**GENERAL MEETING MINUTES OF THE**

**UPPER SHEYENNE RIVER JOINT WATER RESOURCE BOARD**

February 19th, 2025

The Upper Sheyenne River Joint Water Resource Board met on February 19th, 2025, at the Garrison Diversion, Carrington, ND.

Managers Present:

Julie Beckstrand, Benson County WRD

Monty Schaefer, Eddy County WRD

Ben Varnson, Nelson County WRD

Kevin Veitz, Sheridan County WRD

Tor Bergstrom, Steele County WRD

Bill Deck, Pierce County WRD

Dennis Clark, Stutsman County WRD

Jerry Hieb, Barnes County WRD

Others Known To Be Present:

Mandar Nangare, Barr Engineering

Kip Kovar, Garrison Diversion Conservancy District

Kim Cook, Garrison Diversion Conservancy District

Sean Fredricks, Ohnstad Twitchell

Emilee Novak, North Dakota Department of Environmental Quality

Brian Johnson, Johnson Excavating

Tasha Krueger, Secretary, Upper Sheyenne River Joint WRB

**CALL TO ORDER**: Chairman Deck called the meeting to order @ 9:00 A.M.

**OFFICES ELECTION PROCESS:**

There was discussion on the Chairman election for the Upper Sheyenne. The transition shows Vice chairman will be Kevin Veitz from Sheridan County. The chairman will be Bill Deck or another Peirce County board member. Motion to approve by Manager Bergstrom. Seconded by Manager Veitz. Motion Carried

Board Election: Motion was made by Manager Bergstrom to appoint Manager Bill Deck as chairman, and Manager Kevin Veitz as vice chairman, seconded by Manager Schaeffer, motion carried.

**ROLL CALL**: Roll call was taken with eight counties present.

Jerry Hieb, Barnes County WRD

Julie Beckstrand, Benson County WRD

Monty Schaefer, Eddy County WRD

Ben Varnson, Nelson County WRD

Kevin Vietz, Sheridan County WRD

Tor Bergstrom, Steele County WRD

Bill Deck, Pierce County WRD

Dennis Clark, Stutsman County WRD

**AGENDA REVIEW**: The agenda was reviewed. Motion to approve the agenda was made by Manager Bergstrom. Second by Manager Vanson. Motion carried.

**MINUTES OF SPECIAL DECEMBER 10th, 2024**: Minutes from the Special December 10th, 2024, meeting was emailed out. Motion to approve the Minutes of Special December 10th, 2024, was made by Manager Deck. Second by Manager Bergstrom. Motion carried.

**MINUTES OF GENERAL DECEMBER 10th, 2024**: Minutes from the General December 10th, 2024, meeting was emailed out. Motion to approve the Minutes of General December 10th, 2024, was made by Manager Deck. Second by Manager Bergstrom. Motion carried.

**MINUTES OF SPECIAL DECEMEMBER 23rd, 2024**: Minutes from the December 23rd 2024, meeting was emailed out. Motion to approve the Minutes of December 23rd, 2024, was made by Manager Deck. Second by Manager Bergstrom. Motion carried.

**TREASURER’S REPORT**: The checkbook balance as of December 10th, 2024, was $70,838.91. There has been income of $41,619.74; expenses of $53,443.00 and currently the checkbook balance is $59,015.65. The total funds on hand are $59,015.65. A Motion to approve the Treasurer’s Report was made by Manager Deck. Second by Manager Heib. Upon Roll Call vote, Jerry Heib- Barnes County, Julie Beckstrand-Benson County, Monte Schaffer-Eddy County, Ben Varnson-Nelson County, Bill Deck-Pierce County, Kevin Vietz-Sheridan County, Tor Bergstrom-Steele County, Dennis Clark-Stutsman County, Motion Carried.

**BILLS FOR APPROVAL:** The following bills were presented for approval: Tasha Krueger (1813) $1,015.85; Barr Engineering (1814) $11,192.50; Ohnstad Twitchell (1815); $2,162.00; Barr Engineering (1816) $10,494.00; Ohnstad Twitchell (1817) $70.50; Garrison Diversion (1818) $30.00; Tasha Krueger (1819) $ 1,200.61. Total Expenses of $ 26,135.46. A Motion to approve the bills was made by Manager Deck. Seconded by Manager Heib, Upon Roll Call vote, Jerry Heib- Barnes County, Julie Beckstrand-Benson County, Monte Schaffer-Eddy County, Ben Varnson-Nelson County, Bill Deck-Pierce County, Kevin Vietz-Sheridan County, Tor Bergstrom-Steele County, Dennis Clark-Stutsman County, Motion Carried.

**LEGISLATIVE UPDATE – DANI HANSON:**

Sean Fredrick was presented for an update.

**HB 1544: Downstream Notification on Drainage Projects**

HB 1544 reduces the threshold for a surface drainage permit from 80 acres of watershed to 0 if a surface drain flows directly onto another landowner without first obtaining written consent from the downstream landowner. It requires notice be provided to downstream landowners who are affected by any subsurface water management system (tile drain) under 80 acres. If the downstream landowner objects to the tile drain, the person seeking to install the tile drain must apply for a subsurface water management permit.

Do not pass recommendation, House Agriculture Committee, 7-5, February 13

**SB 2283: Small Subsurface Drainage Requirements Monitor**

SB 2283 requires that notice be served on downstream landowners when a landowner installs a drainage project under 80 acres. The notice must be served via certified mail. The downstream landowners then have 30 days to deliver written objections to the water board on the project. If there are objections, the water board can then place conditions on the permit like they can for large drainage projects. Damages sustained by drainage have to be mediated by a board appointed by the water board. Mediation is nonbinding and costs are borne by the owner of the drainage system. There was lots of opposition testimony from ag groups. Failed in the Senate, 6-40, February 3

**HB 1218: Economic Analysis for Conveyance Projects Support**

HB 1218 would increase the statutory threshold for requiring a state economic analysis for cost share for conveyance projects to $5 million. It would also remove the ability of the State Water Commission to lower that threshold in policy. This bill was heard on January 30 with much supporting testimony from the water and agriculture communities. The committee amended the bill to establish a threshold at $750,000. Do pass as amended recommendation, House Energy and Natural Resources, 11-0, February 13

**SB 2276: Joint Boards Monitor**

 SB 2276 is an update to the joint board bill that passed last session. This bill maintains the requirement to join a larger board but changes it from a joint board to watershed boards, mapped by the DWR. These boards would be required to assume the process for possibly establishing an assessment district in the case that counties cannot agree on moving forward with a project. Passed the Senate, 47-0, February 10

**SB 2210: Watershed Boundary Study Support**

SB 2210 would authorize a legislative management study to look at water management from a watershed perspective. The bill passed unanimously out of the Senate committee. Passed the Senate, 45-2, January 28

Mandar works in Minnesota stating the watershed board would impact the smaller communities leaving them with no voice.

**UPPER SHEYENNE PILOT PROJECT UPDATE – MANDAR NANGARE**:

Mandar reported.

Site #10-Nelson County-Construction hasn’t started yet. MNL had equipment breakdown due to deep frost depth. Construction is planned for late March. It should be completed in 2-2.5 week. All the easements and permits have been approved. The pumps won’t be turned on until the end of April/May. The construction should be completed by the time the pumps are turned on.

The completion date is scheduled to be completed by November, 2025.

The Joint Board can be will plan a site tour for Site #5 & Site #10 in June, 2025.

**NRCS-RCPP Program**

Not present.

Mandar updated.

There have been 2 landowners & 3 projects signed up for the project in Eddy County.

The landowners are: Allan Howard & Austin Langley.

NRCS & Barr Engineering met to discuss the projects. NRCS is requiring Barr Engineering presents different engineering options to the landowners. Barr doesn’t agree with it. The projects are all the same so the design for this project is standard. It also is wasting funding out of the budget that could be used elsewhere.

Mandar will follow up with NRCS on this situation.

**Election Process**

The floor is open for nominations for chairman. Monte Schaffer-Eddy County, nominated Kevin Vietz-Sheridan County, Seconded by Bill Deck-Pierce County, All Voted yes, Roll Call Vote: Jerry Heib- Barnes County, Julie Beckstrand-Benson County, Monte Schaffer-Eddy County, Ben Varnson-Nelson County, Bill Deck-Pierce County, Kevin Vietz-Sheridan County, Tor Bergstrom-Steele County, Dennis Clark-Stutsman County, Motion Carried.

The floor is open for nominations for vice chairman. Bill Deck-Pierce County, nominated Tor Bergstrom-Steele County, seconded by Kevin Veitz-Shaeridan County, All Voted yes, Roll Call Vote: Jerry Heib- Barnes County, Julie Beckstrand-Benson County, Monte Schaffer-Eddy County, Ben Varnson-Nelson County, Bill Deck-Pierce County, Kevin Vietz-Sheridan County, Tor Bergstrom-Steele County, Dennis Clark-Stutsman County, Motion Carried.

The floor is open for nominations for secretary/treasurer. Tor Bergstrom-Steele County, nominated Tasha Krueger-Steele County, Seconded by Jerry Heib-Barnes County, All Voted yes, Roll Call Vote: Jerry Heib- Barnes County, Julie Beckstrand-Benson County, Monte Schaffer-Eddy County, Ben Varnson-Nelson County, Bill Deck-Pierce County, Kevin Vietz-Sheridan County, Tor Bergstrom-Steele County, Dennis Clark-Stutsman County, Motion Carried.

Motion was made by Ben Varnson-Nelson County to designated primary office of Finley, North Dakota-Steele County. Bill Deck-Pierce County, nominated Tor Bergstrom-Steele County, Seconded by Bill Deck-Pierce County, All Voted yes, Roll Call Vote: Jerry Heib- Barnes County, Julie Beckstrand-Benson County, Monte Schaffer-Eddy County, Ben Varnson-Nelson County, Bill Deck-Pierce County, Kevin Vietz-Sheridan County, Tor Bergstrom-Steele County, Dennis Clark-Stutsman County, Motion Carried.

Motion was made by Tor Bergstrom-Steele County, to approve the State Bank of Lakota as the pledges of security & depositories, Seconded by Bill Deck-Pierce County, All Voted yes, Roll Call Vote: Jerry Heib- Barnes County, Julie Beckstrand-Benson County, Monte Schaffer-Eddy County, Ben Varnson-Nelson County, Bill Deck-Pierce County, Kevin Vietz-Sheridan County, Tor Bergstrom-Steele County, Dennis Clark-Stutsman County, Motion Carried.

The Steele County Press is the primary publication newspaper.

Manager Vietz-Sheridan County discussed the by-laws and joint powers agreements for the Upper Sheyenne River Joint Water Board. Attorney Fredricks will review the documents. Motion by Manager Bergstrom-Steele County to review and update the by-laws & joint powers agreement at the April 16th, 2025 meeting, Seconded by Manager Deck-Peirce County, Upon Roll Call: Jerry Heib- Barnes County, Julie Beckstrand-Benson County, Monte Schaffer-Eddy County, Ben Varnson-Nelson County, Bill Deck-Pierce County, Kevin Vietz-Sheridan County, Tor Bergstrom-Steele County, Dennis Clark-Stutsman County, Motion Carried.

 motion carried.

**US FISH & WILDLIFE**

Not present

**ND DEPARTMENT OF ENVIRONMENTAL QUALITY:**

Emily Lachenmeier reported.

The North Dakota Department of Environment Quality 319 program has been extended until June, 2025.

As of now, no funds have been expensed. A sub-award can be amended to extend the end date of the project to December 31st, 2025. If there is leftover funding, re-applying for new funding can be submitted.

Motion was made by Manager Bergstrom-Steele County to extend the 319 grants to December 31st, 2025, Seconded by Manager Monty Schaffer-Eddy County, all voted yes, motion carried.

**RED RIVER WATER SUPPLY**

Garrison Diversion awarded the Upper Sheyenne River Joint Board $150,000 towards the Pilot Project.

2024-$50,000

2025-$50,000

2026-$50,000

The funding can be used on the overall project, not just one specific site.

Kip Kovar reported in place of Duane Dekrey.

The inlet structure and treatment center are located on the McClusky Canal. The easements in Wells County have been negotiated & agreed upon. No easements have been signed. If the legislature funding is approved the project will be completed from the McClusky Canal to Cooperstown.

 The intake south of Washburn will be used to push water to the City of Washburn, Riverdale, and Rainbow Energy.

**ND DEPARTMENT OF WATER RESOURCES**

Not Present.

**COUNTY REPORTS**

There was discussion on approaching Griggs County to reconsider joining the Upper Sheyenne River Joint Water Board. Manager Bergstrom will contact a few of the commissioners.

Barnes – Lots of drain tile projects. One project was less than 80 acres and went across another landowner’s field. Little Dam project is being constructed.

Benson – Kickoff program has started for the water levels in Leeds. The State Water Commission will sensor the levels.

Eddy – landowner dispute over a culvert issue.

Nelson – Snagging and Clearing Project near Mcville.

Pierce – Assisting in the City of Leeds water levels. Removal of cattails.

Sheridan – Culvert was removed the County Road.

Steele – Drain re-assessment. Drainage Complaint

Stutsman – Water Study on Crystal Springs. Culvert issue.

**NEXT MEETING** –

Next Regular Meeting-March 19th, 2025, at 9:00 am, Valley City Eagles Event Center, Valley City, ND

**ADJOURNMENT** – A Motion to Adjourn was made by Manager Bergstrom at 10:56 A.M. Chair Veitz adjourned the meeting.

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Kevin Vietz, Chair

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Tasha Krueger, Secretary