

Draft: These are DRAFT minutes and subject to amendment before final approval by the Dickey County Water Resource District.

Dickey County Water Resource District

MEETING MINUTES

December 18, 2024

The Dickey County Water Resource District met at the Dickey County Courthouse in Ellendale ND at 8:00 am on Wednesday, December 18, 2024. Managers Steve Hansen, Keith Hauck, Justin Gemar, John Quandt and Don Zimbleman were all present at the meeting. Sean Fredricks, the board's attorney and Nathan Trosen, Moore Engineering Representative joined via video conference. Chairman Hansen called the meeting to order.

Leon Malberg discussion

Leon Malberg sent a letter to the Dickey County Auditor and to landowners in the Sargent County Drain No. 11 assessment district, encouraging landowners to submit their Drain 11 annual levy payments "in protest." Sean Fredricks, the Dickey County Water Resource District's attorney, provided a response to both the Sargent County WRD and the Dickey County WRD in which he outlined NDAG 95-L-29, a North Dakota Attorney General opinion in which the Attorney General indicated the "tax protest" process, advocated by Mr. Mallberg in this case, is not available to challenge legal assessment drain levies. Chairman Steve Hansen appeared before the Dickey County Auditor and Dickey County Commissioners at the Commission's meeting on December 17, 2024, and explained to the Attorney General opinion and further explained that, as noted by Fredricks, the "tax protest" process is not available to protest Drain 11 annual levies. The Dickey County Auditor's office has issued a statement on the matter on the Dickey County website and via social media to notify to the residents of Dickey County that the "tax protest" is not available to challenge Drain 11 annual levies. No action necessary by the Water Resource District.

Airport letter solicitation of views

The board received a letter informing them of a renovation to the airport. No action was needed to be taken on the matter.

Set the 2025 meeting dates and times

The meeting dates and times were set for 2025. Manager Gemar moved to accept the meeting dates and times. Manager Zimbleman seconded the motion. Upon roll call, the motion passed unanimously.

DMP Forms

The forms were all filled out and no action was to be taken on this.

Dickey County Drain #1 updates

The beaver dams are still an issue and Manager Gemar is trying to manage the situation. He has reached out to a few people to see about helping to remove the beaver. The situation is always ongoing.

Red River Valley Water Supply Project

Manager Hansen attended the Dickey County Commissioner meeting December 17, 2024 to add insight and/or advice into the benefits of supporting this project. The project would provide water supplies to communities in the future. It's important to note that if communities do not apply for the water supply now, and do not participate in the costs of the project, those communities will lose the opportunity to do so later for any future projects. Fredricks noted that the Dickey County Water Resource District could enter into a Joint Powers Agreement with the Dickey County Commission and could agree to contribute general fund dollars to fund a portion of the County's share of project costs. The Commission has not officially requested any WRD funds but that is a possibility in the future.

Sean Fredricks convention recap

Sean Fredricks, the board's attorney, gave a brief recap, of the ND Water Convention held in Bismarck December 10-14, 2024, and the panel that he and Manager Hansen were a part of. Mr. Fredricks complimented Manager Hansen on his presentation of supporting legal drainage and felt that it was well received by the supporters of legal drainage. They have hopes that progress will be made in the legislature through bills being drawn up and presented to advance legal drainage in North Dakota.

Meeting Minutes

Manager Quandt moved to accept the November 20, 2024 meeting minutes. Manager Gemar seconded the motion. Upon roll call, the motion passed unanimously.

Financial Statement/Bills

The board considered bills from Dakota Improvement of \$935.00, ND Water Resource District of \$1000 and Moore Engineering of \$51.25. Secretary Hansen gave the financial report. Manager Hauck moved to accept the Financial Statement and to authorize payment of the bills as presented. Manager Zimbleman seconded the motion. Upon roll call, the motion passed unanimously.

APPROVED:

Steve Hansen, Chairman

Attest:

Judy Hansen, Secretary