

DEVILS LAKE BASIN JOINT WATER RESOURCE BOARD

Minutes of the regular monthly meeting held Wednesday, January 6th, 2010 at the Devils Lake City Offices in Devils Lake, ND.

Chairman Ash called the meeting to order at 9 a.m. Roll call of the counties was taken and all counties were present except Rolette.

Cavalier County	Larry Gellner
Eddy County	Mike Tweed
Nelson County	Mike Donohue
Pierce County	Duane Hawk
Ramsey County	Duaine Ash
Rolette County	No Representative
Towner County	John Elsperger
Walsh County	Bob Shirek

It was at this time that Chairman Ash turned over the gavel and chairmanship to the new chairman for 2010, Larry Gellner. Chairman Gellner then thanked Ash for being Chairman for the past year and presented him with a Certificate of Appreciation. Gellner then took over the meeting as the new chairman.

Chairman Gellner stated that minutes of the December 10th board meeting had been sent out in the member's packets and asked if everyone had an opportunity to read them and if there were any corrections or additions. **Ash moved to approve the minutes of the December 10th, 2009 meeting, second by Tweed, motion passed unanimously.**

The financial report for the month was presented:

Hawk moved to approve the financial report, second by Elsperger, motion carried unanimously.

January, 2010 Bills

The following list of bills was presented for payment:

January, 2010	Amount
Gerrells Sports Center	\$61.86
Ramkota Hotel (State Convention)	\$189.00
Jeff Frith - Manager's December Travel	\$250.00
NDTC (Website Hosting)	\$26.75
Ramsey County Auditor: Rent	\$190.00
Ramsey County Auditor: Pstg *	\$61.39
Ramsey County Auditor: Telephone: November - December	\$73.52
Ramsey County Auditor: copies	\$96.40
Ramsey County Water Resource District - Copier Rent	\$50.00
Peter Larson (Rolls for meeting in Sheyenne)	\$18.00
Hoiberg's Office Supplies	\$15.99
Bartlett & West (Pilot Project)	\$550.00
ND PERs - Health Insurance	\$1,037.16
Barry Hause (Test Project House Utilities)	\$229.57

* Includes \$20.00 Postage Meter Fee

Hawk moved to pay the bills as listed, second by Ash, motion carried unanimously.

TEST PROJECT UPDATE:

Frith stated that the monthly report from Drs. Steel & Hopkins is in the board's packets. Frith stated that he had just received the report yesterday and hasn't had time to review it fully. Frith mentioned that he reminded the Drs. that as long as the project is continuing and they are billing the Joint Board that a monthly report needs to be sent in on a monthly basis. Frith mentioned that he had spoke to Bartlett & West, project engineers and asked if they have received all the information from NDSU that they need to complete their analysis of the Test Project. They stated that they had received most of the information needed but are waiting for the remainder of the project results to be completed. It was asked if Frith knew when NDSU would be finished with their testing and be delivering their final report. Frith stated that he didn't expect the report until the end of the contract extension, which is the end of May 2010.

PILOT PROJECT UPDATE:

Frith mentioned to the board that he spoke with Bartlett & West about their activities concerning the Pilot Project and they stated that they are still analyzing the results of the Test Project and until NDSU delivers their final report they will not move forward with other areas of the Pilot Project. Frith mentioned to the board members that with the Test Project still up in the air he thought it would be a good idea for the board to table any further action or work on the Pilot Project until the Test Project concluded, board members agreed. **Ash moved to table any further work or action concerning the Pilot Project until the test Project gets resolved, second by Hawk, motion carried unanimously.** Frith stated he would notify Bartlett & West.

ESAP CONTRACT RENEWAL UPDATE:

Mike Noone, SWC stated that they have 3 out the 4 federal agencies on board and are awaiting the fourth to come back before having their legal staff reviews the documents. Once that takes place the contracts will go out to the landowners.

TOLNA COULEE UPDATE

Frith stated that he asked Devils Lake City Engineer, Mike Grafsgaard to come by and give an update on the city's activities in the Tolna Coulee area.

CAVANAUGH LAKE REPAIR REQUEST:

Frith stated that in the board members packets was a memo from the Ramsey County Water Resource District requesting the Joint Board to pay for the non-FEMA expenses concerning the Cavanaugh Lake damage. Ash explained that Ramsey County felt that the damage was caused by the high flows in the Morrison Outlet Channel. **Hawk moved to table the request until the next meeting to have Frith looking into how the Joint Board helped out with the previous repair on that structure, second by Donohue, motion carried unanimously.**

OTHER OLD BUSINESS:

Ash brought up the blow out on the original Morrison Outlet and was wondering if the Joint Board would be willing to help Ramsey County Water Resource District in paying for the repairs on that. Ash stated that the project didn't qualify for FEMA or wasn't turned in on time the bill, which just came to them the day before was for more than sixty eight hundred dollars. It was mentioned that the Basin Engineer take a look at the project and take it back to the SWC to see if they would cost share on the project, Erwin Curry said that he would do that. **Hawk moved to table the request until hearing back from the SWC on a cost share for the project, second by Ash, motion carried unanimously.**

NEW BUSINESS:

REVIEW & APPROVE PLEDGE OF ASSETS

Frith stated that this is something that is done every six months. The Board acknowledged receipt of the pledge of assets from Bremer Bank in the amount of \$400,000.00 as of 12/31/09. Pledges include:

<u>Security</u>	<u>Cusip#</u>	<u>Maturity</u>	<u>\$ Amount</u>
FHLMC 1B1576	3128JLUA5	3/1/34	\$200,000
Sheldon, TX Muni	822516SJO	2/15/19	\$75,000
New Albany, MN Muni	641847AU2	12/1/21	\$125,000

Ash moved to approve the pledge of assets from Bremer Bank, second by Tweed, motion passed unanimously.

DESIGNATED DEPOSITORIES:

Frith stated that this is something that the Board does every January. They approve the five banks within Devils Lake as the Designated Depositories. The Five Banks are Bremer Bank, Country Bank USA, First State Bank of Munich, Ramsey National Bank and Western State Bank. **Moved by Shirek that the board approve the five banks within Devils Lake as the Designated Depositories, second by Elsperger, motion passed unanimously.**

AUTHORIZED SIGNATURES:

Frith stated that this is something that the Board does every January. The Board removes the out-going Chairman and add the in-coming Vice-Chairman to the Authorized Signature card for the Joint Board. Frith reminded the Board that Rick Anderson from North Central Planning is on the Signature Card for the checking account as a just in case there is a need for an additional signature in the absence of a board member. Frith state that it was a good fit since North Central Planning is the administrator for the Joint Board's federal dollars for the Test and Pilot projects and within the same building it worked out when needed. **Moved by, Shirek to approve the designated signatures for the Joint Board that includes Gellner, Tweed, Frith & Anderson for the checking account and Gellner, Tweed & Frith for the Money Market Account, second by Hawk, motion carried unanimously.**

WATER QUALITY MONITORING CONTRACT:

Frith stated that this is a contract that the Joint Board enters into on an annual basis with the SWC and USGS for their surface water monitoring stations. The Joint Board's cost share is \$13,206 which is a 1.8% increase that was imposed by USGS. **It was moved by Hawk to enter into the contract with USGS, the SWC and the Devils Lake Basin Joint Board to cost share the USGS Water Monitoring stations at a cost of \$13,206, second by Elspenger, motion carried unanimously.**

MANAGER'S PRESENTATION TO THE RR BASIN CONFERENCE

Frith stated that he was asked to give a presentation on the 09-flood fight within the Devils Lake Basin. He stated that what he was planning was to gather information from the various counties as far as damage amounts, what was impacted, roads, bridges, homes, ect.. He stated that he was hoping for some pictures to go along with the damage amounts, and he asked if anyone had any suggestions or anything else that he should add to his presentation. Ash asked Frith the date and time of the presentation and Frith mentioned that it is scheduled for January 20th at 10:45 at the Alerus Center in Grand Forks.

2010 WATER TOUR ROUTES DISCUSSION:

Frith mentioned that he wanted to get a head start on the planning of the water tour scheduled for June. He was trying to come up with a route that the board hasn't taken in awhile or one that would show case the basin's water problems. Frith stated that he thought of going north out of Devils Lake and then heading east to show the problems in NE Ramsey, Walsh and Nelson Counties and then head down to the Tolna Coulee area since that is in the news and then over to the state outlet to see the increase in the pumps. Frith said he would work with county representatives to get a preferred route established in their county. Frith stated that by getting a head start on the tour and the route he could then pass that along with an invitation to the State Water Commissioners. Frith said if anyone has any ideas on routes or ways to make the tour better to let him know.

CORRESPONDANCE & MISCELLANEOUS:

Frith directed the board members to the portion of their packets that contained the moisture reports; lake level and basin coulee flows along with various newspaper articles. Frith brought to the boards attention an recent article that appeared in the Valley City Times concerning the states intentions of increasing the sulfate levels in the Sheyenne River to 750ppm and how they have 700 people that have signed a petition opposing the state in those regards. Frith stated that he has been approached by a citizen that thinks it would be a good idea for Devils Lake to have it own petition and surely we could get more support for our petition. Frith asked the individual what should the petition say and what point are you trying to make. Frith stated that they could not come up with a proper petition and what it should say so Frith was wondering if the board members had any ideas or even if the board wanted to get involved in that type of conflict. There was a lot of discussion on the pros and cons of getting involved and several ideas on what the petition should say and what it would accomplish. In the end it was decided to see if other groups or organizations would take the lead and that the Joint Board would join the cause when they came up with one. Belford stated that he would take the idea to Forward Devils Lake's board to see what their thoughts were.

CORRESPONDANCE & MISCELLANEOUS CONTINUED:

Tweed mentioned the idea of a television documentary about Devils Lake flooding battles being made. Either coop with some other organizations to fund a company to do it or possibly a student class or group do it as a class project. That way we could get the word out more affectively, people could see the devastation that the flooding has caused. Frith & Belford thought that was a great idea would look into how to move forward with that.

Frith Stated that he received a Thank You note from jean Schafer for the Silent Auction item the Joint Board donated to the Water Education conference.

OTHER NEW BUSINESS:

None

BASIN BOARD REPORTS:

Cavalier County: Gellner reported that things have been pretty uneventful this past month. They will be having their meeting tomorrow.

Eddy County: Tweed stated that there is not too much going on; they did get the sign for the Sheyenne Dam put up. This is the sign that states all the participating partners that supported the project.

Nelson County: Donohue mentioned that the emergency pumping at the Michigan spillway is continuing and they have been fairly busy.

Pierce County: Hawk reported that

Ramsey County: Ash reported that they can't seem to get by without having a four hour meeting. This time around it was however pretty uneventful. They did finalize some drain complaints and they did have some issues but pretty quiet compared to other meeting they have had this past year.

Rolette County: No Report

Towner County: Elesperger stated that Towner County WRD had their meeting yesterday. He mentioned that the meeting was pretty uneventful, they did have a couple of farmers that were having a disagreement concerning a dam and they helped resolve that issue. He mentioned the meeting with Ramsey County WRD concerning the Drain Permit for the State Outlet that is coming up on January 26th.

Walsh County: Shirek stated

STATE WATER COMMISSION REPORT:

Erwin Curry, ND SWC reported that Devils Lake is currently at an elevation of 1449.90 and Stump Lake is at an elevation of 1450.01. Last month the lake was at an elevation of 3.36 million acre feet only 1,300 acre feet lower. Work is continuing at the State Outlet and should be ready to install the new pumps and be operational they are looking at a June 1st start date. A copy of Mr. Curry report will be attached to the official minutes. Carl Duchscher, manager of the State Outlet was on hand and gave an update of what has been going on in the construction phase for the additional pumps and what they are doing to get ready for the increase.

RED RIVER BASIN COMMISSION:

Belford stated that Julie could not be here today. He reminded the board members of the upcoming RR Basin Convention in Grand Forks at the Alerus Center January 19 – 21.

USE&W UPDATE:

No report, no representative present.

NRCS REPORT:

Chris Nelson stated that he didn't have too much to report. He stated that they recently came off what will probably their biggest contract year and are currently in between contract periods. He did.

DOWNSTREAM REPORT:

Joe Belford reported he was pretty busy the 1st couple of weeks of December but pretty quiet after that due to the holidays. He has been keeping in contact with the downstream people, like Mary Lee Nielson, Mayor of Valley City keep them abreast of what is going on in the Devils Lake Basin and listening to their concerns. He will be attending a big meeting in Manitoba the first part of February they are have a conference at the University of Manitoba and he will be a presenter for that. He has been fairly busy as the new Ramsey County Commission Chairman, they have a lot of things going on within the county and he has been busy as a part of the Roads Acting a Dams committee as well.

MANAGER'S REPORT:

Frith stated that his report was sent to the board members for their review and asked if they had any questions, no questions were asked, the manager's report would be included with the official minutes.

Chairman Gellner thanked everyone for coming today and reminded everyone that the Water Stewardship Award Presentation later this afternoon at the Lake Region Extension Round Up at 1PM. Gellner reminded everyone of the next Joint Board meeting will be held on Wednesday, February 10th at 9am at the Masonic Lodge Meeting Center in Cando.

Date approved: **February 10th, 2010**

Mike Tweed, Vice Chairman

Jeff W. Frith, Manager