

*These are DRAFT minutes, subject to amendment before final approval by the Sargent County Water Resource District.*

**SARGENT COUNTY WATER RESOURCE DISTRICT**

**Meeting Minutes**

**Thursday, June 18<sup>th</sup>, 2026 at 8:00 a.m.**

The Sargent County Water Resource District met on Thursday, June 18<sup>th</sup>, 2026, at 8:00 a.m., in the water resource district board room at the Sargent County Courthouse in Forman, North Dakota. The following Board members were present: Chairman Luke Siemieniewski, Vice-Chairman Michael Wyum, Managers Todd Stein and Roger Zetocha. Also present were Wendy Schmiess Secretary/Treasurer, Nathan Trosen of Moore Engineering, Yaping Chi of the Red River Joint Water Resource District and Brian Fuder of the Red River Retention Authority, landowner Richard Ruch, and landowner Ben Reisenweber from Weber Township. The following were also present virtually: Attorneys Sean Fredricks and Katie Schmidt, Ohnstad Twichell; Andrew Smith, Moore Engineering; and an unidentified caller "CC".

**Public Comment:** None

**Minutes**

Manager Wyum moved to approve the May 21<sup>st</sup>, 2026 regular meeting minutes, and the April 2026 financial statement. Manager Zetocha seconded the motion. Upon roll call vote, the motion carried unanimously.

**Bills**

The Board considered the following bills:

**Ohnstad Twichell-** R. Lindvall-Tile App \$637.50; Emails/culvert policy/Bd. mtg. \$1314.00; Widmer complaint \$637.50; B. Vculek-Tile App \$510.00; Drain No. 11 Jerry Meide ROW \$510.00

**Total: \$3,609.00**

**Moore Engineering-**Mtgs./mailing \$1,368.00; Permits-\$228.00; Drain No. 8-Rutland City Council mtg./prep-\$1,026.00/mtg. mileage \$131.23; Drain No. 9 ext.-public input mtg. prep-\$497.50;

**Total: \$3,250.73**

**Hadley Bosse-** 1 beaver (Section 6, South Branch of Drain No. 11)

**Total: \$50.00**

Manager Stein moved to approve the bills as presented. Manager Zetocha seconded the motion. Upon roll call vote, the motion carried unanimously.

**UNFINISHED BUSINESS:**

**Drain No. 11:**

Manager Stein asked Attorney Fredricks if there have been any updates on the Widmer/Zetocha complaint filed by Widmer. Fredricks indicated the Administrative Law Judge conducted a hearing this week. The appeal hearing is currently pending. Attorney Fredricks has communicated to the AG's office and to the Office of Administrative Hearings that the SCWRD will not likely play a direct role in the appeal hearing since the SCWRD is not a party to the appeal and would prefer not to expend dollars on the matter; rather, the Department of Water Resources affirmed the SCWRD's dismissal of Widmer's complaint and Widmer appealed DWR's decision. The SCWRD is not a direct party in the appeal. The Attorney General's Office will represent DWR and DWR's dismissal of the complaint. The Office of Administrative Hearings indicated they will continue to provide documents to Fredricks as the Board's counsel but they understood SCWRD's preference not to participate directly. Fredricks also noted that the State of North Dakota agreed with the SCWRD that no permit was required for the Zetochas' tile project and further agreed that, in light of the SCWRD's issuance of a tile permit, the SCWRD's dismissal of the complaint was proper.

Attorney Fredricks stated that he has not received any additional correspondence from Mr. Jerry Meide or his attorney since Fredricks' correspondence with Meide's counsel. Trosen and Schmiess have not heard anything either.

**Drain No. 4:**

No update.

**Drain No. 2:**

No update.

**Drain No. 7:**

City of Milnor Walking Path: Trosen provided an estimate to determine the SCWRD's existing Drain 7 right of way in this vicinity, the portion of the Drain within the City of Milnor and downstream to Highway 13. Moore estimates the cost to do the research of the available documents would be approximately \$5-6,000. To perform a full metes & bounds survey, including field work to shoot section corners/monumentation pins, Trosen estimated the cost would be \$10-12,000.

Chairman Siemieniewski said we should table this matter as the City of Milnor has also tabled it at this time. The Board agreed.

**Drain No. 9:**

Chairman Stein said that there is a plugged culvert on a section line (north side of Sections 20/17), on a no maintenance road, that needs to be removed because it creates no efficiency of flow due to its condition. Stein said the culvert is shot.

A motion was made by Manager Stein and seconded by Manager Zetocha to authorize Havana Dirtworks, LLC (Ben Reisenweber, principal) to remove the culvert and contour the side slopes of the area, with a not-to-exceed amount of \$10,000, contingent upon receipt of evidence of the company's contractor license. Upon roll call vote, the motion carried unanimously. The Board noted that if Reisenweber disposes of the culvert, he can include that fee on the invoice provided for the removal, again, within the \$10,000 not-to-exceed cap.

The County Road 5 culvert appears to be too high and undersized. Trosen said the existing culvert is a 72" pipe and it does not meet stream crossing standards. Trosen discussed two improvement options:

1. Add an additional 48" pipe to the crossing which would be the minimum additional culvert needed to meet stream crossing standards. The cost would be around \$50,000.
2. Install an 8' x 6' box culvert. The cost for materials and install would be around \$200,000.

If the box culvert option is desired, the SCWRD could approach the Sargent County Commission for 40% cost-share for the section line crossing. It would take about 2-6 months for the box culvert to be fabricated & delivered. It was decided to see what the discussion is at the Drain No. 9 / Wild Rive Maintenance District Public Input meeting to get direction. It was also suggested to get on the Commission agenda for 7/7/26 to discuss cost-share of this improvement.

**Drain No. 9 /Wild Rice Maintenance District:**

**Public Information Meeting: Drain No. 9 /Wild Rice Maintenance District  
Cogswell Community Center  
Thursday, June 18<sup>th</sup>, 2026  
1:00 p.m.**

**Drain No. 8:** The study for this improvement project has been finished and the cost-share is exhausted. The Board will wait to hear from the City of Rutland in how they would like to proceed.

**Cogswell Tile:** The NDDDES has approved/awarded this project under the 2023 BRIC Grant. The Board will await the official award and contract.

**Drain No. 12:**

No update.

**Short Foot Creek:** Trosen said Moore is waiting to hear back from the NRCS federal office. Trosen said he hopes to have the planning process complete by the end of the summer. Cost-share for this Plan is exhausted.

**Silver Lake Dam:** Trosen reported that the DWR had a question regarding a certain type of material that will be used in this improvement project. As a result of this question, further review by the DWR is necessary. Trosen said that the State has not issued a permit for this project at this point.

**Tewaukon District:**

No update.

**Dam Inventory:**

No update.

**NEW BUSINESS:**

Red River Joint Water Resource District and Red River Retention Authority

Ms. Yaping Chi is an engineer for both the Red River Joint Water Resource District (RRJWRD) and DWR. The RRJWRD has been working on a dam prioritization and rehab study. Chi said that many dams in the state were built by the NRCS or other federal agencies. By statute, these aging dams are typically the responsibility of the Water Resource Districts.

Chi said that there are currently 37 dams in the basin that will be included in the study. Sargent County has three dams listed on the rehab list:

- Frenier Dam-Low
- Nelson Dam-Medium
- Brummond/Lubke Dam-Medium

Trosen mentioned that Silver Lake Dam was not on Chi's list. Chi made a note and will look into this.

Chi said that the RRJWRD is funding the dam rehab study. She explained the hazard conditions that are used to rate the hazard classification of the dams from high to low. Trosen said that he and Josh Hassell provided comments to the RRJWRD on behalf of the SCWRD that have been included in the evaluations.

Manager Zetocha asked what the board would do if improvements were suggested. Trosen said that the board could request 60% cost-share from the SWC and could then request 65% of the remaining costs from the RRJWRD. The district would pay what remained.

The board thanked Chi and Fuder for their presentation.

JAC Predator Agreement: Fredricks prepared a draft agreement with JAC. A motion was made by Manager Stein and seconded by Manager Zetocha to approve the JAC Predator Agreement. Upon roll call vote, the motion carried unanimously.

Surface Drain Permits: On April 1<sup>st</sup>, DWR's new Administrative Code provisions regarding surface drain permitting went into effect. Fredricks noted that the ND WRD Association supported the rule changes and appreciated the time and effort DWR put into their process, and for considering the comments submitted.

In light of the new rules, DWR will still review surface drain applications, will still conduct their "statewide or interdistrict significance" review, and will still issue a Record of Decision to the local WRD. That is the point where the process has changed. Fredricks explained the changes and presented draft permit documents WRDs may utilize when processing surface drain permits. Fredricks noted that the SCWRD will not see much of a change when considering surface drain applications since Fredricks and Trosen developed the new WRD process, with input from DWR.

Sargent Central-Building Fund Levy: The SCWRD received correspondence from Sargent Central regarding the opt-in to receive refund of building fund levy (tax years 2017-2023). Schmiess checked into all the parcels the SCWRD owns, and none would qualify for a tax refund due to them either having only a special assessment attached or having the tax being charged from a different school district.

Weber Township Culvert Cost Share Request: Ben Reisenweber of Weber Township approached the board for cost-share for (2) 36" culverts the township wants to bury in replacement of the existing culverts that were taken out. Damon Devillers of Interstate Engineering completed the hydrology study for the township and said the (2) 36" culverts is what is recommended to meet stream crossing standards. When culvert sizes are being reduced, Trosen stated a hydrology study needs to account for a 100-year event as to assure no structures are affected (homesteads, sheds, grain bins, etc.). After review of the study, Trosen requested further investigation into the 100-yr water elevation (contour lidar) by Interstate Engineering.

A motion was made by Manager Wyum and seconded by Manager Zetocha to approve a 1/3 cost-share of the (2) 36" culverts contingent upon submission of additional and acceptable data from Interstate Engineering that evaluates the 100-year event. Upon roll call vote, the motion carried unanimously. Trosen said he will reach out to Devillers to further discuss.

Through the discussion of cost-share, Reisenweber said that he is working on getting his contractors license and would be available for hire should the SCWRD need his services.

### **Dickey-Sargent Joint Board**

**DSJTB bills for approval:**

DVEC - electricity -	\$ 405.00
Agtegra-drip oil	\$ 61.05

A motion was made by Manager Wyum and seconded by Manager Stein to approve the bills. Upon roll call, the motion carried unanimously.

**April 2026 Financials:**

Maintenance Account Balance: \$ 67,468.90

Improvement Account Balance: \$574,354.54

**Richland-Sargent Drain #1 Maintenance Fund Financial Statement**

**Bills:**

Heritage Insurance-annual insurance \$ 578.00

A motion was made by Manager Zetocha and seconded by Manager Wyum to approve the bill as presented. Upon roll call, the motion carried unanimously.

**April 2026 Financials:** \$ 574,354.54

Chairman Siemieniewski said that there has been too much rain to do the drain clean out. He will continue to monitor it.

With no further business, the meeting adjourned at 9:12 a.m.

APPROVAL:

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Luke Siemieniewski-Chairman

ATTEST:

\_\_\_\_\_  
Wendy Schmiess  
Secretary-Treasurer