

**MINUTES OF THE MEETING OF THE SARGENT COUNTY WATER RESOURCE BOARD HELD ON THURSDAY, APRIL 21, 2005 AT 8:00 P.M. IN THE COMMISSIONERS ROOM, SARGENT COUNTY COURTHOUSE, FORMAN, ND**

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

Approve March 17, 2005 minutes and financial statement. (Jacobson/Ptacek, unanimous)

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

52018 Mark Breker	Travel	50.32
52019 Richard Engst	Travel	55.08
52020 Dan Jacobson	Travel	25.16
52021 Randy Ptacek	Travel	38.76
52022 Red River Basin Commission	2005 allocation	960.00
52023 Roger White	Travel	35.37
52091 Mark Breker	4 PD less 18.36	221.64
52092 Danny Jacobson	6 PD less 27.54	332.46
52093 Sherry Hosford	Sec salary less 20.40	246.27
52094 Richard Engst	4 PD less 18.36	221.64
52095 Randy Ptacek	4 PD less 18.36	221.64
52096 Roger White	3 PD less 13.77	166.23
DD Sargent County Bank	Withholding taxes	234.65

The Board proceeded to review several items that are pending including Bill Gaukler's request for culvert, installing pilings by Nepstad's, Texas crossing on the Wild Rice, Bridge 114-21, leveling spoil bank by Larry Dahl's, Harlan Klefstad Texas crossing, grass seed planting on Drain No. 11 and 2 and leveling Tewaukon Watershed spoil bank. Roger will talk to Sparky about the areas in Drain No. 11 that need seeding.

The Board met with the commissioners in March and April and was approached about purchasing some land south of Silver Lake. Approximately 60 acres is for sale south of the irrigation pump and could be used by the Sargent County Park Board to develop as additional park land. Currently the land is in CRP until 2007 and the Board questions whether this Board could obtain any payments for CRP. The Board reviewed maps and other documentation for this area and moved to approve purchasing the N1/2 of NW1/4-3-129-55 for \$50,000 and authorize the Secretary to prepare \$1,000 earnest money payment payable to the attorney handling the sale of land provided that the Water Board can retain the CRP payment currently being received on this land and the earnest money be returned to the Board should this Board decide not to proceed with the purchase. (Ptacek/Engst, unanimous)

Brian Vculek arrived at the meeting to discuss the Request for Drainage on Highway Right of Way. The Board contacted Attorney Breitling to prepare an Indemnity Agreement, which authorizes Mr. Vculek to undertake and be solely responsible for the construction activities authorized in the permit. Mr. Vculek also agrees to indemnify and save harmless the Board against all lost, damage, or liability that the Board may suffer from claims against it, arising from the construction of the permitted drainage activities, whether the same be the real property of any and all parties and/or to the personal property of any/all parties located in Sargent County, and/or to any person, without limitation. Mr. Vculek agrees to pay any and all claims and costs, including attorneys' fees that have arisen and may arise out of the work that Vculek proposes to do. Approve the Indemnity Agreement (Jacobson/White, unanimous). The permit states fourteen (14) conditions set forth by NDDOT. Approve permit and return to NDDOT for their approval. (White/Ptacek, unanimous) A copy of the Indemnity Agreement and Permit are on file in the Office of the Sargent County Water Board Secretary.

The 25-year lease on the Head of the Mountain Nature Preserve at Frenier Dam between this Board and ND Parks and Recreation Dept. will expire on July 31, 2005. The Board reviewed the lease and suggested conducting a public meeting in June to visit with the local people and get their input on whether to continue with this lease. The Board will discuss a public meeting at a future meeting.

Richard reported on the Tri-County Meeting held on April 12 in Milnor. Improvements were presented to the public and no objections were noted. The Tri-County Board plans to repair the ditches to a 4:1 slope to prevent additional sloughing at a cost of \$150,000 per mile, which includes the engineering.

John Lotzer, Milnor inquired about purchasing Lots 6-7-8, Block 11 in Milnor. This is owned by the county and is right of way for Drain No. 7. The Milnor City Sewer project is currently being worked on in this area. The Board felt they are not comfortable selling right of way for the drain. Richard will relay this message to Mr. Lotzer.

Mark Breker asked the Board for their thoughts on starting removing trees by Nelson Dam and Milt McLaen's. The Board feels this project should be undertaken soon.

Roger White reported at the Township Officers Spring meeting on March 31. Verner Township inquired about placing a culvert east of Kraft Slough. Roger will get specifics from Gerald Dill about the request.

The meeting adjourned at 11:20 p.m.

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MARK BREKER - CHAIRMAN

ATTEST:

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SHERRY HOSFORD - SECRETARY