

**MINUTES OF THE MEETING OF THE SARGENT COUNTY WATER RESOURCE BOARD HELD ON THURSDAY, JANUARY 17, 2002 AT 9:30 A.M. IN THE COMMISSIONERS ROOM, SARGENT COUNTY COURTHOUSE, FORMAN, ND**

The meeting was called to order with the following present: Dan Jacobson, Richard Engst, Mark Breker and Randy Ptacek. Absent John Totenhagen.

Approve December 20, 2001 minutes and financial statement. (Engst/Breker, unanimous)

Mark reported that he talked to Weber Township and they still have not determined that there was a culvert in the road. They will continue working on this problem.

Ron Herr talked to Jim Hicks regarding the cap on Frenier Dam. He informed Mark that Mr. Hicks would plan to look at it in April after the ice thaws.

Approve payment of following bills: (Ptacek/Breker unanimous)

42639 Mark Breker	Travel	11.16
42640 Dave Titus Excavating	Drain No. 11	58,145.00
42641 Richard Engst	Travel	15.50
42642 Dan Jacobson	Travel	10.23
42643 ND Water Resource Districts	2002 Dues	375.00
42644 ND Water User's Ass'n	2002 Dues	300.00
42645 Ohnstad Twichell, P.C.	Attorney fees	87.50
42646 Randy Ptacek	Travel	6.20
42647 Radisson Inn	Lodging	537.30
16593 Mark Breker	1 PD less 4.59	55.41
16594 Danny Jacobson	2 PD less 9.18	110.82
16595 Sherry Hosford	Sec. Salary less 20.40	246.26
16596 Richard Engst	1 PD less 4.59	55.41
16597 Randy Ptacek	1 PD less 4.59	55.41
DD Sargent County Bank	Withholding taxes	87.51

Mark Breker left the meeting at 10:00 a.m.

Dave Titus met with the Board to review the work on Drain No. 11. Also present was John Hayen, Sargent Township. Dave reported that most of the leveling is completed. He explained the bills and each area that has been cleaned. John Hayen reported that the township received monies from FEMA for concrete for the culvert on the northside of the road between Section 4/9. A slurry mix could be used and poured on the rocks. He feels they need a contractor to level the rock before they pour the slurry mix. The township will coordinate with the contractor to get the rocks in place and the Water Board agreed to pay for the rock. John Hayen is also concerned about the depth of the culvert in the county road on Mezarous Slough. It is too high and the blade is hitting it. It should be relayed and put in the correct depth. The county road department installed the culvert and John feels it should be lowered 18 inches. The Board will talk to the county commissioners on February 19<sup>th</sup> to correct this problem.

Damon DeVillers and Malcolm Tonneson, Interstate Eng. Inc., and Sandra Hanson, 911 coordinator met with the Board. Malcolm made a computer presentation to the Board providing information on GIS digitizing and programs available to add drains, assessment areas and other data. There are many applications available and Sargent County purchased the base maps and will add applications for roadways, bridges and signing. The Water Board can purchase information that can be placed on the base map. The cost of the information will vary depending on how the Board wants the information. They can use data available or hire surveyors to go out and place markers and take readings. The Board will discuss what options they would like available and request price estimates from Interstate Engineering.

Richard Anderson, SC Weed Officer, met with the Board to discuss maps showing the flow of the water in the county to assist with weed problems. The purple loosestrife is becoming a concern in the county. It is a wetland plant and will kill out all the cattails and none of the waterfowl will nest in it. It is a problem in Grand Forks, Valley City and coming down the Sheyenne River. The Board reviewed the drain map with Richard and marked the flow of water from the legal drains.

Silver Lake project was approved through final inspection with Frank Beaver. The Board is waiting for a letter stating that the construction portion of the project is completed. Red River Regional Council will be reimbursing the Water Board for their share. Easy Butler will present the vegetation plan for bidding this spring.

The right-of-way records through Milnor City on SC Water Channel Imp. No. 1 has been reviewed by Attorney Duane Breitling. It appears that the document transferring certain lots in the City of Milnor to Sargent County was an acquisition to accommodate the construction of Drain. No. 7. The transfer by the county to Wayne McBride, however, did not reserve easement over the property for the maintenance and/or construction of Drain No. 7. This drain was obviously open and notorious and apparent to any person viewing these lots. Mr. Breitling felt if the current owner's (Ruby's) are cooperative with the Board, the most cost

efficient way to handle this matter would be to procure an easement from them listing in the easement the conditions that the Ruby's have expressed with the board. Richard will talk to the Ruby's and get information from them to present to Mr. Breitling for preparation.

The Board is scheduled to meet with the county commissioners and Jeff Volk on February 19 at 11:00 a.m. to discuss the Tewaukon Watershed area.

Duane Breitling sent an opinion to the Board regarding the Matthews land in Section 23-130-57. His opinion states that the board has every right to use the 5.10 acres in the maintenance of Drain No. 11. The spreading of spoil throughout this 5.10 acres is a use consistent with the maintenance of this drain. He also believes that no action is necessary for the Water Resource Board to utilize the 5.10 acres to level the spoil bank generated as a result of the maintenance of this facility. He is willing to assist should the Board feel it is necessary to quiet title on this land.

Approve meeting dates for 2002 on the third Thursday of the month. A copy will be filed in the Office of the County Auditor. (Ptacek/Engst, unanimous)

The meeting adjourned at 12:20 p.m.

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DANNY JACOBSON - CHAIRMAN

ATTEST:

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SHERRY HOSFORD - SECRETARY