretary. Attending online- Kimberly Radermacher-Attorney, Kale VanBruggen. Also attending, Bob Flath, LaMoure County Commissioner.

Meeting called to order and roll call at 9:00 am by Chairman Gross. Roll Call of Board- Quorum present.

Gross called for additions to agenda and motion to approve. Motion by Ketterling to approve the agenda, seconded by Nitschke and passed.

Gross inquired about review or changes to the meeting minutes of May 27th meeting. Motion by Haugen to approve minutes of both meetings as presented, seconded by Klug and passed.

Bob Flath offered public comment in the comment time. He has had recent calls of concerns regarding downstream impacts of tile drain outlets. Want direction as to response of the board and commission on addressing concerns. If the water board approves a permit application there are statutory requirements regarding compliance and if there are issues that would be a civil matter? Attorney Radermacher affirmed that and referred to NDCC 61-32-03.1 (9) regarding seeking damages caused by a permitted water management system under a civil proceeding. Warcken also said she had been getting calls with questions regarding legal issues related to the permits and process. She stated that she doesn't feel comfortable fielding legal questions and asked for a protocol to refer calls to the proper person. Discussion between the board and Radermacher determined that questions or concerns would best be brought before the board and filed as a complaint. Issues should be addressed in an open meeting with the board and attorney present.

Gross called on VanBruggen and Radermacher for an update on the Syversen complaint status. He and his client have been monitoring the site to see when and if the board's determination to close certain drains was complied with. Deadline is June 28th. Looking for the board to confirm and measure compliance and a plan to secure a contractor to bring it into compliance if it has not been completed by the 28th, and to assess the costs of closing. Radermacher added that the full time has to be allowed for compliance and a process would have to be approved to secure a contractor if not completed in the time frame. Likely have to put on bids- and begin advertising next week following determination of non-compliance. Action would be deferred if there is compliance. Ketterling asked about certified mailing notifying Daymond Syversen of the violation and the hiring of a contractor to do the work and it being assessed to his taxes. Radermacher agreed that it would be part of the process to do the notification. VanBruggen stated that the cost of this would be well below the statutory requirement of putting the project out on bids. Radermacher agreed that is true, but we don't have anyone in place as a board and it would be best to get quotes and assurances of those contractors that they are qualified and bonded. Bids would serve as a vetting process. Ketterling agreed that local contractors may not be comfortable in going into a privately owned field to co the remediation. It has been an issue in the past. Best to have a public process. Motion by Ketterling to send notice on June 29th if not in compliance it will go out on bids to complete the work directed by the board in its determination at the site visit. Motion seconded by Haugen. There was a discussion on timelines. Radermacher said it would be best to have bids before next meeting in July. Motion passed on a unanimous roll call vote. VanBruggen said Engineer Joel Toso had provided the measurements with photos for contractors to use as work outline. He also asked that the board determine non-compliance with a site visit and photos and all parties notified of that so they could be present. Two board members would be sufficient. Ketterling and Nitschke said they would be willing to go. 9:00 am Monday 6/29 and Syversens would be notified. Radermacher said make phone calls about the site visit and then Letter sent following determination of non-compliance. Radermacher will draft the letter and have sheriff service.

Gross asked for discussion on the Lagodinski-Haugen complaints. Radermacher has a conflict on this complaint and has contacted another attorney to review it. As the drain tile has not yet been installed it might be that the complaint is just based on conjecture and not yet ripe for consideration. This might be a situation where the civil recourse would be appropriate following installation of the system and if there is a problem as a result. Gross also said he had conveyed in response to a call from Lagodinski that the board would have trouble addressing a complaint on a system that is not yet installed. Motion by Ketterling to take this under advisement pending further legal consultation; seconded by Nitschke. Passed by unanimous roll call vote.

Warcken opened the discussion on the proposed budget for 2027. New line items for an audit and for Barnes-LaMoure Joint District. A private contractor has been secured by the County to conduct the audit and the water board audit will be paid for by the County as it is not in our budget for this year. Next year we are not sure about making it a budget line item. $5900 for next years' audit. Flath suggested that as a separated subdivision from the County and handling our own funds we might be eligible for an audit report process through the State Auditor with a minimal fee. Other political subdivisions are doing them and it is viewable online. Radermacher will look into that process. Set salaries- Warcken $6500, Boom to get $6000, Radermacher to get $8000. Per diem is $225 and $300 for the board chair. This is for regular and special meetings and other responsibilities as designated by the board. There will be an annual zoom meeting fee so the technology fees were set at $500. Office supplies- $500, Travel/legal $2000, Dam Repair and projects & drain, Dues-$1200, Engineering- $2500, IRS-

$3000, Audit- $5,900, Barnes-LaMoure Joint District- $5000. An income line was also added for Joint Board reimbursements. Motion to approve the proposed budget by Klug, seconded by Ketterling and passed on a unanimous roll call vote.

Limesand-Seefeldt Dam update. OHF Grant Review Committee meeting on June 30th at the Capital. 10 minutes is allowed to present the project. Boom will go from the board.

Warcken covered quarterly financials as of the 20th. Discussion covered the transfer of the Barnes-LaMoure Joint Board bond to that Board's account. Motion to approve the financials as presented by Ketterling, seconded by Haugen and passed. No Bills were presented. No correspondence.

Motion to adjourn by Klug, seconded by Haugen and passed.

10:12 am- meeting adjourned.