

DRAFT

MINUTES OF THE MEETING OF THE SARGENT COUNTY WATER RESOURCE BOARD HELD ON THURSDAY, DECEMBER 20, 2012 AT 9:00 A.M., AT THE FORMAN CITY HALL, FORMAN, NORTH DAKOTA

Managers present: Chris McFarland, Jim Bosse, Mark Breker, Richard Engst, and Roger White. Absent: None. Also present: Mike Opat, Moore Engineering, Inc and Tom Jones, NRCS.

Approve November 15 and 28 minutes and December 13, 2012 minutes and November financial statement. (Bosse/Engst, unanimous).

Approve the following transfers: To General Fund from Dr # 8 - \$1,400; to General Fund from Dr # 9 - \$14,000; from General Fund to Dr # 12 - \$51,550. (Engst/Breker, unanimous)

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

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| 66970 Forman City | Dr # 4 payment | 63,132.00 |
| 67099 James Bosse | Travel | 807.40 |
| 67100 Mark Breker | Travel | 59.94 |
| 67101 Richard Engst | Travel | 599.50 |
| 67102 Heitkamp Construction | Tewaukon Watershed cleaning | 3,740.00 |
| 67103 Jerry's Backhoe Service | Dr # 11-beaver control | 420.00 |
| 67104 Chris McFarland | Travel | 208.10 |
| 67105 Moore Engineering, Inc. | Shortfoot Creek Study-\$627.50; Dr # 4-\$5,370.09; | |
| Dr # 7 Hazard-Mitigation-\$2,293.97 = | | 8,291.56 |
| 67106 Ohnstad Twichell | Attorney fees-General-\$852.00; Loren David permit-\$48.00; Roger Even complaint-\$15.00; Kiefer, Lee, Pherson complaint-\$182.10; Joe Breker land sale - \$48.00; Rick Hoistad Eminent Domain - Dr # 4 - \$300.00; Dr # 9-Reassessment-\$224.00; Dr # 11-Paul Mathews-\$388.00 = | 2,057.10 |
| 67107 Doug and Janel Ruby | Dr # 7 - move tree | 110.00 |
| 67108 TrueNorth Steel | Culvert-Dr # 11 | 11,526.68 |
| 67109 Roger White | Travel | 627.90 |
| 67110 Johnson Excavating | Dr # 7 project | 60,549.42 |
| 7785 Sherry Hosford | Salary less 17.89 taxes | 298.78 |
| DD Sargent County Bank | Withholding taxes | 43.38 |

Roger Zetocha, Stirum met with the Board to request permission to clean an area along the E1/2-30-132-57 that has muskrat damage and filled with silt. Mr. Zetocha plans to make an open channel and reclaim the land that has been lost due to high water. The Board reminded Mr. Zetocha to work with NRCS and this Board will send Mr. Zetocha a form for Surface Drainage for completion and remittance to the State Water Commission.

Mike Opat discussed with the Board the progress of Drain No. 7 and presented a revised cost summary. The total project cost is estimated at \$292,183.87 with \$146,063.00 from FEMA Hazard Mitigation funding, \$19,475.00 from the State, \$46,290.62 from Milnor City, and \$40,177.62 from both the Water Board and County Commissioners. The work unfinished at this time includes the aggregate base, fabric and asphalt, which will be completed in the spring. Change order No. 2 for \$4,323.00 for additional material along the box culvert and Change Order No. 3 for \$41,000 for the amount agreed upon for boring the water main were reviewed. Motion to approve both Change Orders. (Engst/Bosse, unanimous) Mike also presented Partial payment No. 3 for pipe removal, rip rap, filter, site grading and seeding for \$60,549.42. Motion to approve payment pending the signed documents from Johnson Excavating and Moore Engineering, Inc. (Engst/Bosse, unanimous)

Frenier Dam project for proposed work located in the SE1/4SE1/4-8-129-54 LTL was discussed and Mike informed the Board that regarding the Dept. of Army permit that no permit is required, only a notice of intent to complete the project. Motion to authorize the Chairman and Secretary to sign the Cost-Share Agreement between the Red River Joint Water Resource District and the Sargent County Water Resource District for a maximum of \$113,878, which is 65% of the non-federal, non-state costs of eligible items. (Engst/Breker, unanimous)

The Dickey-Sargent Joint Water Resource District is requesting approval to pay a bill to Moore Engineering, Inc. for \$9,680 for project development on the state wide permit and water quality modeling report thru November 23, 2012. Motion to approve. ((Bosse/Breker, unanimous)

The Board proceeded to conduct a hearing on the Reassessment of Drain No. 9. Those present were Larry Malpert, Hecla, SD; John Fisher, Britton, SD; Jeffrey Mills, Britton, SD; W.E. Smith, Forman; Harlan Klefstad, Forman; Kelly Cooper, Cogswell and Bernard Planteen, Cogswell.

Mike Opat provided a handout and reviewed the contents including a map with the existing Drain 9 and Drain 11 boundaries, the new boundary for Drain No. 9 and the proposed percentage of assessments. Mike asked for comments regarding the boundary line and no objections were noted. Kelly Cooper inquired on how quickly the water would drain off Sections 16 and 21 in Brampton Township and if new drain would be constructed. No new drains are planned unless individuals go through the permitting process. All percentage amounts were reviewed by Mike and asked for comments and no comments were received. Bernie Planteen suggested to the Board that when work is planned for various areas of all drain that the Board has some communication with the landowner to inform them of the work that will be done. Kelly Cooper talked briefly on wetland, mitigation and duck ponds. Tom Jones responded on costs and the process.

Hearing no additional comments on the Drain No. 9 Reassessment the hearing was closed at 10:30 a.m. The Water Board will review the maps and make their final decision of the proposed assessment area at their January 2013 meeting.

Pat Downs, Executive Director and Keith Westin NRCS representative from the Red River Basin Commissioner met with the Board to discuss a possible WRP site in Sargent County. The proposed site is located in the South ½ of Section 14-132-58. They would like to build a retention structure or dike to hold one to two feet of water after a rain. There are 30 year easements that are offered and 75% of the construction cost is paid for by the Red River Basin Commission; 65% of the local share by the ND State Water Commission and a percentage by the Red River Joint Water Resource Board. There would be no cost to this Board. RRBC needs a sponsor for this project and would then explore opportunities on storage and impacts to downstream land. Tom Jones further explained the concept of WRP which is a structure with a controlled elevation and the water would go back to the natural flow condition. Ground water saturation could be a concern but surface water conditions could be done without pushing water on to anyone. They would use stop logs or gates for control. This Board is in control of the project because it is the inlet to Drain No. 11 and a management plan would be written addressing the opening and closing options. The discussion continued and several questions asked. Mr. Westin agreed to analyze the well data and look at the effects to ground water. They will do their research and report back to the Water Board at a later date.

Discussed briefly options for Drain No. 8 south of Rutland. Board members will continue to look at what can be done with the drain.

Mark Breker reported on the damaged culverts on Co. # 5 between 6 and 7 of Marboe Township. Mark would like to see this fixed with a box culvert and this would be cost-shared with the County Commissioners. Mark will talk with Chad Engels to develop a proposal and cost plan.

ND Dept. of Transportation is replacing a bridge on ND Highway 32 approximately 6 miles north of the North Dakota/South Dakota border between the NE1/4 Section 1-129-56 and the NW1/4-6-129-55. NDDOT is soliciting comments from this Board on this project. No comments were made.

The meeting adjourned at 11:40 a.m.

CHRIS MCFARLAND – CHAIRMAN

ATTEST:

SHERRY HOSFORD - SECRETARY