

MINUTES OF THE MEETING OF THE SARGENT COUNTY WATER RESOURCE BOARD HELD ON THURSDAY, JULY 19, 2007 AT 7:00 P.M. IN THE COMMISSIONERS ROOM, SARGENT COUNTY COURTHOUSE, FORMAN, ND

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

Approve June 21, 2007 minutes as amended and June financial statement. (White/Jacobson, unanimous)

Tom Hillestad and Mark Bopp, representing Forman City questioned the bill that they received for Drain No. 4 cleaning. The city would like to know why the city and the landowners to the east have an assessment but no one from the west side is paying a portion of the assessment. The Board explained Drain No. 4 assessment area and also Drain No. 18 (Bowen/Dunbar), which was never constructed. Reassessment of the area was discussed and the Board agreed to contact an engineer to proceed with a survey to reassess the drain.

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

57672	Jim Bosse	Travel	73.50
57673	John Breker	Nelson dam bobcat work	90.00
57674	Mark Breker	Travel	126.42
57675	Richard Engst	Travel	84.84
57676	Gladstone Inn	White lodging	125.98
57677	Dan Jacobson	Travel	23.94
57678	Rodney Mathias	Dr # 11 beaver removal	50.00
57679	Ohnstad, Twichell Law Offices	Mund permit services	225.00
57680	Roger White	Travel	239.56
941	Mark Breker	10 PD less 75.53	724.47
942	Danny Jacobson	5 PD less 30.60	369.40
943	Sherry Hosford	Sec. salary less 20.40	246.27
944	Richard Engst	5 PD less 30.60	369.40
945	Roger White	7 PD less 42.84	517.16
946	James Bosse	7 PD less 42.84	517.16
DD	Sargent County Bank	Withholding taxes	472.62

Mark Breker looked at the Nelson Dam fence and noted that it should be replaced. Jim will contact Coyote Fencing, Britton, SD for a quote.

David J. Breker, District Conservationist, NRCS, Mark Breker, Richard Engst, Dan Jacobson and Roger White, SCWRD inspected the dams and watershed areas on June 11, 2007. The **Bergh-McLaen** west structure is in good condition. The east structure has a 3-4 inch hole on the inlet side. The hole should be cleaned and a concrete patch installed. The north structure in the driveway overflowed and washed out around the culvert on the outlet side. This needs to be filled and packed with a jumping jack packer. The area above the culvert needs to be cut stair step then filled and packed with a backhoe. **Nelson Dam** - fence needs to be replaced, possible rock strip at end of fence such as installed at Brummond-Lubke Dam. Good limited grazing. **Brummond-Lubke Dam** - very little grazing last year, all looks good. Rocks were put at end of fence in the reservoir so cattle don't walk around the end of fence - working great. **Frenier Dam** - good grass cover, leafy spurge is under control. **Wild Rice Creek - Channel 9** - need to spray or mow willow and Canada thistle, the bridge was removed and replaced with a culvert which is looking good on the south side of Section 17. In Section 31 large cottonwood and willow could be removed from created wetlands. In Section 19 driftwood needs to be removed from inlet of culvert at duck pond. All corner and "no cultivation" signs are in place. All legal drains were inspected and noted that several areas have damage from excessive rains and are sloughing in. These areas will be reported to FEMA.

Attorney Sean Fredricks arrived at the meeting at 8:30 p.m.

Sargent County has been declared a natural disaster area due to rains in June. The Board declared an emergency declaration and authorized work to repair the areas that were sloughing into the drainage ditches and restricting flow of the water. FEMA officials viewed the areas and took pictures on June 28th.

Tom Mund and Kit Mund arrived at the meeting at 8:50 p.m.

The Board proceeded to review the Application to Drain No. 3178 received from Gordon Paul Anderson, Lisbon. The application requests a permit to install drain tile in 45 acres of the SE corner of Section 2-132-56. The area affected has a watershed greater than 80 acres so a drain permit is required. The purpose of the project is to improve the field condition for crops by lowering the ground water elevation. The project appears to have three outlets into ND State Highway 32 ditch. The project has been determined to not be of either statewide or interdistrict significance. The health department received a copy of this application for their determination of whether environmental concerns should be addressed. In addition, NDDOT should be contacted so they can determine if it is proper use of their road ditch. A hearing is not required when a proposed project is not of statewide or interdistrict significance.

However, the Board concluded a hearing would be appropriate to consider potential affects of this tile drainage project on downstream parcels, in accordance with N.D.A.C. 89-02-01-09.1(2) (a). A hearing date was scheduled for August 16, 2007 at 8:30 p.m.

Kit Mund presented maps to the Board in the SW1/4-24-132-54 requesting permission to clean out the natural watercourse. The water spreads out 50-60 feet and he would like to clean it. He has not contacted NRCS for permission. The water flows naturally to the Wild Rice River. He has visited with Fish and Wildlife and they seemed favorable. Tom Mund commented he is here tonight in support of this project. The township roadway in the center of the section is acting as a dam and should have a culvert. This Board has no control of NRCS, It is a Board policy to provide information to landowners and the Board indicated to Mr. Kit Mund that they do not have any objection to this project.

Tom Mund asked the Board to amend the April 19, 2007 minutes in regards to an agreement with Mr. Dick Kuehn. Mr. Tom Mund indicated that his statement was "the offer of Mr. Tom Mund to clean out the natural watercourse on Mr. Dick Kuehn's property which has been a standing offer for in excess of 10 to 15 years will come to an end sometime in the very near future." Approve amendment. (Engst/Jacobson, unanimous)

Board members sought advice from Mr. Fredricks regarding right of way on legal drains and removal of spoil bank. Also discussed reassessment procedures and reviewed the memo to townships of duties regarding culverts through township roads. Mr. Fredricks will make some corrections and additions to the memo and present it at the August meeting.

A report by Richard Engst and Sean Fredricks on the Maple River Dam dedication held on July 17. Total cost of the dam was \$29.5 million.

Approve Amendment I modifying the cost-share participation agreement for the Sargent County Drain No. 11 Improvement Reconstruction Project between North Dakota State Water Commission and SCWRD. The Amendment is to the agreement dated November 7, 2006 and Section 12 is amended to extend the term to June 30, 2009. Authorize Chairman to sign the Amendment. (Jacobson/Engst, unanimous)

Discussed seeding along SC Water Channel # 1 near Doug and Janell Rubey's. Richard is working on getting the seed ordered.

Roger White reported on the 2007 summer meeting.

The Board reviewed the 2008 budget and moved to approve \$235,500 for the General Fund and the following for the individual drains: #2-\$1,000, #3-\$25,000, #4-\$1,000, #8-\$1,000, #9-\$5,000, #11-\$75,000, #12-\$5,000, Water Channel # 1-\$10,000 and Tewaukon Watershed-\$25,000. (Jacobson/Bosse, unanimous)

The Board discussed exposed cable along Drain No. 11 in the SW1/4-1-129-57 (Brampton Township) and the SE1/4-2-129-53 (Kingston Township. The Secretary was instructed to send letters to Red River Telephone Association and Dickey Rural Corporation requesting that the cables must be buried 42" below the bottom of the drain.

Meeting adjourned at 11:15 p.m.

MARK BREKER - CHAIRMAN

ATTEST:

SHERRY HOSFORD - SECRETARY