

**DEVILS LAKE BASIN JOINT WATER RESOURCE BOARD**

Minutes of the regular monthly meeting held Thursday, December 10th, 2009 at the Sheyenne Room of the Ramkota Hotel in Bismarck, ND.

Chairman Ash called the meeting to order at 12:00pm. Roll call of the counties was taken and all representatives were present.

Cavalier County	Larry Gellner
Eddy County	Mike Tweed
Nelson County	Ben Varnson
Pierce County	Duane Hawk
Ramsey County	Duaine Ash
Rolette County	Ron Heinz
Towner County	Kent Vesterso
Walsh County	Bob Shirek

Chairman Ash stated that minutes of the November 12<sup>th</sup> 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. **Shirek moved to approve the minutes of the November 12th meeting, second by Tweed, motion passed unanimously.**

The financial report for the month was presented:

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

**December, 2009 Bills**

The following list of bills was presented for payment:

Gerrells Sports Center (Convention Auction Item)	\$24.11
Devils Lake Volunteer Fire Department (Convention Auction Item)	\$25.00
Jeff Frith - Manager's November Travel	\$36.30
NDTC (Website Hosting)	\$49.25
Ramsey County Auditor: Rent	\$190.00
Ramsey County Auditor: Pstg *	\$60.34
Ramsey County Auditor: Telephone: August - September	\$68.58
Ramsey County Auditor: copies	\$59.50
Ramsey County Water Resource District - Copier Rent	\$50.00
Michael Connor (Consulting Fee)	\$725.00
ND Water Coalition (2010 Membership Dues)	\$1,000.00
ND Irrigation Association (2010 Membership Dues)	\$100.00
City of Sheyenne	\$50.00
Benson County Press (Annual Subscription)	\$42.00
ND SWC - Downstream August & September Expenses	\$944.72
Bartlett & West (Pilot Project)	\$2,200.00
ND PERs - Health Insurance	\$1,037.16
Country Bank USA (Test Project Line of Credit)	\$20,671.98
Barry Hause (Test Project House Utilities)	\$71.46

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

### **TOLNA COULEE TEST WELLS – Bill Schuh, ND SWC:**

Mr. Schuh from the ND State Water Commission was present and presented the board with his report about the monitoring wells within the Tolna Coulee. Mr. Schuh stated that his report is similar to last year's report in that there was no indication of water moving through the Tolna Coulee. Chairman Ash asked how often the testing was done and Mr. Schuh replied that it was done twice a year, once in the spring and again in the fall with the last test done in September of this year. Mr. Schuh was asked if his report could be made available on the Internet and he stated that he would have it posted to the SWC's website within the week. Chairman Ash thanked Mr. Schuh for attending and presenting to the board.

### **TEST PROJECT UPDATE:**

Chairman Ash introduced Dr. Steele and Sheldon Tuscherer from NDSU. Frith stated that due to a prior commitment Dr. Steele wasn't originally going to be able to make today's meeting but his previous meeting ended early so he is able to be in attendance. Frith asked if Dr. Steele had anything to add to the report that Dr. Hopkins had or if anybody had any questions of Dr. Steele. Dr. Steele said that unless anybody had any questions he would just have the board refer to the report from Dr. Hopkins. Frith stated that based on the report the work has wrapped up for the season and Mr. Tuscherer stating that they cannot work once the ground becomes frozen confirmed that. Mr. Tuscherer stated that the Veris work was completed on all the sites this year except for site one which still has standing corn on it. Hawk asked how long the remaining testing or the results from this year's data will take and Dr. Steele said that he would have to defer that question to Dr. Hopkins but he did say that the particular testing that Dr. Hopkins is doing take a considerable amount of time. Chairman Ash thanked both Dr. Steele and Mr. Tuscherer for coming to the meeting.

### **TEST PROJECT UPDATE CONTINUED:**

Frith mentioned that as the board is well aware of that the Test Project has been in the news quite a bit this past month and that not all the news stories were flattering or accurate concerning the project and he assured the board that it certainly wasn't his intention to bring that kind of publicity. Frith stated that as the board knows but was conveyed wrongly in the press the Joint Board did NOT scrap the Test Project, the Test Project was just that a Test which had a start date and a completion date and Frith said he tried to get that message through to the media outlets. Frith mentioned that the Test Project was a valuable, constructive way at looking at flood mitigation and it is unfortunate that it didn't have more positive results. Frith went on to say that he and he believed that anyone involved with the project would agree that it was well worth the time, effort and money and he expressed thanks to the local, state and federal people/agencies that helped make the project possible.

### **PILOT PROJECT UPDATE:**

James Landenberger and Jerry Shae from Bartlett & West Engineering were on hand to give a brief update on what they have been doing in regards to the Pilot Project. They stated that for the past several months they have been assisting Frith in various aspects of the Test Project analyzing the results from NDSU. They mentioned that it was unfortunate that so far the results show that based on the soil conditions in the upper basin that irrigation probably would not work as a flood mitigation tool but it did have potential in other areas. One of the other areas and the one that the board is currently looking into and has the support of the Upper Sheyenne River Joint Board is the area along the state outlet channel and Sheyenne River. They will continue to

**PILOT PROJECT UPDATE CONTINUED:**

analyzing the information they receive from NDSU, assist Frith with both projects and wait to get the go ahead to further their work in the State Outlet/Sheyenne River area for additional irrigation opportunities.

**2009 BUDGET AMENDMENTS:**

Frith state that the budget amendments were in the board's packets and that he had gone over them with former manager Mike Connor just to double check to see if what he had was right. Chairman Ash asked if anyone had any questions in regards to the budget amendments. **Heinz moved to accept the 2009 Budget Amendments as presented, second by Hawk, motion carried unanimously.** A copy of the Budget Amendments will be sent to the County Auditors as well as a copy contained with the official minutes.

**OTHER OLD BUSINESS:**

**MORRISON/SWEETWATER STORAGE:**

Frith stated that he placed the order for 6 stop logs for the Morrison control structure to replace the ones that were damaged from last spring's ice and to have some extras on hand.

**ESAP CONTRACTS:**

Mike Noone stated that he has agreements from all four federal agencies; he has one signed agreement and is waiting for the remaining three in order to complete the ESAP contracts. Frith stated that he has contacted the landowners and all are on-board to renew their contracts.

**NEW BUSINESS:**

**2010 RAMSEY COUNTY OFFICE CONTRACT:**

Frith stated that in the board's packets was the annual office contract that the Joint Board has with Ramsey County; Frith pointed out that nothing has changed from last year's contract. **Hawk moved to accept the Office Contract between the Joint Board and Ramsey County for 2010, second by Shirek, motion passed unanimously.**

**2010 NOMINATION COMMITTEE REPORT & ELECTION OF 2010 OFFICERS:**

Chairman Ash turned things over to the nominating committee spokesman, Duane Hawk. Hawk stated that the nominating committee recommends nominating Mike Tweed for the Vice Chairman position and Larry Gellner moving from Vice Chairman to Chairman for the 2010 year. Chairman Ash asked if there were any other nominations, hearing none **Hawk moved to accept the nomination committee's recommendation of Gellner as Chairman and Tweed as Vice Chairman for the 2010 year, second by Heinz, motion carried unanimously.**

**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

**OTHER NEW BUSINESS:**

None

**STATE WATER COMMISSION REPORT:**

Erwin Curry, ND SWC reported that Devils Lake is currently at an elevation of 1449.86 and Stump Lake is at an elevation 1450.08. The current level of the Devils Lake is down .05' from a month ago and Stump Lake is the same as a month ago. Combine storage of the two lakes is 3.26 million acre feet a decrease of about 7,000 acre feet from last month. Stump Lake is 2.5 feet high than a year ago and Devils Lake is 2.9 feet higher than a year ago. Mr. Curry's complete report will be included with the official minutes.

**DOWNSTREAM REPORT:**

Joe Belford reported that he met with the new US Consulate and gave a tour of the area. He stated that he attended and participated in the Red River Basin Board retreat as well as the RR Basin meetings the RR Basin Commission is holding their public forums across the state and he has participating in several of those. He along with Dave Glatt and Dennis Fewless from the ND State Health Department went to Winnipeg & did presentation at University of Winnipeg. Was invited to and gave a presentation the Fargo Joint Board.

**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.

**Due to Time Constraints There Were No Reports From:**

**RED RIVER BASIN COMMISSION:**

**USF&W UPDATE:**

**NRCS REPORT:**

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

Date approved: **January 6th, 2010**

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Larry Gellner, Chairman

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Jeff W. Frith, Manager