

**SARGENT COUNTY BOARD OF COMMISSIONERS**  
**AGENDA FOR TUESDAY, MARCH 19, 2024**  
**8:00 AM – SARGENT COUNTY COURTHOUSE COMMISSIONER’S ROOM**  
**355 MAIN ST S, FORMAN ND 58032**

8:00	Park Board
8:30	
9:00	Duane Peterson-Policy Changes
9:30	LaJuana-Sidwell
10:00	Melissa-4H Memorandum of Understanding
10:30	Approve Bills
11:00	Bid Opening-Gravel
11:20	Bid Opening-Mixing & Drying Blacktop Surfacing
11:25	Bid Opening-Bituminous Materials
11:30	Bid Opening-Gasoline, Fuel & LP Gas
12:00	Adjourn

Pledge of Allegiance

Approve agenda

Approve 3/5/24 minutes

Approve bills

**UNFINISHED BUSINESS:**

Proposed Road Projects

CHSI Dakota Plains Ag Raffle Permit

Road Assistant Supervisor Job Description

Roadway Services Quote for crack sealing

**NEW BUSINESS:**

Drain #11 Cost Share Reimbursement Request

Surplus Sale?

Rutland Township’s Culvert Cost Share Request

SENDCAA Board Vacancy

**DATES TO REMEMBER**

Wednesday, March 20 – Commissioner’s Summit in Bismarck

Friday, March 29 – Good Friday Holiday – County Offices Closed

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Commission Meeting

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Forman, North Dakota  
March 5, 2024

The Sargent County Board of Commissioners met at 9:00 with the following members present: Wade Anderson, Jason Arth, and Scott Johnson. Lyle Bopp was present through technology. Also present was Tim Faber, Road Supervisor; Duane Peterson, Human Resources Director; and Pam Maloney, County Auditor.

Chairman Scott Johnson called the meeting to order.

The Pledge of Allegiance was recited.

Motion to accept the agenda as amended. (Breker/Anderson) carried.

Motion to approve the February 20, 2024 meeting minutes. (Anderson/Arth) Motion carried.

Jayne Pfau, States Attorney, arrived at the meeting.

Mr. Faber presented the commissioners with information on a 2003 Sterling L9500 that he would like to purchase for the road department. The 2004 International truck that the county currently owns needs to be replaced. He and another road department employee have test driven it & he says it runs and looks good. Motion to authorize the purchase of the 2003 Sterling L9500 from RDO Truck Center for a purchase price of \$25,000. (Breker/Arth) Upon roll call vote, motion carried unanimously.

Motion to approve the Application for Drainage Work Within County Road Right-of-Way from Joseph Breker to install an approach for field access east of Joe Breker's driveway on the SE 40 acres of SE1/4 along the south side of Section 31-130-54 LTL – Tewaukon Township. (Breker/Arth) Upon roll call vote, motion carried unanimously.

Commissioner Johnson presented a job description for the Assistant Supervisor/Operator III for the road department. He would like the rest of the board to review it before the next meeting. He contacted several different counties surrounding us and stated that the position would warrant the position to be graded at a C43 to compare with those counties.

Motion to approve 2 Sargent County Road Permits for Dakota Valley Electric Cooperative to 1) bore a single 40 22 mil URD primary power cable (Bore #2) in Section 20-131-58 Verner Township – County Road #2 and; 2) bore a single 40 220 mil URD power cable (relocate power Bore #1) in SE1/4 Section 20-131-58 Verner Township – County Road #2. (Breker/Anderson) Upon roll call vote, motion carried unanimously.

Commissioner Johnson has also gotten a quote from Roadway Services, Inc. for crack sealing various roads throughout the county. The quote is good for thirty days, so a decision will be made at the next meeting.

Motion to approve a Raffle Permit for Lisbon Youth Trap Club for a raffle to be held at the Cogswell Trap Grounds on May 29, 2024. (Arth/Breker) Upon roll call vote, motion carried unanimously.

Motion to approve the Raffle Permit for CHSI Dakota Plains Ag for a raffle to be held March 31, 2024 at CHS Dakota Plains Ag, Gwinner. (Anderson/Arth) Roll Call Vote: Yes – None; No – Anderson, Arth, Bopp, Breker and Johnson. Motion failed. The application was incomplete and no fee was received.

LaJuana Hayen, Fair Board Member, arrived at the meeting. She provided the commissioners with information regarding the 2024 county fair to be held July 25-28, which included a tentative schedule. She also provided them with a 2023 financial statement for fair finances. The commission are scheduled to work the gate on Saturday, July 27 from 8 am until 1 pm.

Morgan Blair, Coroner, arrived at the meeting. She stated that she will be offering the assistant coroner position to Vanessa Bayger. Ms. Bayger has previously been the assistant coroner, so is very familiar with the position.

Motion to authorize the chairman to sign the Barnes County Correctional Facility Contract for Prisoner Boarding. (Arth/Anderson) Upon roll call vote, motion carried unanimously.

Neil Weaving, Custodian, arrived at the meeting. The plastering on the 2<sup>nd</sup> floor is half done & the contractor will be back at the end of the month to finish. He would like to get grass seed ordered soon. He was asked to get quotes and bring them to the next meeting for approval.

Discussion was held regarding the offer made to the candidate chosen to replace the auditor upon her retirement. The candidate is requesting to start at Grade D63/Step 6 instead of the Grade D63/Step 2 that she was initially offered. Motion to approve the hiring of Tia Bopp at Grade D63/Step 6 with a starting date of April 1, 2024. (Breker/Arth) Upon roll call vote, motion carried unanimously.

Meeting was recessed at 10:25 a.m. Commissioner Bopp left the meeting at this time.

Meeting called back to order at 11:00 a.m.

Interviews were conducted for the treasurer/recorder/clerk of court position which will be vacant April 1, 2024. Those present were: Wade Anderson, Jason Arth, Mark Breker and Scott Johnson, Commissioners; Duane Peterson, Human Resources Director; Pam Maloney, Auditor; Jayne Pfau, State's Attorney, and Alison Toepke, Treasurer/Recorder/Clerk of Court. There was one person interviewed for the position.

Motion to offer the position of Treasurer/Recorder/Clerk of Court to Cindy Yagow at Grade D63/Step 10 effective April 1, 2024. (Arth/Anderson) Upon roll call vote, motion carried unanimously.

Meeting adjourned at 11:44 p.m.

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SCOTT JOHNSON – CHAIRMAN

ATTEST:

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PAM MALONEY – COUNTY AUDITOR

## **318 Bereavement Leave**

*Effective Date: 7/1/07*  
*Revised Date: 12/19/17*  
*Draft: 11/2023*

If an employee wishes to take time off due to the death of an immediate family member, the employee should notify his or her supervisor immediately. Paid time off will be granted to allow the employee to attend the funeral and make any necessary arrangements associated with the death.

If as a result of the death of an immediate family member, an employee cannot perform their regular duties, an employee will be compensated for their time missed from work, up to four (4) days, of the employee's regular shift hours, ~~per occurrence, for those working 35 to 40 hours per week~~, and a pro-rated amount for those working part-time.

Bereavement pay is calculated based on the base pay that an employee would otherwise have earned had he or she worked on the day of absence.

Approval of bereavement leave will occur in the absence of unusual operating requirements. Any employee may, with the supervisor's approval, use any available paid leave for additional time off as necessary.

The employer defines "immediate family" as the employee's spouse, parent (natural, adoptive, foster or stepparent), child (natural, adoptive, foster or stepchild) and child's spouse, sibling and sibling's spouse, grandparents or grandchildren.

For the employee's spouse, the employer defines "immediate family" as the employee's spouse, parent(s) (natural, adoptive, foster or stepparent), child (natural, adoptive, foster or stepchild) and child's spouse, sibling and sibling's spouse, grandparents and grandchildren.

~~The employee's spouse's parent, child or sibling is also included in the definition of "immediate family".~~

Vacation time must be taken for the bereavement of any other individuals not defined as "immediate family", or for bereavement beyond 4 days for "immediate family".

The courthouse will be closed for four (4) hours for employees to attend the funeral of a current Sargent County employee. Any additional time off will be charged as vacation or personal leave. Chairman of the Commission will determine exact times of closing.

## **524 Emergency Closings**

*Effective Date: 7/1/07*  
*Draft: 03/2024*

At times, emergencies such as severe weather, fires, power failures, or earthquakes, can disrupt company operations. In extreme cases, these circumstances may require the closing of a work facility as determined by the County Sheriff. In the event that such an emergency occurs during non-working hours, the Sheriff's Department will notify Department Heads and local radio and/or television stations will be asked to broadcast notification of the closing.

When operations are officially closed due to emergency conditions, the time off from scheduled work will be paid. However, it is the policy of the county to provide coverage for emergency and essential services. Employees in essential operations may be asked to work on a day when operations are officially closed. In these circumstances, employees who work will receive regular pay.

When Sargent County offices are closed due to inclement or extreme winter weather issues, there may be a chance that employees in essential operations may be asked to work in accordance with their job position. Those employees which would include the Road Department, once in operation of specialized equipment, will be paid double time for the first 8 hours of working. Any time after 8 hours of working, would receive 1.5 times their wage. The employee must be in active operations of equipment to receive the above wage agreement.

For the Sargent County Sheriff's Department, if a Sheriff's Deputy is called out to travel when Sargent County offices are closed due to inclement winter weather, they will be paid double time their wage, up to 8 hours for the call.

In cases where an emergency closing is not authorized, employees who fail to report for work will not be paid for the time off. Employees may request available paid leave time such as unused vacation benefits.

## 707 Progressive Discipline Policy

*Effective Date: 3/2/2021*  
Draft 11/2023

### **Purpose**

1. Sargent County's Progressive Discipline policy and procedures are designed to provide a structured corrective action process to improve and prevent a recurrence of undesirable employee behavior and performance issues.
2. The purpose of these rules is not to restrict the rights of anyone, but rather to help people work together harmoniously according to the standards we have established for efficient and courteous service for our customers, and co-workers.
3. We want to treat employees fairly and make sure that disciplinary actions are prompt, uniform and impartial. The best disciplinary measure is the one that does not have to be enforced and comes from good leadership and fair supervision at all levels.
4. Although your employment with us is based on mutual consent and either of us have the right to terminate employment at will, with or without cause or advance notice, we may use progressive discipline at our discretion.
5. Disciplinary Action may call for any of four steps -- verbal warning, written warning, suspension without pay, final written warning, or termination of employment -- depending on the severity of the problem and the number of occurrences.

Progressive Discipline means that, with respect to most disciplinary problems, the following steps will typically be followed:

**Step 1: Verbal Warning** – a first offense may require your department head/supervisor to verbally counsel you about an issue of concern or nature of the problem. Supervisor will prepare a written documentation of the verbal counseling, describing the expectations/steps the employee must take to correct the issue of concern. Employee will be asked to sign document to demonstrate understanding of the issues and the corrective action. Document will be placed in employee's personnel file.

**Step 2: Written Warning** – involves more-formal documentation of the issue of concern or nature of the problem that requires a written warning. The Supervisor and HR will meet with the employee to review any additional incidents or information about the written warning as well as any prior relevant corrective action plans. Supervisor will establish a corrective action or Performance Improvement Plan (PIP), and will go over the plan with employee. The PIP will last for a predetermined amount of time not to exceed 90 days. Employee must demonstrate willingness and ability to meet and maintain the conduct/work requirements by your supervisor and organization. Employee may be subject to additional discipline, up to and including termination, if immediate and sustained corrective action is not taken. The employee will sign document and document is placed in employee's personnel file.

**Step 3: Suspension or Final Written Warning**: If issues and concerns still persist, a Final Written Warning or Suspension of Pay will be conducted. Some incidences of concern are so problematic and harmful that the most effective action may be the temporary removal of the employee from the workplace. When immediate action is necessary to ensure the safety of the employee and others, the immediate supervisor may suspend the employee pending the results of an investigation. Suspensions that are recommended are subject to approval from the Commissioners and HR.

## Sargent County

### EMPLOYEE HANDBOOK

Depending on the seriousness of the situation, employee may be suspended without pay in full-day increments consistent with federal, state, and local wage and hour employment laws. Nonexempt/hourly employees may not substitute or use an accrued paid vacation, sick day, or personal leave day in lieu of the unpaid suspension. For exempt/nonexempt and/or hourly employees, benefits that are currently paid by the employer (Sargent County) will continue to be paid by the employer. The remaining balances will need to be paid by the employee. Payment arrangements must be made at the time of suspension. In compliance with the Fair Labor Standards Act (FLSA), unpaid suspension of salaried/exempt employees is reserved for serious workplace safety or conduct issues. HR will provide guidance to ensure that the discipline is administered without jeopardizing the FLSA exemption status. Pay may be restored to the employee of an investigation of the incident absolves the employee of wrongdoing.

The Final Written Warning or Suspension of Pay will be signed by the Employee, Department Head, HR, and Commissioner and will be put in employee's personnel file.

**Step 4: Termination of Employment:** The last and most serious step in the progressive discipline process is termination of employee. Sargent County will try to exercise the progressive nature of the policy by first providing verbal and written warnings, issuing a final written warning or suspending employee from the workplace before proceeding to a recommendation of to terminate employment. However, Sargent County reserves the right to combine and skip steps depending on the circumstances of each situation and the nature of the offense. Furthermore, employees may be terminated without prior notice or disciplinary action. Final approval of Termination of Employment must be approved by Human Resources, Department Head, and Commissioners.

- Behavior that is illegal is not subject to progressive discipline and may result in immediate termination. Such behavior may be reported to local law enforcement authorities.
- Similarly, theft, substance abuse, intoxication, fighting and other acts of violence at work are also not subject to progressive discipline and may be grounds for immediate termination.
- The employee will be provided copies of all progressive discipline documentation, including all PIP's. The employee will be asked to sign copies of this documentation attesting to his or her receipt and understanding of the corrective action outlined in these documents. Copies of these documents will be placed in the employee's official personnel file.
- While it is impossible to list every type of behavior that may be deemed a serious offense, our Employee Conduct and Work Rules policy includes some examples of problems that may result in discipline and/or termination.
- At the time of termination, any benefits balances will be taken out of final pay. If no pay is available, any vacation or sick leave will be used to cover balances. If vacation or sick leave is not available, payment arrangements will be made to ensure payment is received for final month of benefits.
- Social Service employees will follow the disciplinary procedures established by North Dakota Human Resources Department's Administrative Rules.

## 706 Attendance and Punctuality

*Effective Date: 7/1/07*

Draft 3/2024

To maintain a safe and productive work environment, the county expects employees to be reliable and to be punctual in reporting for scheduled work. To ensure adequate staffing, positive employee morale, and to meet expected productivity standards throughout the organization, employees will be held accountable for adhering to their work schedules. Unexcused absences and tardiness place a burden on other employees and on the County. All employees are expected to assume the responsibility for their attendance and strictly abide to the following attendance policy.

### **Definition:**

**Absent:** An employee is deemed absent when they are unavailable to work their scheduled shifts and such time off is not scheduled/approved in advance as required or deemed a protected absence (example: FMLA)

**Tardy/Leave Early:** An employee is deemed to be tardy when they miss their scheduled shift due to the following:

- Not being ready to take calls and assist customers at their scheduled start time: or
- Leaving work prior to the end of assigned/scheduled work time without prior department head/supervisor approval: or
- Taking an extended meal or break period without approval.

### **No Call/No Show:**

Except in cases of extreme emergency, if an employee is absent without reporting for 3 consecutive shifts and fails to make contact on the third day/shift to their Department Head/Supervisor, it is assumed the employee has quit. Formal notification of separation from employment with Sargent County will be made via certified mail to the employee's last known address.

### **Call in Policy:**

The employee needs to call in to their supervisor/department head 15 minutes prior to start time of shift, if employee is going to be absent or tardy for work. If employee does not call, the employee may face disciplinary action. Let your supervisor know as soon as possible. If you have 5 call in's or more, in a years' time, the employee may face disciplinary action.



## **706 Attendance and Punctuality**

*Effective Date: 7/1/07*

To maintain a safe and productive work environment, the county expects employees to be reliable and to be punctual in reporting for scheduled work. ~~Absenteeism and tardiness place a burden on other employees and on the County. In the rare instance when an employee cannot avoid being late to work or is unable to work as scheduled, he or she should notify the supervisor as soon as possible in advance of the anticipated tardiness or absence.~~

~~Poor attendance and excessive tardiness are disruptive. Either may lead to disciplinary action, including termination of employment.~~

**Memorandum of Understanding between Sargent County and NDSU Extension  
Related to 4-H Youth Development Programming**

**Purpose**

This Memorandum of Understanding (MOU) is intended to clearly describe roles, responsibilities, and expectations between North Dakota State University Extension and Sargent County related to 4-H youth development programming in Sargent County. The MOU serves as an agreement that sets forth the general terms and conditions under which the parties will coordinate and cooperate in activities that serve the needs of Sargent County residents.

**Introduction**

4-H is the youth development program of the Land Grant University's Cooperative Extension System and the United States Department of Agriculture. The 4-H Name and Emblem is a Federal Mark, protected by 18 U.S.C.707, and entrusted by Congress to the Secretary of Agriculture, with authorized use by land-grant institutions, including Extension. The primary consideration for granting authorization to use the 4-H Name and Emblem is for the educational and character-building purposes of the 4-H program and serve the educational needs and interests of 4-H youth. The 4-H Name and Emblem can be used as authorized by the statute of law.

**Parties**

The parties described in this MOU include Sargent County of North Dakota (hereafter referred to as Sargent County), North Dakota State University Extension (hereafter described as NDSU), and the county-paid 4-H program assistant located in Sargent County (hereafter described as 4-H PA).

**4-H Programming**

4-H offers positive youth development learning experiences through club, after-school, camping, and special interest programs. It is conducted under the authority and oversight of the United States Department of Agriculture, who in turn grants that authority and oversight to NDSU for the state of North Dakota.

**Role of Extension Agent Related to 4-H**

There are currently one (1) NDSU Extension Agent in Sargent County, one whose work is focused on agriculture and natural resources acting as NDSU's local professional presence in Sargent County, will continue to provide leadership for the 4-H program.

It is NDSU Extension's expectation that all Extension staff will play an active role with 4-H. The Extension Agent will offer 4-H educational programming to volunteers and 4-H youth based on needs identified by 4-H clubs, the Sargent County 4-H Council, adult volunteers, or general observations made by the agents. The Extension agent will also ensure that all 4-H adult volunteers undergo required background checks and obtain necessary training certifications.

The Extension Agent will retain ownership and control of all 4-H participant and program data in Sargent County, although they may provide access to records and 4-H Online to support staff and the 4-H PA. The Extension agent who is identified as the 4-H lead in Sargent County will be responsible for issues related to 4-H policy and administration, as well as to respond with disciplinary action when it is identified that 4-H participants, parents, and/or adult volunteers have violated 4-H policies and guidelines. The Extension Agent will observe 4-H programming by volunteers and club leaders to ensure compliance with applicable 4-H policies and guidelines to ensure a safe and caring environment for 4-H youth participants.

**Role of the 4-H PA**

The 4-H PA is a county employee who is expected to work closely with and assist the Extension Agent with 4-H. Unlike an Extension agent whose primary duty is to develop and deliver educational programs, the 4-H PA is responsible for operational aspects of 4-H in Sargent County, including recruiting and managing adult volunteers; performing outreach of 4-H events and activities through social media, newsletters and other means; recruiting judges and coaches; coordinating activities related to 4-H Achievement Days; and other logistical, operational support for the 4-H program in Sargent County.

**General Work Environment**

All parties agree to interact in a professional, collegial, and respectful manner. This includes recognizing and respecting the value of each other’s mission and personnel, as well as working cooperatively and collaboratively to meet the needs of Sargent County residents. The 4-H PA will be supervised by the County Coordinator in Sargent County.

The County agrees to provide the Extension agent and 4-H PA with office space and administrative support. NDSU and the county agree to provide financial support for the Extension agent consistent with the base policy established between NDSU and the North Dakota Association of Counties and updated in 2022, unless otherwise agreed upon.

NDSU agrees to furnish the 4-H PA with an NDSU email account and access to relevant 4-H resources, to include access to NDSU specialists and 4-H policies and guidelines. NDSU also agrees to offer training to the 4-H PA related to 4-H policies and guidelines, youth protection, volunteer recruitment and development, Basic 4-H 101, and other topics. All costs for the 4-H PA to participate in 4-H training will be the responsibility of the county unless specifically provided by NDSU.

The Extension Agent, 4-H PA, and support staff will participate in regular, periodic staff meetings called by the county office coordinator. The purpose of the meetings is for staff to update each other on programming successes and challenges, build teamwork, improve overall communication, and plan for upcoming projects and events.

Our hope is that any disagreements between the Extension Agent and 4-H PA will be handled and resolved professionally. If disagreements cannot be resolved, either the Extension Agent or 4-H PA will request a meeting that will include relevant staff, the Extension District Director serving Sargent County, and the Sargent County Human Resources Director.

By authorized signature, the parties hereto agree to the terms and conditions described by this MOU and have caused the MOU to be executed and effective on the final date signed below. Any changes to this MOU must be agreed upon by both principal parties.

**Sargent County, ND**

_____	_____	_____
Name	Title	Date

**NDSU Extension**

_____	_____	_____
Name	Title	Date



APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT  
NORTH DAKOTA OFFICE OF ATTORNEY GENERAL  
GAMING DIVISION  
SFN 9338 (9-2023)

#  
SC 2024-2

Applying for (check one)	
<input checked="" type="checkbox"/> Local Permit	<input type="checkbox"/> Restricted Event Permit*
Games to be conducted	
<input type="checkbox"/> Bingo	<input checked="" type="checkbox"/> Raffle
<input type="checkbox"/> Raffle Board	<input type="checkbox"/> Calendar Raffle
<input type="checkbox"/> Sports Pool	<input type="checkbox"/> Poker*
<input type="checkbox"/> Twenty-One*	<input type="checkbox"/> Paddlewheels*

\*See Instruction 2 (f) on Page 2. Poker, Twenty-One, and Paddlewheels may be conducted Only with a Restricted Event Permit. Only one permit per year.  
**LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS**

ORGANIZATION INFO	
Name of Organization or Group	
CHS/ Dakota Plains Ag	
Dates of Activity (Does not include dates for the sales of tickets)	
3/31/2024	
Organization or Group Contact Person	E-mail
Scott Christianson	scott.christianson@dchsinc.com
Telephone Number	701-680-1994
Business Address	City
13219 Highway 13	Gwinner
State	ZIP Code
ND	58040
Mailing Address (if different)	City
State	ZIP Code

SITE INFO	
Site Name	
CHS Dakota Plains Ag	
County	
Sargent	
Site Physical Address	City
13219 Highway 13	Gwinner
State	ZIP Code
ND	58040
Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.)	
Raffle drawing 3/31/2024	

PRIZE / AWARD INFO (If More Prizes, Attach An Additional Sheet)		
Game Type	Description of Prize	Exact Retail Value of Prize
Raffle -	Blackstone Griddle (\$1100.00), Patio	\$
	fire pit (\$270.00), RTIL cooler (\$250.00),	\$ 1720.00
	Gift card (\$100.00)	
Total (limit \$40,000 per year)		\$

ADDITIONAL REQUIRED INFORMATION	
Intended Uses of Gaming Proceeds	
Harvest for Hunger	
Does the organization presently have a state gaming license? (If yes, the organization is not eligible for a local permit or restricted event permit and should call the Office of Attorney General at 1-800-326-9240)	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Has the organization or group received a restricted event permit from any city or county for the fiscal year July 1 - June 30 (If yes, the organization or group does not qualify for a local permit or restricted event permit)	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Has the organization or group received a local permit from an city or county for the fiscal year July 1 - June 30 (If yes, indicate the total retail value of all prizes previously awarded)	
<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes - Total Retail Value: (This amount is part of the total prize limit for \$40,000 per fiscal year)	
Is the organization or group a state political party or legislative district party? (If yes, the organization or group may only conduct a raffle and must complete SFN 52880 "Report on a Restricted Event Permit" within 30 days of the event. Net proceeds may be for political purposes.)	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Printed Name of Organization Group's Permit Organizer	Telephone Number	E-mail Address
Signature of Organization Group's Permit Organizer	Title	Date
	Regional Mgr.	3/8/24

Sargent County Commissioners

Rutland Township requests  
cost share for 1 culvert  
36" x 40' between section  
2 & 3.

Hydro study is done

Daniel Parson  
Chairman

RECEIVED  
SARGENT COUNTY

JAN 18 2024

PAM MALONEY  
AUDITOR

RECEIVED  
SARGENT COUNTY  
MAR 12 2024  
PAM MALONEY  
AUDITOR

HYDRAULIC STUDY  
For  
Culvert Replacement on 136<sup>th</sup> Ave SE  
In  
RUTLAND TOWNSHIP  
Between Section 2, T130N, R55W  
And Section 3, T130N, R55W

SARGENT COUNTY, NORTH DAKOTA

July 24, 2023



I hereby certify that this report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of North Dakota.

07/25/2023  
Date

Damon K. DeVillers  
Damon K. DeVillers  
License No. 3523

INTERSTATE ENGINEERING, INC.  
WAHPETON, NORTH DAKOTA  
ER23-04-094

**HYDRAULIC STUDY**  
**For**  
**Culvert Replacement on 136<sup>th</sup> Ave SE**  
**In**  
**RUTLAND TOWNSHIP**  
**Between Section 2, T130N, R55W**  
**And Section 3, T130N, R55W**  
**SARGENT COUNTY, NORTH DAKOTA**

**July 24, 2023**

**I.     GENERAL**

Rutland township requested a hydraulic study be prepared to investigate the replacement of a culvert through 136<sup>th</sup> Ave SE just south of 90<sup>th</sup> ST SE that is in poor shape. The township roadway is within Rutland Township. This hydraulic study looks at the existing upstream and downstream structures and evaluates the impact these structures may have on new structures at this site.

**II.    LOCATION**

The location of this site crosses 136<sup>th</sup> Avenue SE between Sections 2 & 3 of Rutland Township, Sargent County, North Dakota.

**III.   HYDROLOGY**

The contributing drainage area for the studied site was determined using USGS Stream Stats, Quad Maps, and the Wild Rice River Watershed Study.

Water in the contributing drainage area flows through a fairly well-defined channel known as Crooked Creek. The discharges at the site were determined utilizing the USGS manual 1992 Version as that is consistent with the sizing of the other crossings that have been replaced on the channel in the last several years, “Techniques for Estimating Peak-Flow Frequency Relations for North Dakota Streams”, with the area being in Region C.

**IV.   HYDRAULIC ANALYSIS AND STRUCTURE COMPARISON**

The FHWA culvert capacity charts were used in the analysis. The following data has been compiled and utilized to determine a sufficient and appropriate structure at this location.

Total Drainage Area:           69.9 square miles  
Contributing Drainage Area 23.7 square miles

Slope:                   4.1 feet per mile

**Existing Structure at Site:**

1 - 36" x 40' corrugated metal culvert at the site with approximately 1.25 to 1.5 feet of fill over the culvert.  
1-36 x 40' corrugated metal culvert located approximately 250 feet south on 136<sup>th</sup> Avenue SE with approximately 1.25 to 1.5 feet of fill over the culvert.

**Existing Upstream Structure thru 90<sup>th</sup> St:**

1- 48-inch CMP (Waterway Area: 12.56. sq.ft.)

**Existing Upstream Structure:**

1-48 RCP thru RR Tracks (Waterway Area: 12.56 sq.ft.)

**Site Characteristics:**

Flood on Record:	Unknown
Design (2):	50 cfs
Design (10):	270 cfs
Design (15):	353 cfs
Design (25):	470 cfs
Design (50):	653 cfs
Design (100):	864 cfs
Greatest Flood (500 year):	11446 cfs

The structure was sized based on a 10-year event based on the North Dakota Stream Crossing Standards design headwater limitations for a township roadway

Allowable headwater is the pipe diameter plus 2 feet since the streambed slope is less than 5 feet per mile.

V. STRUCTURE COMPARISON

The following chart analyzes the proposed structure for the crossing of the township roadway.

Alterna tive No.	No. of Lines	Structure Type	Total Waterway Opening (sq. ft.)	Flow (cfs)	Head Water (HW) (ft)	Allowable Headwater (HW ) Feet	Allowable Headwater
1	1	36" CMP Existing	7.1	45	4.3	5.0 feet	Combination of pipe Overtops the roadway at 90 cfs. Does meet the allowable HW Stream Crossing Standards
1	1	36" CMP- Existing ~250 feet south on 136 <sup>th</sup> Ave (leave in place)	7.1	45	4.3	5.0 feet	
2	1	58" x 36" CMPA ( Equivalent to 48")	12.56	75	4.3	5.0 feet	Combination of pipe Overtops the roadway at 130 cfs. Does meet the allowable HW Stream Crossing Standards
2	1	36" CMP-250 feet south on 136 <sup>th</sup> Ave (leave in place)	7.1	45	4.3	5.0 feet	



3	2	58" x 36" CMPA (equivalent to 48" CMP)	25.12	150	4.3	5.0 feet	Overtops the roadway at 195 cfs. Does meet the allowable HW Stream Crossing Standards
3	1	1-36" CMP Existing 250 south of 90 <sup>th</sup> st. (leave in place)	7.1	45	4.3	5.0 Feet	

V. RECOMMENDATION

This recommendation is based upon a 10-year event passing through the structure with roadway overtopping and meeting the ND Stream Crossing Standards.

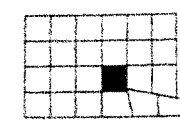
Alternative 1 includes replacing the existing failed 36" cmp on 136<sup>th</sup> Ave SE located approximately 50 feet south of 90<sup>th</sup> St. SE with 1-36" cmp and leaving the existing 36" cmp located 250 feet south of 90<sup>th</sup> street in place. The hydraulics for the location with the combination of the two lines of 36" cmp's does meet the ND Stream Crossing standards for a 10-year event as the water overtops 136<sup>th</sup> Ave. SE well before 10-year event.

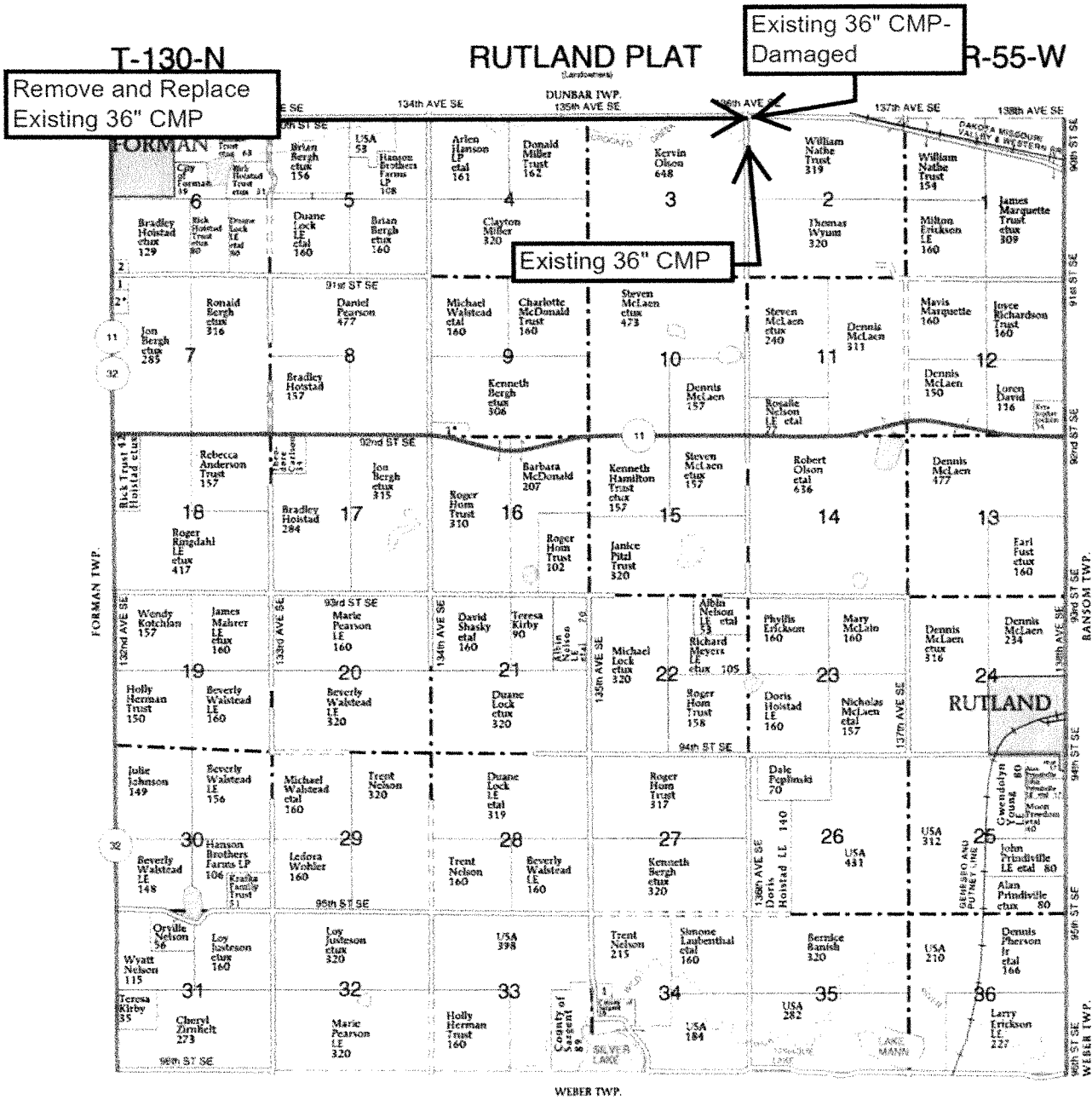
Alternative 2 includes replacing the existing failed 36" cmp on 136<sup>th</sup> Ave SE located approximately 50 feet south of 90<sup>th</sup> St. SE with 1-58" x 36" cmpa and leaving the existing 36" cmp located 250 feet south of 90<sup>th</sup> street in place. The hydraulics for the location with the combination of the two lines of 36" cmp's does meet the ND Stream Crossing standards for a 10-year event as the water overtops 136<sup>th</sup> Ave. SE well before 10-year event.

Alternative 3 includes replacing the existing failed 36" cmp on 136<sup>th</sup> Ave SE located approximately 50 feet south of 90<sup>th</sup> St. SE with 2-58" x 36" cmpa's and leaving the existing 36" cmp located 250 feet south of 90<sup>th</sup> street in place. The hydraulics for the location with the combination of the two lines of 36" cmp's does meet the ND Stream Crossing standards for a 10-year event as the water overtops 136<sup>th</sup> Ave. SE well before 10-year event.

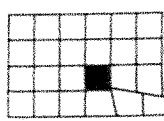
We recommend Alternative 1 which is replacing the 1 line of 36" cmp thru 136<sup>th</sup> Ave SE just south of 90<sup>th</sup> ST SE with one line of 36" Corrugated metal pipe x 40-foot-long with 2-foot-wide bands to band the culverts together. The length of the culvert is based upon 24-foot road top and 1.5 feet of cover over the top of the pipe at a 3:1 slope.

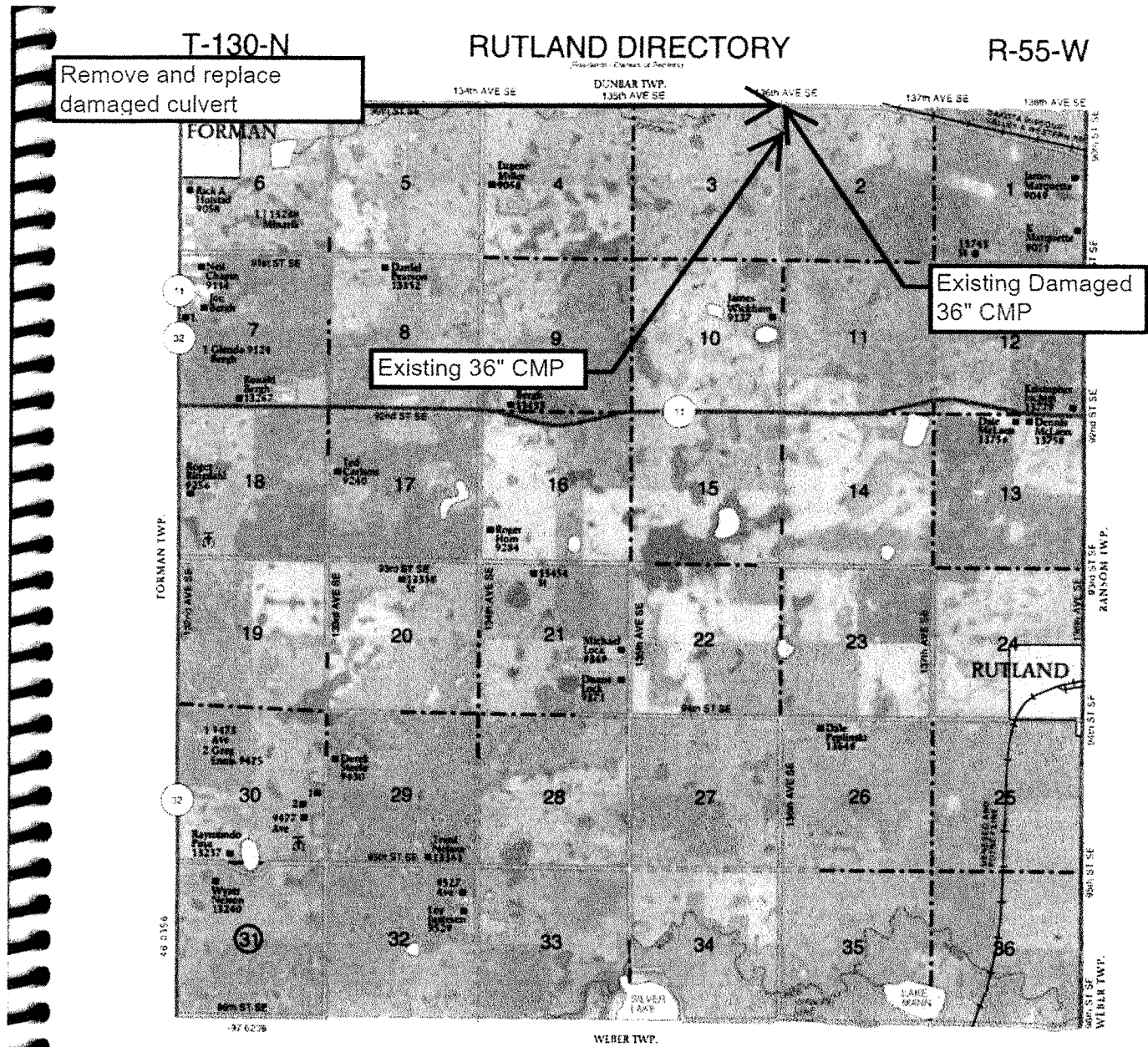
It is recommended that rip rap be installed on the upstream and downstream end to help prevent erosion.





RUTLAND TOWNSHIP		2	CHAPMAN, NERLETON	10	
SECTION 2		SECTION 3			
1	COUNTY OF SARGENT	6	1	BERGEN, BRADY ETUX	13
SECTION 3		SECTION 4			
1	MILNARK, FRANCIS	11	1	RUTLAND SPORTSMENS CLUB	6
2	OTTERTAIL POWER CO	6			
SECTION 4					
1	STATE OF NORTH DAKOTA	6			





RECEIVED  
SARGENT COUNTY

MAR 08 2024

PAM MALONEY  
AUDITOR

February 29, 2024

Sargent County Commission  
PO Box 147  
Gwinner, ND 58040

Southeastern North Dakota Community Action Agency (SENDCAA) Board of Directors is currently looking to fill a vacant position.

The SENDCAA Board of Directors requests that the Sargent County Commission make an appointment to fill this vacancy. An individual with knowledge or interest in human or social services would be a good candidate. SENDCAA receives federal Community Services Block Grant (CSBG) funding which requires the County Commissions within our six county service area to appoint designated representatives to the Board of Directors.

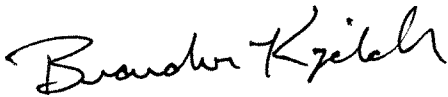
The Board of Directors meet on the third Thursday of January, March, May, July, September and November from 9:30 AM to 11:30 AM. The meetings are held at the SENDCAA office in Fargo, ND. Board members receive mileage and meal reimbursement according to state policy.

The Board of Directors set organizational policies and procedures, identify needs of local residents, and oversee agency services and programs. Some of the agency services include Head Start, Weatherization, Child Care, Housing Rehabilitation, Tenant Education, Self-Sufficiency Case Management, Veteran Services and Emergency Assistance.

Please check out our website at [www.sendcaa.org](http://www.sendcaa.org) for additional information. If you have any questions or require further information please contact our Executive Director, Brandon Kjelden at 701.232.2452 or [brandonk@sendcaa.org](mailto:brandonk@sendcaa.org)

Thank you

Sincerely,



Brandon Kjelden  
Executive Director



SARGENT COUNTY						
STATEMENT OF REVENUES, EXPENDITURES, TRANSFERS, AND FUND BALANCES						
YEAR TO DATE TOTAL AS OF:			FEBRUARY	2024		
FUNDS	1/1/24 BALANCE	Y-T-D REVENUES	TRANSFERS IN	TRANSFERS OUT	Y-T-D EXPENDITURES	Y-T-D BALANCE
1000 COUNTY GENERAL	\$1,392,652.07	\$1,601,921.82		\$0.00	\$528,989.11	\$2,465,584.78
	\$1,392,652.07	\$1,601,921.82	\$0.00	\$0.00	\$528,989.11	\$2,465,584.78
SPECIAL REVENUE						
201 ROAD	\$413,658.11	\$433,350.51		\$0.00	\$123,601.68	\$723,406.94
202 FEDERAL AID ROAD	\$1,891,664.97	\$442,430.54	\$0.00		\$0.00	\$2,334,095.51
205 VET SERVICE OFFICER	\$18,485.47	\$9,459.05			\$5,631.33	\$22,313.19
206 EXTENSION SERVICE	\$44,627.20	\$57,940.96	\$0.00		\$13,419.61	\$89,148.55
207 WEED CONTROL	\$147,406.43	\$51,059.41	\$0.00	\$0.00	\$296.30	\$198,169.54
209 STATE AID	\$28,744.98	\$5,019.00	\$0.00		\$1,068.70	\$32,695.28
211 WIC	\$784.70	\$0.00			\$0.00	\$784.70
212 HEALTH-DONATIONS	\$130,447.45	\$31,293.68	\$0.00	\$0.00	\$23,562.08	\$138,179.05
215 EMERGENCY	\$228,687.44	\$0.00	\$0.00	\$0.00	\$0.00	\$228,687.44
216 HEALTH	\$64,097.45	\$79,232.73		\$0.00	\$25,675.21	\$117,654.97
217 DISASTER ASSISTANCE	\$65,146.12	\$0.00	\$0.00	\$0.00	\$0.00	\$65,146.12
218 GO BONDS (I&S)	\$0.00	\$0.00				\$0.00
219 HEALTH GRANTS	\$137,907.29	\$71,442.05	\$0.00		\$47,247.77	\$162,101.57
221 911	\$71,180.76	\$13,258.00	\$0.00	\$0.00	\$27,959.56	\$56,479.20
226 EMS	\$150,468.89	\$251,834.82			\$51,241.18	\$351,062.53
231 CAPITAL IMPROVEMENTS	\$20,381.11	\$83.90	\$0.00		\$0.00	\$20,465.01
232 HISTORICAL SOCIETY	\$2,397.53	\$7,243.22			\$5,068.04	\$4,572.71
233 SENIOR CITIZENS	\$9,589.60	\$28,973.19			\$20,271.47	\$18,291.32
248 JOB DEVELOPMENT	\$978,822.65	\$29,614.44	\$0.00	\$0.00	\$25,463.69	\$982,973.40
250 HAZARDOUS CHEMICAL	\$21,046.97	\$0.00			\$0.00	\$21,046.97
252 SHERIFF'S GRANTS	\$14,520.97	\$830.50	\$0.00		\$0.00	\$15,351.47
258 WC SPRAYER REPLACMNT	\$35,069.49	\$144.38	\$0.00	\$0.00	\$0.00	\$35,213.87
260 DOCUMENT PRESERVATION	\$269.01	\$1,266.45			\$0.00	\$1,535.46
262 AIRPORT AUTHORITY-GWIN	\$4,422.20	\$11,791.11			\$8,783.49	\$7,429.82
264 AIRPORT AUTHORITY-MIL	\$4,422.69	\$11,792.49			\$8,784.35	\$7,430.83
268 FAIRGROUNDS BUILDINGS	\$5,014.02	\$18.08			\$0.00	\$5,032.10
270 EXTENSION EDUCATION	\$1,575.08	\$20.00			\$0.00	\$1,595.08
272 KRAFT SLOUGH PROJECT	\$1,717.22	\$0.00			\$0.00	\$1,717.22
274 COURTHOUSE BUILDING	\$40,379.70				\$0.00	\$40,379.70
276 CAMPGROUND IMPROVEMENT	\$0.00		\$0.00		\$0.00	\$0.00
280 SC BIKE RACK	\$0.00					\$0.00
282 ARPA FUNDS	\$464,576.03	\$1,912.58	\$0.00		\$0.00	\$466,488.61
SPECIAL REVENUE TOTALS	\$4,997,511.53	\$1,540,011.09	\$0.00	\$0.00	\$388,074.46	\$6,149,448.16
803 DOMESTIC VIOLENCE	\$0.00	\$0.00	\$0.00		\$0.00	0.00
807 STATE TAXES	\$9,248.55	\$28,240.24			\$19,659.28	17,829.51
810 GDCD	\$9,589.43	\$28,972.54			\$20,271.02	18,290.95
813 ADVANCE TAXES	\$34,703.64	\$0.00			\$0.00	34,703.64
814 CURRENT TAX HOLDING	\$0.00	\$0.00				0.00
816 GAME & FISH	\$0.00	\$0.00			\$0.00	0.00
818 RED RIVER JOINT BOARD	\$6,788.79	\$20,684.78			\$14,402.66	13,070.91
822 PAID UNDER PROTEST	\$0.00	\$0.00			\$0.00	0.00
823 WATER RESOURCE	\$120,882.86	\$39,738.57	\$0.00	\$0.00	\$19,343.21	141,278.22
824 WATER RESOURCE CD	\$153,628.85	\$0.00	\$0.00	\$0.00	\$0.00	153,628.85
825 SOIL CONSERVATION	\$9,574.30	\$28,948.75			\$20,249.13	18,273.92
838 STATE TUITION	\$0.00					0.00
840 SHORTFOOT CREEK	(\$21,123.28)	\$6,213.26	\$0.00		\$8,289.50	(23,199.52)
842 CROOKED CREEK	(\$1,734.37)	\$0.00	\$0.00		\$0.00	(1,734.37)
850 MILNOR AMBULANCE	\$0.00	\$892.39			\$2,287.56	(1,395.17)
852 FORMAN AMBULANCE	\$0.00					0.00
854 GWINNER 1ST RESPONDERS	\$0.00					0.00
TOTALS	\$321,558.77	\$153,690.53	\$0.00	\$0.00	\$104,502.36	\$370,746.94
TOTAL CITIES	\$148,773.07	\$1,767,751.10			\$886,737.57	1,029,786.60
TOTAL SCHOOLS	\$985,253.52	\$2,980,876.16			\$2,082,324.46	1,883,805.22
TOTAL TOWNSHIPS	\$336,180.27	\$429,636.78			\$512,821.47	252,995.58
TOTAL DRAINS	\$2,665,388.93	\$573,551.57	\$0.00	\$0.00	\$98,776.15	3,140,164.35
TOTAL FIRE DISTRICTS	\$55,821.83	\$163,897.81			\$119,713.99	100,005.65
TOTAL AMBULANCE DISTRICTS	\$8,034.88	\$19,207.12			\$17,161.20	10,080.80
TOTALS	\$4,199,452.50	\$5,934,920.54	\$0.00	\$0.00	\$3,717,534.84	6,416,838.20
TOTAL TRUST AND AGENCY	\$4,521,011.27	\$6,088,611.07	\$0.00	\$0.00	\$3,822,037.20	6,787,585.14
GRAND TOTALS	\$10,911,174.87	\$9,230,543.98	\$0.00	\$0.00	\$4,739,100.77	\$15,402,618.08