

Forman, North Dakota
April 6, 2010

The Sargent County Board of Commissioners met at 9:00 a.m. with the following members present: Mike Walstead, Maurice Orn, Bill Anderson, Steve Wyum, and Jerry Waswick. Absent: None.

Members of the Sargent County Water Resource Board; County Engineer Damon DeVillers and Assistant Engineer Jesse Sedler of Interstate Engineering, Inc.; Sparky Engquist, SC Road Supt.; Lyle R Bopp, States Attorney; representatives from NRCS and US Fish and Wildlife Service; and, several concerned citizens and landowners; met with the Board at 9:00 a.m. in the conference room to discuss water issues in various locations in the county.

The first problem area discussed is south of Geneseo along County # 14 and parallel to Richland-Sargent Drain # 1, where water draining into the area from the east is being held back, inundating several thousand acres. After much discussion Damon DeVillers was instructed to prepare several options for consideration, along with estimated costs for pipe and labor. After this information is prepared and presented the Richland-Sargent Drain # 1 Water Resource Board will meet to consider the options and proceed with a plan to address the problem. Mr. DeVillers will have this information available on April 8th.

The second problem area concerned the rising water level in Buffalo Lake and Crooked Creek, which is threatening 2 homes near the Lake and a farmstead along the Creek, north of the Lake's outlet. Much discussion followed and it was agreed to recess this meeting until April 8th at 9:00 a.m. to give Damon DeVillers time to assess all of the crossings involved and determine both existing and recommended pipe sizes.

Dennis and Casey Decker, Gwinner; members of the Sargent County Water Resource Board; Bruce and Bob Stevens of Bowen Township; Damon DeVillers and Jesse Sedler of Interstate Engineering, Inc.; and, Troy Jacobson and Jason Asche, Whitestone Hill Township Board members; met with the county commission to further discuss the deteriorated and possibly undersized culvert through ND Highway 13 on the west side of Gwinner. Dennis Decker provided several pictures of the water and culverts in this area. Motion by Jerry Waswick for all parties concerned to prepare letters addressed to ND Dept. of Transportation (NDDOT) asking them to inspect the crossing on ND Highway 13 west of the North Sargent School, and to encourage and request that the NDDOT review this culvert for: A) structural integrity; B) Elevation; and, C) Hydrological study of upstream and downstream factors to determine the correct size for the culvert at this site. Steve Wyum seconded the motion and all voted in favor. The letters from the Township Boards, City of Gwinner, North Sargent School District and Gwinner Farmers Co-op Elevator should all be furnished to the County Commission by April 20 so the complete packet, with the pictures, may be sent to NDDOT.

The Board reviewed an Application for Abatement and Settlement of Taxes from David M and Karen M Tanski for property located on the East ½ of Lots 7-8-9, Block 26, First Addition, Forman City. The applicant requested a reduction of the structure valuation from \$24,264 to \$10,000. Forman City denied the application. Concur with Forman City. (Anderson/Waswick, unanimous)

Approve minutes of March 16, 2010 meeting as corrected. (Waswick/Wyum unanimous)

Mike Walstead, Courthouse Commissioner, reported on the heating system replacement grant. Electric storage boilers to replace the existing coal boiler would cost approximately \$122,000. There are rebates available from Otter Tail Power. The grant application deadline is April 16 and Mike is coordinating the submission of this grant.

Gina Hillestad, Treasurer/Recorder/Clerk of Court presented information regarding the job description evaluation of the Sheriff Deputy Matron/Deputy Public Safety Coordinator. The position is currently held by Brenda Peterson, and was a Grade6/Step 9 prior to the assignment of additional duties. The position is now recommended to be increased to Grade 7. Approve the recommended raise to Grade 7 for this position, with Step to remain at level 9. (Wyum/Anderson, unanimous)

Adjust pay for individuals assuming new duties pursuant to the reorganization plan based on assumption of these duties retroactive to January 1, 2010, with the exception of the Treasurer/Recorder/Clerk of Court and Deputy Treasurer/Recorder/ Clerk of Court whose new duties were assumed on December 1, 2009. (Wyum/Orn, unanimous)

Steve Wyum and Jerry Waswick informed the Board that they had met with Sandy Hanson to discuss the duties of combined Tax Director/EMS Director/911 Coordinator and invited her to the April 20th Commission meeting to discuss what will be expected of the person holding that position.

Rick Hoistad, Forman met with the commissioners to inform them that two (2) cell phone towers will soon be placed in Sargent County. A Verizon tower will be in the NW1/4-18-130-55 by October 2010 and an Alltel tower is scheduled to be in place next year. Ricki inquired about any tower ordinances that Sargent County may have adopted. The commission informed him that there are no County communication tower zoning ordinances or regulations at this time, but this matter will be referred to the Sargent County Planning Commission for its consideration.

Rick Hoistad updated the Board on the Gwinner Airport plans and water problems in Weber Township.

Richard Ruch, representing the Cogswell Gun Club presented two (2) checks totaling \$4078.67 for the Sargent County Park Board for improvements at Silver Lake. The monies are proceeds from the Silver Lake Fishing Derby held in February. The request from the club is to use the money for general maintenance and electrical work/upgrades for campers. On behalf of the Sargent County Park Board, the Commission thanked the members of the Cogswell Gun Club, and others who assisted with the Fishing Derby, for their efforts on behalf of the County Park at Silver Lake, and for their generous contributions in this and prior years. (Orn/Wyum, unanimous)

Motion to authorize Chairman Walstead to sign the Traffic Safety Contract for FY 2010: Project No. 4021005 04 64, which will provide \$1000 funding for Click it or Ticket overtime wages for the Sheriff's Department. (Anderson/Orn, unanimous).

The Commission received information from the Sheriff that the new patrol vehicle, a 2010 Ford Expedition, has been delivered, along with a request that the Commission authorize payment for the new vehicle. Approve payment of the following bills: (Waswick/Anderson, unanimous)

62218 American Tire Service	2010 Expedition tires	387.15
62219 Hatton Co-op Oil Co.	Gasoline	65.00
62220 Hatton Ford	2010 Ford Expedition	27,258.12

Roz Amerman, Custodian met with the Board to discuss the duties of her job. She reported that the boiler had been shut down and drained today, April 6, and all ashes will be removed. Cody Bopp has agreed to help with miscellaneous duties on an as needed, part-time, temporary basis at \$15.00 per hour. Discussed lawn mowing and instructed the County Auditor to place an ad in The Sargent County Teller requesting bids for lawn mowing and trimming on a per time basis with the successful bidder providing their own equipment and gas. Bids will be opened on April 20th. Also discussed removal of the boiler, cleaning in the boiler room, landscaping and updating the job description for the Custodian's position. Motion to approve full-time employment effective April 1, 2010 for Roz Amerman. (Anderson/Wyum, unanimous) Mike Walstead and Roz will work on redoing the job description.

The meeting recessed at 5:00 p.m. to April 8th at 9:00 a.m.

The meeting reconvened on April 8th with all commissioners present, Water Resource members Jim Bosse and Roger White, County Engineer Damon DeVillers and Assistant Engineer Jesse Sedler from Interstate Engineering, Inc., and a number of concerned landowners, including: Edwin Erickson; Colin Stockstad; Jerry and Patty Woytassek; Elvoy Askerooth; Randy Pearson; Jim Lunneborg; Bill & Sue Nathe; Tom Wyum; and, Richland County Commissioner Dan Thompson; in attendance.

Damon DeVillers presented a map showing culvert sizes that are at the inlet and outlet to Buffalo Lake. There are approximately 121 square miles of drainage area into the lake. He reviewed three options for the water problem and discussion followed on the options. Resizing the culverts would cost approximately \$62,000 for the culverts only; replacing the culverts to meet the State's Stream Crossing Standards requirements would cost approximately \$132,000 for metal culverts and \$375,000 for box culverts—these estimates do not include any costs for removal of existing culverts and structures, or for the installation of the new culverts. Another option referred to as the "panama" by Sparky Engquist, Road Supt. would be to add a 48 inch culvert on County Road # 10 east of Edwin Erickson and cut a temporary ditch to relieve flood pressure by removing some additional water from Buffalo Lake and Crooked Creek. This option would cost approximately \$25,000. Mr. DeVillers estimated that with no inflow it would take 13 days to drop the water in Buffalo Lake 5 feet with the existing pipes and with the "Panama" approximately one week. Discussion followed concerning the additional water going into the Wild Rice and other land that would be flooded from this release of water. The lake is still rising and the county road is only a few inches from overtopping. A long-term suggestion was to make Crooked Creek into a legal drain and establish an assessment area so all landowners in the assessment area would share in the cost of any improvements. Steve Wyum made a motion to implement the "Panama" option as soon as possible on an emergency basis and the county commission will work to carry on dialogue with the water board and landowners upstream and

downstream on what can be done for a permanent solution. Bill Anderson seconded the motion. Anderson stated that this is the third time since 2005 that Buffalo Lake has threatened homes and property and, although it is the obligation of the entire County to assist those whose homes and livelihoods are threatened, it is also the responsibility of the people to take action to protect themselves, both individually and as a group affected and threatened by the Crooked Creek drainage and Buffalo Lake. Steve Wyum requested permission to withdraw his motion and the seconder consented. The motion was withdrawn.

Motion by Steve Wyum to proceed with the emergency plan to exit water from Buffalo Lake complex, subject to obtaining proper easements from affected property owners, by installing a temporary "Panama" drain with a 48 inch culvert in County Road # 10, with the flow to be metered with an appropriately placed gate valve so as not to wash out downstream crossings in Shuman township, and that the county commission work with the affected landowners and the Water Resource Board to establish a legal drain and water management assessment district for the purpose of providing a permanent solution to this on-going water problem. Bill Anderson seconded the motion. Roll Call vote: Aye: Wyum, Anderson, Walstead and Orn. Nay: Waswick. Motion carried. It was suggested that the Shuman Township Board of Supervisors be given the authority and responsibility to control the gate valve, as the downstream roads and culverts are Shuman Township's.

Scott Mund visited with the commissioners about Bridge 131-4 located between Section 19 and 20 of Hall Township. Mr. Mund indicated that this bridge was replaced many years ago with the 7 foot culvert and the water has overtopped the roadway again this year. The Township Board thinks that the opening is not adequate to handle an unexpected increase in the amount of water flowing into the culvert, and, as this roadway is a main artery for Hall Township residents, the Township Board requests that the Commission have the site inspected and take appropriate action to keep the road open. The Board directed that County Engineer Damon DeVillers and Road Superintendent Sparky Engquist inspect the site and present possible solutions at the April 20th meeting.

Damon DeVillers also presented culvert sizes and cost estimates for the water problem south of Geneseo on County Road # 14. This information was given to the County Water Resource Board, which will meet with the Richland County Water Resource Board to discuss this project and decide on a course of action.

Meeting adjourned at 12:05 p.m.

MIKE WALSTEAD – CHAIRMAN

ATTEST:

SHERRY HOSFORD - AUDITOR