

MINUTES OF THE MEETING OF THE SARGENT COUNTY WATER RESOURCE BOARD HELD ON THURSDAY, MAY 21, 2020 AT 8:25 A.M. IN THE COMMISSIONERS ROOM AT THE SARGENT COUNTY COURTHOUSE, FORMAN, NORTH DAKOTA.

In accordance with Governor Burgum's Executive Order No. 2020-16, the Board conducted this meeting via conference call only; the Sargent County Courthouse remains closed due to COVID-19. The Board provided public access to the meeting by providing call-in information on the meeting agenda.

Managers present via conference call: Todd Stein, Lucas Siemieniewski, Bruce Speich, Michael Wyum and Roger Zetocha. Absent: None. Also present via conference call: Chris Gross, the Board's engineer and Sean Fredricks, the Board's attorney. Present at the courthouse: Sherry Hosford, Secretary-Treasurer and Sargent County Commissioner Richard Ruch.

Manager Wyum moved to approve the Board's April 16, 2020 minutes and the April, 2020 financial statement. Manager Zetocha seconded the motion. Upon roll call vote, the motion carried unanimously.

Manager Stein moved to approve payment of the following bills:

80411	Daniel Bishoff	Dr#9 beaver control and labor	450.00
80412	Dakota Improvement	Dr#9 culvert installation	2,187.70
80413	Forman City	Dr#4 Al Carton clean out by school	520.00
80414	Forum Communications Co.	Dr#12 Bid Notice	293.25
80415	John Hayen	Dr#9 culvert extension	518.00
80417	Moore Eng. Inc.	General meetings-\$437.50; Kelley-Mathews complaint-\$492.20; Silver Lake Feasibility Study - \$1,482.50; Shortfoot Creek-\$12,867.50; Dr#7-Inspection-\$177.50 Dr#11-Design Engineering-\$3,096.00; Dr#11-ROW-\$87.50; Dr#11-Legal Descriptions-\$157.50; Dr#11-Wetland Mitigation-\$87.50; Dr#11-Drone Inspection-\$349.90; Dr#12-Design Engineering-\$10,125.00 =	TOTAL \$29,360.60
80418	NDACO RG	Computer and cable	1,260.53
80419	Ohnstad Twichell	General meetings-\$370.87; John Schroeder permit-\$531.60; Dr#11 Imp. Project -County JPA and bond counsel-\$984.00; Dr#12-JPA and bond counsel-\$492.00 =	TOTAL 2,378.47
80420	Quill	Printer ink cartridge	119.99
80421	Richland Co. Water Board	RS# 1 Administrative costs	1,628.21
80423	Raymond Stahl	Dr#11 beaver control	50.00
80425	Wahpeton Daily News	Dr#12 Bid Notice	250.56
17826	Sherry Hosford	Salary less taxes	557.65
DD	Sargent County Bank	Withholding taxes	725.09

Manager Speich seconded the motion. Upon roll call vote, the motion carried unanimously.

KELLEY-MATHEWS APPEAL: Chris reported that Moore completed a drone flight of the area, and indicated water was flowing in the area filled in and water is going over the top. The water is held back due to placement of water in the shelter belt. The drone was flown on April 22 and there was standing water but it was moving. Todd checked this area again last week and indicated there is water in the field to the south but no water over the dike. The appeal to the State Engineer's Office is still pending regarding the work in the township road ditch. With regard to the field work, Sean will review all of the information from Moore and will prepare a proposed document to dismiss the portion of the complaint regarding the field work.

DRAIN NO. 11: Chris reported that legal descriptions have been drafted and are now being reviewed; Moore will forward those to Ohnstad Twichell to prepare purchase agreements. Ohnstad Twichell is still awaiting appraisal information regarding right of way easement values.

DRAIN NO. 11 REASSESSMENT: Chris provided a handout indicating there are 7 Shapefiles readily available through MEI. Maps with additional information were also provided and Chris asked board members to review all attachments and next month Chris will address any questions and hopefully move forward with a Scope of Work for the reassessment.

DRAIN NO. 11 CROSSING BETWEEN SECTIONS 21 AND 28 IN HARLEM TOWNSHIP: Chris reported that the culvert located between Sections 21/28 of Harlem Township failed. After inspection, it was determined that the culvert was too damaged for reinstallation with extensions. The collapse appears to be from lack of adequately compacted soils around the haunches of the existing culvert. The quote from TrueNorth Steel for a 112"x75" CSPA Arch CSP 40' long with gaskets and lift lugs would cost \$13,259.80. The quotes received from both Dakota Improvement and JBX did not include a price for total removal of the collapsed pipe and installation of a new pipe. Roger and Luke will contact the contractors to have them get in touch with Chris to get the correct scope of work and ask for new quotes for the board to consider in June. Luke noted that an engineer will be on site to assure the proper setting of the culvert.

DRAIN NO. 11 – SECTION 26 – DENVER TOWNSHIP: Roger reported that Dakota Improvement has completed the removal of sediment and debris in the culvert south of the church in Section 26.

DRAIN NO. 11 – SOUTHWEST BRANCH: Following the drone flyover in April of the southwest branch of the drain, it was noted that the drain is in good condition, no beaver dams or obstructions.

DRAIN NO. 7: As per the April meeting the drone did not fly over Drain No. 7, however, Luke has talked to several landowners and there are culvert issues. Luke would like to see an improvement project from Highway 13 south to the crossing at 81st Street which is approximately 2 miles. Chris informed the board that this would be a Rural Flood Control Project and eligible for 45% cost share from the State Water Commission. Board members agreed that this is an area that has been problematic for many years. Moore Engineering Inc. and Ohnstad Twichell will proceed with preparing documents/plans for a channel improvement project on Drain No. 7 for the board to review in June.

DRAIN NO. 12 IMPROVEMENT PROJECT: The bids for the improvement project were opened on Tuesday, May 19 with three bids received. Chris read the bid totals with Comstock Construction, Inc., Wahpeton the low bid of \$533,400.00; Gladen Construction, Inc., \$575,230.30 and Burski Excavating, Inc. with a bid of \$669,418.00. The engineer's estimate was \$463,000.00. Chris explained the various line items and differences. The SWC will cost share \$315,000.00 and the county will be responsible for 22% for crossings and the local funds will be 33%. The Board is still awaiting a decision by the Sargent County Commission regarding the draft Joint Powers Agreement for the County's share. Manager Wyum moved to award the contract to the low bid from Comstock Construction, Inc. Manager Speich seconded the motion. Upon roll call vote, the motion carried unanimously. Bond proceedings will begin immediately. Chris estimated an August start date with the contractor.

SILVER LAKE DAM IMPROVEMENTS: The Outdoor Heritage Fund (OHF) hearing on May 8th was successful as Silver Lake Dam Improvement project was one of five to move forward to the final funding from an original field of twelve projects. The Industrial Commission meets on May 29th to approve final funding. According to Chris the SWC will fund 60%, the OHF will recommend \$41,577 for approval leaving \$69,000 for local share to be split between the Sargent County Park Board/Commissioners and this board. Chris proposes to have final plans prepared for the June meeting for the board to review and set a date to open bids.

ANNUAL DAM INSPECTION: Board members set the date for Tuesday, June 16th to meet at the courthouse at 8:00 a.m. to inspect dams, drains, meet with Boyd Brummond regarding grazing, inspecting the Tewaukon Watershed area, looking at erosion on the Wild Rice River and the Frenier Dam Sidewalk.

HEAD OF THE MOUNTAIN NATURE PRESERVE: Jolene Rieck, PLA with ND Parks and Recreation contacted the board with the following message: I am following up on correspondence between the Water District and our Natural Resources Coordinator, Kathy Duttonhefner. Internally, our staff has reviewed the Articles of Dedication and lease language. There are changes to the lease language that we would like to enter into negotiations with your District. Our agency anticipates that the negotiations will require some in-person discussions and possible changes that will need to be signed off by the Governor.

Therefore, in the interim, NDPRD is proposing to extend the current lease and its terms until June 30, 2021. This will align our lease with the State's biennium. The attorney general's office has prepared this lease extension for the District's review and signature.

Manager Stein moved to approve the Amendment and Extension to the Lease Agreement and authorize the Chairman to sign. Manager Wyum seconded the motion. Upon roll call vote, the motion carried unanimously.

Ms. Rieck is willing to attend a water board meeting (either in-person or virtual) to explain their position and plan for moving forward. She will be invited to the June meeting.

SHORTFOOT CREEK RCCP PROJECT UPDATE: No action required at this time on the sites but MEI is working with NRCS to finalize the report and hope to have the report for the June meeting on behalf of the project team with their final recommendations.

DUNBAR TOWNSHIP CULVERT COST SHARE: Manager Zetocha moved to approve 1/3 cost share of 2 40' x 48" culverts to be placed between Sections 35 and 36 in Dunbar Township. A Hydraulic Study was completed and is on file. Manager Stein seconded the motion. Upon roll call vote, the motion carried unanimously.

RICHLAND-SARGENT NO. 1: The Richland-Sargent Joint Board provided the following RS #1 bills for consideration and approval as follows:

1. Ohnstad Twichell – Review crop damage recommendations - \$132.00
2. Interstate Engineering, Inc., Services through May 2, 2020 - \$599.00

Manager Zetocha moved to approve the Richland-Sargent No. 1 bills and approve spraying RS#1 for weeds and trees. Manager Wyum seconded the motion. Upon roll call vote, the motion carried unanimously.

DICKEY-SARGENT JOINT BOARD: The Joint Water Resource District Agreement has been reviewed by board members. Manager Stein moved to authorize the Chairman and Secretary to sign said agreement. Manager Wyum seconded the motion. Upon roll call vote, the motion carried unanimously.

2021 GENERAL FUND BUDGET WORK: The board proceeded to work on the General Fund Water District Budget. Each line item was reviewed and amounts requested for 2021. After further review Manager Stein moved to approve \$435,500 for the General Fund and request the same levy as 2020 which is 1.86 mills. This will generate approximately \$70,000. Manager Wyum seconded the motion. Discussion included that water districts are allowed to levy up to 4 mills each year and this board has kept their levy under 2 mills for several years. Upon roll call vote, the motion carried unanimously.

2021 DRAIN BUDGET WORK: The Board proceeded to work on the 2021 drain budgets. Each drain balance was reviewed as well as dollars that could be generated by the maintenance levy. The following amounts were approved for the individual drains: #2-\$24,500- cleaning; #4-\$20,000- maintenance and spraying; #8-\$96,600- possible bury culvert within city limits; #9-\$53,800-maintenance; #11-\$2,500,000- Drain No. 11 Improvement Project and maintenance; #12-\$2,500-maintenance; Drain # 7-\$500,000-improvement project; Drain No. 7 Sinking and Interest Fund-\$109,000-bond payments; Tewaukon Watershed-\$46,500-maintenance; Shortfoot Creek Watershed Study - \$350,000-100% Federal cost share of project. Manager Stein moved to approve the 2021 drain budgets. Manager Wyum seconded the motion. Upon roll call vote, the motion carried unanimously.

2020 MAINTENANCE LEVIES: Manager Stein moved to approve the following maintenance assessment amounts for each drain for 2020 taxes: Drain No. 2 - \$4.00; Drain No. 4 – decrease from \$1.00/acre to \$.50/acre; Drain No. 8 - \$4.00; Drain No. 9 - \$1.00; Drain No. 11 - \$4.00; Drain No. 12 - \$4.00; Drain No. 7 – \$4.00; Tewaukon Watershed - \$2.00. Manager Wyum seconded the motion. Upon roll call vote, the motion carried unanimously.

With no further business to discuss, the Board adjourned the meeting at 10:55 a.m.

LUCAS SIEMIENIEWSKI - CHAIRMAN

ATTEST:

SHERRY HOSFORD, SECRETARY-TREASURER