

LaMoure County Water Resource District Quarterly Meeting

June 21, 2023 1:00pm

Present in person: Chairman Kerry Ketterling, Jason Gross, Nathan Nitschke, Bobby Frauenberg Glen Haugen, and Attorney Kimberly Radermacher. Also present were Janice Hamlin, Secretary/Treasurer; Karin Boom, Co-secretary.

Other meeting participants present during the meeting: In-person attendees were Cody Rupp, Wano Township Board Representative; Leighton Carow, Myron Ruff, Greg Schmidt, Lon Ost, Curtis Speidel. Remote participants were Craig Speidel and Kale VanBruggen.

Chairman Ketterling called the meeting to order at 1:00 pm. Call for additions to the agenda. No additions were offered and Frauenberg moved to approve the agenda, seconded by Haugen, and passed.

Motion by Frauenberg to approve the March 15th Quarterly meeting minutes and May 3rd Special meeting minutes, seconded by Haugen and passed.

Brandon Schweigert Complaint regarding SW1/4 19-134-63 was reviewed. The complaint involved installation of a culvert by Wano township which allowed water to accumulate on his property because the natural drain is obstructed by soil buildup due to farming practices. Cody Rupp representing the township showed a map which agreed with the natural water course and the area of obstruction. Leighton Carow is the renter now farming that property and said he had worked on that area at one time but was stopped by the landowner who is now deceased.

Attorney Radermacher read the watercourse channel rule described in NDCC 61-01-23. Ketterling said that the watercourse would have to be determined by a hydrology map as the property is privately owned. Radermacher also stated that the notice must be given to Betty Carow as surviving spouse and landowner. Radermacher also said that obstruction of a natural watercourse is the responsibility of the property owner.

Motion by Frauenberg to notify landowner and investigate in the 120-day statutory period, seconded by Gross and passed.

The Myron Ruff complaint regarding NE1/4 4-134-64 was reviewed. Attorney Kale VanBruggen appeared on behalf of Brandenburg. He questioned whether the proper quarter was listed in the complaint and whether it should be the NW1/4. He also said the watershed involves only 53.3 acres and cited the rule requiring an 80 acre or more watershed to file a complaint. Ruff described the location of the culvert causing the issue was installed below the level of the ditch and caused a washout on his field. He was asked if a transit was used to establish the level of the culvert and he said he used a tape measure. Mike Brandenburg said he installed the culvert for Don. He was asked whether he used a transit to establish the level of the culvert installation. He said he did not. Ketterling said a culvert can not be installed below grade. Gross moved to ask the county highway department to establish the grade of the installed culvert, seconded by Frauenberg and passed.

Greg Schmidt came before the board to inquire about a program he had researched involving culvert cost sharing. He was given a number to contact at the state level regarding that program as it is not initiated through the County Water Board.

Lon Ost came before the board to request permission to direct water from Section 2-136-64 by culvert to a natural drain that is currently blocked by a section-line road in Glenmore Twp. He has filed Form 1026 with NRCS for water blocked by a road. The water would go through land owned by Curtis and Craig Speidel and through the residential location of Curtis. Craig Speidel described the potential course of the water through their land and particularly the potential of washing out the driveway to Curtis' yard. Curtis explained that the road was installed in the 1930's and was concerned about the water over his road. He has a 24-inch and 18-inch culvert under the road now and it doesn't handle all the water, it still over the road at times. He is concerned that placing the culvert at the proposed position would drain a wetland also. He feels it should be installed at a point further to the South and that a study should determine that placement.

Attorney Radermacher explained that Glenmore Twp would have to approve the location of the culvert and would have to notify the LaMoure County Water District at least 30 days before installing the culvert. She also said it is without dispute that a road can not act as a dam. Motion by Gross that the township be tasked with determining how to make the road not act as a dam and address the issue, seconded by Frauenberg, and passed. Jan Hamlin will send draft minutes to the township and let them know they must notify the board at least 30 days before installing the culvert for review and approval.

Hamlin reviewed the financial report with the board. Motion by Nitschke to approve the financial report, seconded by Frauenberg and passed.

The board reviewed the proposed budget for 2024. All budget items were addressed and revised. Motion to approve proposed budget by Gross, seconded by Haugen and passed.

Hamlin reviewed outstanding bills with the board. Motion by Frauenberg to pay the bills presented, seconded by Gross, and passed.

Meeting adjourned by Chairman Ketterling at 2:25pm.

Approved on: _____.

Kerry Ketterling, Chairman

Karin Boom, Co-Secretary