

RICHLAND COUNTY WATER RESOURCE DISTRICT  
Richland County Courthouse, Wahpeton, ND  
June 19, 2018

The Richland County Water Resource Board (RCWRB) met June 19, 2018 at 8:00 AM at the Richland County Courthouse, Wahpeton, North Dakota.

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

THOSE ABSENT: None

### **Minutes**

The June 5, 2018 minutes were presented. A motion was made by Mgr. Rostad and seconded by Mgr. Burvee to approve the June 5, 2018 minutes as presented. The motion carried unanimously.

### **Financial Matters**

● May 2018 Financial Reports- A motion was made by Mgr. Moffet and seconded by Mgr. Haugen to accept the May 2018 financial reports as presented. The motion carried unanimously.

### **Mail**

- 1.) Minnesota Department of Natural Resources (Mn DNR)- Request for comments on the Dam Safety and Work in Public Waters Permit Application #2018-0819 for the proposed Fargo-Moorhead Metropolitan Area Flood Risk Management Project. Mgr. Rostad reported Members of the Richland-Wilkin Joint Powers Authority recommended Jerry VanKorff, of Rinke-Noonan Law Firm, prepare a comment letter for the RCWRD. Consensus of the Managers was for Rinke-Noonan Law Firm to prepare a comment letter for the RCWRB's signature.
- 2.) Mike Bassingthwaite, Interstate Engineering- Report and alternatives for work on Proj #1. (RCWRD #17-017)
- 3.) North Dakota State Engineer's Office- Surface Drain Appl #5134 (for improvements to a portion of Proj #63) is not of statewide or interdistrict significance and is the responsibility of the RCWRD to approve or disapprove. A motion was made by Mgr. Haugen and seconded by Mgr. Burvee to approve State Application #5134 for the improvements to Proj #63. The motion carried unanimously. (Loff #15-054)

### **Attorney Sean Fredricks**

The following matters were discussed with the District's Legal Counsel, Sean Fredricks:

#### **● Proj #7 Reconstruction**

Mr. Fredricks reported that he met with Zach Herrmann, of Houston Engineering, to discuss Houston Engineering assuming the remaining engineering duties associated with design engineering and all construction engineering duties for the reconstruction of Proj #7. The Board will wait for cost estimates from Houston Engineering before deciding how to handle the engineering duties. Contracting issues were discussed; Mr. Fredricks recommended a Task Order be issued after the Board determines what engineering services will be provided by Houston Engineering. (RCWRD #17-016)

#### **● Right-of-Way Documents**

Housekeeping issues associated with right-of-way documents were discussed. It was suggested that a template be provided to Legal Counsel when right-of-way documents are needed. Legal Counsel will provide input regarding any changes they deem necessary before documents are prepared for the individual projects. Mr. Fredricks explained the workings of "berm easements" vs

“temporary construction easements” and recommended the Board consider using “berm easements” in the future. No action was taken by the Board.

● **Legislative Issues**

Mr. Fredricks provided the Managers with an update of legislative items currently being discussed with the North Dakota Water Topics Committee. At this time no meetings have been scheduled between the individual Water Resource Districts and their Legislative Representatives.

● **Drain Tile Applications Process**

Discussion was held regarding the lengthy and cumbersome drain tile process required under North Dakota Century Code. Mr. Fredricks handles processing for all Water Resource Districts he represents except the RCWRD. Legal fees for with processing applications was also discussed; it was noted that the Districts can only charge \$150 per application even though the their legal and engineering costs are considerably higher. Cost over-runs have to be absorbed by the Districts General Fund.

Mr. Fredricks left the meeting.

**Proj #7 Reconstruction**

The Managers reviewed comp sales figures obtained from the Richland County Assessor’s Office for rights-of-way required for the reconstruction of Proj #7. A motion was made by Mgr. Haugen and seconded by Mgr. Burvee to set the purchase price for permanent right-of-way at \$4,500 per acre and temporary right-of-way at \$150 per acre per year with two years payment. The motion carried unanimously. (RCWRD #17-016)

**Processing of Drain Tile Applications**

The Secretary-Treasurer asked the Managers to consider sending the next drain tile application (submitted to the District) to Legal Counsel for processing to get an idea of cost. The consensus of the Managers was to grant the request.

**Proj #4(28) Sink Hole**

Mr. Johnson received a report of a sink hole over the culvert in the NWCR Section 4, Ibsen Township. This culvert will be replaced as a part of the Proj #4(28) reconstruction which should begin within the next two weeks. The sink hole is in the middle of the road and will need to be repaired temporarily. The Managers directed Mr. Johnson to contact Dallas Loff about making temporary repairs.

Mr. Bassingthwaite joined the meeting midway through discussion of Proj #4(28) and agreed that temporary repairs should be made.

**Proj #14 Reconstruction**

Discussion was held with Mr. Bassingthwaite about patching County Road #4, in the N1/2 Sections 35, 34, 33, and 32, Viking Township. The road is in very poor condition where inlet culverts were replaced last year as part of the reconstruction of Proj #14. Mr. Bassingthwaite informed the Managers that the Richland County Assistant Engineer wanted to wait until the spots settled before laying asphalt. Mr. Bassingthwaite will look into this matter. (RCWRD #11-001)

**North Branch Antelope Creek Watershed RCPP Study**

Discussion was held with Mr. Bassingthwaite about how to proceed with the RCPP Study as a result of the June 1, 2018 meeting with landowners who would potentially be involved in a retention site in the Proj #95 watershed. Consensus of the Managers was to include the following in the study: a detention site involving willing landowners, modifications to Antelope Creek, cleanout/grubbing, and a culvert study of the entire North Branch Antelope Creek watershed. (RCWRD #16-017)

**Adjournment**

There being no further business to come before the Board, Chr. Friskop adjourned the meeting at 11:30 A.M.

Respectfully submitted,

*Monica Zentgraf*  
Monica Zentgraf  
Secretary

*Gary Friskop*  
Gary Friskop  
Chairman of the Board