

LaMoure County Water Resource District

Special Meeting Minutes
Wednesday, April 27, 2022

Opening

The special meeting of the LaMoure County Water Resource District was called to order at 9:00 AM on April 27, 2022 in the basement meeting room of the LaMoure County Courthouse by Kerry Ketterling.

Present

Kerry Ketterling, Chairman LCWR Board
Bobby Frauenberg, LCWR Board member
Nathan Nitschke, LCWR Board member
Jason Gross, LCWR Board member
Jan Hamlin, LCWR Board Treasurer
Shanel Bohnenstingl, LCWR Board Secretary
Kurt Brandenburg
Mike Brandenburg
Steve & Julia Nelson
David & Paula Peterson
Richard Musland

Attending Virtually

Kim Radermacher, LCWR Board Attorney
Glenn Haugen, LCWR Board Vice-Chair
Roy Hofman, RRVW

Absent

None.

Approval of Agenda

Mr. Frauenberg motioned to approve the agenda, seconded by Mr. Nitschke. Motion carried.

Complaint for Water-related issues filed on April 1, 2022, by Ricard Musland

The complaint is regarding drainage on NW1/4 of 7-133-63, land owned by Mr. Musland. The complaint is filed against Steve Nelson. The Brandenburgs farm Mr. Nelson's land. Mr. Musland claims that the Brandenburgs have installed an illegal drain stating that the Brandenburgs dig deeper and deeper every year allowing a higher volume of water that he believes is natural from the waterway that flows through Mr. Musland's land and empties into a creek. Mr. Musland also claimed that the Brandenburgs have been driving their equipment onto his

land. The Brandenburgs explained that they are not digging deeper, instead, they are just clearing the waterway of natural debris. In 2013, the Brandenburgs installed a culvert on the private section line because it was needed. Mr. Brandenburg stated he has all the receipts and documentation to support his claim of the culvert installation. The culvert is no longer there. It is unknown what happened. When the missing culvert was discovered Mr. Brandenburg reported it to the Sheriff's office which was investigated but no additional information was discovered. As for driving equipment on Mr. Musland's land, Mr. Brandenburg stated that he has not but instead equipment sizes are getting bigger which might be the reason Mr. Musland believes they are intentionally encroaching on his land. The Brandenburgs intend to fill and level the area near the fence when conditions dry. Mr. Ketterling after viewing the site looks to be a fence line cleanout. Since it is not a public township road the township is not responsible for installing another culvert. Since conditions are wet, the board would like to wait to see if the property will be restored. Mr. Frauenberg motioned to table the complaint until the next meeting, seconded by Mr. Nitschke. Motion carried.

Complaint for Water-related issues filed on April 6, 2022, by David Peterson

The complaint is regarding drainage on SW1/4 of 32-134-59, land owned by Red River Valley & Western Railroad. Mr. Peterson is requesting that the railroad install additional water flow capacity in the SE1/4 6-133-59 (Ovid twp) due to water backup for which the railroad creates a damming effect. There has been water back up into SW1/4 32-134-59 (Greenville twp) on wet years. After the wet event in 2011, the highway installed (4)42" culverts. Currently, the railroad has (1) 24" & (1) 36" culverts in place but the water is still backing up and flowing over highway 13. Mr. Hofman stated that RRVW is willing to work with landowners to install additional culverts in order to open up the flow but wants to be sure that the water isn't just creating issues elsewhere downstream resulting in any repercussions. Mr. Frauenberg made a motion to contact Ovid township officers to arrange a meeting with RRVW to discuss resolving the issue, seconded by Mr. Gross. Motion carried. Mr. Frauenberg made a motion to table the issue until the next meeting, seconded by Mr. Nitschke. Motion carried.

The meeting was adjourned at 10:14 am.

Amend Minutes

Mrs. Bohnenstingl explained an error made in the approved June 24, 2021 minutes regarding Ms. Radermacher's retainer. It was decided that beginning in 2022 Ms. Radermacher's retainer would be, \$4,000/year, but was mistyped in the minutes. Mr. Frauenberg made a motion to amend the minutes to reflect the correct retainer amount of \$4,000/year, seconded by Mr. Nitschke. Motion carried.

Adjournment

The meeting was adjourned at 9:36 PM by Mr. Ketterling.

Approved this 6th day of July, 2022

X

Kerry Ketterling
Chairman

ATTEST:

X

Karin Boom
Co-Secretary