

MINUTES OF THE MEETING OF THE SARGENT COUNTY WATER RESOURCE DISTRICT HELD ON THURSDAY, JANUARY 19, 1995 AT 1:30 PM IN THE COMMISSIONERS ROOM, SARGENT COUNTY COURTHOUSE, FORMAN, ND

The meeting was called to order with the following present: Bosse, Totenhagen, Jacobson, Lien and Paczkowski. Absent: None.

Approved minutes and financial statement. (Paczkowski/Lien, unanimous)

OLD BUSINESS: Discussed beaver control and called George Dumont, Mooreton, ND. He will send some cost estimates. Shortfoot Creek estimates and Silver Lake estimates will be discussed on Jan. 25 at a meeting with Jeff Volk.

The Board met with the county commissioners on Jan 17 to discuss upcoming bridge projects and Drain No. 11.

Drain No. 11 - the Board received notification on 12-30-94 that Judge Webb had ruled in favor of Sargent County on all counts. A 35 page summary of his decision was filed with the secretary. Ohnstad, Twichell Law firm is working on recovering fee reimbursement from the government.

Whitestone Hill Cemetery Board inquired on the SCWC # 1 assessment. They are in the assessment area and paid the original amount in full on 8-26-82.

The Board will meet with Duane Breitling on Jan 25 to discuss cleaning out the southwest branch of Drain No. 11.

Approved payment of the following bills: (Bosse/Totenhagen, unanimous)

25355	James Bosse	Travel	22.00
25356	Dan Jacobson	Travel	3.00
25357	Maynard W. Lien	Travel	99.50
25358	ND Water User's Ass'n	Dues	300.00

25359	Mike Paczkowski	Travel	33.00
25360	John Totenhagen	Travel	28.75
25361	Stamped Envelope Agency	500 envelopes	176.40
11045	James Bosse	3 PD plus meals less 15.07	181.93
11046	Danny Jacobson	3 PD plus meals less 15.07	181.93
11047	Maynard W. Lien	3 PD plus meals less 15.07	181.93
11048	Mike Paczkowski	3 PD plus meals less 15.07	181.93
11049	John C. Totenhagen	3 PD plus meals less 15.07	181.93
11050	Sherry Hosford	Sec. salary less 15.30	184.70

Meeting adjourned to February 16, 1995 at 1:30 p.m.


DANNY JACOBSON CHAIRMAN

ATTEST:


SHERRY HOSFORD - SECRETARY

MINUTES OF THE SARGENT COUNTY WATER RESOURCE DISTRICT HELD ON THURSDAY, FEBRUARY 16, 1995 AT 1:30 PM IN THE COMMISSIONERS ROOM, SARGENT COUNTY COURTHOUSE, FORMAN, ND

The meeting was called to order by Sherry Hosford, Secretary and the Board proceeded to organize for 1995.

Managers present: James Bosse, Dan Jacobson, Maynard Lien and John C. Totenhagen. Absent: Mike Paczkowski.

James Bosse and Dan Jacobson signed an Oath of Office for another three year term.

Nominations for chairman: Dan Jacobson (Bosse/Totenhagen, unanimous ballot)

Nominations for vice-chairman: Mike Paczkowski (Totenhagen/Bosse, unanimous ballot)

Reappoint Sherry Hosford, Secretary-Treasurer. (Bosse/Totenhagen, unanimous)

Approved minutes and financial statement. (Totenhagen/Bosse, unanimous)

Lucky Huether and Harvey Bergstrom arrived at the meeting to discuss a problem in the NE1/4-35-130-54. Harvey is unable to get to a portion of this quarter due to water. He asked to put a crossing on the north side to gain access to the south side. Lucky will determine the drainage area and the Board will size the culvert, all at Bergstrom's expense. It was noted that the NE1/4 is under a wetland easement. The Board suggested that they talk to Fred Giese, Tewaukon Refuge for possible assistance.

Discussed a problem in Section 35-130-53 concerning Harold Lawrence. Table until Mike Paczkowski is in attendance.

OLD BUSINESS: Jim reported that beaver control is on hold until weather warms up. Silver Lake dam project - received a map from SWC outlining area that will be flooded. Discussed several options and Dan agreed to meet with the county commissioners to inform them of the options. Shortfoot Creek survey - Jeff Volk will meet with the Board in March along with interested landowners to discuss the survey. Drain # 11 - Southwest Branch - Moore Eng. is working on the survey.

NEW BUSINESS: Milnor Township requested cost sharing on 48"x40' and 2-36"x40' culverts plus bands totalling \$807.07. Approved. (Lien/Totenhagen, unanimous)

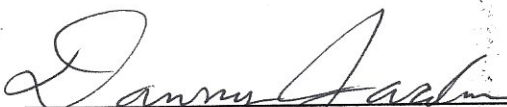
Tewaukon Township requested Board to look at bridge 129-24.1. It is on a township road that they plan to rebuild and feel it could be replaced with a culvert. The Board will look at it during June dam inspections.

Read information on a youth Summer Camp on Water Resources. Schools have been contacted by the state and the Board decided to wait for response before committing to funding.

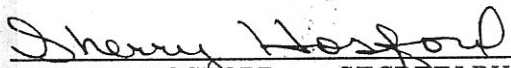
Approved payment of the following bills: (Lien/Bosse, unanimous)

25498	James Bosse	Travel	47.00
25499	Danny K. Jacobson	Travel	54.50
25500	Maynard W. Lien	Travel	23.50
25501	ND Water Res. Dist Assn	Dues	375.00
25502	SC Treasurer	Culverts-Milnor Twp	807.07
25503	John C. Totenhagen	Travel	73.00
11104	James Bosse	4 PD plus 13.50 meals less 19.40	234.10
11105	Danny Jacobson	4 PD plus 13.50 meals less 19.40	234.10
11106	Maynard W. Lien	4 PD plus 13.50 meals less 19.40	234.10
11107	John C. Totenhagen	4 PD plus 13.50 meals less 19.40	234.10
11108	Sherry Hosford	Sec. salary less 15.30	184.70

Meeting adjourned at 4:00 pm.


DANNY JACOBSON - CHAIRMAN

ATTEST:


SHERRY HOSFORD - SECRETARY

MINUTES OF THE MEETING OF THE SARGENT COUNTY WATER RESOURCE DISTRICT HELD ON THURSDAY, MARCH 16, 1995 AT 1:30 PM IN THE COMMISSIONERS ROOM, SARGENT COUNTY COURTHOUSE, FORMAN, ND

The meeting was called to order with the following present: Dan Jacobson, Jim Bosse, Maynard Lien, John Totenhagen. Absent: Mike Paczkowski.

Craig Speich met with the Board to discuss a water problem in Section 17-132-53. The water does not leave his farmstead and is causing problems. He would like to lower the ditch in Section 16 to drain farmyard. Lucky Heuther granted permission to do this. The Board agreed with the request, if he gets floodage easements from the downstream landowners. Craig will talk to the landowners and get back to the Board.

Mike Paczkowski arrived at 1:55.

Approved minutes and financial statement. (Paczkowski/Bosse, unanimous)

Cash CD #31323 and purchase two (2) \$120,000 for 12 months. (Lien/Totenhagen, unanimous) Interest goes into Water Board General Fund.

Beaver dams did not get removed. Too much water now and will have to wait.

Gwinner City is proceeding with the storm sewer project which will flow north of Gwinner.

Summer Water Institute for Teachers - Board will sponsor one teacher from each school.

Jeff Volk, Moore Engineering, and about 25 landowners along Shortfoot Creek arrived at the meeting. Jeff reviewed the watershed area and explained the assessment area. He noted that more of the watershed area is located outside of Sargent County and this could cause problems. The total drop in the 10 mile area is 35 feet. He said the project must be identified on what work should be done and study the permit requirements. Several alternatives were discussed and estimates for a channel cleanout are \$60,000-\$80,000 or a deepening and widening project would cost approximately \$500,000. Several concerns about additional water and the capacity in the Wild Rice River were expressed. The Board will continue checking into feasibility of a cleanout. No decision will be made without a vote of the people involved.

Harold Lawrence one foot dike along the west edge of field in SE1/4-25-130-53 was approved. (Paczkowski/Bosse, unanimous) NRCS determined there is no impact on any wetlands and the placement will cause the water to remain in the ditch as it was designed to do and keep water being pumped by a neighboring producer from causing crop damage to Mr. Lawrence.

Vernon Rubey, Robert Nelson, Jim Berndt and Stanley Smykowski are concerned about beaver problems in the Wild Rice River. Jeff Volk will inquire at the Corps in Bismarck on solution. Also discussed vegetation in the river.

Silver Lake road project - Jeff reviewed preliminary plans and will check with NDDOT on bid specifications.

Drain No. 11 - Received appeal from Mr. Carson on February 27, 1995. According to Mr. Breitling, Washington hasn't approved the appeal and he is waiting for more information. The Board instructed Jeff to survey the natural outlet of the Drain, prepare proposal and submit to the COE.

Dan reported that Rod & Allen Nelson would like to remove 5 posts along Nelson Dam, straighten the fence and expand their calf lot. They would rip/rap lot if it washes out. Approved. (Totenhagen/Paczkowski, unanimous)

Chuck Anderson, Weber Township, asked permission to put a dike back in by his farm and clean the township road ditch. It doesn't affect anyone but him. Permission granted.

Milnor Township culvert request - send a letter to all township supervisors instructing them that this Board will not consider any future requests until the 1994 recommendation is completed.

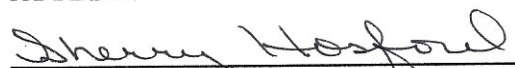
Approved payment of the following bills: (Lien/Totenhagen, unanimous)

25663	James Bosse	Travel	6.00
25664	Hoistad Flying Service	Fly Drain No. 11	150.00
25665	Danny Jacobson	Travel	3.00
25666	Maynard W. Lien	Travel	10.00
25667	Moore Eng. Inc.	Short Foot Creek study	5,034.47
25668	Mike Paczkowski	Travel	22.00
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25669	SC Treas.	Bridge cost share	1,918.04
25670	SC CFSA Office	Maps/Silver Lake	4.00
25671	John C. Totenhagen	Travel	9.50
11163	James Bosse	1 PD less 4.59 taxes	55.41
11164	Danny Jacobson	2 PD less 9.18 taxes	110.82
11165	Maynard W. Lien	1 PD less 4.59 taxes	55.41
11166	Mike Paczkowski	2 PD less taxes plus 13.50 meal	123.38
11167	John C. Totenhagen	1 PD less 4.59 taxes	55.41
11168	Sherry Hosford	Sec. salary less 15.30 taxes	184.70

Meeting adjourned.


DANNY JACOBSON - CHAIRMAN

ATTEST:


SHERRY HOSFORD - SECRETARY

MINUTES OF A SPECIAL MEETING OF THE SARGENT COUNTY WATER RESOURCE BOARD HELD ON TUESDAY, MARCH 28, 1995 AT 1:30 PM IN THE COMMISSIONERS ROOM, SARGENT COUNTY COURTHOUSE, FORMAN, ND

The meeting was called to order with the following present: Dan Jacobson Jim Bosse, John Totenhagen, Maynard Lien, Mike Paczkowski, Murdean Gulsvi and Quentin Hoistad.

The Board received notification from the State Water Commission Conditional Water Permit # 4781 (Silver Lake Dam) is prepared to be approved once necessary easements are filed with that office.

Discussed the six conditions and what procedure to follow for obtaining the easements. Reviewed map of area and agreed to contact all landowners involved. D. Donley Hom, Orvis Silseth, Lowell Olson and U.S. Fish & Wildlife will be contacted to set up meetings. The Weber Township Board will be called in to discuss the road project.

Options regarding Hom land include: 1) obtain necessary easements; 2) purchase N1/2 of NE1/4 or 3) purchase NE1/4 in Section 4-129-55.

Jeff Volk was contacted and he can be here on April 5th at 1:00 pm to discuss the road project. Landowners scheduled to meet with the Board on that date.

Discussed problem with roadway and water west of Donnie Kiefer. Straw plugged up the culvert and water was coming in to fast. Need a larger culvert in the Kiefer yard to handle water more efficiently. Will meet with the county commissioners on April 4th.

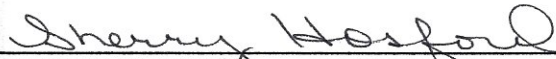
Discussed shelterbelt by Kim Rasmussen. Water Board has old easement on Wild Rice natural drain. No problem to plant trees.

Tewaukon Township request to inspect bridges. Mike will check out prior to next meeting.

Meeting adjourned at 4:30 p.m


DAN JACOBSON - CHAIRMAN

ATTEST:


SHERRY HOSFORD - SECRETARY

MINUTES OF A SPECIAL MEETING OF THE SARGENT COUNTY WATER RESOURCE BOARD HELD ON WEDNESDAY, APRIL 5, 1995 AT 1:00 P.M. IN THE COMMISSIONERS ROOM, SARGENT COUNTY COURTHOUSE, FORMAN, ND

The meeting was called to order with the following present: Dan Jacobson, Jim Bosse, John Totenhagen, Maynard Lien, Mike Paczkowski, Charles Anderson, Brad Smith, Jerry Woytassek, (members of the Weber Township Board), Murdean Gulsvig, Orvis Silseth, and Jeff Volk.

Jeff Volk, Moore Engineering, Inc. presented the Silver Lake Road Improvement map and reviewed the project. The curve will be moved about 100' south the east/west road about 15' south. Design standards for the curve require a 30 mph speed zone. They propose to pull some dirt off hill to rebuild. Apply for 404. The road will be raised 2' by slough and 2'-3' on curve and lower in between. The roadtop will be standard 24'. Discussed amount of gravel as per township specs. Weber Township Board members accept the project and would like to coordinate gravel with contractor. They agreed to furnish road signs and continue maintaining road after construction.

Orvis Silseth approves the project and would like a culvert from the lake to the slough to allow him to irrigate out of the slough versus the lake. Will install a 3' culvert in the roadway. The fence on his property will be removed during construction and he would like it replaced afterwards. The Board will prepare floodage and right-of-way easements for Orvis to sign. Jeff will prepare the land descriptions.

Approved placement of a 24" culvert between Sections 1/12 in Whitestone Hill Township. (Totenhagen/Bosse, unanimous)

Jeff agreed to look at the two bridges in Tewaukon Township and prepare culvert sizing for replacement.

Directed Secretary to send a letter to Don Kiefer informing him that the county commissioners and this Board jointly agreed to remove the restrictor because the water is jeopardizing the road.


Maynard reported a group in Milnor City is interested in buying some of the right-of-way along old Drain # 7. Jeff reviewed and suggested the group do a survey and recommended that the Board retain 50' on southside of the centerline of the drain. Maynard took maps for the group to review.

Lowell Olson arrived at the meeting to review the Silver Lake project. His land is located in the NW1/4-4 and NE1/4-5. He asked how many acres are involved. He questioned what good it will do to raise the dam and asked about re-routing the creek. He probably would give the Board an easement after he finds out how many acres. The State Water Commission will measure the acres and send out to the Board by April 20th.

Meeting adjourned.


DAN JACOBSON - CHAIRMAN

ATTEST:


SHERRY HOSFORD - SECRETARY

MINUTES OF THE MEETING OF THE SARGENT COUNTY WATER RESOURCE DISTRICT
HELD ON THURSDAY, APRIL 20, 1995 AT 8:00 P.M. IN THE COMMISSIONERS ROOM,
SARGENT COUNTY COURTHOUSE, FORMAN, ND

The meeting was called to order with the following present: Dan Jacobson, Jim Bosse, John Totenhagen, Maynard Lien, Mike Paczkowski.
Absent: None.

Approved minutes and financial statement. (Lien/Bosse, unanimous)

Donald Colby requested permission to install a 24" culvert in Willey Township between Sections 33 & 34 and a 36" between Section 4 of Dunbar Township and Section 33 of Willey Township. Approve. (Bosse/Paczkowski, unanimous) The 36" culvert was approved and funded through FEMA monies due to the flooding last spring.

Mr. Colby informed the Board that the Yagow drain uprights are laying down and excess water is a problem. The Board agreed to send a letter to both Alvin & Myron Yagow instructing them to place the uprights in a vertical position immediately.

Fred Geise, Murdean Gulsvig and Quentin Hoistad arrived at the meeting. The Board reviewed a map from State Water Commission showing acreage needed for Silver Lake project either through purchase or floodage easement. Fish and Wildlife acreage in the W1/2-SE1/4-33-130-55 includes 39.0 acres flood easement and 17.1 acres for purchase. Mr. Geise is not concerned with raising the lake, but wants assurance for low flow years. He informed the Board that the paper work should go to the Denver Office and they would refer to him for his recommendations. He suggested preparing a draft easement and a hand sketch of the anticipated structure in the lake. They would review, make any amendments and return to this Board for final consideration.

Mr. Geise discussed the water problem in Whitestone Hill Township by the cemetery. He has offered the use of his pump to remove the water. The township wants to dig a ditch and he cannot allow that because of wetland easements.

Jim Berndt, Louie Gaukler, Robert Nelson and Ed Gaukler met with the Board and presented a petition with 135 names of farmers and ranchers along the Wild Rice River. They urge this Board to stop any plans for enlargement of the water district and not to clean out or do any dredging or trenching of Shortfoot Creek between Sargent County Drain # 3 and where it dumps into the Wild Rice River in Section 31-131-53. They feel something has to be done with the river before any more water can flow into it.

Phillip Freeman, Roy Vig, Bennie Jensvold and Duayne Baldwin, Marboe Township asked permission to replace 2-24" culverts with a 36" between Section 14 & 23. Approved placement and cost share. (Totenhagen/Lien, unanimous) Talked about cleaning the road ditch in this area to keep the water in the ditch.

Several landowners living along Drain # 3 arrived at the meeting requesting the Board clean out the drain. It has been several years and the silt is built up and causing problems. The Board felt it must be surveyed before cleaning and will contact Moore Engineering to conduct the survey. Authorize Mike Paczkowski to work with Moore Eng. in completing the survey. (Lien/Bosse, unanimous)

Jim Bosse talked to Bill Huffman on draining a slough. He does not think it is over 80 acres and does not involve ACSC or SCS payments or Swampbuster.

Letter to D. Donley Hom on Silver Lake project returned 4-14-95 unclaimed. Secretary instructed to send again to the Sioux Falls address by certified mail.

Jeff Volk faxed information on the bridge in Tewaukon Township. He recommends comparing prices for repair versus replacement and provides culvert sizes for replacement. The county commissioners will be contacted about repairs.

Drain No. 11 transcript is being prepared for the government. They will have several months to review and decide what they want to do.

Howard Huffman culvert ordered is 30" x 42'. Township will install the culvert and this Board will pay for the culvert.

Approved cost share of a 36" x 36 foot culvert between Rutland and Weber Township - Section 31. (Lien/Totenhagen, unanimous)

Milnor Township requested cost share to replace a 48" x 44 foot culvert between Sections 34/35. Approved contingent upon receipt of the culvert map for their township. (Totenhagen/Paczkowski, unanimous)

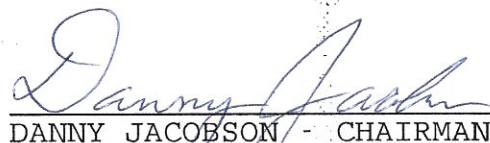
Reviewed list of teachers and students attending the WET summer classes. Bobbi Thompkins, Milnor is registered. Board agreed to pay fee of \$225.

Harvey Bergstrom asked for cost sharing to install a culvert in his field. No monies available for this type of project.

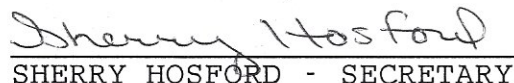
Approved payment of the following bills: (Paczkowski/Lien, unanimous)

25892	James Bosse	Travel	40.50
25893	Roman L. Heley Excav.	Clean Drain # 3	95.00
25894	Danny Jacobson	Travel	7.50
25895	Jerry's Backhoe	Move culvert from Gwinner	60.00
25896	Maynard W. Lien	Travel	49.00
25897	Moore Eng. Inc.	Silver Lake road survey	5,601.65
25898	ND Water Ed Fund	Bobbi Thompkins registration	225.00
25899	Ohnstad, Twichell	Attorney Fees	180.00
25900	Mike Paczkowski	Travel	44.00
25902	John Totenhagen	Travel	43.50
11228	James Bosse	6 PD less 27.54 taxes	332.46
11229	Danny Jacobson	5 PD less 22.95 taxes	277.05
11230	Maynard Lien	5 PD less 22.95 taxes	277.05
11231	Mike Paczkowski	4 PD less 18.36 taxes	221.64
11232	John Totenhagen	5 PD less 22.95 taxes	277.05
11233	Sherry Hosford	Sec. salary less 15.30 taxes	184.70

Meeting adjourned at 11:45 p.m.


DANNY JACOBSON - CHAIRMAN

ATTEST:


SHERRY HOSFORD - SECRETARY

MINUTES OF THE MEETING OF THE SARGENT COUNTY WATER RESOURCE DISTRICT HELD ON THURSDAY, MAY 18, 1995 AT 8:00 P.M. IN THE COMMISSIONERS ROOM, SARGENT COUNTY COURTHOUSE, FORMAN, ND

The meeting was called to order with the following present: Dan Jacobson, Jim Bosse, Maynard Lien, Mike Paczkowski, John Totenhagen. Absent: None. Also present: Jeff Volk.

Prior to start of meeting, those present toured the water problem in the City of Forman.

Approved minutes and financial statement. (Paczkowski/Lien, unanimous)

Instructed Secretary to reinvest CD # 31397 on 5/30/95 for 12 months. (Lien/Bosse, unanimous)

Ray Nelson (NW1/4-5-131-58 arrived at the meeting to discuss a water problem. The railroad acts as a dike and cuts off 39 acres of his land and does not move anywhere. This is a natural drain and would need about 60 rods cleaned. The Board instructed Mr. Nelson to talk to SCS and the adjacent landowner. The natural drain maintenance is the responsibility of the landowner.

Jeff updated the Board on Drain No. 3 indicating that some of the area has been surveyed, but not tied together. The Board requested that he survey the entire drain and tie the other areas together to determine the level of grade. Could possibly clean Section 28, 29 and up to 2/35 with the current levy balance and two additional years assessment.

Drain No. 11 survey and the outlet in Taylor. The Board asked Jeff to start at the SW1/4 of Section 1-11-10/13. There is a blockage somewhere in that area. He will complete a profile and compare the data to the 1969 Bureau of Reclamation survey.

Jeff agreed to prepare the easements on the Silver Lake Dam for review by the U.S. Fish and Wildlife Service. Briefly discussed the Silver Lake road project.

Bill Huffman asked permission to drain an area between Sections 27/34 in Harlem Township. He was told he would be in violation but he is not in the farm program. It appears to be more than an 80 acre drainage basin and therefore needs a permit. He was instructed to prepare the permit and submit to the State Water Commission.

Dale Asche asked to clean the county road ditch to re-route water along County No. 1 between Section 14 & 23, Dunbar Township. The water will end up in the same area, but would necessitate removing 2-21/2 feet of dirt and lowering culverts. This would also require a permit. He will prepare with the adjacent landowner and send to the SWC.

Bridge between Section 21/22, Tewaukon Township - county road department will make repairs instead of replacing.

Maynard reported the uprights are in a vertical position on the Yagow land.

Larry Tangen looked at beaver problem but it is too wet to start any control.

Granted permission to Sargent County to lower a slough located in Section 18 of Shuman Township. (Bosse/Paczkowski, unanimous)

Approve cost share of 36" x 40' culvert for Rutland Township to replace existing culvert located between Section 2/3. (Lien/Totenhagen, unanimous)

Received a complaint from Elroy Enervold on a drain in SW1/4-19, Whitestone Hill Township. Approximately 40 acres has been drained since 1968 and is causing flooding to a township road in Vivian Township. Instructed secretary to contact Vivian Township Clerk for information on original construction.

Approved placement of an approach in Section 16-130-54 with an 18" culvert. (Totenhagen/Bosse, unanimous)

Rex Ferguson appeared on behalf of Cogswell City regarding the continuing water problem. The old tile drain (#16) isn't working and the water is backing up into Cogswell causing flooding to the lift station and streets. State Hwy # 11 needs an opening because the existing tile is plugged and does not allow the water to flow. The Board declared an emergency and will contact the NDDOT to request immediate excavation of the highway.

Forman City is also experiencing water problems on the west side of town.

Water is flooding a trailer court, damaging homes, utility company property, and creating a hazard for the citizens of Forman. Legal Drain # 4 on the east side of Forman is the outlet for this water which would require burying pipe through town, excavating under State Hwy # 32, more underground pipe until it reaches the drain. At this point the ditch could be open cut and the water would flow easterly until it reaches Crooked Creek.

Maynard Lien introduced the following resolution and moved its adoption:

WHEREAS, the Sargent County Commission declared a State of Emergency in the County on May 10, 1995, and
 WHEREAS, due to excessive rainfall in the Spring of 1995, the flooding problems of 1993 & 1994 have added additional strain to the 1995 spring flooding conditions and overflow of creeks, sloughs and drains, and
 WHEREAS, the County has suffered damages to roads, culverts, agricultural land, homes utility company property and mental strain on the officials and residents of the County, and
 WHEREAS, the City of Cogswell and the City of Forman are in a state of emergency to protect their city water systems, lift stations and public safety of their citizens,
 NOW THEREFORE BE IT RESOLVED, the Sargent County Water Resource Board declare an emergency exists and the areas of the Lateral to Drain No. 11 and Forman Drain No. 4 require immediate attention and excavation of State Highways to allow the water to move from the cities,
 BE IT FURTHER RESOLVED, the Water Resource Board contact the North Dakota Department of Transportation, State Water Commission and ND State Health Department to advise of the problem and that we are proceeding with necessary work and ask for any financial assistance that is available.

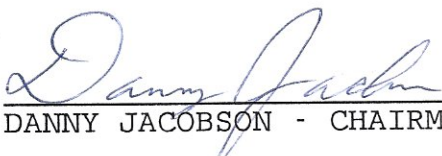
Dated at Forman, North Dakota 18th day of May, 1995.

John Totenhagen seconded the resolution. Roll call vote. Voting aye: All. Voting nay: None. Resolution was duly declared carried and adopted.

Approved payment of the following bills: (Bosse/Paczkowski, unanimous)

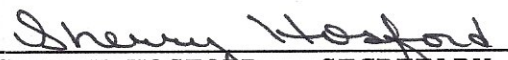
26031	Viking Office Supply	"RECEIVED" Stamp	5.79
26084	James Bosse	Travel	37.50
26085	Danny Jacobson	Travel	46.50
26086	Jerry's Backhoe Service	Cleaning & removing beaver dams	360.00
26087	Maynard Lien	Travel	10.00
26088	Mike Paczkowski	Travel	70.50
26089	John C. Totenhagen	Travel	9.50
26090	H.V. Johnston Culvert Co.	Howard Huffman culvert	588.00
26091	CFSA Office	Aerial maps	8.00
11295	James Bosse	6 PD less 27.54 taxes	332.46
11296	Danny Jacobson	7 PD less 32.13 taxes	387.87
11297	Maynard W. Lien	2 PD less 9.18 taxes	110.82
11298	Mike Paczkowski	3 PD less 13.77 taxes	166.23
11299	John C. Totenhagen	1 PD less 4.59 taxes	55.41
11300	Sherry Hosford	Sec. salary less 15.30 taxes	184.70

Meeting adjourned at 1:20 a.m.



 DANNY JACOBSON - CHAIRMAN

ATTEST:



 SHERRY HOSFORD - SECRETARY

MINUTES OF THE MEETING OF THE SARGENT COUNTY WATER RESOURCE BOARD HELD ON THURSDAY, JUNE 1, 1995 AT 8:00 PM IN THE COMMISSIONERS ROOM, SARGENT COUNTY COURTHOUSE, FORMAN, NORTH DAKOTA

The meeting was called to order with the following present: Dan Jacobson, Jim Bosse, John Totenhagen, Maynard Lien, Mike Paczkowski and Jeff Volk. Also present: Donald A. Nelson and Eugene Miller

Discussed cleaning Forman Drain No. 4. Work began on 5-31-95 at the section line and went out around the lagoon. The city will install 24" pipe through town and the Water Board will replace pipe in the area by the lagoon. Asked permission of Mr. Nelson and Mr. Miller to clean through their property in the SE1/4-32-131-55 and NW1/4-5-130-55. Dirt from the original construction wasn't leveled and will be with this project. This Board doesn't have easement on said property and both landowners were agreeable to proceed with the project. The Board asked that if they see something that does not satisfy them that they get in touch with a Board member. Discussed a culvert replaced by Fish and Wildlife that is possibly 2 feet too high. Dan will talk to them about lowering it.

Edwin Erickson has excess water in his yard from Buffalo Lake. County commissioners and Water Board members inspected the area and Mr. Erickson asked for a larger culvert in the county road between Section 7/18 of Shuman Township. After reviewing the culvert map and sizes of existing pipe, agreed to approve adding a 36" culvert. Mr. Erickson should work with SCS to coordinate the grades and stay in compliance with Food Security Act and avoid any wetland violation. (Lien/Totenhagen, unanimous) The county will have to work with Erickson on cleaning the ditch because it is a county road.

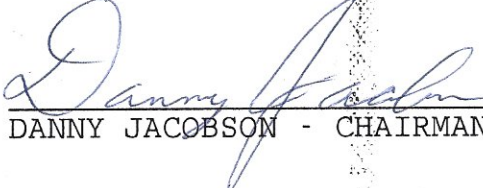
Dennis Brezicka contacted Dan about replacing some culverts on the Dunbar/Rutland Township line. Between Section 32/5 a 30" would be replaced with a 30" and between 33/4 3-36" culverts replaced with 3-48" culverts. These culverts are in bad shape and need replacing before the cleaning of Drain No. 4. Approved 1/3 cost share. (Bosse/Paczkowski, unanimous)

The Elroy Enervold complaint filed in May was discussed. It appears the drainage is less than 80 acres and did not require a permit. The Water Board has no jurisdiction over this matter. (Paczkowski/Bosse, unanimous) A reply will be sent to Mr. Enervold.

Sandy Hanson met briefly with the Board and updated them on FEMA and the disaster declaration. June 2nd is the deadline and she will submit information relative to Forman City and Cogswell City flooding and hopefully they will include Sargent County in the declaration.

Discussed cleaning the outlet to Drain No. 11. Jim talked to the COE and they approved an application to cleanout the natural outlet which consists of removing cattails from the channel of the Wild Rice River beginning in the northwest corner of the NW1/4-8-129-56 and following the river through Section 9,10,11, and 2 and ending in the NW1/4-1-129-56. (Application No. 199560694) Jim talked to the Hutterites and they can begin work next week. A letter was composed and will be sent to all affected landowners along the river informing them of the project and reason for the cleanout. After this work is completed, the work will begin on SC Drain No. 16. A meeting will be scheduled to meet with all landowners along Dr # 16 to discuss this project and the pros and cons of open ditch versus tile drain.

Meeting adjourned at 11:30 p.m.


DANNY JACOBSON - CHAIRMAN

ATTEST:


SHERRY HOSHORD - SECRETARY

MINUTES OF THE MEETING OF THE SARGENT COUNTY WATER RESOURCE BOARD HELD ON WEDNESDAY, JUNE 14, 1995 AT 8:00 P.M. IN THE COMMISSIONERS ROOM, SARGENT COUNTY COURTHOUSE, FORMAN, ND

The meeting was called to order with the following present: Dan Jacobson, Mike Paczkowski, Maynard Lien and John Totenhagen. Absent: Jim Bosse. Also present: Jeff Volk, Sandy Hanson, David & LeAnn Even, Bonnie Gisi, Jim Kunkle, J.D. Bopp, Ted & Paul Mathews, Larry Albertson, Rex Ferguson, Harlan Klefstad, William & John Hayen, Todd Stein, and Kenneth, Lillian & Kent Lamb.

The purpose of the meeting was to meet with landowners along the old tile drain # 16 in Sargent Township. The Water Board acquired right-of-way deeds for construction and maintenance of a tile drain in the early 1900's. Excessive water in the City of Cogswell is unable to drain because the tile does not work properly.

Jeff explained the scenario of Cogswell and various options: 1) locate tile and see if water is flowing or 2) remove tile and leave open channel to relieve water in Cogswell. Drain No. 11, the outlet to this tile drain, needs work on the outlet in Taylor Township to improve the flow of water. This work is being done now and U.S. Fish and Wildlife have contacted the Board regarding this project.

Andy Wingsbach, DC from SC NRCS addressed a letter to the Board with these concerns: 1) Open ditch-remove old tile and replace with drainage ditch(not recommended), 2) New tile-remove old tile and replace with new tile(expensive) and 3) Open ditch\tile-open ditch in non-wetland area's with tile (new or old) in wetland area's, not to lower existing wetland boundaries (workable and not as expensive). A minimal effect exemption can be granted only after this Board agrees to sign a minimal effect agreement. This also would have to be signed by NRCS and FWS.

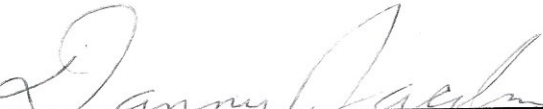
New ideas, alternatives and discussion followed by those in attendance. The majority felt the project should proceed to reduce the problem in Cogswell. Discussed rerouting water west of Cogswell. There is a 25' incline from the northeast corner of Cogswell to the cemetery and the water would not flow unless a 20-30' cut were made. Difficult to pump lift station over the hill. There is not an estimate available at this time for this suggestion.

Jeff reviewed the original assessment list and percentages assessed to adjacent land including the City of Cogswell lots and blocks. He will do some figuring on this list to determine benefit of assessment.

The concerns from SCS must be addressed and those present are willing to meet again to express how this water is affecting them. The lift station is sandbagged and they are pumping steady. The manholes are covered with plastic and sandbagged.

After landowners left the meeting, the Board continued to discuss options and what process would be most practicable for this area. They will keep working on the Presidential Disaster Declaration and Dan will talk to SCS prior to the regular meeting tomorrow night.

Meeting adjourned at 11:40 p.m.


 DANNY JACOBSON - CHAIRMAN

ATTEST:


 SHERRY HOSFORD - SECRETARY

NOTES OF THE MEETING OF THE SARGENT COUNTY WATER RESOURCE BOARD HELD ON THURSDAY, JUNE 15, 1995 AT 8:00 PM IN THE COMMISSIONERS ROOM, SARGENT COUNTY COURTHOUSE, FORMAN, ND

The meeting was called to order with the following present: Dan Jacobson, Jim Bosse, Maynard Lien, Mike Paczkowski and John Totenhagen. Absent: None.

Approved minutes as amended and financial statement. (Lien/Totenhagen, unanimous)

Chuck Anderson and Brad Smith, Weber Township Supervisors, met with the Board to discuss water problems between Section 10/11 and 3/11 by Darren Hoistad's. They would like rock crossings and asked for assistance. The Water Board will inspect next week and talk to the commissioners about cost share. Requested cost share on a 36" x 36' culvert to replace existing old culvert between Section 13/24. Approved. Chuck Anderson also discussed a problem by the bridge in the SE1/4-14 which has washed topsoil into the creek. This is a natural waterway and landowner responsibility. He will work with the township.

Donald Marquette, Colin Stockstad, Elvoy Askerooth, Elwood Enge, Eugene Johnson, John Lunneborg and Mervin Wohler arrived at the meeting seeking information on the water problem in Forman and the effect it will have on the downstream landowners. Dan described the problem with Dr. # 4 and showed pictures of the water around Forman. The pipe installation (5100 feet) is nearly completed and cleanout on the east end soon finished. A gate will be placed on the east end to control water. Estimate 600 acre feet of water will flow through the drain. The landowners are concerned about the water and the quality (lagoon contents). Dan said Forman City received permission to dump as the water passed the state specs. Colin Stockstad asked about keeping more water in Buffalo Lake all the time and what can be done to do this. The road on the south side must be raised to keep from flowing to the south. Other concerns about the east end of Crooked Creek and flowing into the river. Some natural waterways should be cleaned and elevations on several culverts checked to be sure the water can flow to the east. The Board agreed to have some of the culverts surveyed.

lver Lake permit - may have to reapply for another permit. Problems with first permit and how the 12.3 acres feet of water was included in the permit application. Should hear from SWC after the hearing date closes today.

Jim updated the Board on cleaning the outlet to Dr #11. Work started about 1 week ago and is progressing nicely. The water has dropped 32" and Jim is taking measurements at different locations to compare with original depth's.

Discussed spraying legal drains and will contact a helicopter to do Dr. # 11.

Cogswell water problem-Drain No. 16 - Jeff agreed to meet with NRCS to discuss options and get agreement ready to begin work on the tile.

Entered into an agreement with USDA Animal and Plant Health Inspection Service Animal Damage Control Division to cooperate in a wildlife damage management program to reduce agricultural losses caused by beaver within the county. (Bosse/Totenhagen, unanimous) Said agreement is from July 1, 1995 to June 30, 1996 and can be cancelled in writing upon 30 days notice.

Discussed meeting with Duane Breitling scheduled for June 19 at 9:30 am in Fargo.

Gave permission to Sparky Engquist, road department supervisor, to remove trees, cattails and other obstructions from legal drains that are causing problems to county roads.

Approved payment of the following bills: (Paczkowski/Bosse, unanimous)


26169	James Bosse	Travel	42.00
26170	Dan Jacobson	Travel	42.25
26171	Jerry's Backhoe Service	Work on Old Tile # 16	320.00
26172	Maynard Lien	Travel	48.50
26173	Ohnstad, Twichell	Attorney Fees	84.00
26174	Mike Paczkowski	Travel	66.50
26175	Sargent County	Culvert reimbursement	1528.33
26176	John Totenhagen	Travel	40.50
11362	James Bosse	8 PD less 36.72 taxes	443.28
11363	Dan Jacobson	9 PD less 42.45 taxes	497.55
11364	Maynard Lien	5 PD less 22.95 taxes	277.05
11365	Mike Paczkowski	5 PD less 22.95 taxes	277.05
11366	John Totenhagen	4 PD less 18.36 taxes	221.64

11367	Sherry Hosford	Sec. salary less 15.30 taxes	184.70
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Meeting adjourned at 10:15 p.m.


DANNY JACOBSON - CHAIRMAN

ATTEST:


SHERRY HOSFORD - SECRETARY

MINUTES OF THE MEETING OF THE SARGENT COUNTY WATER RESOURCE BOARD HELD ON THURSDAY, JULY 20, 1995 AT 8:00 P.M. IN THE COMMISSIONERS ROOM, SARGENT COUNTY COURTHOUSE, FORMAN, ND

The meeting was called to order with the following present: Dan Jacobson, Mike Paczkowski, Jim Bosse, Maynard Lien and John Totenhagen. Absent: None. Also present: Scott Johnson, John & Bill Hayen and Kent Lamb.

Scott Johnson, representing Ransom-Sargent Rural Water asked the Board if there is funding available for a feasibility study. They have received \$130,000 MRI funding through GCD and need an additional \$70,000. He reviewed maps of the system and said they would not begin until 1997. The Board requested copies of the map to see how many Sargent County residents are involved in the system.

John & Bill Hayen and Kent Lamb informed the Board they had been pumping an area of Drain # 16 and they got down to the top of the tile. They will contact the NRCS on Monday and invite them to visit the site to view what is happening.

Approved minutes as written and financial statement. (Totenhagen/Lien unanimous)

Authorize Secretary to cash CD #32301 and deposit in General Fund. (Lien/Totenhagen, unanimous)

Received a copy of the Annual Dam inspection report. No problems seen on any of the channels, however, Wild Rice # 1 & # 9 have some small willow trees that had been sprayed last year and are now dead. All channels had areas of thick cattail growth. Brummond/Lubke Dam needs repair on all 4 wires on the fence. Cattle have started to form a trail on the south end and should be re-routed to stop possibility of gully farming. Frenier Dam needs repair on fence on the west end and only minimal amounts of leafy spurge. Nelson Dam had no problems and grass looks excellent.

Forman Drain No. 4 - work is complete and water has drained remarkably fast from the city. Some flooding occurred on Gene Miller land due to WPA not being cleaned. Still some problems with culverts on Old # 11. FEMA inspected the project and submitted a damage survey report to the federal office.

Outlet to Drain # 11 - work is complete and working good. A few more areas should be checked for cattails and cleaned if necessary.

Edwin Erickson water problem - approved 30" between Sections 7/18 and remove 24" and also replace 2 30" between Sections 8/9 with 1 30". Approve paying one-half of the total culvert cost. (Bosse/Paczkowski, unanimous)

Drain No. 16 - scheduled a meeting for July 24th to meet with the Mathews family, Duane Breitling and Jeff Volk to discuss various options on the tile drain.

Drain No. 11 - the 8th U.S. Circuit Court of Appeals dismissed the government's appeal in accordance with Federal Rules of Appellate Procedure 42(b). Dan will make arrangements to pick up and return all records and historical data from the Ohnstad Law Office.

Jim reported the beaver have moved the dam across the ditch and some water is backing up. He feels the culverts should be extended 8-10' and holes poked in the bottom.

Approved Weber Township request to install rock crossings between Sections 10/11 and 3/11. The county commission agreed to pay 1/3 cost of the rock and installation with township coordinating project. Approve 1/3 cost share. (Bosse/Lien, unanimous)

Received copies of the Annual Operation Plan from US F & W and Red River Basin Streamgaging Program for 1995.

Mike & John reported on the Annual Summer Meeting held in Devils Lake July 10th.

Proceeded to work on the 1996 Budget. Approved \$376,600 for General Fund and \$28,000 for Drains. ((Paczkowski/Bosse, unanimous)

Approved payment of the following bills: (Paczkowski/Bosse, unanimous)

26432	Jim Bosse	Travel	69.50
26433	Danny Jacobson	Travel	51.24
26434	Jerry's Backhoe Serv.	Beaver dam	40.00
26435	Kindred Plbg & Htg	Forman Dr. # 4	24,426.85
26436	Maynard Lien	Travel	20.00
26437	Moore Eng., Inc.	Dr. # 11, 4, 16 & bridges	15,404.83
26438	Northern Water Works	Pipe - Dr # 4	23,940.00
26439	Ohnstad, Twichell	Atty Fees	315.50
26440	Mike Paczkowski	Travel	214.00
26441	Sundale Hutterian Assn	Outlet to Dr # 11	11,730.00
26442	Super 8 Motel	Lodging	203.60
26443	John C. Totenhagen	Travel	246.00
11422	James Bosse	8 PD less 37.76 plus 13.50 meals	455.74
11423	Danny Jacobson	10 PD less 61.89 plus 18.50 meals	556.61
11424	Maynard Lien	4 PD less 19.40 plus 13.50 meals	234.10
11425	Mike Paczkowski	7 PD less 33.17 plus 13.50 meals	400.33
11426	John C. Totenhagen	7 PD less 33.17 plus 13.50 meals	400.33
11427	Sherry Hosford	Sec. salary less 15.30	184.70

Meeting adjourned at 11:05 p.m.


DAN JACOBSON - CHAIRMAN

ATTEST:


SHERRY HOSFORD - SECRETARY

MINUTES OF THE SPECIAL MEETING OF THE SARGENT COUNTY WATER RESOURCE BOARD HELD ON MONDAY, JULY 24, 1995 AT 8:00 P.M. IN THE COMMISSIONERS ROOM, SARGENT COUNTY COURTHOUSE, FORMAN, ND

The meeting was called to order with the following present: Dan Jacobson, Jim Bosse, Mike Paczkowski and Maynard Lien. Absent: John Totenhagen. Also present: Duane Breitling, Jeff Volk, Mr. & Mrs. Ted Mathews, Nancy Mathews, Paul Mathews, Bonnie Gisi, David Even and Jim Kunkle.

The purpose of the meeting was to meet with the Mathews family to discuss various options to resolve the problem with Drain # 16.

Jeff explained the two options: 1) replace tile that is not working or 2) start at the outlet and remove tile and leave an open ditch. Landowners to the north are in favor of an open ditch and this would be more economical. The wetland issues are close to being resolved, although no wetland issue are present in Section 23.

Paul Mathews stated that the open ditch on Section 23 does not follow the tile and that the outlet is at a different location. They are not in favor of a new open ditch. The Board could replace the tile in 23 at the original design and preclude the Mathews from farming over the top because of the depth. What is the Mathews preference? They are concerned about flooding and who will reimburse them for damages.

Mr. Mathews read the concerns in a letter dated June 16, 1995 from John Cichy, Attorney and asked why they had not received a reply. Mr. Breitling indicated they are not issues until they happen.

Dan stated that Mathews did not have a drain application or permission to remove the tile. They dug a new open drain and never contacted the Water Board for assistance. The Board either has to get the tile open, install new tile or dig a ditch.

Mathews asked why the water can't be pumped west or if a holding pond could be dug. He also stated that the Board could buy their land.

The Water Board asked Jerry Bohnenkamp to check the tile to see where it is working. John Hayen and Kent Lamb did some pumping to check if it is flowing.

Mathews said they will have to think about it and left the meeting.

The Board discussed what their options are and agreed that an emergency exists and offered the following resolution: (Bosse/Paczkowski, unanimous)


WHEREAS, due to excessive rainfall in 1995 and flooding problems in 1993 & 1994, additional strain has occurred in creeks, sloughs and drains, and WHEREAS, the City of Cogswell is in a state of emergency to protect their city water system, lift stations and public safety of their citizens, NOW THEREFORE BE IT RESOLVED, the Sargent County Water Resource Board declare an emergency exists in the area of old tile Drain # 16 and immediate attention and excavation is necessary to alleviate the water problem in th City of Cogswell, BE IT FURTHER RESOLVED, the Board is authorized to negotiate with contractor to perform services to address this emergency.

Jeff will negotiate prices on pipe and contact contractors. Jim will talk to local contractors and get ready to proceed with necessary work. Duane says a temporary 404 permit is not necessary. This is clearly exempt and we will tile through wetlands if we have to. We can use perforated tile through Section 23 and in slough areas to the north. No minimal affect needed. The Board can dig an open ditch and replace with tile in a reasonable fashion.

Milnor Township culvert problem between Sections 3/4 and 9/10. Mr. Breitling will send a letter to the Board instructing them to install a 24" culvert within 30 days or the Board will do the work and place a lien against their taxes. (Bosse/Paczkowski, unanimous)

Jeff reported on Silver Lake road project that the plans are in Bismarck. He will contact contractors to do the work.

Meeting adjourned at 11:05 p.m.


DANNY JACOBSON - CHAIRMAN

ATTEST:

Sherry Hosford
SHERRY HOSFORD - SECRETARY

MINUTES OF THE SPECIAL MEETING OF THE SARGENT COUNTY WATER RESOURCE BOARD HELD ON WEDNESDAY, AUGUST 9, 1995 AT 7:00 A.M. IN THE COMMISSIONERS ROOM, SARGENT COUNTY COURTHOUSE, FORMAN, ND

The meeting was called to order with the following present: Dan Jacobson, Jim Bosse, Mike Paczkowski, Maynard Lien and John Totenhagen. Absent: None. Also present: Jeff Volk, Moore Engineering, Inc.

Proceeded to review the original drain tile and profile for the Old Tile Drain No. 16 and discussed reconstruction with tile versus open drain.

Jeff received cost estimates from Northern Excavating Co., Inc., Jamestown and tile estimates. He reviewed the two projects which indicates the open ditch would be more cost effective and have no restrictions on farmland. The request to FEMA has been submitted and will wait and see if any funding is available.

Reviewed maximum levy for Dr # 11 and the benefit to Cogswell City. Instructed Jeff to inquire on increasing those lands that have a higher benefit and procedure for changes.

Motion to proceed with maintenance project of Old Drain No. 16 with the following plan of action being most fair and appropriate when considering the interest of all concerned:

- 1) In Section 23, Township 130, Range 57 the Board intends to install a new 18 inch drain pipe 10 feet east of and parallel to the existing drain pipe.
- 2) This new drain pipe will be installed at the same depth and grade as shown on the original plans.
- 3) The old existing drain pipe through Section 23 will be left in place, as per landowner wishes and they must assume responsibility and cost of maintaining the same.
- 4) Other areas of the Old Drain No. 16 will be cut open and excess water allowed to drain. Within a reasonable time frame, 15" & 12" tile will be installed in the remainder of the drain.

(Bosse/Totenhagen, unanimous)

Instructed Jeff to contact contractor to move equipment into the area tomorrow (8-10-95) and begin construction activities as soon as materials can be procured.

Meeting adjourned at 10:00 a.m.

Danny Jacobson
DANNY JACOBSON - CHAIRMAN

ATTEST:

Sherry Hosford
SHERRY HOSFORD - SECRETARY

MINUTES OF THE MEETING OF THE SARGENT COUNTY WATER RESOURCE BOARD HELD ON THURSDAY, AUGUST 17, 1995 AT 8:00 P.M. IN THE COMMISSIONERS ROOM, SARGENT COUNTY COURTHOUSE, FORMAN, ND

The meeting was called to order with the following present: Dan Jacobson, Jim Bosse, Maynard Lien, John Totenhagen and Mike Paczkowski. Absent: None.

Approved minutes of July 20, 24 and August 9, 1995 meetings and financial statement. (Paczkowski/Lien, unanimous)

John Lien, Milnor Township, met with the Board to discuss the culvert problem between Section 3 & 4 of said township. The Board informed Mr. Lien that the township has until August 26th to install a 24 inch culvert or the Board will order the work done and place a lien against any and all tax collections of Milnor Township for reimbursement of the costs incurred in doing so. Maynard will keep abreast of the project and order the culvert if necessary.

David & LeAnn Even asked for an update on the Cogswell Dr # 16 tile. The Board met with FEMA several times and were told they would rent irrigation pipe and rent a pump to remove the water from Cogswell. It would take 90-120 days to drain. The Board is not happy with this solution and plan to appeal the decision once the paper work has been received by Sargent County. The Board encouraged the City of Cogswell to contact area legislators and state congressmen to explain the problem and seek financial assistance because the city is actually the sponsor of the project. For the present time, the Board will wait for papers from FEMA.

Bill Hayen and Rex Ferguson arrived at the meeting interested in the Cogswell water problem and discussed the south mile where pipe is being installed. They would like to see some additional inspection on the rest of the tile to see if portions are working and may need only minor repairs. RSR agreed to come out and check an area in Section 14 where they installed cable to see if they did any damage.

Glen Thompson is experiencing a water problem in Section 28-130-57 and requested the township to install an 18" culvert across the road between Sections 28 & 27-130-57 to allow the water to flow to Drain No. 11. Permission granted if no problem with NRCS or other landowners.

Silver Lake road project - Jeff contacted Crandall Construction with a proposal. No response at this time.

Prepared maps for helicopter spraying on Drain No. 11, 9 and SC Water Channel Imp. Dist. # 1. Dakota Helicopter Service, Beulah, ND will do the spraying the end of this month at a cost of approximately \$100/mile.

Jack & Boyd Brummond will make repairs to the fence as per dam inspection and Mike will check Frenier dam fence and look for leafy spurge.

Approved 30" culvert between Sections 21/22 of Tewaukon Township to replace 24". This is on county road right-of-way. (Paczkowski/Totenhagen, unanimous)

Discussed various legal drains and the need to place special assessments for 1995. Approve amounts as follows: Drain # 1 -\$.25; Drain # 2 - \$.25 Drain # 3 -\$.1.00; Drain # 9 -\$.50; Drain # 11 -\$.1.00; Drain # 12 - \$.75. These amounts are assessed per acre on the highest benefit apportioned. (Paczkowski/Totenhagen, unanimous)

The Board next proceeded to discuss the reassessment of Sargent County Drain No. 4. Commissioner Bosse introduced the following resolution and moved its adoption. Commissioner Paczkowski seconded the resolution. On roll call vote, all commissioners voted aye, no one voted nay, and the resolution was duly declared carried and adopted.

**RESOLUTION FOR THE REASSESSMENT OF BENEFITS
SARGENT COUNTY DRAIN NO. 4**

WHEREAS, the Sargent County Water Resource Board, Sargent County, North Dakota, has heretofore established, made assessments for, and constructed Sargent County Drain No. 4; and

WHEREAS, the Sargent County Water Resource Board has determined that it is proper and necessary to reassess the benefits for Sargent County Drain No. 4; and

WHEREAS, a review of said assessment is mandated by law;

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby reassess the

percentage of the cost of maintaining said drain in accordance with the benefits received, against (1) any county, township or city which is benefited thereby; and (2) any lot, piece, parcel or interest in land which is either directly or indirectly benefited by said drain, or by such drain in connection with other existing or proposed drains; and that said reassessment of benefits is hereby made by the execution of an Order Assessing Benefits which is attached hereto and hereby made a part thereof;

BE IT FURTHER RESOLVED, that the Secretary of this Board is hereby directed to give notice of the review of assessments according to law, and that the time and place said assessments will be reviewed is at the Commissioners Room, Sargent County Courthouse, in the City of Forman, Sargent County, North Dakota, on September 6, 1995, at 8:00 p.m.

Dan Jacobson
Chairman

ATTEST:

Sherry Hosford
Secretary

Approved payment of the following bills: (Bosse/Lien, unanimous)

26619	James Bosse	Travel	48.25
26620	Danny Jacobson	Travel	61.00
26621	Maynard Lien	Travel	30.00
26622	Ohnstad, Twichell, Law Off.	Attorney Fees (Dr. # 11)	528.25
26623	Mike Paczkowski	Travel	33.00
26624	John Totenhagen	Travel	19.00
11490	James Bosse	9 PD less 42.45 taxes	497.55
11491	Danny Jacobson	7 PD less 32.13 taxes	387.87
11492	Maynard Lien	3 PD less 13.77 taxes	166.23
11493	Mike Paczkowski	3 PD less 13.77 taxes	166.23
11494	John Totenhagen	2 PD less 9.18 taxes	110.82
11495	Sherry Hosford	Sec. salary less 15.30 taxes	184.70

Meeting adjourned at 11:00 p.m.

Dan Jacobson
Chairman

ATTEST:

Sherry Hosford
Secretary

MINUTES OF THE MEETING OF THE SARGENT COUNTY WATER RESOURCE BOARD HELD ON WEDNESDAY, SEPTEMBER 6, 1995 AT 8:00 P.M. IN THE COMMISSIONERS ROOM, SARGENT COUNTY COURTHOUSE, FORMAN, ND.

The meeting was called to order with the following members present: Dan Jacobson, Jim Bosse, John Totenhagen, Maynard Lien and Mike Paczkowski. Absent: None.

The purpose of this meeting was a public hearing on Sargent County Drain No. 4 to review the reassessment benefits and hear all complaints relative to reassessment and will correct or confirm the same.

No one appeared at the hearing. The following resolution was introduced by Commissioner Bosse and seconded by Commissioner Lien. All members voted aye. No one voted nay and the resolution was duly declared carried and adopted.

RESOLUTION DETERMINING PERCENTAGE OF
ASSESSMENT OF BENEFIT FOR MAINTENANCE OF
SARGENT COUNTY DRAIN NO. 4

The Sargent County Water Resource Board, having given notice of reassessment of the benefits of Sargent County Drain No. 4 and having made a determination as to the area benefited by said drain, and having caused to be published a Notice of Hearing of Reassessment of Benefits, a copy of which is attached hereto;

The Board having by Resolution scheduled September 6, 1995, at 8:00 p.m. at the Sargent County Courthouse in Forman, North Dakota, as the time and place for hearing objections to the percentage assessments set forth in the attached list and for taking such action thereupon as the Board may deem appropriate, and said Resolution having been published in accordance with law;


IT IS RESOLVED that no one appeared at such time and place for the purpose of objecting to the percentage of assessments set forth in the attached list;

IT IS FURTHER RESOLVED that the assessment list previously adopted by the Board for levy of assessments for Sargent County Drain No. 4 is hereby vacated.

IT IS FURTHER RESOLVED that upon reassessment proceedings, the percentage of assessments for each tract of land benefited by Sargent County Drain No. 4 which is set forth on the attached Benefit Reassessment list is hereby adopted as the percentage assessment for each such tract for the purpose of levying assessments for maintenance of Sargent County Drain No. 4.

Dated: September 5, 1995

APPROVED:



DAN JACOBSON - CHAIRMAN

ATTEST:



SHERRY HOSFORD - SECRETARY

Approve \$1.00 per acre on the highest benefit apportioned on Sargent County Drain No. 4 for 1995. (Paczkowski/Bosse, unanimous)

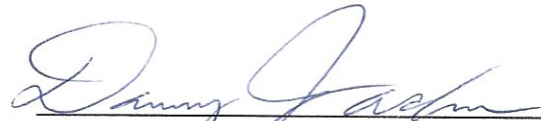
Discussed Cogswell water problem. Jim has been checking existing tile and found areas in excellent shape. Jerry Bohnenkamp will keep working in this area to see where the water is flowing and how rapidly. They will take measurements and compare depths. Dan spoke to Lonnie Hoffart with Hazard Mitigation funding and he suggested we complete the grant application and send in to Bismarck.

Milnor culvert is not installed. Township wants to install both the 24" and 30" (found old pipe between sections 4/9). Agreed to have Moore Engineering survey the area and meet with all parties at the next meeting.

Red River Joint Water Board meeting scheduled for Wednesday, September 13 in Hillsboro. Ransom County will be explaining their water project that would ultimately affect the drain through Milnor City.

Mike reported the Drain No. 3 cleaning began on 9-5-95. Jeff inspected the area this morning and Mike will keep informed on the project.

Meeting adjourned at 10:30 p.m.



DANNY JACOBSON - CHAIRMAN

ATTEST:



SHERRY HOSFORD - SECRETARY

MINUTES OF THE MEETING OF THE SARGENT COUNTY WATER RESOURCE BOARD HELD ON THURSDAY, SEPTEMBER 21, 1995 AT 8:00 P.M. IN THE COMMISSIONERS ROOM, SARGENT COUNTY COURTHOUSE, FORMAN, ND

The meeting was called to order with the following present: Dan Jacobson, Jim Bosse, John Totenhagen, Mike Paczkowski and Maynard Lien. Absent: None.

Approve minutes of August 17 and September 6, 1995 meeting and financial statement. (Lien/Bosse, unanimous)

Instruct Secretary to cash CD # 31201 and deposit in General Fund. (Paczkowski/Bosse, unanimous)

Sandy Hanson met with the Board to discuss the Cogswell water problem and her conversations with FEMA in Bismarck. They are waiting for a sponsor for DSR 98729 before proceeding. FEMA indicated the money will be available and scope of work can be revised. The Board agreed unanimously to sponsor the project and send a letter to FEMA informing them of the recent work on the tile as well as requesting another inspection team come to Sargent County to look at the Cogswell area.

Received 2 letters from Joseph Cichy, representing the Mathews Family. Mr. Breitling responded on September 15, 1995 and asked for comments from the Board. Jim will look at the culvert.

John & Connie Lien and Wayne Sebens, Roger Gibbon & Loren Ellefson, members of the Milnor Township Board arrived at the meeting to discuss the water problem east of Milnor City. Moore Engineering prepared a profile along the east line of Section 9 and the south line of Section 3 in Milnor Township. Copies of the results were provided to those present at the meeting. A lengthy discussion followed concerning the direction the water should flow. According to the survey, there is 8 foot of drop from the intersection of 3/4 to a point one mile east and a recommendation that a new culvert be installed at this point so the additional drainage flows east. A possible alternate route was discussed between Section 3/10 on the south road ditch. This water would flow between the road and railroad tracks until it gets to the N-S ditch between Section 10/11. Milnor Township Board members are concerned about flooding the landowner in these sections. The township board must be careful not to drain the wetland in Section 4 because of the Swampbuster law. Further discussion on installing a culvert on both the north/south road and east/west road. The Water Board is upholding the recommendation of the engineer and request a 24" culvert be installed between Section 3/4 along side the 15". Milnor Township asked if they could remove the 15" because it is old and install a 30". No problem if it is placed at the same elevation as the 15".

Silver Lake project is progressing nicely. Orvis Silseth agreed to get some help to replace the fenceline and this Board will pay the expenses.

Mike reported he sprayed spurge along the dam. He reported that Drain No. 3 cleaning project is almost complete. Question on some of the easements.

Instruct Secretary to send a letter to Howard Huffman on the \$588 bill he owes for a culvert. If it is not paid by November 1, 1995, the amount will be added to his real estate taxes. (Totenhagen/Paczkowski, unanimous)

The Board met with the Ransom County Water Resource Board and Randy Gjestvang on September 11, 1995 to discuss a dry dam for flood control which concerns the Milnor Drain No. 7 (aka SC Water Channel Imp. Dist. # 1). No action at this time.

Approve Application to Drain a Wetland # 2728 from William A. Huffman for land located in Sections 27 & 34-131-57 and advise Mr. Huffman that he should contact the US Army COE regarding a 404 permit. (Bosse/Paczkowski, unanimous)

Jack Brummond contacted the Board about a natural waterway in Section 34-129-55. He feels this is part of the Lubke-Brummond dam and watershed area and is asking this Board for assistance in cleaning. Dan will talk to NRSC on original plan.

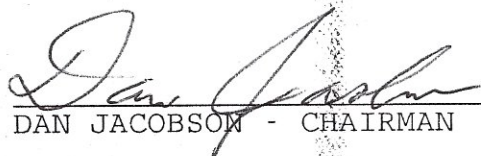
Approve cost share on 48" x 44' culvert between Section 2/11 of Willey Township. (Lien/Bosse, unanimous)

John reported on a conversation with Clinton Greenley regarding a culvert on the north side of Section 2 in Vivian Township. He told Mr. Greenley to talk to the township board, downstream landowners and check on Swampbuster. Water Board recommends a 15" culvert.

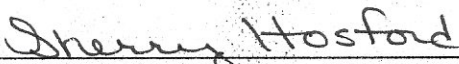
Approve payment of the following bills: (Lien/Totenhagen, unanimous)

26780	James Bosse	Travel & phone calls	89.42
26781	Fargo Water Equip.	Nonperf Pipe-Dr # 16	33,408.88
26782	Dan Jacobson	Travel	14.50
26783	Maynard Lien	Travel	20.00
26784	ND Water Resource Dist.	Handbook update	10.00
26785	Northern Excavating	Install pipe - Dr. # 16	50,435.00
26786	Ohnstad, Twichell	General, Dr. # 11 & 4	1,821.80
26787	Mike Paczkowski	Travel	108.00
26788	Sargent County	Culverts	3,382.46
26790	Teller	Publishing Dr. # 4	22.88
26791	John Totenhagen	Travel	33.50
11550	James Bosse	9 PD less 42.45	497.55
11551	Dan Jacobson	7 PD less 33.66 plus \$20 meals	406.34
11552	Maynard Lien	4 PD less 19.89 plus \$20 meals	240.11
11553	Mike Paczkowski	5 PD less 24.48 plus \$20 meals	295.52
11554	John Totenhagen	4 PD less 19.89 plus \$20 meals	240.11
11555	Sherry Hosford	Sec. salary less 15.30	184.70

Meeting adjourned at 11:35 p.m.


DAN JACOBSON - CHAIRMAN

ATTEST:


SHERRY HOSFORD - SECRETARY

MINUTES OF THE MEETING OF THE SARGENT COUNTY WATER RESOURCE BOARD HELD ON THURSDAY, OCTOBER 19, 1995 AT 8:00 P.M. IN THE COMMISSIONERS ROOM, SARGENT COUNTY COURTHOUSE, FORMAN, ND

The meeting was called to order with the following present: Dan Jacobson, Jim Bosse, John Totenhagen, Mike Paczkowski and Maynard Lien. Absent: None.

Approve minutes of September 21, 1995 meeting and financial statement. (Lien/Bosse, unanimous)

Silver Lake road project is almost completed. Discussed riprap on the north side by the lake and will talk to county commissioners on requesting an extension for seeding and fence replacement next spring. Board members will talk to state officials at the annual convention on process for a new application.

Dakota Helicopter sprayed SC # 1, Drain No. 9 & 11 a total of 58 acres.

Mike reported on dams - he removed a beaver hutch out of the trash rack. The spurge is under control in this area.

Drain No. 3 cleaning is complete and will require leveling in the spring.

Drain No. 16 - Jerry Bohnenkamp has continued to work on the tile digging out certain areas and checking the water level. Jim received 2 bills from General Irrigation Supply, Oakes; for repairs made as per a request from Northern Excavating Co. The bills will be sent to NEC for payment. Owen Brenden, FEMA and Randy Gjestvang, SWC met with Dan, Jim & Sandy Hanson on 10-3-95 to re-assess the Cogswell water problem and the new approach by this board to alleviate the problem. The consensus of those attending is that the right approach is being taken to solve both the immediate and future water problems for the city of Cogswell. FEMA & SWC recommend approval for diverting the Cogswell DSR pumping funds to the SCWRD to remove the immediate and future threat. This request is being sent to Denver.

Received a letter from Milnor Township informing the Board that they do not agree with the placement of a 24" culvert between Sections 3 & 4. They will not accept the responsibility for placement of a culvert or any damages resulting from the placement of this culvert. Maynard and

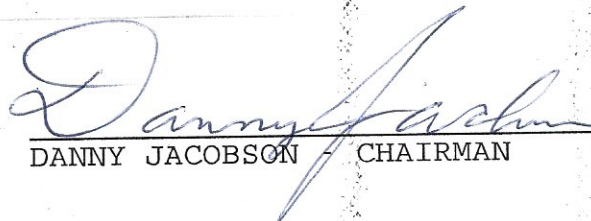
Mike will contact area contractors to install the 24" culvert.

Jack Brummond natural drain - Dan and Jim spoke to Andy Wingenbach, NRCS, and he said he will talk to Mr. Brummond and work to get the problem corrected. The county commissioners agreed to clean a portion of the road ditch.

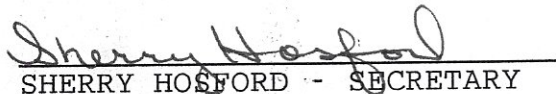
Approved payment of the following bills: (Bosse/Totenhagen, unanimous)

26859	Bernard Mahrer Const.	Gravel & Riprap-Silver Lake	2402.32
26860	Jim Bosse	Travel & phone calls	51.72
26861	Crandall Construction	Silver Lake road project	13247.50
26862	Dakota Helicopter Inc.	Dr # 9-970.06, Dr # 11-5958.94	
		SC # 1-1108.64	
26863	Dan Jacobson	Travel & phone calls	23.05
26864	HV Johnston Co.	Culverts-Silver Lake	1555.56
26865	Maynard Lien	Travel	10.00
26866	Moore Engineering Inc.	Dr # 4-3893.70, Dr # 3-5664.15	
		Dr # 11-8469.70 Silver Lake-2862.40	
		Milnor Twp-854.65	
26867	Ohnstad, Twichell	Dr # 11-163.55 & Dr # 4-350.55	
26868	Mike Paczkowski	Travel & phone calls	44.38
26869	Sargent County	Backhoe rental at Silver Lake	360.00
		Audit fee	120.00
26870	Sundale Hutterian Ass'n	Dr # 3 clean out	20565.00
26871	John Totenhagen	Travel	9.50
11611	James Bosse	5 PD less 22.95 taxes	277.05
11612	Danny Jacobson	3 PD less 13.77 taxes	166.23
11613	Maynard Lien	1 PD less 4.59 taxes	55.41
11614	Mike Paczkowski	3 PD less 13.77 taxes	166.23
11615	John Totenhagen	1 PD less 4.59 taxes	55.41
11616	Sherry Hosford	Secretary less 15.30 taxes	184.70

Meeting adjourned at 10:00 p.m.


DANNY JACOBSON - CHAIRMAN

ATTEST:


SHERRY HOSFORD - SECRETARY

MINUTES OF THE MEETING OF THE SARGENT COUNTY WATER RESOURCE BOARD HELD ON THURSDAY, NOVEMBER 16, 1995 AT 8:00 P.M. IN THE COMMISSIONERS ROOM, SARGENT COUNTY COURTHOUSE, FORMAN, ND

The meeting was called to order with the following members present: Dan Jacobson, Jim Bosse, Maynard Lien, John Totenhagen and Mike Paczkowski. Absent: None.

Approve minutes of October 19, 1995 meeting and financial statement. (Paczkowski/Lien, unanimous).

Ardell Johnson and John Lien arrived at the meeting to discuss placement of a 30" culvert between Section 4 & 9 in Milnor Township. Dan talked to Milnor Township and they did not install the culvert. Kenneth Gibbon was responsible for placing the culvert between 4/9. Direct Secretary to send a certified letter to Mr. Gibbon requesting that he remove said culvert because it was not approved by this Board. Removal shall be completed by December 1, 1995 or the Board will see to the removal and charge the expense against Mr. Gibbon's taxes. (Bosse/Totenhagen, unanimous)

Silver Lake road and fencing is complete. Dan talked to the State Water Commission and they still have not made a decision on the conditional water permit for Silver Lake.

Drain No. 16 - Jim reported that work has continued and the sloughs are going down. There is still a blockage between the highway and main street--may try digging an open ditch or a rotor-router. Paul Mathews met with the county commissioners on November 7th about the minute book and other concerns. The Water Board will meet with the county commission on November 21st at 1:30 p.m. to discuss the project.

Arlen Willprecht would like to divert water down ND No. 11 highway ditch along the north line of Section 13-130-54 to the Wild Rice River. Excessive water the last few years has backed up on land he is farming. The Board determined there is no additional drainage, no wetlands involved and the water will ultimately end up in the same place. Approve sending a letter to ND Dept. of Transportation with this information. (Bosse/Paczkowski, unanimous)

Received a complaint from Archie Paczkowski and Dana Banish regarding an approach built by Harry and Donald Kiefer on their property in the Northeast corner of NW1/4 of NW1/4-18-129-53 LTL. The approach, without a culvert, will stop the flow of water from Archie Paczkowski's and flood sloughs that were drained years ago. The described property is owned by Paczkowski and farmed by Dana Banish. They request that the approach be removed or a culvert installed as soon as possible. The Water Board will inspect this site before the next meeting.

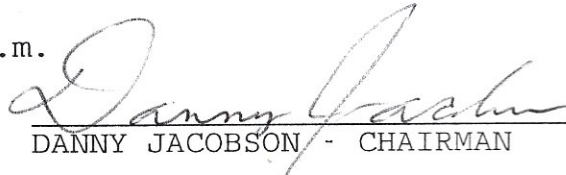
Dan talked to several people after the Township Officer's Fall Meeting. Roger Bopp requested a copy of the 9-21-95 minutes regarding Clinton Greenley culvert. Lloyd Ptacek discussed a problem in Section 36-131-57 that needs a culvert. The Board will inspect and size a culvert for placement. Bob McLaughlin indicated problems between Section 2/11 in Taylor Township and the need for another culvert. The Board will look at it in the spring and plan to install a 48" culvert. Jack Brummond concerned about a new pipe on the south edge of Section 34 in Weber Township. Township Board had an agreement with South Dakota township to replace an existing 36" culvert. South Dakota will pay one-half. Township Board asked Water Board to share 1/3 of 1/2. Approve if county commission agree to cost share. (Lien/Bosse, unanimous)

Dan reported on a meeting with Earl Grandall, FEMA, on DSR Nos. 80710, 80711, 80712 and 98730. They only approved \$7,273.00 on the excavation for Drain No. 4. Board agreed to appeal FEMA decision and follow with documentation at a later date. (Paczkowski/Totenhagen, unanimous)

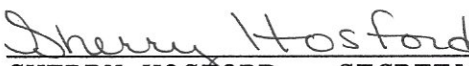
Approved payment of the following bills: (Bosse/Lien, unanimous)

27090	Baker Enterprise	Install Milnor Twp. Culvert	280.00
27091	Jim Bosse	Travel	8.75
27092	General Irrigation	Digging-Drain No. 11	247.50
27093	Dan Jacobson	Travel	18.00
27094	Maynard Lien	Travel	19.00
27095	Martinsen's	Fencing supplies-S. Lake	218.92
27096	Bud Orville Nelson	Labor-Fencing-S. Lake	91.00
27097	Earl Nelson	Labor-Fencing-S. Lake	91.00
27098	ND Water User's Ass'n	Convention registration	300.00
27099	Ohnstad, Twichell	Dr#11-86.95 Dr#4-86.05	173.00
27100	Mike Paczkowski	Travel	55.50
27101	SEL Lumber	Fencing supplies-S. Lake	127.97
27102	Dave Titus Excavat.	Dr#11 tile work	240.00
27103	John Totenhagen	Travel	82.00

Meeting adjourned at 10:15 p.m.


DANNY JACOBSON - CHAIRMAN

ATTEST:


SHERRY HOSFORD - SECRETARY

The meeting was called to order with the following members present: Dan Jacobson, Jim Bosse, John Totenhagen, Mike Paczkowski and Maynard Lien. Absent: None.

Approve minutes of November 16, 1995 meeting and financial statement. (Paczkowski/Totenhagen, unanimous)

Authorize Secretary to cash CD #31880 and deposit in the General Fund. (Lien/Bosse, unanimous)

Drain No. 16 - discussed progress of cleanout and open ditch on east side of Cogswell. There is some blockage under the highway. Plan to replace 12" tile because it is deteriorated. Will talk to FEMA about funding.

Drain No. 3 - Dan and Mike met with the Richland Co. Water Board and discussed the Bi-County Drain. There are ten sections in Richland County within this assessment district and a check for \$3,000 was given to Sargent County for assistance in the work completed this year. Richland County will place a levy on their district for next year.

Culvert between Section 4 & 9 in Milnor Township did not get removed by December 1st. Instructed Secretary to send a letter to Milnor Township Board asking if they purchased the 30" culvert. Also inform the township board that the culvert will be removed in the spring and a cap placed on it until removal is completed. Received and read a letter from M. Ardell Johnson voicing his objection to this culvert.

Discussed Silver Lake project and decided to meet with the county commissioners and park board on January 16th to discuss a plan of action. Afterwards the three boards will meet with Fred Geise to discuss the Fish and Wildlife land easements.

NDDOT responded on the Arlen Willprecht request on ND 11 to divert water. They granted approval with six stipulations. A copy of the letter will be given to Mr. Willprecht.

Archie Paczkowski/Dana Banish complaint - the Board inspected the site and determined that a culvert must be placed in the approach or the dirt removed. This is located in the right-of-way and the responsibility of the township. A letter will be sent to Marboe Township with these findings.

Approve transfer of funds to clear up year end deficits in the Drain Funds:

From General Fund to Drain No. 3	\$13,850.60
Drain No. 4	\$ 4,420.33
Drain No. 9	\$ 8,243.90
Drain No. 11	\$44,672.34
Drain No. 12	\$ 6,610.26

(Totenhagen/Lien, unanimous) These amounts will be repaid from the various legal drain funds as money is available.

Jerome Fiala complaint - Drain located in the SW1/4-20-130-56 is draining 40 a more acres. In 1983 or 1984 a cut was made causing water to run south through a culvert on to land owned by Mr. Fiala. He is experiencing flooding and damage to crops. Dan will investigate and talk to NRCS.

Donald Lee - letter regarding ditching in NE1/4-28 Milnor Township. Board will investigate.

Transfer one-half of the labor and engineering expenditures on Wild Rice outlet (\$7,284) to Drain No. 9 fund. This will be repaid by maintenance levy. (Paczkowski/Bosse, unanimous)

Approve additional \$250 to secretary to extra work involved with FEMA projects. (Lien/Paczkowski, unanimous)

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

27356	Bernard Mahrer Const.	Silver Lake/Drain # 11	478.67
27357	James Bosse	Travel	255.99
27358	Danny Jacobson	Travel	127.50
27359	Jerry's Backhoe Serv.	Drain No. 11 (16)	4,260.00
27360	Maynard Lien	Travel	208.25
27361	Ohnstad, Twichell	General & # 11	144.00
27362	Mike Paczkowski	Travel	249.00
27363	John Totenhagen	Travel	252.25
11746	James Bosse	16 PD less 146.40 taxes	813.60
11747	Danny Jacobson	8 PD less 36.72 taxes	443.28
11748	Maynard Lien	7 PD less 32.13 taxes	387.87
11749	Mike Paczkowski	8 PD less 36.72 taxes	443.28
11750	John Totenhagen	8 PD less 36.72 taxes	443.28
11751	Sherry Hosford	Salary/extra less 34.43 taxes	415.57
27390	Titus Excavating	Drain No. 11 (16)	10,320.00

Meeting adjourned at 4:00 p.m.


DANNY JACOBSON - CHAIRMAN

ATTEST:


SHERRY HOSFORD - SECRETARY