

**MINUTES OF THE MEETING OF THE SARGENT COUNTY WATER RESOURCE BOARD HELD ON THURSDAY, OCTOBER 16, 2008 AT 7:00 P.M. IN THE COMMISSIONERS ROOM, SARGENT COUNTY COURTHOUSE, FORMAN, ND**

Managers present: Mark Breker, Richard Engst, Dan Jacobson, Roger White and Jim Bosse. Absent None.

Approve September 18, 2008 minutes and September 2008 financial statement. (White/Jacobson, unanimous)

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

59710 James Bosse	Travel	16.20
59711 Mark Breker	Travel	16.20
59712 Richard Engst	Travel	44.10
59713 Dan Jacobson	Travel	2.70
59714 Moore Eng.	Keystone-62.50, Application to Drain No. 3293\$	
\$125.00		187.50
59715 Ohnstad Twichell	Attorney fees-General-\$280.00	Drain
11/pipeline easement-\$75.00, Drain No. 4 reassessments-\$131.40		486.40
5716 Roger White	Travel	27.90
2527 Mark Breker	1 PD less 6.12	73.88
2328 Danny Jacobson	1 PD less 6.12	73.88
2529 Sherry Hosford	Sec. salary less 20.40	246.27
2530 Richard Engst	5 PD less 30.60	369.40
2531 Roger White	2 PD less 12.24	147.76
2532 James Bosse	2 PD less 12.24	147.76
DD Sargent County Bank	Taxes and withholding	177.57

Rick Hoistad met with the Board to discuss cleaning out the ditch from the Wild Rice River to the highway. There is lots of water and it is flooding out a stock pond. It is approximately one mile in Section 1 and 2-129-56. Board members will discuss the procedure for cleaning the Wild Rice River with Attorney Sean Fredricks. Mr. Hoistad also voiced concern over flooding occurring near Silver Lake from an earlier project to raise Silver Lake Dam. There are also beaver dams that are creating flooding that he would like removed. Authorize Hoistad to remove the beaver dams. A rock crossing between Section 4 & 5 in Weber Township is washing away and needs repairs. The township has jurisdiction over this site on a section line.

**UNFINISHED BUSINESS:**

Mark Breker reported that he was unable to attend the meeting on September 24 for Bridge 127-20 with county and state officials. The bid opening is scheduled for April 2009.

Received a letter from ND Dept. Emergency Services regarding an audit for small projects for disaster #1376. Supporting documents and vouchers were reviewed and recommendations made for future disaster accounting.

Attorney Sean Fredricks arrived at the meeting at 8:25 p.m.

Mr. Fredricks explained that regarding Mr. Hoistad's concerns, this Board has no legal responsibility to clean out this area unless it is in a legal or assessment drain or the Board creates a snagging and clearing project. It is difficult to justify spending money from the General Fund for any project that does not have an assessment area. If it is siltation in the river, landowners can go in and clean if all adjacent landowners are favorable; landowners are solely responsible for obtaining any requisite permits from the Corps or from NRCS. Beaver dam removal in the river is generally acceptable, as long as the landowners are simply returning the river to its prior condition, and as long as the adjacent landowners agree, according to Attorney Fredricks.

Fees for permits - Sean Fredricks provided information on suggested fees for charging applicants for the administration of state drainage permits. It was moved by Manager Jacobson and seconded by Manager Engst to require a deposit of \$250 for the administration of state *Application to Drain* forms and a deposit for \$500 for the administration of state *Application to Drain with Drain Tile* forms and that the permit applicant has to pay all legal and engineering fees and costs over and above those amounts prior to the Board acting on the permit application. If costs are less than the flat fee, the applicant gets a rebate. Upon roll call vote, the following Managers voted in favor: Jacobson, Engst, White, Breker and Bosse. Motion carried. Attorney Fredricks will prepare a policy resolution.

Weber Township Board of Supervisors sent a letter to the Board regarding Joe Breker's tile project. The township felt that this Board and Mr. Breker should have contacted them to obtain permission from the township prior to placement of the tile. Attorney Fredricks explained the Board's decision on permit 3278 did not include any condition regarding township approval because the application showed the tile discharging into an existing man-made drain, and not into any township right of way. Similarly, the Board's decision on permit number 3293 did not include any condition regarding township approval because the application

showed the tile discharging into a legal drain, that empties into the Wild Rice; the application did not show any use of township road right of way. In those instances where a tile project will not include any use of township road ditches, the Board does not ordinarily require any township approval. Attorney Fredricks will send a letter of response to the township from this Board.

The Board received a proposal from Titus Excavating Inc. to install 980 feet of 15" tile, two tees and caps in Cogswell City. Discussion followed that three tees should be installed and also a grate. Jim Bosse will contact Mr. Titus to confirm this additional tee and grate. Accept proposal from Titus Excavating Inc. for \$23,520 (980 feet @ \$24.00/foot) (Jacobson/Breker, unanimous)

Richard Engst reported and provided photos of the work completed on the SC Water Channel Imp. # 1 in Milnor City including removal of the culvert and replacement of the culvert on the golf course road. The Sundale Hutterites removed and reset the culvert. No bill has been presented. City of Milnor will pay 50% of the total cost.

Meeting adjourned at 9:55 p.m.

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JAMES BOSSE - CHAIRMAN

ATTEST:

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SHERRY HOSFORD - SECRETARY