

RICHLAND COUNTY WATER RESOURCE DISTRICT
Richland County Courthouse, Wahpeton, ND
January 17, 2017

The Richland County Water Resource Board (RCWRB) met January 17, 2017 at 9:00 AM at the Richland County Courthouse, Wahpeton, North Dakota.

THOSE PRESENT: Managers Arv Burvee, Gary Friskop, James Haugen, Robert Rostad, Engineering Technician Justin Johnson, and Secretary-Treasurer Monica Zentgraf.

Minutes

The December 27, 2016 minutes were presented. A motion was made by Mgr. Burvee and seconded by Mgr. Rostad to approve the minutes as presented. The motion carried unanimously.

Financial Reports

A motion was made by Mgr. Rostad and seconded by Mgr. Haugen to accept the December 2016 financial reports as presented. The motion carried unanimously.

Mail

- 1.) Bank of New York Mellon- Pledged securities totaled \$4,948,658.35 on December 30, 2016.
- 2.) Richland County Commission- Minutes of the December 2016 meetings.
- 3.) ND State Water Commission- Minutes of October 12, 2016 meeting.
- 4.) ND State Water Commission- 2017 thru 2019 North Dakota Water Development Report.
- 5.) ND Water Users- Legislative Reports No. 3 and No. 4.
- 6.) Interstate Engineering- Recommendation for David Braaten's request to lower the culvert in the NE1/4 Section 25, Freeman Township. A motion was made by Mgr. Haugen and seconded by Mgr. Rostad to approve lowering the culvert in the NE1/4 Section 25, Freeman Township per Interstate Engineering's recommendation and contingent upon approval of the Richland County Highway Department. Work assigned to JAV Construction at Proj #7 expense. The motion carried unanimously. Project completion date was set for June 1, 2017. (Braaten #16-087)

Proposed Legislative Drain Tile Bill

The Managers were informed that Senator Larry Luick provided a copy SB 2263 regarding drain tile to the Office for the Board's review. At this time discussion was held relative to the content of the bill and the need for multiple changes. A letter of response prepared by the Office Secretary and Legal Counsel was reviewed by the Managers. A motion was made by Mgr. Burvee and seconded by Mgr. Haugen authorizing Chr. Friskop to execute the letter in opposition to SB 2263 and forward it to Senator Luick. The motion carried unanimously. The Managers were also informed that four additional WRD bills have been introduced within the past 24 hours and will need to be addressed in the coming weeks.

APPLICATION FOR SURFACE DRAIN No. 4920 for Jake Barton and Dustin Barton in the Northwest Quarter of Section 28 of East Walcott Township

The Board reviewed information from the North Dakota State Engineer regarding APPLICATION FOR SURFACE DRAIN No. 4920 for Applicants Jake Barton and Dustin Barton. Under the application, Applicants seek to construct channel improvements intended to reroute the natural flow of an existing natural drain that currently runs to the northeast across the Northwest Quarter of Section 28, East Walcott Township. The permitted drain will be located in the Northeast Quarter of the Northwest Quarter of Section 28, along the west boundary of a homestead in the northeast corner of the Northwest Quarter of Section 28. The project will reroute the natural drain flow to the north. The drain will include 557 feet of channel improvements; a 12-foot bottom width; 4:1 side slopes; and a 1.5-foot maximum cut depth. The channel improvements will redirect the flow to the north and will discharge into the township road ditch along the north boundary of the Northwest

Quarter of Section 28 via an 18-inch culvert with a flap gate through the dike along the south boundary of the township road ditch.

According to records on file with the Richland County Recorder's office, Applicants Jake Barton and Dustin Barton own the Northwest Quarter of Section 28 of East Walcott Township, less the homestead in the northeast corner of the Northwest Quarter of Section 28, owned by Daniel and Beverly Martel.

The Board reviewed responses to the eight elements under Section 89-02-01-09.2 of the North Dakota Administrative Code prepared by Mike Bassingthwaite, of Interstate Engineering and the Board approved and adopted the responses. The Board further determined no hearing was necessary under Section 89-02-01-09.1(2) of the North Dakota Administrative Code because the project is all located on Applicants' property, and the project will not result in adverse impacts downstream. In addition, the Board will require Applicant to obtain written permission from the Walcott Township Board of Township Supervisors to discharge into the township's road ditch and to install and maintain a culvert with a flap gate on any township road right of way.

Manager Burvee, seconded by Manager Haugen, moved to approve APPLICATION FOR SURFACE DRAIN No. 4920 for Jake Barton and Dustin Barton, subject to the conditions attached by the State Engineer's office, and subject to the following conditions:

- 1) That Applicants will not construct or improve the drain in any manner that exceeds the dimensions indicated in the application, including a drain length of 557 feet; a 12-foot bottom width; 4:1 side slopes; and a 1.5-foot maximum cut depth;
- 2) That Applicants obtain an easement from the owner of any land, besides land owned by Applicants, on which Applicants will construct the drain;
- 3) That Applicants obtain written permission from the Walcott Township Board of Township Supervisors to discharge into its township road ditch, to install and maintain a culvert with a flap gate on any of the township's road right of way, or to otherwise utilize any of its township road ditch;
- 4) That Applicants notify the Richland County Water Resource District in advance of any proposed improvements to the drain, including any increase in the capacity or drainage area affected, and, if necessary, submit an additional permit application; and
- 5) That Applicants obtain all other necessary and requisite licenses, permits, registrations, and/or approvals from all applicable federal, state, county, and municipal governments, and any other applicable governmental entities.

Upon roll call vote, Managers Burvee, Rostad, Friskop, and Haugen voted in favor of said motion; Manager Moffet was absent and not voting. The motion carried. The Board directed Sean Fredricks to prepare the requisite NOTICE OF DECISION and to provide the NOTICE to all parties of record. (Barton #17-001)

2011 FEMA Report

The Secretary reported no issues were found during the ND Department of Emergency Services (ND DES) recent compliance review of all small projects from the 2011 FEMA declaration disaster. Upon completion of the compliance review, the District received an additional 3% grant relief reimbursement, in the amount of \$3,296.79. The Secretary further reported total eligible damage costs for the 2011 event were \$308,786.85 with \$299,558.25 having been reimbursed by FEMA/ND DES.

Computer Bids

The following bids for a Xeon E5-2609 computer workstation for Mr. Johnson were presented at this time:

Digital Guru

\$2,899.98

R & B Printer Repair

\$2,503.00

It was noted that the bid from R & B Printer Repair included labor for installation, data transfer, and Office 2016 Home & Business; the bid from Digital Guru did not include these items, which are needed. A motion was made by Mgr. Rostad and seconded by Mgr. Haugen to award the computer bid to R & B Printer Repair in the amount of \$2,503. The motion carried unanimously.

Technician's Report

Mr. Johnson reported on the Metro Flood Diversion Authority meeting held January 12, 2017.

Adjournment

There being no further business to come before the Board, Chr. Friskop adjourned the meeting at 10:50 AM.

Respectfully submitted,
Monica Zentgraf
Secretary

Gary Friskop
Chairman of the Board