

MINUTES OF THE MEETING OF THE SARGENT COUNTY WATER RESOURCE BOARD HELD ON THURSDAY, APRIL 16, 2009 AT 7:00 P.M. IN THE COMMISSIONERS ROOM, SARGENT COUNTY COURTHOUSE, FORMAN, ND

Managers present: Jim Bosse, Mark Breker, Richard Engst, Dan Jacobson and Roger White. Absent none.

Approve March 19, 2009 minutes as printed and March 2009 financial statement. (Breker/Jacobson, unanimous)

Approve payment of the following bills: (Breker/Jacobson, unanimous)

60558	James Bosse	Travel	332.10
60559	Mark Breker	Travel	119.70
60560	Richard Engst	Travel	84.15
60561	Dan Jacobson	Travel	180.90
60562	Jerry's Backhoe Service	Drain No. 11	310.00
60563	Moore Engineering	WCI # 1	787.00
60564	Roger White	Travel	329.85
3204	Mark Breker	10 PD less 62.78 plus meal	744.72
3205	Danny Jacobson	9 PD less 55.66 plus meal	671.84
3206	Sherry Hosford	Sec. salary less 20.40	246.27
3207	Richard Engst	9 PD less 55.66 plus meal	671.84
3208	Roger White	11 PD less 69.90 plus meal	817.60
3209	James Bosse	19 PD less 155.68 plus meal	1379.32
DD	Sargent County Bank	Taxes and withholding	799.98

Gerald Dill, Verner Township met with the Board to discuss culvert washouts in the township. FEMA has inspected the areas and the township plans to hire an engineer to conduct a hydraulic study. Board members informed Mr. Dill that as long as the township is completing the study they have no objection to the proposed work.

Jim Bosse inspected two sites in Jackson Township where the township wants to put in a new culvert and to replace another one. Jim advised them to put in no larger than an 18 inch.

Board members met with FEMA in Milnor City last night and representatives from other cities, Pam Gulleeson from Byron Dorgan's Office and Sandy Hanson, SC EMS to discuss what types of assistance will be available in Sargent County. At this time it is not certain what percentage of assistance will be available.

Scott Mund, Hall Township Supervisor, informed the Board of FEMA guidelines including replacing culverts with larger culverts. According to Mr. Mund, if you do not have a hydraulic study completed and replace a smaller culvert with a larger culvert, FEMA will disallow the entire site.

A group of landowners and interested people living downstream from the outlet to Drain No. 7 met with the Board. The Board would like to know if there is any interest in extending the drain. What benefit will the landowners receive? Richard Engst explained that about 6 years ago many of the people attending this meeting were to this Board asking for the channel to be cleaned out to the Wild Rice River. Several landowners have been in since that time asking for a cleanout. The Board is ready to pursue that request and see if there is interest in cleaning out. If this Board were in control of this project, they would be in charge of all the crossings. The county commissioners have come to this Board in the past requesting financial assistance to repair these crossings. A question asked that if the ditch were cleaned out, how much water would go through— answer—the same amount will go through—only enable the water to flow through the channel in a safer manner. NRCS will also be involved in the process because wetlands cannot be drained unless prior approval is received. No culvert elevations would be changed and possibly no culvert sizes so as to not jeopardize any one downstream. Concern was expressed that all the water would flood the pasture land and it would take a long time to dry out. The Board would apply for a 404 permit and ask to stockpile the berm and haul it out. Water has flowed over the road the last 8 out of 9 years by Amy Erickson's. The water is not being handled and not being pushed out. Scott Mund commented that the county commissioner's and Hall Township is looking at this site to build up the road about five feet and get the correct slope as well as work with NRCS to look at the wetlands. Russ Martinson asked what the benefits will be for this project. Richard Engst replied that they would not be running more water but by restoring the channel it will enable the water to get down in a normal year or light rain allow the water to get down to the river and drain off instead of spreading out and help the township by the Water Board being more involved in the crossings and replacing the culverts when they need replacing. Milnor City is building a dike in the city and spending about \$30,000. The outlet should be cleaned and maintained because the water has to move through the city quicker to reduce flood threats in the future. Tom Mund commented that if you clean out the channel don't you think removing the silt will allow the water to flow more efficiently. Dan Mund feels there would be diminishing returns at the end of the drain and the people on the bottom need the

water to move out. Cost of assessment - Chad Engels has prepared a map of the original area and proposed new area - could not be here tonight due to flooding. Assessment will vary from year to year. The Board can levy a maximum of \$2/acre. What happens if new land starts draining into the ditch? Cannot drain a wetland or across another's land unless there are permits approved. What is the consensus of this group? Could the Water Board extend the outlet should the city of Milnor continue to be threatened by the excess water? According to Attorney Fredrick they Board could acquire easements to allow the Board to do work. A letter was presented by James Martinson and is an attachment to this set of minutes. Question whether the problem is the culverts or the channel and Moore Engineering would have this information. Another meeting was scheduled for Thursday, June 18 at 8:00 p.m. in the community room, Sargent County Courthouse to review the maps of the assessment area and discuss proceeding with this project.

Attorney Sean Fredricks arrived at the meeting at 8:20 p.m.

Mark Breker reported on Drain No. 3 and County Road # 14 that a culvert should have been removed but was blocked this spring causing the water to backup and flood all the roads and bridges upstream. Mark met with Commissioner Steve Wyum and Sparky Engquist, road supt. prior to the meeting to inspect.

Sean Fredricks reported on legislation regarding SB 2255 on eminent domain authority, which has been returned to the Senate for voting. The indemnity bill is on the Governor's desk for his signature.

Dan reported on Drain No. 4 through Forman City. After inspecting the water problem Dan authorized A-Tech Sewer from Watertown, SD to place a televised camera through 2000' of the 24" storm sewer line to see what the problem was and reports showed two areas that are caved in. Dan presented all the camera reports to Chad Engels, Moore Eng. for his review and recommendation.

Board members met with the county commissioners on April 2 to discuss a washout three miles south of Rutland on County Road # 10. The county will make temporary repairs to the site to make it passable and will get engineer's estimates for permanent repairs. The commissioners asked the Water Board to participate in the cost. Board members agreed to wait until they know the cost before making a commitment.

Scott Mund and Russ Martinson, Hall Township Board members presented three hydraulic studies completed by Interstate Eng. on three washouts in that township. They are asking for cost-share on eligible culverts. The sites include: 1) Between Section 19/30 currently has a 30" and study recommends 2 30" culverts; and not eligible for cost share; 2) Between 29/30 currently has a 48" and the study recommends a 48" and 36" and 3) Between 20/29 currently has a 48" and the study recommends a 48" and 36". Water Board members commended the township for undergoing the hydraulic study and agreed to cost share one-third of the necessary culvert costs after FEMA dollars have been received. (Jacobson/Engst, unanimous)

Mark Breker inspected a bridge south of Nickeson on the Tewaukon Refuge with Jack Lalor, Refuge Manager, Steve Wyum, Commissioner and Sparky Engquist, road supt. to discuss possible replacement of this structure.

The meeting adjourned at 10:45 p.m.

JAMES BOSSE - CHAIRMAN

ATTEST:

SHERRY HOSFORD - SECRETARY