

MINUTES OF THE MEETING OF THE SARGENT COUNTY WATER RESOURCE BOARD HELD ON THURSDAY, OCTOBER 15, 2015 AT 9:00 A.M., IN THE COMMISSIONERS ROOM, SARGENT COUNTY COURTHOUSE, FORMAN, NORTH DAKOTA

Managers present: Luke Siemieniewski, Jim Bosse, Roger Zetocha, Korey Martinson and Richard Engst. Absent: None. Also present: Board Attorney Sean Fredricks; Chris Gross, Board Engineer; Mike Bassingthwaite, Interstate Engineering Inc. (IEI) and Dan Delahoyde, Cogswell, ND.

**MIKE BASSINGTHWAITE, (IEI) AND RS# 1 PROJECT:** Mr. Bassingthwaite met with the board to update the Board on the RS # 1 project. The completion date is past and much work remaining including the channel excavation and no grass seeded which will cause erosion problems. Options for erosion control were discussed and review of bills – (Pay Estimate # 3 to M & M Construction - \$53,718.50; Interstate Engineering, Inc. - \$32,583.05 and Ohnstad Twichell - \$203.00). All above matters will be addressed on November 17, 2015 at the RS # 1 Special Meeting as well as how to handle liquidated damages.

**DRAINAGE COMPLAINT FILED BY JACKSON TOWNSHIP AGAINST QUANDT BROTHERS:** Dan Delahoyde, Chairman of Jackson Township was present at the meeting to discuss the drainage complaint filed on behalf of Jackson Township in the NW1/4, SW1/4-18-130-58; NE1/4, NW1/4- 19 and 20-130-58 approximately 640 acres of drainage. The complaint further states that there was digging of drainage ditches in the township road right of ways without permits or permission from the township, which according to Mr. Delahoyde is in violation of the Jackson Township Zoning. Some of the water board members have inspected the site and discussion followed on the unpermitted drainage project. Motion by Manager Engst and seconded by Manager Bosse to authorize Chris Gross, (MEI) to investigate the drainage complaint and provide a watershed analysis and to invite the Quandt Brothers and Mr. Delahoyde to the November meeting to discuss whether a surface permit is required. Upon roll call vote, the motion carried unanimously.

Approve the September 17, 2015 minutes and September financial statement. (Zetocha/Bosse, unanimous)

Motion to approve payment of the following bills: (Bosse/Zetocha, unanimous)

72094	Bernard Mahrer Const.	Gravel for Dr # 11	502.88
72095	James Bosse	Travel	61.53
72096	Dickey County Water Board	Administrative expenses	1096.00
72097	Richard Engst	Travel	17.25
72098	Larson Helicopter LLC	Scouting ditches-\$275.00; Dr # 8-\$50.00; and Dr # 9-\$250.00 =	
		TOTAL	575.00
72099	Korey Martinson	Travel	79.93
72100	Moore Eng., Inc.	Gwinner Dam - \$17,011.00; Engineering general fees - \$1300.75; Dr # 4 – FEMA review-\$72.50; Dr # 8 - \$5760.75; Dr # 11-\$135,473.98; Dr # 7 - \$227.25 = TOTAL	159,846.23
72101	Ohnstad Twichell	General - \$1040.00; Mahrer/Ellefson-\$85.00; Kelley/Hemminger-\$91.80; Silver Lake Dam - \$147.00; Dr # 8 - \$219.00; Dr # 11-Paul Mathews-\$2177.00	TOTAL 3759.80
72102	Lucas Siemieniewski	Travel	55.20
72103	True North Steel	Dr # 11 culverts – 16/21-Harlem; 21/28-Harlem; 30/31-Southwest	
		TOTAL	21179.80
72104	Roger Zetocha	Travel and flying Dr # 11	97.75
11347	Sherry Hosford	Salary less 101.54 taxes	868.46
11348	Richard Engst	1 PD less 9.18 taxes	110.82
11349	James Bosse	5 PD less 45.90 taxes	554.10
11350	Roger Zetocha	3 PD less 44.37 taxes	315.63
11351	Lucas Siemieniewski	3 PD less 27.54 taxes	332.46
11352	Korey Martinson	3 PD less 44.37 taxes	315.63
DD	Sargent County Bank	Withholding taxes	490.63

**DOUGLAS HARRIS APPLICATION TO INSTALL A SUBSURFACE DRAIN:** Jay Harris, Oakes, ND was present at the meeting to submit an application to install a subsurface drain in the W1/2-29-132-58. Jay indicated they have modified their proposed project previously determined to be of “statewide significance” by the Board. Jay explained their project modifications would avoid impacts to wetlands that would otherwise trigger the “statewide” criteria. In addition, the Harris’s plan to mitigate any impacts and they are working with a soil scientist to work through any issues with NRCS. Jay will submit a new permit application. The application will require a 30-day Notice to NDDOT.

**GWINNER DAM RELOCATION:** Chris Gross provided a handout with three additional potential sites for relocation of the Gwinner Dam (two of these sites would be located in Ransom County). Following the review and discussion on the nine potential sites, board members proceeded to rank the sites that would provide the most benefit. The three sites selected were 4B and 7 with 6 as an alternate. Chris will proceed with the next phase of the project.

**SPARKY ENGQUIST – ASCHE WATERWAY** – Mr. Engquist met with the board to inquire about a grassed waterway project designed in 2013 by NRSC in Section 8-131-55. Mr. Engquist was informed that he must obtain a dike and diversion permit from the Office of the State Engineer and a form for that permit was given to him. Also discussed was a request to this board from Dunbar Township dated August 21, 2014 to cost share on a 36 inch x 40 foot culvert. The project plans recommend the placement of three 48 inch culverts to allow for maximum flow into the grassed waterway. Mr. Engquist agreed to contact the Dunbar Township Board to request that they resubmit a cost share request to this board for the three culverts.

**DRAIN NO. 11 CULVERT AS PER LLOYD PTACEK REQUEST:** The motion in the September 17, 2015 minutes still applies, whereby Mr. Ptacek agreed to pay the cost of the culvert and the water board will hire a licensed contractor to do the work (contractor work not to exceed \$7,700). Sean reiterated the Board must retain a licensed contractor to install the culvert; the Board cannot allow Mr. Ptacek to install the culvert.

**DRAIN NO. 2:** Manager Engst provided an estimate from Comstock Construction for the project of \$13,100 to clean out approximately 1.5 miles of drainage ditch and install culverts at 2 crossing locations, including leveling the spoil bank, rip rap and removing volunteer trees in the right of way. Exclusions include the culvert material supply, seeding and winter conditions. Actual costs to be tracked on time and material basis and invoiced accordingly. Manager Zetocha made a motion seconded by Manager Martinson to hire Comstock Construction, Inc. up to an amount not to exceed \$13,100, to proceed with the Drain No. 2 project and to borrow funds from the General Fund to complete the project. Upon roll call vote, the motion carried unanimously.

**EMERGENCY ACTION PLANS (EAP's) FOR DAMS:** Chris Gross informed board members that letters have been sent to the State Engineer requesting cost share on the Nelson and Brummond-Lubke Dams to develop Emergency Action Plans. Frenier Dam and Silver Lake Dam do not need EAP's.

**DRAIN NO. 7 (AKA SC WATER CHANNEL # 1):** Chris Gross presented a Proposal for Developing Drain No. 7 Channel Improvement Project in Sections 5 and 6 of Milnor Township to include: 1) Watershed Hydrology & Calculation of Peak Discharges; 2) Preliminary Data Collection, Channel Hydraulics, Channel & Culvert Design; 3) Develop Preliminary Plans, Develop Cost Estimate and attend WRD meetings for a total cost of \$17,755.00. This is a project that can be cost shared by the State Water Commission (SWC) at 35% leaving a local cost of \$11,540.75. Motion by Manager Engst and second by Manager Bosse to authorize Moore Engineering, Inc. to proceed with the proposal and request cost share from the SWC. Upon roll call vote, the motion carried unanimously.

**NDDOT DRAINAGE ON HIGHWAY RIGHT OF WAY:** Acknowledged receipt of a Request for Drainage on Highway Right of Way in Section 32-131-58 for Dickey-Sargent Joint Water Resource District to create a connecting ditch from Lake Taayer to the end of the Jackson Township Drainage Improvement District No. 1 legal assessment drain. The improvement is proposed to be 10 feet wide with 3:1 slope. The ditch and side slopes will be constructed outside the clear zone and the site will be neatly shaped and seeded following construction. Sean explained that, while the Board does not have jurisdiction to “approve” ditch work in NDDOT right of way without a surface drainage permit application to consider, NDDOT has explained they need the Board to provide “approval” to meet their federal highway requirements. Motion by Manager Zetocha to approve the NDDOT Request for Drainage on Highway Right of Way, seconded by Manager Martinson. Upon roll call vote, the motion carried unanimously.

Meeting adjourned at 12:35 p.m.

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LUCAS SIEMIENIEWSKI – CHAIRMAN

ATTEST:

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SHERRY HOSFORD – SECRETARY-TREASURER