

These are DRAFT minutes, subject to amendment before final approval by the Sargent County Water Resource District.

SARGENT COUNTY WATER RESOURCE DISTRICT
Meeting Minutes
Thursday, August 20th, 2026 at 8:00 a.m.

The Sargent County Water Resource District met on Thursday, August 20th, 2026, at 8:00 a.m., in the water resource district board room at the Sargent County Courthouse in Forman, North Dakota. The following Board members were present: Chairman Luke Siemieniewski, Vice-Chairman Michael Wyum, Managers Todd Stein and Roger Zetocha. Also present were Wendy Schmiess Secretary/Treasurer, Nathan Trosen of Moore Engineering, and landowner Richard Ruch. The following were also present virtually: Manager Bruce Speich, Attorneys Sean Fredricks and Katie Schmidt, Ohnstad Twichell; Andrew Smith, Moore Engineering; “LD”, and RS1 Manager, Arv Burvee.

Public Comment: None

Minutes

Manager Zetocha moved to approve the July 16th, 2026 regular meeting minutes, the July 24th, 2026 drain tour meeting minutes, and the June 2026 financial statement. Manager Wyum seconded the motion. Upon roll call vote, the motion carried unanimously.

Bills

The Board considered the following bills:

Ohnstad Twichell- Bd. mtg./correspondence \$558; Mclaen App.-\$689.90;
Cogswell Drain Tile Proj.- NDDES agreement \$255; Wild Rice Maint. Dist.-
correspondence/mtgs. \$204

Total: \$1,706.90

Moore Engineering-SLD-permitting \$228; Mtgs.- \$1,176.50; Mileage- \$133.40;
Drain No. 9- mtgs./cost estimate \$1,140 mileage \$133.40

Total: \$2,811.30

JAC Predator & Large Pest-trapping/mileage Drain No. 9

Total: \$1,193.20

Jerry’s Backhoe Service-Removal of cattails/beaver dams along
Drain No. 11

Total: \$880.00

Manager Wyum moved to approve the bills as presented. Manager Stein seconded the motion. Upon roll call vote, the motion carried unanimously.

UNFINISHED BUSINESS:

Drain No. 11:

Manager Stein said there are more beavers south of County Rd. 3. He asked JAC Predator to do more trapping. The Board discussed expenses related to dam removals along the natural part of the drain; the Board agreed those expenses should be paid out of the general fund. The expenses of removing beaver dams from the Drain No. 11 channel will be paid out of the drain fund. Stein added that Hansen Spraying completed spraying of cattails.

Drain No. 4:

No update.

Drain No. 2:

No update.

Drain No. 7:

Chairman Siemieniewski noted that there are a lot of trees along the drain and he has asked the Sargent County Road Dept. to help with removing them. County Road Supervisor Tim Faber is working on getting rid of these trees and weeds.

Chairman Siemieniewski updated the Board regarding a potential cleanout of the natural channel downstream of the Drain. The County intends to clean the first mile out and is currently in the process of obtaining a permit from USACE. Trosen provided the County’s engineer with maps and survey information that has been compiled over recent years. Chairman Siemieniewski investigated reports of beaver dams along this natural channel but he couldn’t see any beaver dams holding water back. He believes the excess silt and cattails are what is restricting water flow.

Drain No. 9:

As previously discussed by the Board, the County Road 5 culvert appears to be too high and undersized. Trosen said the existing culvert is a 72" pipe and it does not meet ND Stream Crossing Standards. The Board previously discussed two improvement options:

1. Add an additional 48" pipe to the crossing which would be the minimum additional culvert needed to meet stream crossing standards. The cost would be around \$50,000.
2. Install an 8' x 6' box culvert. The cost for materials and install would be around \$200,000-\$250,000.

There was also discussion about replacing the culverts at the 127th Ave. Crossing as well. If a large metal arch pipe was installed, the cost would be around \$80K. If a box culvert was installed, the cost would be around \$150K. If both culvert replacements were completed, the District's cost would be around \$190K. If construction costs are over \$250K, a public bid is required. If the District only pursued the County Road 5 box culvert improvement, the District could solicit bids informally.

Manager Stein asked Trosen about funding from the flex benefit bucket. Trosen said at the next legislative session, the flex benefit bucket is expected to be refilled and he expects funding wouldn't be provided until fall of 2027. Trosen added that it will cost around \$10K to prepare the plans and specifications needed to solicit bids for installing new box culverts at County Road 5. In July of this year, the Sargent County Commission approved 40% cost-share of the box culvert improvement to County Road 5. A motion was made by Manager Stein and seconded by Manager Zetocha to instruct Moore Engineering to generate plans for bids for the County Road 5 project. Upon roll call, the motion carried unanimously.

Drain No. 9 Extension/Wild Rice River Maintenance District:

After the public information meeting in June, it was decided to put the Drain No. 9 Extension project on hold and to pursue the Wild Rice River Maintenance District first. Trosen indicated Moore Engineering will perform an inspection of properties tomorrow to determine what properties will benefit from creation of a maintenance district, and to conduct per-parcel benefit analysis. Trosen will bring the findings of the inspections to the September 2026 meeting. Trosen will also be working on an engineer's report which will include estimated costs of the maintenance project. The budget will include access/right of way costs. Even though the purpose of the project is to conduct a clean-out and to maintain the channel in the future, Fredricks noted the Board will need access rights, not just for the initial clean-out but also for future clean-outs, so more permanent right of way and easements will be necessary. Trosen's estimate will also include anticipated costs for easements and/or crop damage payments for the project.

Drain No. 8:

No update.

Cogswell Tile: Manager Stein said that the railroad is replacing a culvert north of the tracks in Cogswell. They will get it installed yet this fall.

Drain No. 12: It was noted that there is sloughing on the south lateral from the 6 inches of rain received this spring. County Road Supervisor Tim Faber said he will take care of the sloughing once the bean crop is off.

Short Foot Creek: Trosen said Moore is waiting to hear back from the NRCS federal office. Trosen said he hopes to have the planning process complete by the end of the summer. Cost-share for this Plan is exhausted.

Silver Lake Dam: Trosen reported that we are still waiting on the permit from the State Engineer's Office.

A solicitation of views was sent by the state regarding SILVER LAKE SARGENT COUNTY ROAD #3 IMPROVEMENTS. The NDDOT is proposing a roadway improvement on 135th Ave. SE, south of Sargent County Road 3 in Rutland Township between sections 33 and 34. There were no comments by the Managers to submit.

Tewaukon District: Representatives of the Red River Joint Water Resource District will be performing dam inspections tomorrow. They will inspect Frenier and Silver Lake Dam starting at 9:30 a.m.

Dam Inventory:

No update.

NEW BUSINESS:

Application to Install a Subsurface Water Management System No. 2026-10 for Applicant Greg Nelson in the Northwest Quarter of Section 32 in Willey Township

The Board next reviewed *Application to Install a Subsurface Water Management System No. 2026-10* filed August 4, 2026, by Greg Nelson. Under the Application, Mr. Nelson seeks to install a 98-acre drain tile system in the Northwest Quarter of Section 32 in Willey Township, Sargent County, North Dakota. The project will include a single pump outlet located along the north boundary of the Northwest Quarter of Section 32, either in or near the south road ditch along 83rd Street SE. The pump will discharge into the south road ditch; the tile discharge will flow west in the south road ditch along 83rd Street for a short distance, to the northwest corner of Section 32; the discharge will then flow north, under 83rd Street, in the east road ditch along 133rd Avenue SE, along the west boundary of Section 29 in Willey Township; in the Northwest Quarter of Section 29, the discharge will flow into a natural watercourse that flows to the northeast.

According to Sargent County tax parcel data, Greg and Janet Nelson own the Northwest Quarter of Section 32 in Willey Township, Sargent County, North Dakota, where Mr. Nelson intends to install the tile system. With regard to downstream notices required under N.D. Cent. Code § 61-32-03.1, Karla Sorby and Jordan and Karen Manikowski own those portions of the west boundary of the West Half of Section 29 in Willey Township where the project discharge will flow. Once the tile discharge flows into the natural watercourse in the Northwest Quarter of Section 29, no additional downstream notices are required under Section 61-32-03.1.

Manager Wyum moved, and Manager Zetocha seconded the motion, to approve *Application to Install a Subsurface Water Management System No. 2026-10* filed August 4, 2026, for Greg Nelson in the Northwest Quarter of Section 32 in Willey Township, and to authorize the Secretary-Treasurer to sign Subsurface Water Management Permit No. 2026-10, subject to the following conditions:

1. Permittee will re-establish any areas disturbed installing or maintaining Permittee's tile system.
2. Permittee will install and maintain erosion protection at the project outlet into the Willey Township Board of Township Supervisors' road right of way.
3. Permittee will turn off any pump outlets and otherwise close all outlets during "critical flood periods," as determined by the Sargent County Water Resource District.
4. Permittee will remove silt or vegetation or repair erosion or scour damages **directly** caused by Permittee's tile system, but only up to the point where the discharge flows into the natural watercourse in the Northwest Quarter of Section 29, in accordance with N.D. Cent. Code § 61-32-03.1.
5. Permittee will not install Permittee's tile system within 20 feet, on either side, of any rural water lines Southeast Water Users District has in the Northwest Quarter of Section 32 in Willey Township under any blanket easements, or otherwise beyond the Water District's existing easement(s).
6. Permittee will apply for an amendment to Subsurface Water Management Permit No. 2026-10 in advance of any proposed alterations to outlet locations, the addition of any outlets, or improvements or modifications to the tile system that could increase the capacity or drainage area of the tile system.

Upon roll call vote, the motion carried unanimously.

With regard to condition #4, Permittee's obligations to remove silt or vegetation or to repair erosion or scour damages will only arise upon submission of substantial evidence to the Board by downstream landowners or road authorities that Permittee's tile system **directly** caused accumulation of silt or vegetation, erosion, or scouring, all in accordance with Section 61-32-03.1.

Under Section 61-32-03.1, the Board cannot attach any additional conditions to Permittee's permit. However, for Permittee's protection, and to ensure protection of Permittee's tile system, the Board recommends that Permittee comply with the following:

1. The Board recommends that Permittee obtain written consent from the Willey Township Board of Township Supervisors if Permittee intends to install the project pump or any other project components in the Township's right of way.
2. The Board recommends that Permittee obtain written consent from the Willey Township Board of Township Supervisors to discharge into or otherwise utilize any of the Township's right of way.

3. The Board recommends that Permittee obtain all other necessary and requisite licenses, permits, registrations, and approvals from all applicable federal, state, county, and municipal governments, and any other applicable governmental entities.

The Board will provide copies of the Board’s Notice of Decision, Subsurface Water Management Permit No. 2026-10, and downstream flow map to the Department of Water Resources, the Willey Township Board of Township Supervisors, Karla Sorby, Jordan and Karen Manikowski, and Southeast Water Users District. Permittee’s detailed project design map is an exempt record, and the Board will not provide copies to any third parties.

LaVonne Nelson-Under 80 Acres Drain Tile Notification: Notifications for projects under 80 acres do not require action by the Board. The Board had no comment regarding this project.

Dickey-Sargent Joint Board

DSJTB bills for approval:

DVEC - electricity -	\$ 162.00
Hansen Ag Air LLC-spraying/chemical	\$2,176.54
John Quandt-spraying	\$ 140.00

A motion was made by Manager Wyum and seconded by Manager Zetocha to pay the Dickey-Sargent Joint Board bills as presented. Upon roll call, the motion carried unanimously.

June 2026 Financials:

Maintenance Account Balance:	\$ 66,291.85
Improvement Account Balance:	\$414,962.91

Richland-Sargent Drain #1 Maintenance Fund Financial Statement

Bills:

<u>June 2026 Financials:</u>	\$ 573,680.46
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With no further business, the meeting adjourned at 9:29 a.m.

APPROVAL:

Luke Siemieniewski-Chairman

ATTEST:

Wendy Schmiess
Secretary-Treasurer