

MINUTES OF THE MEETING OF THE SARGENT COUNTY WATER RESOURCE BOARD HELD ON THURSDAY, NOVEMBER 16, 2017, AT 8:00 A.M., IN THE COMMISSIONERS ROOM, SARGENT COUNTY COURTHOUSE, FORMAN, NORTH DAKOTA

Managers present: Lucas Siemieniewski, Bruce Speich and Todd Stein. Absent: Roger Zetocha and Korey Martinson. Also present: Sean Fredricks, Board Attorney; Chris Gross, Board Attorney; Paul Mathews, Cogswell; Gerry Bosse, Cogswell; David Jacobson, County Commissioner; Forman.

Approve October 19, 2017, minutes and October 2017 financial report. Manager Speich moved to approve. Manager Stein seconded the motion. Absent and not voting: Martinson and Zetocha. Upon roll call vote, the motion carried unanimously.

Manager Speich moved to approve payment of the following bills:

76079	Helwig Excavating	Dr# 12 cleaning	\$6,390.00
76080	Moore Eng. Inc.	General-\$951.10; Gwinner Dam - \$895.00; Shortfoot Creek Study - \$14,373.45; Dr#4-\$170.00;	
		= TOTAL	\$16,389.55
76081	Ohnstad Twichell	General-\$1,053.00; Gwinner Dam-\$123.63; Kelley-Hemminger-Rust complaint-\$55.50; Delahoyde-Quandt complaint-\$185.00	
		Engineering Selection-\$199.06; Dr#7 project-\$1,047.19; Dr# 4-Hoistad Litigation-\$725.00; McGregor-Quandt complaint-\$802.78; Heimbuch tile-\$413.69; Quandt tile-\$340.66	
		= TOTAL	4945.51
76082	Lucas Siemieniewski	Travel	56.71
76083	Bruce Speich	Travel	26.75
76084	SRT Excavating LLC	Dr# 7 cleaning and install culverts – Section 11& 14	6250.00
76085	Todd Stein	Travel	8.56
76086	Tru North Steel	Dr#7 – culverts and gates	3325.33
14249	Sherry Hosford	Salary less taxes 493.92	1506.08
14250	Lucas Siemieniewski	3 PD less 27.54 taxes	332.46
14251	Todd Stein	1 PD less 9.18 taxes	110.82
14252	Bruce Speich	1 PD less 9.18 taxes	110.82
DD	Sargent County Bank	Withholding Taxes	770.72

Manager Stein seconded the motion. Absent and not voting: Martinson and Zetocha. Upon roll call vote, the motion carried unanimously.

DRAIN NO. 7: Manager Siemieniewski and Manager Speich reported that SRT Excavation, Wyndmere completed the work on Drain #7 east of Milnor. The project consisted of removing three beaver dams; excavation, grade and install three 24” x 40’ inlet culverts; excavation, grade and install one 24” x 60’ inlet culvert and install four 24” flapgates and excavate two inlet ditches. The work completed was located in Sections 11 and 14 of Milnor Township along 143rd Ave. SE. Total cost of the project including labor and culverts was \$9,575.33.

DRAIN NO. 12: Helwig Excavating Inc. submitted a bill for cleaning and leveling spoil pile along Dr#12 in Section 7 of Marboe Township. The work has been completed – 20.5 hours of cleaning drain and 14 hours of cleaning and leveling spoil bank and 1 hour mobilization. Total bill was \$6,390.00.

DRAIN NO. 4: Sean Fredricks reported to the board that Chris Gross has Ok’d the legal description and an Access Agreement has been prepared with said description. Lukas Andrud, Ohnstad Twichell is working with the Forman City Attorney to complete the real estate transactions under the board’s Purchase Agreement and the Settlement Agreement.

ENGINEERING SELECTION PROCESS: This process is required for the board to qualify for State Water Commission cost-share for engineering. The Request for Proposals was published in The Teller and deadline for Qualifications Statement was due to the water board office by 5:00 p.m. Wednesday November 15. One proposal was received from Moore Engineering, Inc. Manager Stein made a motion to approve a SECOND REPORT to identify the firms that applied and to set interviews. Manager Speich seconded the motion.

DRAINAGE COMPLAINT FILED BY JACKSON TOWNSHIP/DAN DELAHOYDE AGAINST QUANDT BROTHERS: Paul Roney, Oakes; John Quandt, Oakes; Dan Delahoyde, Cogswell; and Mike Walstead, County Commissioner arrived at the meeting. David Jacobson, Chairman of the County Commission reported that the county commission had discussed this complaint on Tuesday at a regular meeting of the commission and David feels that the entire ditch should be filled in as Mr. Quandt did not receive permission from the county to do work in the county right-of way before the project was constructed. Mr. Quandt apologized and said that he thought Sparky Engquist, road supervisor, had taken care of the request but permission was not applied for until the project was done. Dan Delahoyde asked if the county road ditch between Section 18 and 19 Jackson Township was of statewide significance and Sean Fredricks replied that

Permit No. 4926, which has been approved by this board was not of statewide significance. Chris Gross had earlier determined that the drainage basin exceeded 80 acres (63.09 in the SW1/4-17 and 24 acres in the SE1/4-18) and this would need a permit. Mr. Quandt contends that these two watershed contribute water in different directions and not the same water basin. Paul Roney, landowner, proposed that he could put a 0.3 foot berm on top of the field edge for the 100 feet where the ditch edge is .1 feet lower than what was determined to flow north. This would force the 24 acres to drain north instead of west and would remove it out of the total 87.09 acres that Moore Engineering determined last month. Paul Roney said he can do the work today and asked water board members to drive by this evening to view the completed work. John Quandt would also drive the constructed berm to collect elevation data and will provide that to Moore Engineering for their records. Manager Stein agreed to follow-up with the inspection. At the December water board meeting, this issue will again be discussed to see if the complaint can be dismissed.

PAUL MATHEWS/ND SUPREME COURT: Mr. Mathews presented a handout to board members, board attorney and board engineer which contains notes from a Supreme Court decision on Drain No. 11 located in Section 23-130-57. Photos Mr. Mathews provided from 2001 and 2014 show spoil bank on the south portion of land where Drain No. 11 flows. No action taken.

Meeting adjourned at 9:20 a.m.

LUCAS SIEMIENIEWSKI, CHAIRMAN

ATTEST:

SHERRY HOSFORD
SECRETARY-TREASURER