

MINUTES OF THE MEETING OF THE SARGENT COUNTY WATER RESOURCE BOARD  
HELD ON THURSDAY, JANUARY 27, 2011 AT 9:00 A.M. IN THE COMMISSIONERS ROOM,  
SARGENT COUNTY COURTHOUSE, FORMAN, ND

Managers present: Jim Bosse, Richard Engst, Mark Breker and Roger White. Absent: Chris McFarland. Also present: Sean Fredricks, Attorney, Tom Jones, NRCS and Chad Engels, Moore Engineering, Inc.

Approve December 16, 2010 minutes and December financial statement. (Engst/Breker, unanimous)

Motion to approve purchase of a \$100,000 CD from General Fund for a 12 month term. (White/Breker, unanimous)

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

63753 Jim Bosse	Travel	141.27
63754 Jeff Breker	Loader work – Tew. Watershed	225.00
63755 Mark Breker	Travel	586.97
63756 Dave Titus Excavating	Tewaukon Watershed-\$14,430 & SCWC#1-\$26,585	
63757 Richard Engst	Travel	60.50
63758 ND Water Resource Districts	2011 Dues and handbook	515.00
63759 ND Water User's	2011 Dues	300.00
63760 Nicolai Farm	SCWC#1-180 yds rock	1,080.00
63761 Ohnstad Twichell	Attorney fees	988.60
63762 Red River Basin Commission	Breker registration	190.00
63763 US Postal Service	500 envelopes	270.60
63764 Roger White	Travel	518.18
63765 Clint Zirnelt	Beaver control-Tewaukon Watershed	50.00
5187 Sherry Hosford	Sec. salary less taxes 17.89	298.78
DD Sargent County Bank	Payroll taxes	44.01

Janeen Stenso, Red River Basin Commission arrived at the meeting.

Gary Thornberg, Havana met with the Board to review his approved tile drain project and another proposed project in the Section 23-129-54. Mr. Thornberg would like to tie the new project into his approved project. Application to Drain with Tile Drain form was given to Mr. Thornberg for his submission to the State Water Commission.

Attorney Fredricks and Chad Engels reviewed upcoming and pending legislation regarding water issues. Some issues include acreage before a permit is required and whether easements are needed. Attorney Fredricks is working closely with legislation and keeping Board members informed.

Discussed the right of way along Drain No. 11 in Section 23 of Sargent Township. Mr. Fredricks has concluded that Paul Mathews is certainly farming a portion of the 5.1 acres that the Water Board owns for right of way. It was suggested that a lease agreement with Mr. Mathews would address this issue and Board members agreed to invite Mr. Mathews to the February meeting to further discuss a solution to his use of the Water Board's property. Jim Bosse agreed to contact Mr. Mathews.

Jerry Waswick and David L Jacobson, Steve Wyum county commissioners arrived at the meeting. Roger White explained that in order to slow the water coming in from South Dakota there has been talk about retention dams either in ND or SD. A dam could control the flow of water into Richland Sargent # 1 Drain and allow the land south of Geneseo to drain.

Tom Jones, NRCS, commented there is funding available and cost share dollars from the Federal Government to do practices that are related to water quality and quantity. They would like to see upper basin retention projects; typically a project would be to go to a landowner and build a livestock or fishing dam. There are other agencies that are interested in providing cost share because local costs could be substantial but no money would be available for land acquisition.

Chad Engels, Moore Engineering, Inc. stated that the goal is to work on flood control in Sargent County and there is 60% funding from the State Water Commission (SWC) and 20% funding from the Red River Joint Water Board (RRJTB) on the retention construction. The local cost would be 20% of the retention construction. Chad reviewed a map, which he has prepared and explained the watershed area and the issues that would have to be answered to determine a best place for a retention dam. The order of events would be 1) Identify the sites; 2) Analysis of the benefits; 3) Drill rig and see if soils are suitable for a dam. A proposal for a study of Shortfoot Creek Watershed would cost approximately \$15,000. The cost for the study to the Water Board would be \$3750 based on cost share from both the NDSWC (50%) and RRJWB (25%). Authorize Chad Engels to proceed with requesting funding for

the retention site study from the SWC and RRJTB and approve the local share of funding from the Water Resource General Fund. (Breker/White, unanimous)

Janeen Stenso, RRBC provided a handout of the 2010 Red River Agricultural Water Enhancement Program summary for Minnesota, North Dakota and South Dakota.

Jim Gustafson, South Dakota arrived at the meeting at 11:00. He was misinformed of the meeting time on the detention site study. Mr. Gustafson has land that may be considered for a dam site. Chad Engels and Tom Jones went over the proposal with Mr. Gustafson while the Board continued on with their business.

Joe Breker, Havana arrived at the meeting and requested an Access Easement to build a road on Water Board land in Section 9-129-54 LTL. Mr. Breker plans to build a lodge on land which he owns and needs a roadway to this lodge. Instruct Attorney Fredricks to draft an Access Easement for Board consideration at the next meeting.

Joe Breker also explained another tile project that he is considering and is located in Section 4 and 5-129-54 LTL. After discussion on downstream easements, Mr. Breker will decide if he will proceed with the project.

At the November 18, 2010 meeting the Board discussed an approach/culvert issue in between Section 18/19-129-54, which is part of the Nelson Dam watershed. The Water Board agreed to remove the culvert, move the dirt and place the dirt where the landowners (Milton McLaen and Kenny Hamilton) want the new approach. The Water Board did work in this area a couple years ago when they were cleaning the natural drain that runs along Section 18-129-54. Mr. Breker would like the approach moved east of the Hamilton farmstead to the east property line so that access is available for both himself and Mr. Hamilton. Motion to remove the existing approach and put a culvert in the approach on the east property line sized appropriately with the township road at Water Board cost. The Water Board will pay for the culvert and the work and request that the dirt be donated. (Breker/ Engst, unanimous)

The Board recessed for lunch.

The Board reconvened after lunch with Dave Titus present.

Mr. Titus requested payment for work completed last fall on several FEMA projects and other work approved by the Board. Mr. Titus reviewed each bill and work completed.

Discussed Bridge 123-20 and the Project Concept Report. No action until an alternative for the project is selected by the county commissioners.

Meeting adjourned at 2:15 p.m.

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JIM BOSSE – CHAIRMAN

ATTEST:

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SHERRY HOSFORD - SECRETARY