

RICHLAND COUNTY WATER RESOURCE DISTRICT
Richland County Courthouse, Wahpeton, ND
July 12, 2016

The Richland County Water Resource Board (RCWRB) met July 12, 2016 at 10:00 AM at the Richland County Courthouse, Wahpeton, North Dakota.

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

Minutes

A motion was made by Mgr. Friskop and seconded by Mgr. Rostad to approve the minutes of the June 27, 2016 meeting as presented. The motion carried.

Financial Reports

A motion was made by Mgr. Friskop and seconded by Mgr. Burvee to accept the June 2016 financial reports as presented. The motion carried.

Mail

- 1.) Bank of New York Mellon- June 30, 2016 pledged securities totaled \$4,365,978.01.
- 2.) Richland County Commission- Minutes of the June 2016 meetings.
- 3.) Minnesota Department of Natural Resources (MNDNR)- Notification that the MNDNR has determined the final Environmental Impact Statement for the Fargo-Moorhead Flood Risk Management Project is adequate and the state environmental review process for the Project is concluded.
- 4.) Adam Mumm- Notice of Application for Appropriation of Water (SWC Application #6850) to divert and appropriate water from a point or points on land in the SW1/4 and SE1/4 Section 29, Center West.
- 5.) Elizabeth Mumm- Notice of Application for Appropriation of Water (SWC Application #6851) to divert and appropriate water from a point or points on land in the SW1/4 Section 29 and NE1/4 and SW1/4 Section 32, all in Center West.
- 6.) North Dakota State Water Commission- Cost share agreements for the Proj #5(27) Reconstruction (#14-124) and Proj #31 Improvement Project (#13-054). A motion was made by Mgr. Rostad and seconded by Mgr. Friskop authorizing Chr. Moffet to sign the cost share agreements as presented for Projs #5(27) and #31. The motion carried.

Ohnstad Twichell Legal Representation

The consent document relative to Sean Fredricks and Ohnstad Twichell's legal representation of the RCWRD (for all matters not related to the Fargo-Moorhead Flood Diversion Project) and Mr. Fredricks and Ohnstad Twichell's legal representation of the Cass County Water Resource District in the matter of the Fargo-Moorhead Flood Diversion Project was brought back to the Board for further consideration (from the June 27, 2016 meeting). Mgrs. Moffet and Rostad reported on meetings they attended with members of the MnDak Coalition and State Engineer Erbele regarding the Diversion Project. It was noted that the RCWRD's legal counsel in the matter of the Diversion Project, David Bliss, also attended the meetings. Mgrs. Moffet and Rostad reported that the State Engineer signed the permit application for Phase 1 (Inlet Structure). Considerable discussion was held and a motion was made by Mgr. Rostad, seconded by Mgr. Burvee, directing Mr. Bliss to file a Notice of Appeal with the Office of the State Engineer on the State Engineer granting approval of the Fargo-Moorhead Diversion Authority and Cass County Joint Water Resource District's application for Phase 1. The motion carried. No action was taken on the matter of the legal representation consent document.

Engineer Mike Bassingthwaite met with the Board for the purpose of discussing the following matters:

Proj #72 Culvert Replacements

In keeping with the Board's previous plan of replacing culverts on Proj #72 per Interstate Engineering's 2007 priority list (RCWRD #05-038) as funding is available, Engineer

Bassingthwaite recommended the Managers consider moving forward with the following culvert crossing replacements:

Crossing #9- Sections 1/29, Nansen Township
Crossing #A1- Section 8, Abercrombie West
Crossing #A2- Sections 8/5, Abercrombie West

Mr. Bassingthwaite also recommended replacing the culverts between Sections 1/12, Nansen Township, even though they were not on the 2007 priority list. The two culverts at this location are in poor condition. Additionally, Mr. Bassingthwaite recommended cleaning the drain in the NE1/4 Section 2, Nansen Township, as several feet of water stand in Crossing 10. Mr. Johnson reported that he found a small amount of erosion by the farmstead in the SW1/4 Section 7, Abercrombie West, when he inspected the drain this spring. Consensus of the Managers was to solicit bids from JAV Construction, Ehlert Excavating, and JBX, per the recommendation. The project completion deadline was set for November 1, 2016. (RCWRD #16-049)

North Branch Antelope Creek Watershed Regional Conservation Partnership Program (RCPP)

Mr. Bassingthwaite reported that Interstate Engineering has completed the background work that was needed before holding a meeting with the people in the North Branch Antelope Creek watershed. This meeting is required for the RCPP grant. Consensus was to schedule the meeting for the week of August 22, 2016. Letters will be sent to everyone in the watershed; a notice will be published in the *Daily News*.

Mr. Bassingthwaite left the meeting.

Proj #31 Improvements

It was reported that weeds were growing within the permanent and temporary right-of-way boundaries where the Proj #31 reconstruction is planned and the contractor was not yet ready to begin work. Consensus of the Board was to hire Farmers Union of the Southern Valley to spray the weeds as needed within the rights-of-way. (RCWRD #13-054)

Utility Vehicles

Reimbursement rates for use of Mgr. Friskop and Justin Johnson's utility vehicles were reconsidered by the Board. The Managers felt the cost of gas for the vehicles should be included in the reimbursement rate. A motion was made by Mgr. Rostad and seconded by Mgr. Burvee to increase the daily rate for use of Mgr. Friskop's UTV to \$55 per day and \$45 per day for use of Mr. Johnson's ATV. Increased rates retroactive to April 19, 2016. Mgrs. Burvee, Rostad, and Moffet voted in favor of said motion, Mgr. Haugen was absent and not voting, and Mgr. Friskop abstained from voting. The motion carried.

Applications

Appl #16-050, Tyler Gylland: SE1/4 Sec 30, Colfax East The RCWRB acknowledged receipt of the application. No action required by RCWRB; application referred to the Richland County Highway Department as work is within County right-of-way.

Appl #16-051, Brad Anderson: NE1/4 Sec 25, Eagle North A motion was made by Mgr. Friskop and seconded by Mgr. Burvee to approve the field ditching conditioned upon the signature of Paul Israelson. Work within road ditch referred to Richland County Highway Department as work is within County right-of-way. The motion carried.

Appl #16-052, R & P Rydell, LP: NE1/4 Sec 18, Fairmount South A motion was made by Mgr. Burvee and seconded by Mgr. Friskop to approve the installation of drain tile and refer the outlet to the Fairmount Township Board of Supervisors and ND Department of Transportation. Work at no cost to the drain. The motion carried.

(Appl #16-053 Voided- Out of sequence)

Appl #16-025, J & K Skovholt, LP: N1/2 Sec 10, Mooreton Twp A motion was made by Mgr. Rostad and seconded by Mgr. Burvee to approve the installation of drain tile and

refer the outlet to the ND Department of Transportation. Work at no cost to the RCWRD.
The motion carried.

Technician's Report

Mr. Johnson reported on drain inspections with the following action being taken by the Managers:

•**Proj #95**- Appl #16-054 was completed and a motion was made by Mgr. Burvee and seconded by Mgr. Friskop authorizing JBX Construction to make the following repairs with a completion date of October 15, 2016:

SW1/4 Sec 31, Antelope Twp (Site #177)- Repair culvert & flap gate
SW1/4 Sec 32, Antelope Twp (Site #178)- Repair apron
SE1/4 Sec 34, Antelope Twp (Site #179)- Repair apron
NW1/4 Sec 26, Homestead Twp (Site #182)- Repair culvert/replace flap gate

The motion carried.

•**Proj #31**- Appl #16-055 was completed and a motion was made by Mgr. Rostad and seconded by Mgr. Burvee to defer the application pending a hydraulic study by Interstate Engineering for replacement of the 36 inch culvert in the NW1/4 Sec 35, Summit West. The motion carried.

Adjournment

There being no further business to come before the Board, Chr. Moffet adjourned the meeting at 12:30 PM.

Respectfully submitted,

Monica Zentgraf
Secretary

Don Moffet
Chairman of the Board