

**MINUTES OF THE MEETING OF THE SARGENT COUNTY WATER RESOURCE BOARD HELD ON THURSDAY, JANUARY 17, 2008 AT 9:00 A.M. IN THE COMMISSIONERS ROOM, SARGENT COUNTY COURTHOUSE, FORMAN, ND**

Managers present: Mark Breker, Dan Jacobson, Richard Engst, Roger White and Jim Bosse. Absent none. Also present: Attorney Sean Fredricks.

Approve December 20, 2007 minutes as corrected and December financial statement. (Jacobson/Bosse, unanimous)

Milton McLaen, Forman met with the Board regarding the work on a portion of Government Lots 5, 6, 7 and 8 18-129-54 south of Rutland. He was a little disappointed that the cattle crossing was removed. Mark Breker said he was notified from area landowners that this was a hazard and also Weber Township agreed that this was a hazard. According to Mr. McLaen, the new 42" culvert that was placed in there is causing problems for an existing culvert which was not improved and it is holding siltation. Mr. McLaen recapped some history on this culvert/approach area and noted that he would have not put a pipe through the road and run the water into the township road ditch straight east and this would have taken care of all the water coming from the dam and the first coulee. He has 11 acres in the ditch going north that he pays taxes on but the way the ditch was dug will not allow him to mow this area or make hay which used to produce about 20 bales of hay. Mark Breker said the spoil bank was leveled and he felt it looked good. The solution for the culvert according to Mr. McLaen is that another culvert should be placed along side the existing culvert. The Board discussed other options including possibly placing the culvert on the other side of the road ditch. Board members will have to work with landowner Kenny Hamilton and visit with Joe Breker about moving the approach to the east. The Board will inspect this site to see if this is feasible and get permission from landowners. Mr. McLaen thought that the survey markers may have been removed when this work was done.

Approve payment of the following bills: (White/Engst, unanimous)

58470 James Bosse	Travel	22.50
58471 Mark Breker	Travel	95.40
58472 Richard Engst	Travel	45.00
58473 James Hoffer	Beaver removal-WCI#1	100.00
58474 Dan Jacobson	Travel	59.40
58475 Moore Eng.	Mund/Kuehn-\$1367.36,	Lee/Heley-\$370.22,
Bogart/Mund-\$369.25, Kuehn/Mund-\$369.25, S. McLaen App-\$115.00		2591.08
58476 ND Water Resource Districts	2008 dues	375.00
58477 ND Water User's Ass'n	2008 dues	300.00
58478 Ohnstad, Twichell Law Offices - General-\$111.80, Mund/Kuehn-\$105.00, G Thornberg-\$150.00, Kuehn/Mund-\$293.60, Bogart/Mund-\$124.90, Lee/Heley-\$135.00, E Kraig-\$154.80, Craig Speich-\$496.40, Roger Gibbon-\$75.60, Dr # 3-Wohlwend diking-\$121.70		1768.80
58479 Weber Township	1/3 cost culvert	644.16
58480 Roger White	Travel	15.30
1564 Mark Breker	4PD plus meal less 25.06	302.44
1565 Dan Jacobson	3 PD plus meal less 18.94	228.56
1566 Sherry Hosford	Sec. salary less taxes	246.27
1567 Richard Engst	2 PD less 12.24	147.76
1568 Roger White	1 PD less 6.12	73.88
1569 James Bosse	2 PD less 12.24	147.76
DD Sargent County Bank	Taxes and withholding	192.13

UNFINISHED BUSINESS: Jim Bosse reported that the Nelson Dam fencing project is still on hold until he meets with the fencing company. PW 985 (Section 27-130-57/Bosse/Hayen project) was reviewed and still waiting on additional funding from FEMA. The Secretary was instructed to contact the ND State Water Commission regarding the status of the study on Silver Lake Dam.

Chad Engels, Moore Eng., provided several maps to the Board of a proposed Drain No. 4 Reassessment area. He will plan to meet with the Board in February to discuss this project.

The Board reviewed the 2007 O & M Inspection Annual Report. The Bergh-McLaen waterway requires some work that will affect the county road. Board members will meet with the county commission on February 5<sup>th</sup> to discuss repair options and cost for this project. Other items on the annual report included fencing, guard rail damages which will be addressed with the county commission and driftwood removal from the inlet culvert at the duck pond on Drain No. 9.

ND Department of Emergency Services (NDDes) sent out information to the Board on status of Projects for Disaster 1597 (2005) and 1645 (2006). Upon review of each PW the Board determined that all these projects are complete and authorized Chairman Breker to sign the forms for return to NDDes.

The Board received a letter from Bill Smith, Forman on drain blockage in the SW1/4-28-129-55, which according to Mr. Smith, when they are removed will benefit said SW1/4 and all of Sections 29 and 32, the City of Havana and the park area.

Following discussion the Board instructed Mr. Fredricks to send a response to Mr. Smith explaining what responsibilities this Board would have in regard to the Tewaukon Watershed Assessment area. (White/Bosse, unanimous)

Mark Breker reviewed a letter that was written by Steve Wyum as a "Letter to the Editor" to the Sargent County Teller following the joint meeting of the two Boards' on January 8, 2008. Those attending the commission meeting to discuss County Road # 14 and Drain # 3 project were: SC Water Board members Mark Breker, Dan Jacobson, Jim Bosse and Richard Engst; Dave Titus, contractor, Damon DeVillers, Interstate Engineering, Inc. and Sparky Engquist, SC Road Supt. The purpose of the meeting was to discuss the project and the reasons for the over run on the expenditures. Mark Breker explained the FEMA project and a request to make it an improved project including installation of a box culvert. The county commission agreed to pay 40% of the costs and the county road department would do the work. Others explained the process of installing the culvert and why the culvert was installed incorrectly. There was no engineer on site but Interstate Eng. Inc. did give the proper design for this project. Mr. Titus estimated his work and misfigured the amount based on the use of excess rock, water flowing and resetting the culvert. Everyone agreed it was a lesson learned and the Water Board indicated for future projects they would like to hire their own contractor to do a project in lieu of the county road department doing the work. The total cost of the project was \$87,042.11 less \$30,985.22 received from FEMA. The balance remaining is \$56,056.89. Mr. Titus noted that he underestimated his labor costs by \$4,000. The county commission proposed to subtract the \$4,000 from the balance and pay 40% of that amount plus the \$4,000. The amount each entity would pay is \$24,822.76 for Sargent County and \$31,234.13 for SC Water Board. Mr. DeVillers indicated that there was a good job of installing the box culvert, it fits the channel and road area and it will be there for a long time. Mark Breker further explained that the letter to the editor was a request from road commissioner Steve Wyum and signed by both Mark and Steve.

Mark Breker informed the Board that he and Dan met with the Richland County Water Board recently to address the dike that was built in Section 1 of Kingston Township (Lateral to Drain No. 3). Neither Board has received any complaints as of today.

Meeting adjourned at 12:20 p.m.

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MARK BREKER - CHAIRMAN

ATTEST:

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SHERRY HOSFORD - SECRETARY