

Renville County Water Resource Board

Minutes of RCWRB Regular Meeting, January 13, 2025, held in the Community Room of the Renville County Courthouse, 205 Main Street East, Mohall, North Dakota.

Present:

Chair Peter Gates

Vice Chair Dan Steinberger

Manager Guy Solemsaas

Attorney Kale Van Bruggen (via video conference)

Engineer Jennifer Malloy (via video conference)

Victoria Klingbeil-Trout, Treasurer

Robin Stark

Meeting called to order by Chair Peter Gates at 9:00 a.m.

Chair Peter Gates called for nominations for the position of Board Chair for the 2025 year. Dan Steinberger nominated Peter Gates for Chair. Guy Solemsaas seconded the nomination. Gates called for further nominations three times. Guy Solemsaas then moved to cast a unanimous ballot for Peter Gates as Board Chair and to cease all nominations. Dan Steinberger seconded the motion. After opportunity for discussion, the motion carried by voice vote. Peter Gates abstained from voting on the motion.

Chair Peter Gates called for nominations for the position of Board Vice Chair for the 2025 year. Guy Solemsaas moved to cast a unanimous ballot for Dan Steinberger for the position of Board Vice Chair and to cease all nominations. Chair Peter Gates seconded the motion. After opportunity for discussion, the motion carried by voice vote. Dan Steinberger abstained from voting on the motion.

Manager Guy Solemsaas moved to appoint Victoria Klingbeil-Trout as Treasurer for the District. Vice Chair Dan Steinberger seconded the motion. After opportunity for discussion, the motion unanimously carried by voice vote.

Vice Chair Dan Steinberger moved to appoint Kale Van Bruggen as Secretary for the District. Manager Guy Solemsaas seconded the motion. After opportunity for discussion, the motion unanimously carried by voice vote.

Chair Peter Gates called for any corrections or additions to the agenda. Hearing no additions or corrections, the Chair declared the agenda approved as presented.

The minutes of the October 14, 2024, regular meeting were reviewed. Vice Chair Dan Steinberger moved to approve the meeting minutes with one correction: change “genera” to “general” on page 2, in the second paragraph under “Culvert Inspection Bill.” Manager Guy Solemsaas, seconded. After discussion, the motion carried.

Treasurer Victoria Klingbeil-Trout presented the bills for approval by the Board and reported the income since the last meeting. Discussion was held on the culvert inspection costs for the Mouse River Park. Robin Stark reported that 5 years ago, the inspection costs were approximately \$5,000. This year, the bill was almost \$19,000. Vice Chair Dan Steinberger will talk to the Souris River Joint Board about the costs and predictability for future years. Attorney Van Bruggen and Robin Stark recommended the Board make this a line item on its budget each year to accumulate funds in anticipation of a bill every 5 years.

Vice Chair Dan Steinberger moved to approve payment of bills as presented. Manager Guy Solemsaas seconded the motion. Roll call vote: Chair Peter Gates – aye, Vice Chair Dan Steinberger – aye, Manager Guy Solemsaas – aye. Motion carried.

Treasurer Klingbeil-Trout reported the end-of-year balances of the checking account (\$26.71), savings account (\$39,606.64), and of the Assessment Drain No. 1 account (\$18.65).

Robin Stark and Victoria Klingbeil-Trout left the meeting at 9:20 a.m.

Old Business:

Culvert – Section 22/23, T158N, R86W: Engineer Jennifer Malloy (Apex Engineering) reported on the elevations captured by the surveyor at the crossing between Section 22 & 23, Township 158 North, Range 86 West, Renville County. Vice Chair Dan Steinberger played a voicemail from the Township’s Secretary/Treasurer acknowledging that the Township is instructing Farden Construction, Inc. to lower the pitch of the culvert on the west side to correct the concerns. Vice Chair Steinberger will attend the Township board’s annual meeting and will share the survey information presented by Apex Engineering. The consensus of the Board was to keep this item on the agenda as Old Business until the crossing is corrected.

Culvert – Section 12/13, T160N, R87W (Ward County): Engineer Jennifer Malloy (Apex Engineering) reported on off-site data collected since the last Board meeting. The most recent LiDAR for this area is from 2016/2017. The intersection (352nd Street & 436th Avenue) is within a closed basin until it breaks out primarily to the east/northeast at elevation 1837.8, according to LiDAR. The lowest roadway elevation is north of the intersection at 1839.2. Apex Engineering believes the culverts are equalizing culverts for the basin. There is a secondary area to the south of the intersection where the basin could break out to the east or south at elevation 1839.1.

Vice Chair Dan Steinberger reported that the Complainant used a metal detector to locate a culvert between 100-200 feet south of the intersection. The Complainant believes there is a culvert approximately 100-200 feet west of the intersection, but it has not been located. Chair Peter Gates reported that there is a question of whether the County or Township is going to maintain road authority responsibility moving forward, but that all agree to fix the buried culvert issue and get the culverts reconstructed. The consensus of the Board was to keep this item on the agenda as Old Business until the crossings are corrected.

New Business:

NDWRDA Membership: The Board approved payment of the 2025 North Dakota Water Resource District Association membership fee as part of the bills for this meeting.

Legislative Update: Attorney Kale Van Bruggen (Rinke Noonan Law Firm) reported on some of the proposed bills for the 2025 legislative session that may affect the Renville County Water Resource District and which the ND Water Resource District Association is weighing in on. The Board discussed a bill proposed by the Department of Water Resources (DWR) and ND Department of Transportation related to stream crossing studies and, on a bill, proposed by the ND Water Resource District Association, related to timelines for permitting decisions by the DWR. The Board directed Van Bruggen to keep the Board informed during session on the various bills impacting the District and water management. The Board discussed concerns about the ability to publish notice of hearings if the local newspapers close.

Souris River Joint Board:

Vice Chair Dan Steinberger reported that since the public bidding process for the Mouse River Park Bridge failed to yield a contractor, the project will now be managed for construction by a division of Ackerman-Estvold through smaller contractors.

Engineer's Report: None.

Letters of Complaint:

Vice Chair Dan Steinberger reported that White Ash Township (Township 158 North, Range 86 West) approved and constructed a berm within the north right-of-way of 76th Street NW, west of the Harvey Poppinga farm site, perpendicular to the roadway. The berm is blocking flow in the township road ditch to the east and diverting that flow to the north into the Curtis Sandberg property in the Southeast Quarter (SE¼) of Section 10. The diverted water flows north along the tree grove in the SE¼ of Section 10. According to Steinberger, Harvey Poppinga requested the diversion to prevent water from flowing into this farm site. Attorney Van Bruggen reported on the permitting threshold requirements under ND Century Code § 61-16.1-38. If a complaint of a noncomplying dike is filed with the District under ND Century Code § 61-16.1-53, then the District would have jurisdiction to appoint its engineer to investigate and report to the Board for a determination of whether the permitting thresholds were exceeded without a permit. The Board consensus was not to take any action until a complaint is submitted, and gather more information before the April board meeting.

A motion to adjourn was made by Vice Chair Steinberger. The motion was seconded by Manager Solemsaas. On voice vote, the motion carried. Having completed all business on the noticed agenda, the Chair declared the meeting adjourned at 10:47 a.m.

DRAFT/UNOFFICIAL MEETING MINUTES

Minutes approved by the Board on April 14, 2025.

Peter Gates, Chair

Kale R. Van Bruggen, Secretary

DRAFT