

PROCEEDINGS OF ROSEAU COUNTY & KITTSOON COUNTY BOARDS OF COMMISSIONERS
STATE DITCH NO. 72 JOINT DITCH AUTHORITY

July 27, 2005

State Ditch No. 72 Joint Ditch Authority comprised of Commissioners of the Kittson County Board of Commissioners and the Roseau County Board of Commissioners met at the Roseau County Courthouse at 9:00 a.m. on July 27, 2005. Members present were: Kittson County Commissioners Craig Spilde and Leon Olson; Roseau County Commissioners Orris Rasmussen, Mark Foldesi and Alan Johnston. Also present were: Roseau County Engineer Brian Ketring, Kittson County Engineer Kelly Bengston, Roseau River Watershed Administrator Rob Sando, Two Rivers Watershed Administrator Dan Money and watershed board members John Younggren and Richard Novacek. The following land owners were also present: Boyd Johnson, Mel Wang, Virgil Grysiewicz, Rodney Sikorski, Rick Sikorski, and Peter and Sally Beito.

The meeting was called to order at 9:00 a.m. by Roseau County Commissioner Alan Johnston. Commissioner Johnston reviewed the task list from the March 14, 2005 meeting. Two Rivers Watershed Administrator Dan Money reported on the work done on Ditch No. 85 in Kittson County. Two Rivers Watershed received a petition to clean this ditch in 2003 and has recently completed the work. This project included extending the channel of the ditch so it will empty into X. A number of beaver dams were removed and some slopes were repaired. Mr. Money stated that there is approximately \$58,000 in the State Ditch No. 72 Joint Ditch fund at this time.

At the March meeting of the Joint State Ditch No. 72 Authority, Roseau County Engineer Brian Ketring and Kittson County Engineer Kelly Bengston were directed to complete a ditch inspection on State Ditch No. 72 and report back at the next meeting. On April 28, 2005, Engineer Ketring and Engineer Bengston, accompanied by Roseau County Commissioner Mark Foldesi, and Kittson County Commissioner Leon Olson completed this ditch inspection. The segment inspected was located between the Roseau County line and the junction of State Ditch 85 and County Ditch 11 in Kittson County and was approximately 6.5 miles in length. It was noted that the inspectors found a significant amount of brush growing on and along the backslope of this ditch and several beaver dams were seen when looking upstream of the Lateral 14 ditch between sections 16/17 of Peatland Twp. The current flow depth of the ditch was 2 to 3 feet deep and was moving at a significant pace. The ditch bottom appeared to be at an adequate grade based on the flow of water. The inspectors discussed the options of removing this brush problem with a dozer and/or backhoe and whether or not it could be done in the winter as a shearing operation or in the summer which would also accommodate flattening the backslope to provide a slope which can be more easily maintained. The main obstacle to completion of this ditch cleaning project is the wet condition. A secondary obstacle is the slope of the ditch. Due to these concerns it would be difficult to access much of the ditch to complete the work at this time of year without substantial damage and expense. Aerial spraying of the brush this summer/fall was discussed with a follow up of shearing after freeze up. Two Rivers Watershed Manager Dan Money suggested researching the possibility of having the Sentence to Serve crew do some of the work.

A motion was made by Roseau County Commissioner Foldesi, seconded by Kittson County Commissioner Leon Olson and carried by unanimous vote to adopt the following resolution:

BE IT RESOLVED, that the State Ditch #72 Joint Ditch Authority does hereby direct the following work to be done on State Ditch #72 as weather permits:

- Remove Brush through Aerial Spraying and/or Shearing
- Remove of Beaver Dams
- Repair Slopes as Necessary

Landowners expressed their frustration that Ditch No. 72 System will likely continue to be problematic even after cleaning and repair work is done because of crossover water from Ditch No. 69 that flows into this system. It was noted that if Ditch No. 72 could handle "its own water" in most situations particularly if it were cleaned, but water from the No. 69 Ditch System crosses over into Ditch No. 72 and puts additional pressure on this system.

The Joint Ditch Authority discussed the problems and concerns with Judicial Ditch #69. It was acknowledged that a problem with cross over water does exist. Engineer Ketring was called on to discuss how the flood repair work was progressing on this ditch system. Mr. Ketring informed the group that a FEMA project had been let to do flood repair work on Ditch No. 69 but that it was on hold due to the wet conditions. He added that the flood repair scheduled would not solve the cross over water problems that are occurring. Mr. Ketring noted that he would be meeting with FEMA later in the day and would request the possibility of a reassessment of damage and find out how much FEMA could contribute to the repair work that needs to be done on this ditch system.

A motion was made by Roseau County Commissioner Mark Foldesi, seconded by Commissioner Rasmussen and carried by unanimous vote to adopt the following resolution:

BE IT RESOLVED, that the Joint State Ditch #72 Authority does hereby request that the Judicial Ditch #69 authority, the Roseau County Board of Commissioners, assess JD #69's cleaning and repair needs as well as cross over drainage into State Ditch #72 and develop a plan to address those concerns as soon as possible.

The placement of a culvert into Ditch # 95 was discussed at length. Engineer Ketring noted that an application for a permit was submitted to the DNR and received but the regulations were such that the project has not been pursued. Ketring stated that because this area is next to protected waters, the culvert must be placed at a height that would not cause drainage of the protected water. This height is roughly five feet above the ditch bottom. The Ditch Authority and landowners expressed their belief that this was a ridiculous regulation. Engineer Ketring stated that it may seem unreasonable, but to place the culvert at ground level would be a violation of the regulations. The benefit of placing a culvert at that recommended height was then discussed. It was agreed that a culvert at any height would provide some relief to the standing water. Engineer Ketring, Commissioner Leon Olson and Commissioner Mark Foldesi will review the permit and find out the exact height that is directed in the permit. Capping of the culvert was discussed. Previously it had been agreed to have a cap on this culvert in order to control the flow as necessary. Commissioner Foldesi stated that he did not believe a cap would be necessary if the culvert is 4-5 feet off the bottom of the ditch. A motion was made by Commissioner Foldesi, seconded by Commissioner Leon Olson, and carried by unanimous vote to adopt the following resolution:

BE IT RESOLVED, that the Joint State Ditch #72 Authority does hereby authorize the installation of a culvert in Ditch No. 95 according to Department of Natural Resources permit regulations.

BE IT FURTHER RESOLVED, that the Ditch Authority authorizes Engineer Ketring to pursue obtaining the DNR and Two River Watershed District permits.

The Ditch Authority discussed Roseau River Watershed Ditch #51 (Roseau River). It was noted that a number of landowners have reported that the ditch is full of debris and that slopes need repair. Roseau River Watershed Administrator Rob Sando stated that the ditch is on line to be assessed and that portions of it have already been assessed. A motion was made by Commissioner Leon Olson, seconded by Mark Foldesi, and carried by unanimous vote to adopt the following resolution:

BE IT RESOLVED, that State Ditch #72 Joint Authority does hereby request that the Roseau County Board, as ditch authority of Roseau River Watershed Ditch No. 51, ask the Roseau River Watershed to fully inspect this ditch from two miles north of Roseau to the Canadian Border and assess it for maintenance and repair needs.

BE IT FURTHER RESOLVED, that the Ditch Authority requests that the Roseau County Board report this information back to the State Ditch # 72 Joint Ditch Authority along with any plans for cleaning and repair.

A motion was made by Commissioner Leon Olson, seconded by Commissioner Craig Spilde and carried by unanimous vote to adjourn the meeting at 11:15 p.m.

Attest:

Date: _____

Teresa Harren
County Coordinator

Orris Rasmussen
Board Chairman