

251

MINUTES OF A SPECIAL MEETING

of the

STATE WATER CONSERVATION COMMISSION

Held at Fargo, North Dakota, Wednesday, January 25,
and at Bismarck, North Dakota, Thursday,
January 26, 1939.

The meeting was called to order in the banquet room of the Powers Hotel at 9 A. M., Wednesday, January 25, 1939, by Vice Chairman Henry Helt.

The Secretary called the roll showing Commissioners Helt, Olson, Engen and Dahl, present. Governor John Moses and Commissioners Kenneth W. Simons and Frank P. Whitney, absent.

It was moved by Comm. Dahl, seconded by Comm. Olson, that inasmuch as all members had received copies of the minutes of the last meeting held January 4 and 5, 1939, and no errors being noted, that the minutes stand approved as written. The motion carried, all Commissioners voting aye.

Vice Chairman Helt stated that the reason for calling the special meeting in Fargo at this time was for the purpose of attending a public hearing called by Col. Phillip B. Fleming, District Engineer, U. S. War Department, the State Water Conservation Commission having vital interest in the project.

Vice Chairman Helt also stated that he had requested Mr. Seivert Thompson, President of the Missouri River Diversion Association, to come to Fargo to assist in the presentation of testimony and factual matter whereupon it was moved by Comm. Engen and seconded by Comm. Olson, that the action of the Vice Chairman be approved. On roll call the motion carried, Commissioners Helt, Olson, Engen, and Dahl voting aye. Commissioners voting no, none.

The Secretary stated that the following proposal for bids would be published January 26, February 2 and 9, 1939:

1. Proposals for the construction of a transmission line and substation about seven miles Southwest of Williston, North Dakota, will be received by the State Water Conservation Commission in its offices at Bismarck, North Dakota, not later than 9:30 o'clock A. M., February 16, 1939, at which time and place they will be publicly opened and read.
2. The proposals must be mailed to or otherwise deposited with the State Water Conservation Commission at Bismarck, North Dakota, and shall be sealed and endorsed "Proposal for constructing a transmission line and substation for the Lewis & Clark Project # 175 in McKenzie County."
3. A certified check for 5% payable to the State Water Conservation Commission on the full amount of the gross sum bid, must accompany each proposal. All certified checks shall be drawn on North Dakota banks, and will be cashed by the Commission.
4. Contemplated work consists of all items for
 - a. 3-phase 33/57 KV Transmission Line, length approximately 6.6 miles.
 - b. Substation - 33000/57000 Y - 2300/4000 Y Volts.

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5. Copies of the Proposal blanks may be obtained from the State Water Conservation Commission at Bismarck, North Dakota, where plans and specifications are on file. Charge for mailing plans and specifications, three dollars (\$3.00).

6. The right is reserved to reject any and all proposals, to waive technicalities, or to accept such as may be determined to be for the best interests of the State.

STATE WATER CONSERVATION COMMISSION

(Signed)

D. J. Beakey, Secretary

January 24, 1939.

At 9:45 the Commissioners proceeded to the United States District Court Chambers.

The public hearing was called to order in the United States District Court Chambers in Fargo at 10 A. M., Wednesday, January 25, 1939, by Col. Philip B. Fleming, War Department District Engineer of the St. Paul, Minnesota division. There were about 75 representatives of municipalities, civic, commercial and industrial organizations, and farmers, present.

Col. Fleming stated that the hearing was for the purpose of receiving oral and written testimony to review the reports on the Red River of the North submitted in House Document No. 57, 56th Congress, First Session, with a view to determining if the recommendations therein submitted should be modified at this time to provide for flood control works on the Sheyenne River, and collateral benefits.

Mayer Fred J. Frederickson of Valley City, was designated to present the speakers and testimony. Statements were made and presented by Vice Chairman Henry Holt; Dean Helm, Executive Secretary, Tri-State Waters Commission; E. J. Thomas, Chief Engineer, State Water Conservation Commission; L. K. Clark, Assistant Sanitary Engineer, State Health Department; Seivert W. Thompson, President, Missouri River Diversion Association; W. P. Tarbell, City Engineer, Fargo; K. W. Riley, City Chemist, Grand Forks; M. O. Ryan, Secretary, Greater North Dakota Association; Dr. Irvin Lavine, Water Consultant; E. T. Conny, representing 90 farm land owners; Fred J. Frederickson and Oscar Becker on behalf of the Sheyenne River Development Association; and others.

The hearing recessed at noon until 1 P. M., at which time the presentation of statements was continued. At 3:30 P. M., all testimony having been submitted, District Engineer Fleming declared the hearing adjourned.

At the conclusion of the hearing, it was moved by Comm. Engen, seconded by Comm. Olson, that the meeting of the Commission recess to reconvene at 1 P. M., Thursday, January 26, 1939, in the Commission offices at Bismarck. The motion carried, all Commissioners voting aye.

The meeting was reconvened at Bismarck at 1 P. M., Thursday, January 26, 1939, with Commissioners Simons, Engen, Olson and Dahl, present. Governor John Moses and Commissioners Holt and Whitney, absent.

It was moved by Comm. Olson, seconded by Comm. Dahl, that Comm. Simons act as Chairman of the meeting. The motion carried, all Commissioners voting aye.

It was moved by Comm. Olson, seconded by Comm. Engen, that Vice Chairman Holt be authorized to employ what help he needs to assemble data on Missouri River Diversion to be used in speeches by Senators and Congressmen. On roll call the motion carried, all Commissioners voting aye.

Mr. J. N. Urness, Member of the Board of Directors of the Williston Chamber of Commerce, appeared before the Commission in regard to the sale of bonds of small denomination in the Williston area. He stated that the local committee appointed by the Chamber of Commerce would make every effort to secure subscriptions for the bonds.

At 3 P. M., the Commissioners recessed to meet in the Governor's Conference Room for the purpose of discussing the work and plans of the Commission with the Governor.

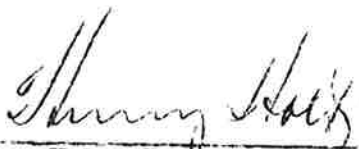
At 5 P. M., no further business appearing, it was moved by Comm. Olson, seconded by Comm. Engen, that the meeting adjourn. The motion carried, all Commissioners voting aye.

Respectfully submitted,



D. J. Beakey, Secretary

APPROVED BY:



Henry Holt, Vice Chairman

(SEAL)

Please read this very carefully in order that your statement may cover the information requested.

WAR DEPARTMENT
UNITED STATES ENGINEER OFFICE

615 COMMERCE BUILDING
ST. PAUL, MINNESOTA

January 11, 1939

NOTICE OF PUBLIC HEARING

A resolution by the Committee on Commerce of the United States Senate, adopted September 1, 1938, authorizes the Board of Engineers for Rivers and Harbors, to review the reports on the Red River of the North, submitted in House Document No. 67, 56th Congress, 1st session, with a view to determining if the recommendation therein submitted should be modified at this time to provide for flood control works on the Sheyenne River. In this connection, a public hearing will be held by the District Engineer at 10:30 A. M., January 25, 1939, in the FEDERAL COURT ROOM, POST OFFICE BUILDING, FARGO, NORTH DAKOTA.

The reports contained in House Document No. 67, 56th Congress, 1st session, cover a preliminary examination of the Red River of the North, Minnesota and North Dakota, with a view to ascertaining what improvements, if any, should be made to govern and repress floods and to prevent undue erosion of its banks. The preliminary examination found that it was impracticable, at reasonable cost, to correct flood conditions on the stream. Inasmuch as the original reports dealt with flood control and prevention of bank erosion, it is necessary that the present study, being made in review of those reports, be confined to the same factors. Relief from low water conditions, including benefits therefrom, can only be brought into the record as it relates to flood control, or assists in justifying a flood control program.

This hearing is intended to afford opportunity for a free and full expression of views by all parties interested. It is particularly desired that the hearing be attended by representatives of affected municipalities, commercial and industrial interests, civic organizations, landowners, farmers, and others in a position to furnish information pertinent to a logical study of a flood control program and its allied benefits. Oral statements will be heard, but for accuracy of the record it is urged that SIX COPIES of all important statements be submitted in writing. Written statements may be submitted to the District Engineer at the hearing or mailed to him beforehand.

Justification of any proposed improvements must rest on a clear demonstration that such improvement would produce benefits in excess of the cost involved. Since consideration of any improvement will be based largely on the statements of interested parties, such statements should contain up-to-date facts relative to the economic factors involved, with special attention being given to the following items:

a. Loss of life and property damage due to floods of various magnitude on Sheyenne River and its tributaries.

b. The character and extent of benefits which may be expected to result from a program of flood control work.

You are requested to make known the foregoing information to persons known by you to be interested and who, not being known to this office, do not receive a copy of this notice.

Philip B. Fleming
Lt. Col., Corps of Engineers
District Engineer