

MINUTES OF THE MEETING OF THE SARGENT COUNTY WATER RESOURCE BOARD
HELD ON THURSDAY, APRIL 21, 2011 AT 7:00 P.M. IN THE COMMISSIONERS ROOM,
SARGENT COUNTY COURTHOUSE, FORMAN, ND

Managers present: Jim Bosse, Mark Breker, Richard Engst, Chris McFarland and Roger White.
Absent: None. Also present: Jim Lyons, Scott Olerud and Gayland Dick, Ransom County Water
Board members, Ron Rotenberger, Lisbon, Joe Breker, Havana, Al Carton, Rust Farms and Chad
Engels, Moore Engineering, Inc.

Ransom County Water Resource Board members met to discuss with the Sargent County Board if
anything can be done about the water north of Milnor that goes into Ransom County. The Ransom
Board would like a gate put on a four foot culvert at Hultman Lake located between Section 1 of
Milnor Township and Section 6 of Willey Township and keep it closed until the Milnor Drain No. 7
can take the water. Also discussed establishing a dry dam to store water in another area. The
assessment map for Drain No. 7 was viewed and noted that the assessment area is large but the legal
drain, with right of way is approximately 7 miles long and flows through Milnor City. The water is
receding but there is still a problem. Mark Breker asked about whether a joint board with Ransom and
Sargent should be formed. It was noted that landowner cooperation would be very imperative in
making this project work. Chad Engels explained the project concept of a retention project with this
lake and placing a structure. Suggested that a study be conducted to see where the problem is and what
can be done and where it would be a benefit.

Bruce and Tyler Speich, Milnor, Bruce Speich, Aberdeen, SD and Russ Martinson, Milnor arrived at
the meeting. Bruce spoke about the meeting held at Cayuga Hall regarding the cleanout of Shortfoot
Creek. He was unable to attend and heard that there was very little opposition to the cleaning. There
are several issues about the water channel not handling the water that comes down now and the
existing channel is eroding and causing problems with the flow of the water. Any more addition of
water to the Wild Rice River will cause more problems for this area so he is asking that the water be
limited or else provide him some help to clean out the river. Craig Speich expressed his concern for all
the water. He would like control in the form of a dike. This Board is considering a retention site to
find locations to store water to slow down the peak so there isn't the high peak. Chad Engels
suggested some options available on snagging and clearing the river. If there is a beaver dam problem,
the Board provided the Speich's with Joel Lyons name and phone number to assist with beaver control.
Also suggested spraying cattails in the river. The Board asked Chad to start the process on getting a
snagging and clearing project of the Wild Rice River.

Joe Breker, Havana met with the Board to discuss the access road that he has requested for the site of a
new lodge in Section 9-129-54 LTL (Tewaukon Township). Board members have had time to inspect
the area that Joe is inquiring. Joe stated that he is building this lodge to get people to this site and he
needs an access road. There have been several improvements to the roadways in this area and he
would really like to have this west access road approved as this is the right way to come in from a
business standpoint and a safer route. Motion to sell Joe Breker a piece of property on the north line of
the SW1/4-9-129-54 LTL, which is owned by the Sargent County Water Resource Board, so Mr.
Breker has access to his lodge. Mr. Breker will incur all costs including surveying, abstract update and
preparation and recording of the deed transferring ownership of the land--100% of all costs. As far as
the amount of land, that will remain open until Joe determines how many acres he needs at a price of
\$3500 per acre. (Breker/Engst, unanimous).

Mark Bopp, Forman City Mayor met with the Board to discuss water problems in Forman. He
explained the problems with the water--an excess of three foot of water in Forman. The city is trapped
between two state highways and money was spent to slow down the water with cattle passes. Drain #
4 is only working at partial capacity. NDDOT approved larger culverts north of Forman but they will
not pay for it. The suggestion from the engineering company is to put a dike on the school playground
and at the end of the football field. The Water Board has studied routing the water around the south
side of Forman City. Sandy Hanson, Emergency Manager arrived and stated that there has to be a
flood plan project in place to give some options for this problem. The City of Forman passed the
following:

- 1) Resolution authorizing Lake Agassiz Regional Council (LARC) to prepare a HMGP
application for help to solve the flooding issue.
- 2) Resolution authorizing Moore Engineering to Prepare a Preliminary Engineer's Report
and cost estimate in support of the HMGP application.
- 3) Authorized Moore Engineering to prepare an application for funding to the State Water
Commission under their flood prevention participation program.
- 4) Authorized Moore Engineering to put the city on the priority list for funding through the
Clean Water State Revolving Loan program at the ND Dept of Health.

The city council reviewed the flooding problem areas and discussed what the project should entail. They are looking at a dike on the west side of the city, ditch block/control structure by the golf course that will protect a city lift station and replacement of a 24" drain tile line along the railroad tracks that is too small and is not working very well.

Mark Bopp thinks this is the highest flood they have ever had. The school has been diked to prevent flooding. The football field, concession stands, playground and outbuildings are all under water. Several houses are sandbagged and some evacuated. The elevator has water completely surrounding a large bin site that is full of grain (1.5 million bushels) and also the elevator itself is inundated. The Water Resource Board has looked at another route for the water to flow south of Forman but no action as taken place to pursue this. Drain No. 4 on the north edge of Forman is a legal drain and under the jurisdiction of the Sargent County Water Resource Board.

Approve March 17, 29 and April 1, 2011 minutes and March financial statement. (Engst/McFarland, unanimous)

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

64133 James Bosse	Travel	328.46
64134 Mark Breker	Travel	220.83
64135 Dakota Improvement Inc.	Dr #-9snow removal-\$972.50 and Dr # 11-snow removal-\$3502.50	
64136 Richard Engst	Travel	159.63
64137 Harlan Hogness	Beaver removal-# 2	150.00
64138 Lance Hogness	Beaver removal-#2	50.00
64139 Raymond Martinson	Beaver Removal-WCI#1	50.00
64140 Chris McFarland	Travel	51.00
64141 Ohnstad, Twichell, P.C.	G Thornberg permit - \$120 and General-\$980.50	
64142 Tyler Speich	Beaver removal-WCI#1	50.00
64143 Roger White	Travel	87.72
5746 Sherry Hosford	Sec. salary less 17.89 taxes	298.78
DD Sargent County Bank	Withholding taxes	44.01

The Sargent County Board of Commissioners was informed by the State Engineer that Emergency Drain #3523 in the SW1/4-17-131-54, Shuman Township, with its conditions, is extended until October 12, 2011 upon which date is must be closed.

Cogswell City received authorization to use an emergency drain in the SE1/4-2-130-57 from the State Engineer. The purpose of the emergency drain is to remove water from the area around the Cogswell city lagoons. A pump will be used and hoses to move water from the area around the city lagoon system to the south through State Highway # 11 culvert approximately 100 yards west of the intersection of State Highway # 11 and County Road # 4. Conditions for operating the emergency drain are found on license #3794 and are valid for the duration of the emergency but not greater than six months from the date issued unless extended by the State Engineer. The ending date would be October 7, 2011.

Received two Requests for Drainage on Highway Right of Way. 1) Dale and Dennis McLaen, 13756 Highway 11, Rutland – to clean silt and debris from the bottom of the ditch to the original depth along the south side of State highway # 11 west of Sargent County # 10 by mile marker 135 and 136 and 2) Jan Brash, 13779 Highway 11, Rutland – SE1/4-12-130-55 – dig a temporary ditch on her property to the State Highway # 11 to lower the level of water around the house and septic system for health and safety reasons – ditch size is 2 feet by 2 feet.

Board members will be attending a Special Meeting on Monday April 25 at 6:00 p.m. at Kraft Slough located in Verner Township, Sargent County and later at Cline's Café in Oakes to meet with the Dickey County Water Resource Board and concerned citizens to discuss whether to form a joint board. There has been discussion on some drainage projects proposed in both Sargent and Dickey Counties. There have been a number of meetings in Oakes that both Chad Engels, Moore Engineering, Inc. and Sean Fredricks, Ohnstad Twichell, P.C. has attended and landowners have committed bond to proceed with a project. The next step would be to form a joint board. Motion to authorize the formation of a joint board with Dickey County. (Engst/White, unanimous)

Chris McFarland reported on installation of a culvert on the west edge of Gwinner. He received information that North Dakota Dept. of Transportation is planning to install another culvert under ND State Highway # 13 in the near future. He is concerned about what size culvert will be placed in the roadway and agreed to get more information for the Board to review and submit a letter of concern to NDDOT.

The following information was taken from the Sargent County Commission April 19, 2011 minutes: Harrison McCleery, Milnor City Mayor, Dwain Elenberger, Supt. of Public Works, Milnor, Lorraine Jacobson, Milnor, Mark Bopp, Forman City Mayor and Jim Bosse, Richard Engst and Chris McFarland, SC Water Resource Board members met with the commissioners to discuss the flow of floodwater from Storm Lake through Milnor City. The City has been working with the Water Board on flood mitigation. County Emergency Management Director Sandy Hanson has also been in on the City's discussions and planning sessions. Moore Engineering has done a hydrological study and has concluded that the culverts that take water from Storm Lake through the City to the legal drain should be considerably larger than the structures that are presently in place. Estimated cost of replacing the existing structures, one of which runs beneath Milnor's Main Street/County #10, with the others crossing city streets, is about \$650,000.00. The City is working with Lake Agassiz Regional Council to obtain a Flood Hazard Mitigation Grant that, if obtained would pay for 85% of the project. They believe that there is a very good likelihood that the grant will be approved. The City is looking for some commitment from the Water Board and the County Commission to pick up a large chunk, if not all, of the remaining 15%. According to Mayor McCleery, the replacement of the current structures with appropriately sized structures would eliminate Milnor's flooding problems up to a 500 year event. Mayor McCleery discussed the demographics of the city and concluded that something needs to be done to control flooding in Milnor City. The existing culverts have been in place since 1980 and the proposal is to install 16 foot wide by 6 foot high structures which would bring the water down to a manageable level. The deadline for grant submission is April 30, 2011 and they must know who will pay the local share. Motion that Sargent County participate 1/3 cost in the local share of this project contingent upon grant approval. (Wyum/Walstead. Roll call: Aye: Wyum, Walstead, Anderson and Waswick. Nay: Jacobson. Motion carried.) Following discussion at the April 21 meeting of the Sargent County Water Resource Board, motion to approve one-third (1/3) cost in the local share of this project contingent upon grant approval. (White/Engst, unanimous)

Tom Jones, District Conservationist, Sargent County NRCS, sent comments to Mike Bassingthwaite, Interstate Engineering, Inc. regarding Solicitation of Views for Drain Richland-Sargent # 1 extension in Sargent County. Comments included soil issues, widening of the channel, converted wetlands, increased flooding potential to downstream residents and significant erosion issues. NRCS asked the Board to consider changing the scope of the project to channel restoration only.

Meeting adjourned at 10:30 p.m.

JAMES BOSSE – CHAIRMAN

ATTEST:

SHERRY HOSFORD - SECRETARY