

DEVILS LAKE BASIN JOINT WATER RESOURCE BOARD

Minutes of the regular monthly meeting held Wednesday, October 14th, 2009 at the Nelson County Courthouse, Lakota, ND.

Chairman Ash called the meeting to order at 8a.m. Roll call of the counties was taken and all representatives were present.

Cavalier County	Larry Gellner
Eddy County	Mike Tweed
Nelson County	Mike Donohue
Pierce County	Duane Hawk
Ramsey County	Duaine Ash
Rolette County	Ron Heinz
Towner County	John Elsperger
Walsh County	Bob Shirek

Others present: See list attached to original minutes. Chairman Ash stated that Brian Connelly, Senior Hydrologic Forecaster, with the National Weather Service River Forecast Center in Chanhassen, MN is joining the meeting via speaker phone as he was interested in some of the agenda items and would be available to answer any questions as well.

Chairman Ash stated that minutes of the September 9th 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. **Hawk moved to approve the minutes as of the September 9th meeting, second by Gellner, motion passed unanimously.**

The financial report for the month was presented:

Shirek moved to approve the financial report, second by Elspeger, motion carried unanimously.

October, 2009 Bills

The following list of bills was presented for payment:

Hoiberg's Office Supply & Printing	\$24.90
Jeff Frith - Manager's July Travel	\$176.00
NDC (Website Hosting)	\$26.75
Ramsey County Auditor: Rent	\$190.00
Ramsey County Auditor: Pstg *	\$87.87
Ramsey County Auditor: Telephone: August - September	\$62.84
Ramsey County Auditor: copies	\$114.40
Ramsey County Water Resource District - Copier Rent	\$50.00
Bartlett & West (PILOT PROJECT)	\$3,300.00
ND SWC - Downstream August & September Expenses	\$1,891.45
Walsh County	\$341.48
ND PERs - Health Insurance	\$1,037.44
Barry Hause - NDSU TEST PROJECT UTILITIES	\$69.22
Barry Hause - NDSU TEST PROJECT HOUSE RENTAL OCTOBER 09	\$400.00

Tweed moved to pay the bills as listed, second by Heinz, motion carried unanimously.

TEST PROJECT UPDATE:

Frith stated that in the board member's packets there are two items concerning the Test Project the first being the report that Frith received from Dr. Hopkins after last months meeting explaining the work being done in August & September. The other item in the packet is a article about the Test Project that Dr Steele would like to publish and just wanted to run it by the board before he did so. Frith stated that he had asked the Drs. on their feelings about putting the Final Report on the Joint Board's website and they didn't have a problem with it other than it may jeopardize any future publications as Journals usually like to publish data that hasn't already been made available somewhere else. Frith said that he would check out the contract with NDSU to see if there is anything within the contract that would stipulate what and how the final report could be used.

Frith Stated that he has been in contact with Ben Varnson from the Upper Sheyenne Joint Board and the guys from Bartlett and West about going to the next Upper Sheyenne Board meeting to discuss the possibility of expanding the Pilot Project down the Sheyenne River from the state outlet to around the Cooperstown area. The meeting is in Carrington next week.

TOLNA COULEE:

Frith stated he spoke with Mike Grafsgaard, Engineer for the City of Devils Lake and he said that work had to be halted in the coulee because of the wet conditions and that in order to finish up they may have to wait until freeze up. Grafsgaard also stated that they have asked that the Nelson County Water Resource District spray the cattails within the Tolna Coulee, Varnson confirmed this information and said that they are in the process of being sprayed. Frith did say that he has heard back from just 5 counties about utilizing the Tolna Coulee fund in supporting the City of Devils Lake four in favor and one against. The County that voted not to use the money for that reason was Walsh.

TOLNA COULEE Continued:

Frith asked Brian Connelly if he had any questions in regards to the Joint Board's discussion on the Tolna Coulee since that was one of his areas of interest. Connelly said that he did not have any questions and that he had been in contact with DL city engineer Mike Grafsgaard about what the city is doing in and he will need elevations when the work the city has started is complete so that he can plug that data into their forecasting models. He did mention that in the models they have run so far Devils Lake hasn't reached those elevations. Varnson asked if Connelly has ever seen the Tiger Report & or the video that the corp. had done showing what would happen if the Tolna Coulee would go out naturally. Frith stated that he will get Connelly a copy of the Tiger Report.

Connelly brought up that one of the areas he was having trouble modeling was the Northwest Dry Lake Area where it flows into Mike's Lake and was wondering if there was a gage or a monitoring station on the channel between Dry Lake and Mike's Lake. Connelly was notified that there is no longer a channel there as it has become one big lake. Connelly stated that he will figure that into his simulations and just incorporate

ESAP CONTRACTS:

Frith stated that the SWC had approved the ESAP contracts for an additional ten years with a similar increase in fund as the Sweetwater/Morrison contract received. Frith state that all the landowners are willing to sign a new 10 year contract and Frith stated that he envisioned that the contract will be completed before the first of the year. Frith did state that there a two landowners with a couple of minor issues, one has a contract with a different expiration date of the others and Frith is working with the SWC to change that contract to have the same expiration date as the others. The second issue is that we have one landowner that would like to increase his storage capacity and in order to do that he would need to raise the road that blocks the water and he would like some help designing and paying for the road raise. Mike Noone state that he is working with NRCS, EPA & Fish & Wildlife Service to make sure about any wetland regulations, to make them aware of what we are doing and to get their approval if needed.

2010 WATER STEWARDSHIP AWARD NOMINATION INFORMATION:

Frith reminded the board members that the deadline for the Water Stewardship Award nomination is Monday November 2nd and as of today there hasn't been any nominations submitted. Frith stated that the award will be presented on Wednesday, January 6th at 1pm as a part of the Ramsey County NDSU Extension Round Up that is held in the Memorial Building in Devils Lake.

STATE CONVENTION REMINDER & DOOR PRIZE:

Frith reminded the board members of the ND Water Users State Convention being held December 9 – 11 at the Ramkota Hotel in Bismarck and individual WRD should have received the registration packet, Frith said he had been contacted by Jean Schafer and was asked if the Joint Board would be interested in donating a door prize for the Water Education Foundation during the State Convention. **Shirek moved to spend up to \$50 on a door prize, second by Heinz, motion passed unanimously.**

WATER STORAGE DISCUSSION:

Frith mentioned that he received a document from Charon Johnson, the landowner that brought this idea to the board's attention. The document has information about a small case study that was done by the ND Wetlands Trust. Frith pointed out that he had just received the document and hasn't had a chance to look through it entirely or to make copies of before the meeting. Frith stated that he will continue to work with SWC staff in developing a plan to hold water until the frost went out in the spring.

OTHER OLD BUSINESS:

NONE

NEW BUSINESS:

2010 MEETING & WATER TOUR DATES:

Frith stated that it is that time of year to go through the meeting dates, time and locations. He did say that he has been in contact with Jean Schafer from the ND Water Education Foundation and she would like to get the date of the annual water tour firmed up so they can start their planning. Frith stated the Jean had been in contact with a professor from UND who would like to include the tour into his class curriculum and thought that he would be offering the class on-line with a day set aside for the tour. Frith asked the board if they would like to change the time period of the tour or keep it at the same time around the end of June. The board agreed that keeping the tour around that time period would be fine and it was decided that the 2010 tour would be held on Wednesday, June 23rd. Frith stated that the regular Joint Board meetings could follow the second Wednesday of the month schedule except for the first meeting when the board presents the Water Stewardship Award in on the First Wednesday in January and the meeting at the State Convention of which the schedule hasn't been released yet.

SOIL SALINITY SPECIALIST GRANT PROPOSAL:

Chairman Ash introduced Jill Haakenson from The Northern Plains Resource Conservation & Development Council. Haakenson apologized for missing last month's meeting and then proceeded to pass out the handouts she brought explaining the grant proposal for a soil salinity specialist for northeastern North Dakota. Haakenson explained what they are trying to accomplish and why there is such a need for the salinity specialist. She stated that what they are currently looking for from the Joint Board would be a letter of support to include with their grant application. **Hawk moved to have Frith write a letter of support for the Soil Salinity Specialist grant proposal, second by Tweed, motion passed unanimously.**

WINTER WEATHER MEETING POLICY:

Frith stated that with winter fast approaching he was wondering if the board had a winter weather policy, when to cancel meetings, how to notify people and so on. Frith reminded the board that two meetings had to be rescheduled last winter because of the weather. Frith also pointed out that since we have members and other meeting participants that travel from long distances postponing a meeting the morning of doesn't always work the best. It was decided on that it should be decided by the chairman and the basin manager based on weather advisories and warnings the afternoon before a meeting and that the manager would notify the other board members by phone and put the announcement on the local radio stations.

CORRESPONDANCE & MISCELLANEOUS:

Frith stated that there are several newspaper articles and editorials included in the board member's packets, also in their packets are lake levels and coulee flows, NDSU Crop & Livestock report as well as monthly precipitation report.

OTHER NEW BUSINESS:

None

BASIN BOARD REPORTS:

Cavalier County Gellner said pretty much the same as everyone else.

Eddy County: Tweed stated they are finally able to finish up work from the spring flooding issues they are awaiting the new LiDAR data.

Nelson County: Donohue stated that they are very wet in the county and emergency pumping is going on at the Michigan area. Some tiling is being done down in the McVille area. They are updating their crossing & culvert inventory book and encouraged others to do the same.

Pierce County: Hawk stated that they haven't pulled the logs out of Hurricane Lake yet due to the recent participation they have received.

Ramsey County: Ash stated that they had a gate installed on the road leading to the Channel A structure to help keep people out of that area for liability reasons. They have hired a contractor to remove the structure on Channel A since it is no longer needed because of the high water level. They are still receiving and dealing with several drain complaints. They are working on fixing damage caused by last spring's flood.

BASIN BOARD REPORTS CONTINUED:

Rolette County: Heinz reported they are also finishing up the work that needed to be done after last spring's flood as well.

Towner County: Elsperger stated that they too are finishing up on work that needed to be done after last spring's flooding. He mentioned that the south end has stabilized with the rest of the lake.

Walsh County: Shirek reported that they have been busy, they built in two new drains on the eastern side of the county, they are dealing with a lot of water problems on the western side of the county as well as some drain complaints.

STATE WATER COMMISSION REPORT:

Erwin Curry, P.E. stated that Devils Lake is a level of 1449.92 which is .26' lower than a month ago and Stump Lake is at 1450.09 which are also .2' lower than last month as well. The combined storage of the two lakes is 3.36 million acre feet a decrease of 38,000 from a month ago. Both Devils Lake & Stump Lake are 3.5' and 3.4' respectively higher than this time last year. The complete SWC monthly report will accompany the official minutes. Chairman Ash thanked Erwin for his presentation.

DOWNSTREAM REPORT:

Frith stated that Belford was unable to attend today due to a scheduling conflict.

RED RIVER BASIN COMMISSION:

Frith stated that Julie had contacted him in regards to today's meeting stating that she was unable to attend.

USF&W UPDATE:

No Report

NRCS REPORT:

Stanley Schrupp from the Lakota NRCS office gave a report on behalf of NRSC. Stanley went through what NRCS spent in the Devils Lake. Chairman Ash thanked Chris for his presentation.

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 Ash thanked everyone for coming today and reminded everyone that the next Joint Board meeting will be held on Wednesday, October 14th at 8am at the Nelson County Courthouse in Lakota.

Date approved: **November 12th, 2009**

Duaine Ash, Chairman

Jeff W. Frith, Manager