

**MINUTES OF THE MEETING OF THE SARGENT COUNTY WATER RESOURCE BOARD
HELD ON THURSDAY, SEPTEMBER 17, 2009 AT 7:00 P.M. IN THE
COMMISSIONERS ROOM, SARGENT COUNTY COURTHOUSE, FORMAN, ND**

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

The Board placed a conference call to Chad Engels, Moore Engineering, Inc. to discuss the bids received for the Drain No. 7 Crossing Improvement at 141st Avenue SE, Milnor, ND. Four bids were received. The high bid was \$112,690 and the low bid from Gladen Construction, Inc., Laporte, MN was \$55,036 (The bid tabulation is attached to these minutes). In addition to these costs is the 8x6 PC box culvert 116 feet long purchased by the Water Board for \$74,741. Chad also reviewed other costs including preliminary engineering-\$3198, Construction Engineering-\$24,855, Contingencies-\$16,366, Utilities-\$2,500, Legal and Administration-\$5,000 and Fiscal-\$10,000 for a total of \$191,696. This amount could possibly be less if the Board decides to finance the project with Board monies. This will be discussed later with Attorney Sean Fredricks. Chad indicated that there is a completion date on this project of December 1, 2009. Richard Engst, Board member, informed the Board that Dwain Ellenberger, Milnor City employee would like to remove the existing 10'-8" x 6'11" CMPA from the site and would not charge anything to do this for a savings of \$1976 on this project. Milnor City agreed to donate a pay loader to use to place the CMPA on a trailer. Richard also indicated that he would do the seeding and apply a straw blanket for \$260 versus the \$1800 that was bid. According to Chad there is no problem for these items to be removed from the bid and the contractor will only be paid for the work that they do. Chad Engels recommended that the Board award the contract to the lowest responsible bidder. Motion to award the construction contract for Drain No. 7/SCWC# 1 improvement project to Gladen Construction, Inc., as the lowest responsible bidder. (Engst/Breker. Roll call - Aye: White, Engst, Jacobson, Breker and Bosse. Nay: none. Motion carried.) The Board also authorized the Chairman to sign a letter to ND Dept. of Emergency Services to request an improved project at 141st Ave SE crossing for Drain No. 7.

Approve August 20, 2009 minutes and August financial statement. (Jacobson/Engst, unanimous)

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

61264 A-Tech Sewer	Dr # 4 camera work	1590.00
61265 James Bosse	Travel	152.35
61266 Mark Breker	Travel	55.55
61267 Curtis Christensen	Dr # 12	208.00
61268 Richard Engst	Travel	34.10
61269 Dan Jacobson	Travel	14.30
61270 Johnston Culvert Co.	Dr # 11	31737.37
61271 Ohnstad Twichell	General-474.03 and Dr #7-195.20	669.23
61272 Roger White	Travel	466.25
3707 Mark Breker	3 PD less 27.54	332.46
3708 Danny Jacobson	2 PD less 18.36	221.64
3709 Sherry Hosford	Sec. salary less 24.22	292.45
3710 Richard Engst	2 PD less 18.36	221.64
3711 Roger White	8 PD less 77.44	882.56
3712 James Bosse	9 PD less 88.62	991.38
DD Sargent County Bank	Withholding taxes	500.35

UNFINISHED BUSINESS: No report on Silver Lake dam repairs. Mark Breker has not received anything from ND Park sand Recreation on the kiosk project and the fencing has not been completed. Mark talked to Dick Anderson, Sargent County Weed Board and he has looked at the Nelson Dam site and it will be sprayed this fall. Sean Fredricks will review the permit for Joe Breker and Gerald Woytassek to correct the descriptions.

Todd Bergh (Permit No. 3367) has been amended by the Board attorney which removed the condition that Mr. Todd Bergh obtain written permission from the holder of Tile Drain Permit # 3278 to tie into the tile system in the SE1/4-22-129-55.

A 36" x 40' culvert has been delivered to the north end of Drain No. 11 (Section 14-23-132-58) and will be installed by Dakota Improvement. Roger White will oversee this project.

Bobcat Company, 55 Hwy 13 E, Gwinner, ND filed a request for drainage on highway right of way. Bobcat Company has purchased 3.3 acres adjacent to its current property. Drainage from that acreage flows towards the ND Hwy 13 right of way but is stopped by higher elevation between the ditch and property. The ditch east of the current facility approach also needs to be cleaned to allow for proper drainage to the east. Bobcat Company is seeking approval to regrade the ditch base to regain proper flow and would also like to create a passage for 3.3 acres of drainage to enter the Hwy 13 ditch. The Board received said request and forwarded it to the District Office of North Dakota Dept. of Transportation.

Sean Fredricks arrived at the meeting at 9:40 p.m.

Jason Quandt, Quandt Brothers, Oakes met with the Board to discuss an Application to install Tile Drain. This application proposes to install drain tile on about 180 acres of farmland but affects approximately 270 acres within Section 5-129-58. The ND State Water Commission has determined that it is not of statewide or inter-district significance and forwarded to this Board for their consideration. Mr. Quandt explained that this area is very sandy soil and the tile placement will eliminate erosion. The water would not go into the township road ditch unless it overflows the proposed dike and the Quandt's would pump the water back into the field. Attorney Fredricks advised the Board to request a flowage easement from the downstream landowner who had given written permission. The flowage easement will be filed with the Sargent County Recorder and a copy returned to this Board. Approve Application No. 3426 subject to the following conditions: 1) that Mr. Quandt obtain and record with the Sargent County Recorder's Office flowage easements and not just written consents that include language permitting saline water from the owners of the SW1/4-32-130-58; 2) that Mr. Quandt obtain written permission from the owner of any land, besides land that he owns, on which he will construct the tile system; 3) that Mr. Quandt obtain all other necessary and requisite licenses, permits, registrations, and/or approvals from all applicable federal, state, county and municipal governments, and any other applicable governmental entities. (Jacobson/Breker, unanimous)

Attorney Fredricks discussed with the Board funding options for the Drain No. 7 improvement project. Board members agreed that they will fund the project with Water Resource District funds and not through a bond issue.

Meeting adjourned at 10:30 p.m.

JAMES BOSSE - CHAIRMAN

ATTEST:

SHERRY HOSFORD - SECRETARY