

MINUTES OF THE MEETING OF THE SARGENT COUNTY WATER RESOURCE BOARD HELD ON THURSDAY, MARCH 19, 2015 AT 9:00 A.M., IN THE COMMISSIONERS ROOM, SARGENT COUNTY COURTHOUSE, FORMAN, NORTH DAKOTA

Managers present: Luke Siemieniewski, Jim Bosse, Roger Zetocha, and Richard Engst. Absent: Chris McFarland Also present: Attorney Sean Fredricks; Chris Gross, Engineer; Kari Gregor, Erickson Farms, Milnor; Brian and Katie Vculek, Crete; and Tom Jones and Ty Macheledt, NRCS.

Approve the February 19, 2015 minutes and February financial statement. (Zetocha/Bosse, unanimous)

Motion to approve payment of the following bills: (Bosse/Engst, unanimous)

71068	James Bosse	Travel	40.83
71069	Dickey County WRB	Secretary per diem and travel	654.10
71070	Richard Engst	Travel	74.75
71071	Moore Engineering, Inc.	General fees-\$569.25; Hoistad-\$145.00	714.25
71072	Ohnstad Twichell	General - \$910.00; Bergstrom/Pherson permit-\$131.00;	
	Engineering Selection-\$306.00 = Total		1,347.00
71073	Lucas Siemieniewski	Travel	25.30
71074	Starion Bond Services	Dr # 4-\$62,143.00; Dr #7-\$89,486.36	151,629.36
71075	Roger Zetocha	Travel	184.00
10635	Sherry Hosford	Salary less 101.54 taxes	868.46
10636	Richard Engst	3 PD plus less 27.54 taxes	332.46
10637	James Bosse	3 PD less 27.54 taxes	332.46
10638	Roger Zetocha	5 PD less 89.73 taxes	510.27
10639	Lucas Siemieniewski	1 PD less 9.18 taxes	110.82
DD	Sargent County Bank	Withholding taxes	445.72

The Board received a letter of resignation from Chris McFarland addressed to the Sargent County Board of Commissioners. Effective date of the resignation was March 3, 2015. Discussion followed on Chris' vacancy and the great loss to the Board. According to North Dakota law and Robert's Rules of Order, Lucas Siemieniewski automatically becomes the Chairman for the remainder of the year (until the next reorganization). The floor was open for nominations for vice-chairman. Motion to appoint Roger Zetocha as Vice-Chairman. (Engst/Bosse. Motion nominations cease and a unanimous ballot be cast for Mr. Zetocha. Motion carried.)

The county commissioners will advertise this open position and make an appointment on April 7, 2015.

**GWINNER DAM AND DRAIN NO. 8:** – Chris Gross informed Board members that the State Water Commission met on March 6<sup>th</sup> and they will be reviewing the projects for approval of cost share and be in contact with Chris.

**DRAIN NO. 11** – Chris Gross presented an engineering proposal for a study entitled the Upper Wild Rice Watershed Study. He explained the four tasks included in the proposal, the estimated total engineering fees, and the timeline to complete the work. The tasks include: developing sub-basin hydrology; hydraulic modeling and incorporation of retention; cost estimates and a study report. Discussion followed on possible retention sites and Chris explained the study will look at some of the non-productive land along the drain that could serve as retention sites. Brian Vculek questioned if retention is really what the landowners wanted along the drain. Chris explained that retention is just part of the project study and that if the drain is ever fully reconstructed, some sort of retention will be necessary to mitigate downstream impacts. Motion to authorize Moore Engineering, Inc. to proceed with the Upper Wild Rice Watershed Study and request cost share from the State Engineer. (Bosse/Engst. Roll call. Aye: Bosse, Engst, Zetocha, Siemieniewski. Nay: None. Motion carried.

**TILE DRAIN PERMITS:** A request was made by Brian Vculek to give permission to individual tile drainage permittees to start using their subsurface tile pumps this spring. Chris and Sean explained that since the spring runoff event is over, that pumping would be allowed to commence. Motion to authorize permission to use pumps. (Zetocha/Engst, unanimous)

**BRIAN VCULEK:** Mr.Vculek is seeking Sargent County Water Resource District support for Mr. Vculek to use Moore Engineering, Inc., to review a statewide significance permit that he has filed rather than get his own engineer. Sean Fredricks explained that Moore Engineering, Inc. would go through all the information on the statewide significance permit for the Board and there would be a conflict of interest if he would also review it for Mr. Vculek. Mr. Vculek has filed an application with

the State Engineer and No. 4608 has been assigned by the state for the permit located in the SE1/4-14-132-58 and NW1/4-13-132-58. The State Engineers Office has been in contact with the Sargent County Board and is waiting for additional information as that office feels that the permit will “convert a previously non-contributing area into a permanently contributing area” based on the 25-year, 24-hour precipitation event from NOAA’s Atlas 14. Mr. Vculek then decided that he will proceed with an amendment to this application and will be in contact with the State Engineer’s Office.

Sean Fredricks left the meeting at this time to testify at a hearing in Bismarck at the North Dakota State Legislature.

**OFFICE COMPUTER UPDATE AND FURNITURE:** Secretary Hosford asked permission to upgrade the current laptop, which is five years old and purchase a monitor and docking station for a new laptop. Also new office equipment was requested as the current items are old and not conducive to a good working environment. Motion to authorize purchases. (Bosse/Zetocha, unanimous)

**GWINNER CITY SANITARY SEWER IMPROVEMENTS:** The City of Gwinner is seeking comments concerning the overall proposed project (map enclosed with letter), location of any property owned by this Board and any future developments proposed in this area. The Board concluded they do not own any land in this area, nor do they have any future developments that would affect these improvements.

**MARK BREKER:** Mr. Breker asked the Board for several items that he requested be sent directly to his attorney (Brittany L Hatting, Lies, Bullis and Hatting, 610 2<sup>nd</sup> Ave N, PO Box 275, Wahpeton, ND 58074) Items requested include: 1) On Drain No. 7 through Milnor, a bill for \$4,000 paid to the Sundale Colony for work on the northwest corner of 5-132-54 – was the work done approved by this Board prior to work completion? 2) Tri-County Board – January 2015 meeting – a bill approved for work along County Road 133 including 250 yards of riprap on November 12, 2014 for a total bill of \$5,000 – comments from the Tri-County Board that this is a private drain and not on the legal Tri-County Drain – who authorized this work? 3) Minutes specific to Tri-County Drain to not spend money on any areas that are not a part of the legal drain; 4) Beaver Control payments made on both Drain No. 7 and the Tri-County Drain for the past five (5) years and 5) Tri-County Drain – Emeric Erickson and Richard Engst are authorized to monitor a culvert concerning tile drain pumps – why is Emeric Erickson monitoring culverts on tile drains when he is in the tile drain business? In the absence of Attorney Fredricks, the Secretary was instructed to contact him for how to proceed on Mr. Breker’s request.

**TOM JONES AND TY MACHELEDT – NRCS:** Several months ago this Board discussed with Tom Jones about utilizing District staff with summer workers to assist the Water Board in removal of small trees and painting the stumps; cleaning up in drains, repair work and fencing along the dams and other work that the Water Board would like to have completed. NRCS would provide the vehicles, tools and chemicals; record what areas the work is completed on and would maintain these workers as NRCS employees. NRCS has two people available to work with the Water Board and the request was for 500 man hours at \$20/hour. Water Board members did not feel they could justify 500 hours but approve the idea of receiving assistance from these workers. Motion to authorize 200 hours at \$20/hour for the 2015 summer. (Bosse/Zetocha, unanimous) Mr. Jones also visited with the Board about other programs that may be advantageous to Sargent County on dam projects, construction of new projects and watershed planning. He will gather more information and keep this Board informed.

Meeting adjourned at 12:05 p.m.

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LUCAS SIEMIENIEWSKI – CHAIRMAN

ATTEST;

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SHERRY HOSFORD – SEC.-TREAS.