

MINUTES OF THE MEETING OF THE SARGENT COUNTY WATER RESOURCE BOARD HELD ON THURSDAY, NOVEMBER 17, 2005 AT 9:30 A.M. IN THE COMMISSIONERS ROOM, SARGENT COUNTY COURTHOUSE, FORMAN, ND

Managers present: Mark Breker, Randy Ptacek, Roger White and Richard Engst. Absent Dan Jacobson.

Approve October 20, 2005 minutes and financial statement. (Engst/Ptacek, unanimous)

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

53622 Mark Breker	Travel	53.55
53623 Dakota Improvement, Inc.	Dr. # 11 - install piling	676.00
53624 Doran's Repair Service	Dr. # 11 beaver/tree removal	490.00
53625 Richard Engst	Travel	78.20
53626 Heitkamp Construction Co.	Silver Lake Stabilization	46142.00
53627 Randy Ptacek	Travel	8.50
53628 Sargent County	Final Bridge 105-01	2875.29
53629 Roger White	Travel	102.43
53695 Mark Breker	3 PD less 13.77	166.23
53696 Sherry Hosford	Sec salary less 20.40	246.27
53697 Richard Engst	5 PD less 22.95	277.05
53698 Randy Ptacek	1 PD less 4.59	55.41
53699 Roger White	5 PD less 22.95	277.05
DD Sargent County Bank	Withholding taxes	170.39

OLD BUSINESS: Richard Engst reported on the status of the culvert lowering in Milnor City from Storm Lake. Sandy Hanson is working on the permit process from the Corps of Engineers. The Board discussed the request from Milnor City to pay a portion of the bill incurred from the Sundale Colony and agreed to table a decision until next month.

Roger White arrived at 10:10 a.m.

Jason Asche, Gwinner, Dennis Brezicka, Dunbar Township Chairman, Sparky Engquist, Road supervisor and Mike Walstead, Chairman of the County Commission and James Mahrer, landowner arrived at the meeting to discuss culvert sizes along County No. 1 between Sections 13/14/23/24-131-55. Sparky explained the problem with the field access culverts along the county road. He is proposing between Sections 13/24 to replace a 36" with a 48" squash to handle the water that is flowing in the road ditch. Sparky contacted USFW at Tewaukon Refuge and he is suggesting that the landowners and township also contact USFW to discuss their concerns. Water Board members would like to inspect the site before approving upsizing the culvert. A meeting was scheduled for 1:00 p.m. on November 18th.

David and John Totenhagen met with the Board to review the culvert problem in the N1/2-7-132-56. David is still not satisfied with the situation and is asking that the dirt that was placed in the ditch be removed. Jason Asche filled in the trench but claims he did not place any additional fill in the ditch. The Board feels this is a civil matter and does not involve the Water Board. David feels he has been cooperative and willing to hold water in this area. Chairman Breker suggested contacting the township to request a culvert in the approach. David Totenhagen agreed to submit a written complaint outlining the problem, the Board would review and make a decision.

Doran Mallberg, Cogswell met with the Board to ask the Board to level the spoil bank at the outlet of Drain No. 11. The Board has a 1740' x 50' wide easement for a part of this area. Doran has burned off the ditch it has been dredged on the north side and there is no way for the water to get back in to Drain No. 11. There is also a berm on the south side and no way for the water to get back in to the ditch. Upon review of the files, the cleaning of the cattails in 1995 was an emergency project funded by FEMA to relieve pressure for the City of Cogswell. The Board will check with their attorney or engineer to see who is responsible to level the berm on the outlet to Drain No. 11 and the Wild Rice River. Doran and Roger White also looked at the spoil bank leveling project in N1/2-7-129-56. Doran's equipment is not large enough to do the work and Roger suggested that the Board contact the Sundale Colony to see if and when they can do the work.

The Board discussed the Head of the Mountain Nature Preserve Lease Agreement. Several questions and concerns were discussed by the Board and agreed to set up a meeting with ND Parks and Recreation for the December meeting.

The Office of the State Engineer sent the Board a Perfected Water Permit No. 5109 for the storage of 286.3 acre-feet of water out of which 11 acre-feet would be used to offset evaporative losses, for recreational purposes at Silver Lake Park. This permit should be recorded with the County Recorder. It remains in effect as long as the water is being appropriated to a beneficial use, in such a manner, and at such location as is described in the permit. If this should be abandoned or if the Board fails to appropriate water under this permit for three successive years other than good and sufficient cause as determined by the State Engineer, the

permit my be subject to cancellation. The Secretary was instructed to file the permit with the Recorder.

Approve request from ND State Water Commission to reimburse a total of \$225 for 2006 for educator's in the county to participate in the Discover Today's James and Sheyenne Rivers Institute. (White/Engst, unanimous)

Mark Breker informed the Board that Joe Lyons has been working on beaver control on Drain Nos. 3 and 12. Mark also looked at the Wild Rice crossing and the water is low enough that it is running over but the culvert appears to be plugged at this time. He will check again later. He also looked at Frenier Dam tower and everything looks good.

Mark, Roger and Richard accompanied Steve Perry, FEMA and John Wirries, Moore Eng. on October 25 to look at Drain No. 11 for FEMA reimbursement. Another inspection will be conducted on November 18th for cost estimates.

Richard Engst reported on Tri-County Drain work that is being proposed and the replacement of culverts that are restricting the flow of water.

Meeting adjourned at 1:10 p.m.

MARK BREKER - CHAIRMAN

ATTEST:

SHERRY HOSFORD - SECRETARY