

RICHLAND COUNTY WATER RESOURCE DISTRICT
Richland County Courthouse, Wahpeton, ND
May 10, 2016

The Richland County Water Resource Board (RCWRB) met May 10, 2016 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.

Minutes

A motion was made by Mgr. Burvee and seconded by Mgr. Friskop to approve the minutes of the April 26, 2016 meeting as corrected. The motion carried unanimously.

A motion was made by Mgr. Burvee and seconded by Mgr. Rostad to approve the minutes of the April 29, 2016 as presented. The motion carried unanimously.

Mail

- 1.) Richland County Commission- Minutes of the April 2016 meetings.
- 2.) ND Water Resource Districts Assn- Agenda for annual summer meeting scheduled for July 11 and 12, 2016.
- 3.) Office of State Engineer- *The Current* Newsletter
- 4.) Bliss Law Firm, LLC- Attorney-Client Fee Agreement for serving as Legal Counsel for the RCWRD's interest in the Fargo-Moorhead Flood Diversion Project. A motion was made by Mgr. Burvee and seconded by Mgr. Rostad to enter into the Attorney-Client Fee Agreement with Bliss Law Firm, LLC for legal representation in the matter of the Fargo-Moorhead Flood Diversion Project. The motion carried unanimously.
- 5.) ND State Water Commission- Cost Share Agreement for the North Branch Antelope Creek NRCS Small Watershed Planning Program. A motion was made by Mgr. Haugen and seconded by Mgr. Friskop authorizing Chr. Moffet to sign the cost share agreement. The motion carried unanimously. (RCWRD #16-017)

RS #1 Beaver Dam Removal

At the April 26, 2016 meeting, the Managers deferred payment of M&M Contractors bill in the amount of \$3,570 for removal of beaver dams in the box culvert in RS #1 located in Section 18, Kingston Township, Sargent County. The Sargent County WRB approved payment of the bill, but the consensus of the RCWRB was to defer payment pending an explanation of the varying hourly equipment rate. M&M Contractors provided a breakdown of their equipment and man hours, and the revised bill increased to \$3,871. The revised bill was based on an hourly rate of \$145 for a trackhoe and \$64 for labor. After much discussion, a motion was made by Mgr. Burvee and seconded by Mgr. Friskop to approve payment of \$3,871 to M&M Contractors with \$3,570 at RS #1 expense and \$301 at RCWRD Waterways expense. The motion carried unanimously.

Broadleaf Weed and Tree Spraying

A motion was made by Mgr. Burvee and seconded by Mgr. Rostad authorizing Larson Helicopters to spray all drains as needed for broadleaf weeds and trees with the exception of Drs. #1, 2 (spray only Section 29, Colfax East), 5(27),5(37A), 6, 17, 19, 41, 48, 63A, CR #1, and RS #1. The motion carried unanimously.

UTV Insurance

Information was reviewed with the Board relative to liability insurance for both the District and Mgr. Friskop if the District uses Mgr. Friskop's UTV. The District has automatic coverage, however, Mgr. Friskop would not be afforded coverage unless an additional insured endorsement is added. Because Mgr. Friskop would not have coverage under his personal insurance, the Managers felt it was prudent to provide him with coverage. At this time a motion was made by Mgr. Rostad and seconded by Mgr. Burvee to add Gary Friskop as an additional insured to the District's liability insurance policy for the District's use of his UTV and trailer. Mgrs. Haugen, Moffet, Rostad, and Burvee voted in favor of said motion; Mgr. Friskop abstained from voting. The motion carried.

Technician's Report

Mr. Johnson reported all work associated with the silt berm removal project has been completed with the exception of seeding. He further reported that Derrick Rossow did not present any concerns to the District within the 7 day time period for the NE1/4 Section 14, Waldo Township. Bruce Stein voiced several concerns regarding his land in the SE1/4 Section 14, Waldo Township; however, he withdrew all concerns except a claim that the contractor removed 6 inches of material from his berm for a distance of approximately 100 yards. JAV Construction went back and placed spoil material in that area. As of today, Mr. Stein has not contacted the office with any additional concerns. (RCWRD #15-125)

Mr. Johnson also provided a status report on the contractors.

Applications

Obj #16-021, Ivadell Woytassek: SW1/4 Sec 7, Grant Twp A motion was made by Mgr. Burvee and seconded by Mgr. Friskop to notify the landowner in the SWCR Section 7, Grant Twp, of the complaint and provide him 30 days to resolve the issue with Mrs. Woytassek. If the matter is not resolved within 30 days the complaint shall be forwarded to the RCWRD's legal counsel. The motion carried unanimously.

Appl #16-022, Ron Mauch: NE1/4 Sec 5, Waldo Twp The RCWRB acknowledged receipt of the drain tile application. No approval required as project is less than 80 acres.

Appl #16-023, Richland County Hwy Dept: NE1/4 Sec 32, Lamars Twp No action required by RCWRD; Richland County Hwy Dept jurisdiction.

Appl #16-024, R. Haberman & P. Nagy: N1/2 Sec 20, Antelope Twp A motion was made by Mgr. Rostad and seconded by Mgr. Haugen to approve the installation of drain tile and refer the outlet to the Richland County Hwy Dept. Work at no cost to the drain. The motion carried unanimously.

Appl #16-025, J&K Skovholt, LP: N1/2 Sec 10, Mooreton Twp A motion was made by Mgr. Friskop and seconded by Mgr. Haugen to defer the application pending notices being sent to downstream landowners Larry Loll and Ralph B. Beeson. The motion carried unanimously.

Appl #16-026, John Nagel: SW1/4 Sec 10, Danton Twp A motion was made by Mgr. Friskop and seconded by Mgr. Rostad to approve the installation of drain tile, refer the outlet and berm to the ND Department of Transportation, and culvert/flap gate to the Richland County Hwy Dept. Work at no cost to the RCWRD. The motion carried unanimously.

Appl #16-027, J & J Wirtz, N & L Wirtz: NE1/4 Sec 27, Waldo Twp A motion was made by Mgr. Burvee and seconded by Mgr. Friskop to defer the application. The motion carried unanimously.

Adjournment

There being no further business to come before the Board, Chr. Moffet adjourned the meeting at 11:00 AM.

Respectfully submitted,

Monica Zentgraf
Secretary

Don Moffet
Chairman of the Board