

The Sargent County Board of Commissioners met at 9:00 a.m. with the following members present: Bill Anderson, Steve Wyum, David L Jacobson, Mike Walstead and Jerry Waswick. Absent: None. Paige Cary, the Sargent County Teller, was also present.

Approve minutes of April 19, 2011 meeting as corrected. (Wyum/Walstead, unanimous)

Sandy Hanson, Tax Director/EMS-911 Coordinator met with the Board to review a list of modifiers to consider for the soils study. The recommendations from the Soils Committee are:

SOIL MODIFIERS AGRICULTURAL PROPERTY

<u>MODIFIERS</u>	<u>SYMBOL</u>	<u>DESCRIPTION</u>	<u>MODIFICATION</u>
ROADS	(R)	Any publicly maintained road 33 ft adjacent to section/quarter line	zero value
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INACCESSABILITY	(I)	Any cropland soil that cannot be reached	50%
reduction per acre on the soil type		5 acre accumulative minimum per parcel	
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BODY OF WATER	(BoW)	Cropland soils under water and unable to grow	50%
reduction per acre on the soil type		5 acre accumulative minimum per parcel	
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MARSH	(M)	Cropland soils that drain poorly or do not drain	50%
reduction per acre on the soil type		5 acre accumulative minimum	
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STREAMS/WATERWAYS/ LEGAL DRAINS	(WW)	Established waterways on cropland soil types that permanently not able to be used as cropland. Examples: such as, but not limited to Crooked Creek, Wild Rice River, Legal Drains	zero value

Discussion followed on the presented modifiers. Motion to approve the modifiers as recommended by the Soils Committee. (Anderson/Jacobson, unanimous) Further discussion on making this process as user friendly as possible to townships, which will be assisting the Soils Committee.

Sandy Hanson also reported that the residential classified structure appraisals have begun in Forman, Havana and Cayuga. Vanguard Appraisals will be in the county doing inspections, measurements and taking pictures. She also discussed the Application for Disaster Assistance for State Snow Removal Assistance 2011. The 2011 Legislature has appropriated \$9 million dollars for entities which have exceeded expenses 200% over what was spent in 2004-2008. The expenditures to compare are from January, February and March, 2011. The County Auditor's Office has been preparing numbers for the county, and townships have been asked to compile their expenditures. Motion to appoint Sandy Hanson as the Applicant Agent for the State Snow Removal Assistance 2011. (Walstead/Jacobson, unanimous)

Lyle Bopp arrived at the meeting at 9: 45 a.m.

Sparky Engquist, Sargent County Road Supt. and Rob Bundy, Project Leader, Tewaukon National Wildlife Refuge, Cayuga arrived at the meeting to discuss the water issues threatening County Road #2 around Kraft Slough in Verner Township, and other issues impacting both the County and the U. S. F&WS. Sparky updated the Board on all the projects that have been sent to the state and classified as Emergency Repair (ER) projects. The State will review each project site and decide which sites are eligible for funding reimbursement. There are 12 sites and all were reviewed including a damage assessment report, preliminary cost estimates and photos. Sparky explained the ER project by Kraft Slough and informed the Board about the proposed Dickey/Sargent legal drain that would stabilize the lake level by allowing water from Kraft Slough to flow west to the James River. Preliminary Engineering studies financed by affected landowners along the proposed drain are underway and it appears that this project will move forward. Further discussion followed on stabilizing the elevation of Kraft Slough at a level that would save the Soo Line/CP Rail railroad track and relieve pressure on State Highway #11, county road #2 and township roads in the area. If an outlet control, such as a legal drain was established, it would stabilize the water level and relieve the threat to roadways near the slough. A proposal has been presented to ND-DOT for a 10 foot grade raise on county road #2 between sections 26 and 35-131-58 (Verner Township). Estimated cost of the project is \$2.9 million.

The county's share of the cost would be 20%, if the project is approved by the state. The 10' grade raise would not be necessary if the level of Kraft Slough was stabilized by the installation of an outlet to the proposed legal drain. Rob Bundy wants to know the county's intent with respect to County Road #2 before US Fish and Wildlife takes a position on the proposed outlet to the James River. He is of the opinion that there are two projects: stabilizing the level of Kraft Slough to protect the integrity of roads and the railroad track; and, construction of a legal drain to drain other wetlands between Kraft Slough and the James River. The USFWS can support stabilizing the elevation of the Kraft Slough, but the US Fish and Wildlife cannot support the drainage project. At this time the exact elevation of the slough, and other pertinent engineering information, is not available, and the response to US Fish and Wildlife will be considered at the May 17th meeting.

Project Leader Bundy discussed County Road #12 and monetary assistance that he has requested from US Fish and Wildlife to resolve safety issues related to the management of water levels on the refuge. The USFWS has approved an engineering assessment and will be on the refuge on April 18 to see if a grade raise and construction of other barriers are viable solutions to the roadway problems. Mr. Bundy asked for copies of the projects submitted to the state for ER funding, and stated the USFWS' intention to work with the county on the ER project sites.

Commissioner Anderson expressed appreciation for the excellent cooperation between the US Fish and Wildlife Service and Sargent County while working on the water problems encountered during this year's Spring flooding, including, Project Leader Bundy, Assistant Project Leader Jack Lalor and Maintenance Specialist Rob Hoflen for all the times they have come out to take a look at problem areas and assist the county with efforts to keep the county highway system open.

Also discussed a breach in County Road #5 between Section 35-130-55 LTL and Section 2-129-54 LTL that resulted from excess water in the Wild Rice River. There was extensive flooding and a landowner wanted to get the water off his land. Mr. Bundy and Sparky Engquist inspected the area and devised a plan for a controlled release of the water. A pole, which was being used as a ramrod to clear an obstruction from a culvert, broke off, plugging the culvert, forcing the water to flow over the road, creating a massive washout. The culvert is still in the bottom of the opening but the rock and material blew through. Due to the breach in the County #5 road structure, which caused damage to the downstream refuge road crossing, motion that the county provide materials to make repairs of the 20 foot breach in the refuge road. (Wyum/Anderson, unanimous) The damage resulted because the culvert under County Road #5 was plugged with a broken pole and caused the water to come over the road and wash out the refuge road.

Discussed problems with County Road # 3 and authorized Mike Walstead, Road Commissioner to execute easements at the county standard fee of \$500 with landowners in the NW1/4-27 and SW1/4-26-130-55 for ER work to get the flood water off County #3 west of Rutland. (Anderson/Wyum, unanimous)

Lyle Bopp reported to the Board that he has spoken to Martin "Whitey" Bommersbach, and he had informed Lyle that he is not able to return to work for Sargent County due to health reasons. Motion to terminate Martin Bommersbach's employment status, effective immediately. (Jacobson/Walstead, unanimous) The Auditor will notify Mr. Bommersbach of his post-termination rights.

Lyle Bopp received a formal response from Corey J Quinton, Oppegard, Wolf and Quinton regarding the lawsuit commenced against Sargent County by Bill Nathe, Colin Stockstad and Edwin Erickson, Sr.

Discussed a request from Dunbar Township for culvert cost share. Tabled until the Sargent County Water Board has had an opportunity to act on this joint request.

Approve Gaming Site Authorizations to Bison Booster Club, Milnor, ND for North 40, Inc., DeLamere, ND beginning July 1, 2011 and ending June 30, 2012. (Anderson/Jacobson, unanimous)

David Jacobson, Forman, inquired if Sargent County would participate in Flood Hazard Mitigation grant proposals with Forman City and Cogswell City, as was agreed at the April 19, 2011 meeting with Milnor City. Commissioner Waswick pointed out that the reason the County participated in the Milnor proposal is because the structures to be replaced in Milnor were once bridges which State law makes the responsibility of the county, and, at this point, the law does not appear to allow or require County participation in either the Forman or the Cogswell grant proposals. Mr. Jacobson also asked if the county would cost share with a proposed culvert installation on State Highway 32 north of Forman. Except in situations involving County roads, this is not a practice in which the County has participated. NDDOT and Department of Emergency Services should be contacted for financial assistance with the project.

Meeting adjourned at 12:35 p.m.

JERRY WASWICK – CHAIRMAN

ATTEST:

SHERRY HOSFORD – COUNTY AUDITOR