

MINUTES OF THE MEETING OF THE SARGENT COUNTY WATER RESOURCE BOARD HELD ON THURSDAY, MAY 24, 2018, AT 9:25 A.M., IN THE COMMISSIONERS ROOM, SARGENT COUNTY COURTHOUSE, FORMAN, NORTH DAKOTA

Managers present: Lucas Siemieniewski, Todd Stein and Bruce Speich. Absent: Roger Zetocha. Also present: Chris Gross, Engineer for the Board and Paul Mathews, landowner.

Manager Speich moved to approve the Board's minutes from April 19, 2018, and the April financial report. Manager Stein seconded the motion. Upon roll call vote, the motion carried unanimously.

Manager Stein moved to approve payment of the following bills:

77009 Sherry Hosford	Board Minute Book	175.09
77010 Moore Engineering, Inc.	General-445.45; Shortfoot Creek Study-\$29,556.50; Dr#11-DMWRW RR discussion-\$75.00;	
	= TOTAL	\$30,076.95
77011 Ohnstad Twichell	General-\$1,296.74; Dr#11-Mathews litigation-\$95.00; Heimbuch application-\$334.23; Dr#4 Reconstruction-\$185.50	
	= TOTAL	\$1,911.47
77012 Quill.com	Ink Cartridge	119.99
77013 Luke Siemieniewski	Travel	35.97
77014 Bruce Speich	Travel	27.25
77015 Todd Stein	Travel	8.72
77016 True North Steel	Restocking fee for gate	390.00
14957 Sherry Hosford	Salary less taxes 507.05	1692.95
DD Sargent County Bank	Withholding taxes	679.75

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

**MAHRER/ELLEFSON COMPLAINT:** Conditions have not changed; the Board will remove this matter from the monthly agenda until water recedes and work can be completed.

**DRAIN NO. 4:** Chris Gross informed the board that the Board will need to keep the right of way to the property that was assessed with city special assessments as it borders Drain No. 4. On the 1.49 acres traded with Rick Hoistad, this property has 440 feet of front footage as described in a Quit Claim Deed dated May 24, 2016 from Rick and Jeanne Hoistad, Grantors to the Sargent County Water Resource District, as Grantee. The document No. is 153788. The special assessment is a street improvement assessed in 2015 for \$651.79 per year. The city auditor has provided a payoff to the board of \$9,776.88, which is spread over 15 years. Board members suggested that Chris visit with Sean Fredricks and propose a Quit Claim Deed to the Forman City but retain the rights for maintaining the drain.

**DRAIN NO. 7:** The Milnor City Auditor provided a payoff of special assessments on the Richard Engst property which the board acquired right of way for the Drain No. 7 project. The total payoff for this property is Sewer-\$1587.94; Street 06 - \$13.90 and Street 15-\$165.31 for a total of \$1767.15. No action was taken as the board would like to know if they can propose a Quit Claim Deed to Milnor City retaining rights for drain maintenance.

**DRAIN NO. 11 CLEANOUT WORK:** Chris Gross reported that MEI has not been able to get in contact with DMVW and CP RR to schedule a meeting. Helwig Excavating, Inc. is finishing up some projects and then will move into the southwest branch of Drain No. 11 to proceed with the work. Regarding culverts on the north portion of the drain, Roger was unable to get out to check and will look when conditions allow.

**KOREY MARTINSON RESIGNATION:** The county commission and this board both received a letter of resignation from the water board effective immediately. The county commission has advertised the position and as of May 15, no one had applied. Another notice was being placed in the paper.

**GLEN KOEPPE:** Glen met with the board and stated that the contractor did an excellent job on the Drain No. 7 channel improvement project, except he is having problems with the ½ acre that was purchased from him by the board for right of way. He has a mortgage on the land and Wells Fargo will not release without an appraisal. He has been in contact with several branches of Wells Fargo but they are requiring a full appraisal. Chris Gross responded to both the board and Mr. Koeppe that as of today Ohnstad Twichell has been in contact with Wells Fargo and are working on getting a partial release of the property so that Mr. Koeppe can receive the money that was approved to him for the right of way. Chris asked that both the board and Glen wait until the attorney has time to work through the problem and hopefully get it resolved without spending too much money. The board did indicate that they felt it was the drain district's responsibility to pay for whatever is needed to Wells Fargo to get this resolved. Glen also asked for permission to plant some trees along the drain. Chris advised that if he does not go on the drain side of the green t-posts that would not be a problem. This would protect the top of the drain for future maintenance and Glen indicated that he plans to stay back 10 feet from the posts.

**RICHLAND-SARGENT DRAIN NO. 1:** The Richland-Sargent Joint Water Resource District's Secretary-Treasurer, Monica Zentgraf, forwarded copies of bills for the Board's consideration from Interstate Engineering in the amount of \$2,548.50, Carlson Family Insurance Agency, LLC for \$558.00 and Ohnstad Twichell for \$1,731.50. Manager Stein moved to approve the bills. Manager Speich seconded the motion. Upon roll call vote, the motion carried unanimously. Approval for spraying the entire drain with helicopter was also authorized as well as a meeting scheduled for Wednesday June 6<sup>th</sup> at 7:00 p.m. to review the engineer selection and bids that were received for Phase 2. Mike Bassingthwaite also provided an update of May activities on the project.

**SHORT FOOT CREEK:** Chris Gross reviewed a letter received last week concerning reimbursements from USDA on the RCPP project. He informed the board that this project has been progressing steadily and NRCS is now requesting additional information of technical submittals that are necessary before any additional reimbursements will be released. Chris assured the board that all projects received the same letter and MEI is working on providing the additional documentation that is now required. No action required from this board.

**DRAIN NO. 7 – MONTANA DAKOTA UTILITY:** MDU has now prepared construction alignment sheets for the project. The sheets have been provided to the board and Chris is reviewing where the pipeline will cross Drain No. 7. MDU plans to cross the drain using horizontal directional drills to avoid impacts on the existing drain. Both MEI and Ohnstad Twichell will review and respond to MDU. Korey Martinson informed the Board that the last box culvert in Milnor on the airport road has a large amount of sediment in the bottom. He stated in the event of large water flows, this will cause an issue as the sediment appears to be a couple feet deep. Manager Speich will check it out before the next meeting or the board will look at it during the annual drain inspection.

**BEVERLY KELLEY AND PAUL MATHEWS COMPLAINT OF UNAUTHORIZED DRAINAGE:** Rinke Noonan, Attorney at Law have filed a complaint of Unauthorized Drainage against landowners Randy Hemminger and Phyllis Thompson and their tenants, Donald Rust, James Bosse and Bruce Bosse. The complaint relates to drainage that was part of a previous complaint filed with this board. According to Rinke Noonan, the respondent parties have engaged in unauthorized drainage which was not addressed in the initial complaint filed with this board. They also allege that the drainage addressed in the initial complaint filed with this board has not been effectively restored. The board directed Chris Gross and Sean Fredricks on behalf of this board to investigate the complaint. Sean will provide initial responses to the attorneys regarding the filing date of the complaint and processing the complaint.

**2019 BUDGET WORK:** Due to changes in due dates for department budgets which require tax levies, the board proceeded to work on the General Fund Water District Budget. Each line item was reviewed and amounts requested for 2019. After further review Manager Speich moved to approve \$470,000 for the General Fund and request the same levy as 2018 which is 1.86 mills. This will generate approximately \$67,600. Manager Stein 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 down under 2 mills. Upon roll call vote, the motion carried unanimously. Drain budgets for 2019 will be completed at the June 21st meeting which will be held after the board conducts their annual inspection of all drains and dams on June 6<sup>th</sup>.

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LUCAS SIEMIENIEWSKI, CHAIR

ATTEST:

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SHERRY HOSFORD-SECRETARY-TREASURER