

MINUTES OF THE MEETING OF THE SARGENT COUNTY WATER RESOURCE BOARD HELD ON THURSDAY, JANUARY 20TH, 2022 AT 8:00 A.M. IN THE WATER BOARD CONFERENCE ROOM AT THE SARGENT COUNTY COURTHOUSE, FORMAN NORTH DAKOTA

Managers present: Chairman Luke Siemieniewski, Roger Zetocha, Bruce Speich, Todd Stein and Michael Wyum. Also in attendance were Nathan Trosen, Moore Engineering; Wendy Willprecht, Secretary/Treasurer, Sargent County Commissioner Richard Ruch, Ross Nilson of the Nilson Brand Law Office and Kevin Rodine. Others present via video conference were Sean Fredricks of Ohnstad Twichell, P.C., the Board's Attorney; Engineer Josh Hassell of Moore Engineering, Paul Mathews, Bob Banderet, Dale Mallberg, Mary Engst (Sargent County Teller), Attorney Charles Carvell, Carolyn Ehman and Leon Mallberg.

The meeting was called to order by Water Board Chairman Luke Siemieniewski.

Manager Wyum moved to approve the December 16th, 2021 meeting minutes, the January 6th, 2022 Executive Session meeting minutes, the January 12th, 2022 Drain No. 11 Public Hearing meeting minutes and the December 31st, 2021 financial statement. Manager Zetocha seconded the motion. Upon roll call vote, the motion carried unanimously.

Manager Stein moved to approve the following bills:

083154 Ohnstad Twichell- Gerald Bosse Permit \$108; Review S.O.V. \$40.50; Review bonding \$54.00; Westlaw Research \$117.08; Engineering Selection \$151.53
 =\$471.11
 Drain No. 11-\$8010.77; Eminent Domain \$15,882.56; Drain No. 7-Appraisal \$37.50; Review P/A \$273.00
Total: \$24,674.94

083152 ND Newspaper Association: Reassessment Public Hearing Advertising
Total: \$567.79

083151 Moore Engineering: SLD state permit close out-\$80.00; Engineering fees-ROW \$2245; Legal Descript. and R/S monument \$70.50; Wetland Mitigation \$57.50; Permitting \$182.50; Bd. Mtg. \$1951.00 \$4586.50
 SFC- NRCS Steps 6 & 7 \$4150.00; Drain No. 11-Culvert response \$85; Drain No. 7-ROW \$1507.50; Survey \$2019.56; Design/Construct. Services \$1050.00; Crooked Creek Watershed-Task 2 & 3\$32,023.66
Total: \$45,422.22

083155 Sargent County Treasurer- Drain No. 11 taxes Section 7 \$119.65; Section 21 \$171.69
Total: \$291.34

083153 ND Water Users Association- Dues
Total:\$300.00

083150 JBX LLC-Repair low water crossings/rip rap/clean sediment
Total: \$9640.00

083149 Michael Hayen-Drain No. 11 Warranty Deed \$1260/Temporary Easement \$135
Total: 1395.00

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| 083156 | Lucas Siemieniewski | Travel | \$588.31 |
| 083158 | Todd Stein | Travel | \$183.76 |
| 083159 | Michael Wyum | Travel | \$777.40 |
| 08160 | Roger Zetocha | Travel | \$153.70 |
| 083157 | Bruce Speich | Travel | |
| DD | Lucas Siemieniewski | PD | \$443.28 |
| DD | Todd Stein | PD | \$332.46 |
| DD | Michael Wyum | PD | \$443.28 |
| DD | Roger Zetocha | PD | \$443.28 |
| DD | Bruce Speich | PD | |
| DD | Wendy Willprecht | Sec-Treas -Salary less taxes \$457.17 | \$2042.83 |
| DD | Stock Grower's Bank | Withholding Taxes | \$626.42 |
| DD | ND State Tax Commission | State Tax | \$22.00 |
| DD | Job Service ND | Unemployment Comp. | \$2.50 |

Manager Speich seconded the motion. Upon roll call vote, the motion carried unanimously.

DRAIN NO. 11:

Josh Hassell of Moore Engineering said that the final design of the project is on hold until the land acquisition is finalized.

Reassessment: The January 12th, 2022 public hearing held at the Forman City Hall was well attended. We have received over 100 comments to date. At the date of this meeting, Moore provided a map that reflected specific parcel questions/comments that have been received. Hassell said that Moore hopes to have all the comments and questions summarized by the February meeting.

Kevin Rodine: Landowner Rodine had questions regarding his Parcel #11 in Bear Creek Township. Rodine said his issues are that the water would not leave his section until last year when a culvert was put in. There is a natural barrier that prevents water from leaving the slough. Rodine has a plan to pump the slough out this year and plans to irrigate. Engineer Trosen said Moore would look further into this matter.

A motion was made by Manager Zetocha and seconded by Manager Wyum to approve the signing of the following purchase agreements:

1. Deborah M. Bosse Revocable Living Trust
2. Colleen Carpenter
3. John Hayen

Upon roll call, the motion carried unanimously.

Culvert: Engineer Trosen said that the culvert in question would be in the Southwest Township at the crossing of 98th St. SE. There is currently a 60 in CSP out there that is 36 feet long (approx. 20 sq. ft. opening). Trosen asked if the Managers thought they would want the culvert replaced with the same dimensions as currently exists, or, if they would like it replaced with the proposed culvert size identified in the 2016 study which was 2 – 42” X 29” CSPA culverts (approx. 13 sq. ft. opening). Trosen said Moore will check to ensure there will be no impacts with using the proposed culvert size. It would be suggested to do something with the culvert this spring. Trosen will put quotes together and will bring them to the February meeting.

DRAIN NO. 7:

An appraisal report has been requested but not yet received. Once received, the Board can review and can set right of way values for the project.

Moore Engineering reported that the survey is done. A meeting was held with the Fish and Wildlife Department. They want the Drain to continue to fall under the existing ROW which is within 75 feet. The berm may be lower than others along the Drain. It was added that the Fish and Wildlife Department wants to make the spoil banks look natural and they would prefer to use their own seed and will do the seeding themselves.

The bid for this project could be done by March or April, 2022 contingent on ROW acquisition. Moore will meet with Sargent County and their Engineer, Interstate Engineering, to discuss the status of the cleanout downstream of the Drain.

SHORT FOOT CREEK:

A meeting took place with Moore Engineering and the landowners within this watershed on January 5th, 2022 at 3:30. Moore said that the meeting had good discussion. The landowners did question how the land for this project will be purchased. Moore said purchase options will be decided at a later date. Hassell stated that the plans can be wrapped up prior to the purchase options being decided upon. Hassell added that we can tweak the plan moving forward if necessary.

DRAIN NO. 9 EXTENSION:

No report.

CROOKED CREEK WATERSHED PLAN:

At the December 20th, 2021 meeting held at Forman City Hall a number of project types were discussed. Moore stated that they are wrapping up the culvert inventory and the modeling should be complete in the next couple of months. The plan is to meet with the project team again sometime around late March or April.

The mandatory continued education was discussed amongst the Managers. Managers Siemieniowski and Wyum attended the last SWC Convention which will qualify their requirement. Manager Speich attended the meeting in Grand Forks that will also qualify. Managers Zetocha and Stein still need to fulfill the requirement.

Steve Zetocha Notice of Application for Change in the Point of Diversion-The SCWRD Managers did not have any concerns or comments regarding this application. Sargent County landowner Carolyn Ehman who was on the video conference received this notice of application as well. Attorney Fredricks explained to Ehman that she received this notice because she owns land in the vicinity that the diversion will take place. Ehman was referred to the Department of Water Resources to further discuss any concerns that she may have. This was the instruction on the letter she received regarding the diversion.

RS #1:

Balance as of **December 31st**, 2021 \$312,564.06

Total Revenue Received:

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|--------|----------|
| Tax: | \$872.81 |
| Total: | \$872.81 |

Total Expenditures:

| | |
|--|-----------|
| Ohnstad Twichell/Engineering Selection/ | \$2550.00 |
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A motion was made by Manager Speich and seconded by Manager Wyum to approve the engineering selection billing to Ohnstad Twichell. Upon roll call, the motion carried unanimously.

DICKEY-SARGENT JOINT BOARD: The following Dickey-Sargent Joint WRD bills were presented for approval by Wendy Willprecht, Secretary-Treasurer:

DVEC – electricity – \$131.00

Manager Zetocha made a motion to approve payment of the Dickey-Sargent bills. Manager Wyum seconded the motion. Upon roll call, the motion carried unanimously.

Meeting adjourned at 8:40 a.m.

LUCAS SIEMIENIEWSKI, CHAIRMAN

ATTEST:

WENDY WILLPRECHT SECRETARY-TREASURER