

RICHLAND-SARGENT JOINT WATER RESOURCE DISTRICT
Richland County Courthouse, Wahpeton, ND
April 21, 2014

The Richland-Sargent Joint Water Resource Board held a telephone conference call on April 21, 2014 at 9:00 AM.

THOSE PRESENT: Managers Jim Bosse, Richard Engst, Roger Zetocha, Lucas Siemieniewski, Arv Burvee, Robert Rostad, Don Moffet, Gary Friskop, James Haugen, and Secretary-Treasurer Monica Zentgraf.

Purpose of the telephone conference call was to make final decisions on the necessity to extend Richland-Sargent Drain #1 and the Phase #1 improvements.

Manager Siemieniewski introduced the following resolution and moved its adoption:

**RESOLUTION OF NECESSITY
TO EXTEND RICHLAND-SARGENT DRAIN #1**

WHEREAS, the Richland-Sargent Joint Water Resource District (the "District") is a joint water resource district and political subdivision under N.D. Cent. Code Chapter 61-16.1.

WHEREAS, the District is a joint district formed under Section 61-16.1-11 of the North Dakota Century Code, comprised of members of the Richland County Water Resource District and the Sargent County Water Resource District.

WHEREAS, the Richland County Drain Board, the predecessor of the Richland County Water Resource District, and the Sargent County Drain Board, the predecessor of the Sargent County Water Resource District, jointly created Richland County Drain #11 and Sargent County Drain #3 in an Order dated July 11, 1907; at the time, the two Boards referred to the drains as Bi-County Drain No. 3 in Sargent County, and Bi-County Drain No. 11 in Richland County.

WHEREAS, in 2008, following the creation of the Richland-Sargent Joint Water Resource District by the Richland County Water Resource District and the Sargent County Water Resource District, the Richland-Sargent Joint Water Resource District consolidated Bi-County Drain No. 3 (also known as Sargent County Drain No. 3) and Bi-County Drain No. 11 (also known as Richland County Drain No. 11) into a single drain known as Richland-Sargent Drain #1 ("RS #1"), in accordance with North Dakota law.

WHEREAS, the District owns, operates, manages, maintains, and administers RS #1 as a legal assessment drain and "Project" under Chapter 61-16.1 of the North Dakota Century Code.

WHEREAS, the District administers a maintenance assessment district for purposes of operating and maintaining RS #1; under current North Dakota law, the District can levy a

maximum of \$4 per acre annually against agricultural properties within the RS #1 maintenance district to finance and fund the operation and maintenance of RS #1.

WHEREAS, RS #1 provides drainage benefits to landowners in the RS #1 watershed; properties within the RS #1 watershed are also in the RS #1 maintenance district.

WHEREAS, various owners of property within the RS #1 maintenance district requested construction of an extension of RS #1 to provide additional benefits for their properties.

WHEREAS, the District considered the request and concluded a legal extension of the Drain would give the District jurisdiction to own, operate, manage, maintain, improve, and control the outlet of RS #1 into the Wild Rice River; a legal extension would give the District jurisdiction to own, operate, manage, maintain, improve, and control that portion of Shortfoot Creek between the current outlet of RS #1 and the Wild Rice River; and a legal extension would, in fact, provide enhanced drainage benefits for the landowners and properties within the RS #1 maintenance district, and would permit the District to more effectively and efficiently manage and operate RS #1.

WHEREAS, in addition, the District considered the request and concluded construction of drainage improvements along a legal extension of RS #1 would, in fact, provide enhanced drainage benefits for the landowners and properties within the RS #1 maintenance district, and would permit the District to more effectively and efficiently manage and operate RS #1.

WHEREAS, the District originally proposed a two-phased extension construction project with a total estimated cost of approximately \$2 Million; because the estimate for the proposed extension construction project exceeded the amount the maximum levy for RS #1 generates over a six-year period, the District could not obligate the RS #1 maintenance district for the full costs of designing and constructing the project without first conducting a successful excess levy vote of the RS #1 maintenance district.

WHEREAS, in late 2013 and early 2014, the District conducted an excess levy vote of the members of the RS #1 maintenance district in accordance with North Dakota law to determine if the landowners within the RS #1 maintenance district were willing to pay more than their maximum annual maintenance levies to finance and fund the costs of the proposed extension construction project; a majority of the votes returned opposed the excess levy to finance and fund the proposed extension construction project and the vote failed.

WHEREAS, despite the unsuccessful excess levy vote, the District concluded a legal extension of RS #1 would still be beneficial for landowners and properties within the RS #1 maintenance district in light of the jurisdiction the District would acquire to own, operate, manage, maintain, improve, and control that portion of Shortfoot Creek between the current outlet of RS #1 and the Wild Rice River, and ultimately the outlet of RS #1 into the Wild Rice River.

WHEREAS, attached to this RESOLUTION as **Exhibit A** is a map of RS #1 and of the proposed legal extension to RS #1 (the "RS #1 Legal Extension").

WHEREAS, the District previously acquired permanent right of way along the course of the RS #1 Legal Extension, and a legal extension of RS #1 would not require the acquisition of any additional property.

WHEREAS, the RS #1 Legal Extension would be within the boundaries of the RS #1 assessment district and would not require any additional assessment district vote, or any other additional legal proceedings under North Dakota law.

WHEREAS, the District has concluded a legal extension of RS #1 to include the RS #1 Legal Extension is necessary, as depicted in **Exhibit A**; extension of RS #1 will require entry of an Order to formally and legally extend RS #1 and to incorporate the RS #1 Legal Extension.

NOW THEREFORE, BE IT RESOLVED, by the Board of Managers of the Richland-Sargent Joint Water Resource District that the District approves the proposed RS #1 Legal Extension, as depicted in the map attached as **Exhibit A**, and concludes the RS #1 Legal Extension is necessary for the benefit of the RS #1 watershed and assessment district.

BE IT FURTHER RESOLVED, that the RS #1 Legal Extension will permit the District to more effectively and efficiently own, operate, manage, and maintain RS #1, including the outlet of RS #1 into the Wild Rice River, for the benefit of the landowners and properties within the RS #1 watershed and assessment district.

BE IT FURTHER RESOLVED, that the District approves, and will execute, the ORDER TO EXTEND RICHLAND-SARGENT DRAIN #1 attached to this RESOLUTION as **Exhibit B** to legally extend RS #1.

BE IT FURTHER RESOLVED, that the District will own, operate, manage, and maintain RS #1, including the RS #1 Legal Extension, as a "Project" under Chapter 61-16.1 of the North Dakota Century Code.

BE IT FURTHER RESOLVED, that the District will publish notice of the ORDER in *The Daily News*, the official county newspaper of Richland County, and *The Sargent County Teller*, the official county newspaper of Sargent County.

APPROVED:

James Haugen, Chair

ATTEST:

Monica Zentgraf, Secretary-Treasurer

Date Approved: April 21, 2014

The motion for the adoption of the foregoing resolution was duly seconded by Manager Engst. On roll call vote the following Managers voted aye: Bosse, Engst, Zetocha, Siemieniewski, Haugen, Friskop, Moffet, Rostad, and Burvee. The following Managers voted nay: none. The following Managers were absent and not voting: McFarland. The motion carried unanimously, and the resolution was duly adopted.

EXHIBIT A

MAP OF RS #1 AND THE RS #1 LEGAL EXTENSION

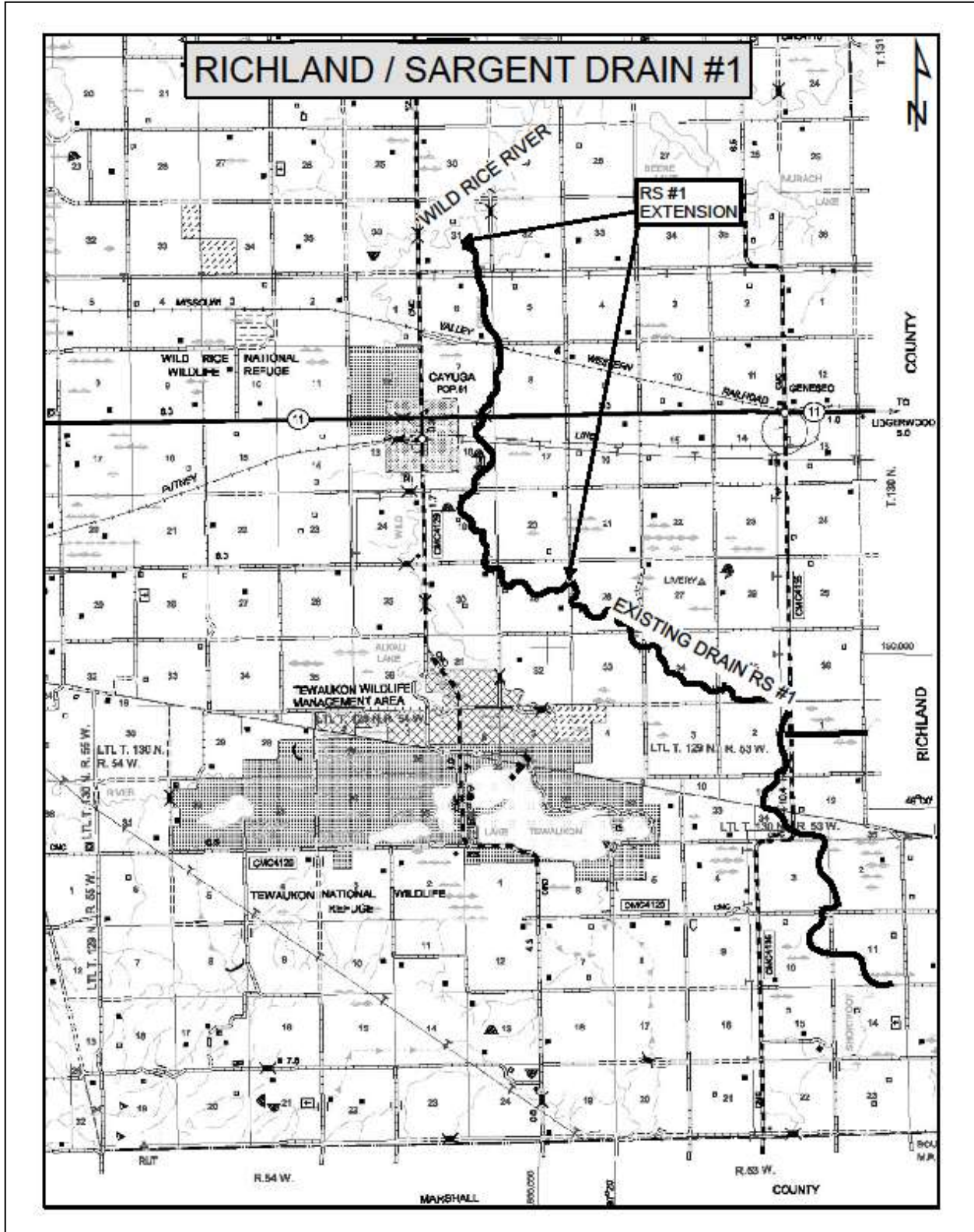


EXHIBIT B

ORDER TO EXTEND RICHLAND-SARGENT DRAIN #1

WHEREAS, the Richland-Sargent Joint Water Resource District (the “District”) owns, operates, manages, maintains, and administers Richland-Sargent Drain #1 (“RS #1”) as a legal assessment drain and “Project” under Chapter 61-16.1 of the North Dakota Century Code.

WHEREAS, in response to requests from landowners within the RS #1 watershed, the District previously proposed a construction project to improve RS #1 and to provide additional drainage benefits to landowners and properties within the RS #1 maintenance assessment district.

WHEREAS, the District previously conducted an excess levy vote of the members of the RS #1 maintenance assessment district in accordance with North Dakota law to determine if the landowners within the RS #1 maintenance assessment district were willing to pay more than their maximum annual maintenance levies to finance and fund the costs of constructing the improvement project

WHEREAS, a majority of the votes returned opposed the excess levy to finance and fund the construction of the improvement project and the vote failed and, as a result, the District lacks authority to obligate the RS #1 maintenance assessment district beyond the maximum annual maintenance levies permitted under North Dakota law.

WHEREAS, despite the unsuccessful excess levy vote, the District concluded a legal extension of RS #1 would still be beneficial for landowners and properties within the RS #1 maintenance district in light of the jurisdiction the District would acquire to own, operate, manage, maintain, and control that portion of Shortfoot Creek between the current outlet of RS #1 and the Wild Rice River, and ultimately the outlet of RS #1 into the Wild Rice River.

WHEREAS, the legal extension of RS #1 would not require any excess levy.

WHEREAS, under a RESOLUTION OF NECESSITY TO EXTEND RICHLAND-SARGENT DRAIN #1 dated April 21, 2014 (the “RESOLUTION”), the District determined that a legal extension of RS #1 would permit the District to more effectively and efficiently own, operate, manage, and maintain RS #1, including the outlet of RS #1 into the Wild Rice River, for the benefit of the landowners and properties within the RS #1 watershed and assessment district.

WHEREAS, the extension of RS #1 would not require the addition of any new or additional properties to the existing RS #1 assessment district.

WHEREAS, the District previously acquired all right of way required for purposes of extending, owning, operating, managing, and maintaining the extension of RS #1.

WHEREAS, attached to this ORDER as **Exhibit A** is a map of RS #1 and the proposed extension to RS #1.

NOW THEREFORE, IT IS ORDERED, that RS #1 is legally extended, as depicted in the map attached to this ORDER as **Exhibit A**.

IT IS FURTHER ORDERED, that the extension is necessary for the benefit of the RS #1 watershed and assessment district, including the properties and landowners that benefit from the extension of RS #1.

IT IS FURTHER ORDERED, that the extension of RS #1 will permit the District to more effectively and efficiently own, operate, manage, and maintain RS #1, including the outlet of RS #1 into the Wild Rice River, for the benefit of the landowners and properties within the RS #1 watershed and assessment district.

IT IS FURTHER ORDERED, that the Richland-Sargent Joint Water Resource District will own, operate, manage, maintain, and control RS #1, including the extension of RS #1, as a "Project" under Chapter 61-16.1 of the North Dakota Century Code.

Dated this 21st day of April, 2014.

APPROVED:

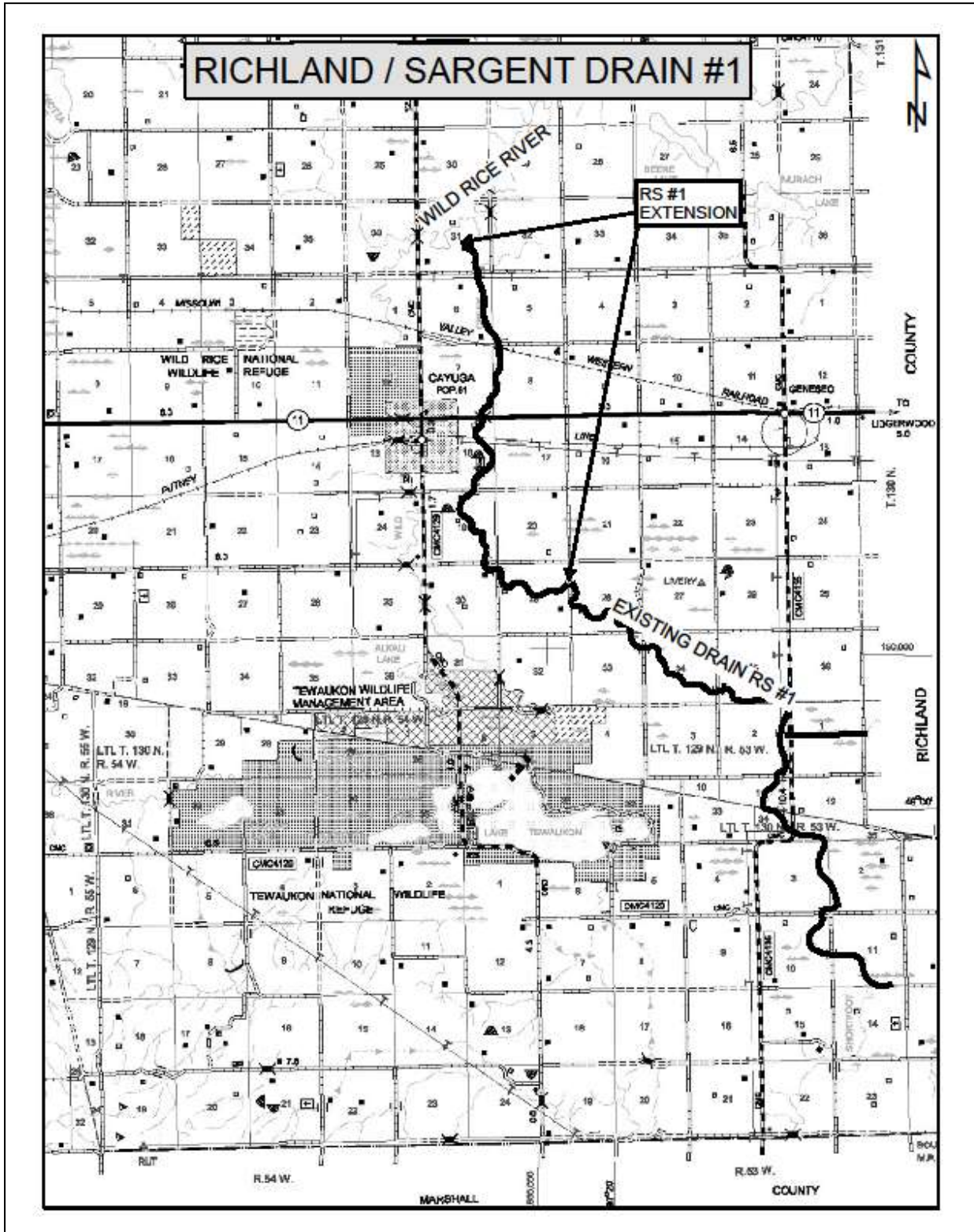
James Haugen, Chair

ATTEST:

Monica Zentgraf
Secretary-Treasurer

EXHIBIT A
FOR
ORDER TO EXTEND RICHLAND-SARGENT DRAIN #1

Map of RS #1 and Extension



Manager Moffet introduced the following resolution and moved its adoption:

**RESOLUTION OF NECESSITY
REGARDING RICHLAND-SARGENT DRAIN #1 IMPROVEMENTS**

WHEREAS, the Richland-Sargent Joint Water Resource District (the “District”) is a joint water resource district and political subdivision under N.D. Cent. Code Chapter 61-16.1.

WHEREAS, the District is a joint district formed under Section 61-16.1-11 of the North Dakota Century Code, comprised of members of the Richland County Water Resource District and the Sargent County Water Resource District.

WHEREAS, the District owns, maintains, and administers Richland-Sargent Drain #1 (“RS #1”) as a legal assessment drain and “Project” under Chapter 61-16.1 of the North Dakota Century Code.

WHEREAS, RS #1 provides drainage benefits to landowners in the RS #1 watershed; properties within the RS #1 watershed are also in the RS #1 maintenance district.

WHEREAS, the District administers a maintenance assessment district for purposes of operating and maintaining RS #1; under current North Dakota law, the District can levy a maximum of \$4 per acre annually against agricultural properties within the RS #1 maintenance district to finance and fund the operation and maintenance of RS #1.

WHEREAS, various owners of property within the RS #1 maintenance district requested construction of an extension of RS #1 to provide additional benefits for their properties.

WHEREAS, the District considered the request and concluded construction of an extension of the Drain and improvements to RS #1 would, in fact, provide enhanced drainage benefits for the landowners and properties within the RS #1 maintenance district, and would permit the District to more effectively and efficiently manage and operate RS #1.

WHEREAS, the District originally proposed a two-phased extension construction project with a total estimated cost of approximately \$2 Million; because the estimate for the proposed construction project exceeded the amount the maximum levy for RS #1 generates over a six-year period, the District could not obligate the RS #1 maintenance district for the full costs of designing and constructing the project without first conducting a successful excess levy vote of the RS #1 maintenance district.

WHEREAS, in late 2013 and early 2014, the District conducted an excess levy vote of the members of the RS #1 maintenance district in accordance with North Dakota law to determine if the landowners within the RS #1 maintenance district were willing to pay more than their maximum annual maintenance levy to finance and fund the costs of the proposed construction project; a majority of the votes returned opposed the excess levy to finance and fund the proposed construction project and the vote failed.

WHEREAS, despite the unsuccessful excess levy vote, the District concluded a legal extension of RS #1 would still be beneficial for landowners and properties within the RS #1 maintenance district in light of the jurisdiction the District would acquire to own, operate, manage, maintain, improve, and control that portion of Shortfoot Creek between the current outlet of RS #1 and the Wild Rice River, and ultimately the outlet of RS #1 into the Wild Rice River.

WHEREAS, the District ultimately entered an ORDER to legally extend RS #1; attached to this RESOLUTION as **Exhibit A** is a copy of the District's ORDER TO EXTEND RICHLAND-SARGENT DRAIN #1.

WHEREAS, in addition, following the unsuccessful excess levy vote, several landowners within the RS #1 maintenance district approached the District and insisted that, despite the failed excess levy vote, construction of improvements to RS #1 is necessary, and the landowners requested improvements to RS #1 to improve their drainage and to increase their benefits from RS #1.

WHEREAS, the District considered smaller and less expensive options to construct improvements to RS #1, with recognition of the fact that the District could not construct any improvement project that would obligate the RS #1 assessment district beyond the funds generated by the RS #1 assessment district without an additional excess levy vote.

WHEREAS, under North Dakota law, the District can borrow the equivalent of the maximum levy generated by the RS #1 maintenance district over a six-year period for purposes of operating, maintaining, or improving RS #1, without the need for any excess levy vote or any additional assessment district vote.

WHEREAS, the District ultimately concluded the District could construct the first phase of the extension construction project originally proposed by the District, with maintenance levy funds and by utilizing the District's borrowing capabilities, without the need for an excess levy vote, any additional assessment district vote, or any other additional legal proceedings under North Dakota law.

WHEREAS, attached to this RESOLUTION as **Exhibit B** is a map of the location of the proposed Phase I improvements to RS #1 (the "RS #1 Phase I Improvements").

WHEREAS, the District previously acquired permanent right of way along the course of the RS #1 Phase I Improvements, and construction of the RS #1 Phase I Improvements would not require the acquisition of any additional permanent right of way.

WHEREAS, the RS #1 Phase I Improvements would be within the boundaries of the RS #1 assessment district and would not require any additional assessment district vote, or any other additional legal proceedings under North Dakota law.

WHEREAS, the RS #1 Phase I Improvements would not require the addition of any new or additional properties to the existing RS #1 maintenance assessment district.

WHEREAS, the District has concluded construction of the RS #1 Phase I Improvements is necessary for the benefit of the RS #1 watershed and maintenance district.

WHEREAS, attached to this Resolution as **Exhibit C** is the ENGINEER'S REPORT regarding the RS #1 Phase I Improvements, including estimates of total project costs for the RS #1 Phase I Improvements.

WHEREAS, there are no outstanding bonds or warrants regarding RS #1, and the District has the authority and borrowing capacity to issue bonds to finance and fund the RS #1 Phase I Improvements.

NOW THEREFORE, BE IT RESOLVED, by the Board of Managers of the Richland-Sargent Joint Water Resource District that the District approves the RS #1 Phase I Improvements project, as depicted in the map attached as **Exhibit B**, and concludes the design, construction, operation, and maintenance of the RS #1 Phase I Improvements is necessary for the benefit of the RS #1 watershed and assessment district.

BE IT FURTHER RESOLVED, that the RS #1 Phase I Improvements will provide enhanced drainage benefits for the landowners and properties within the RS #1 watershed and assessment district, and will permit the District to more effectively and efficiently manage and operate RS #1.

BE IT FURTHER RESOLVED, that the District hereby approves the ENGINEER'S REPORT attached as **Exhibit C**, including an estimate of total project costs for the RS #1 Phase I Improvements.

BE IT FURTHER RESOLVED that the District designates and authorizes Interstate Engineering, Inc., and Ohnstad Twichell, P.C., respectively, to perform the following tasks on behalf of the District regarding the construction, financing, operation, management, ownership, and maintenance of the RS #1 Phase I Improvements:

- a) prepare profiles, plans, and specifications for purposes of constructing the RS #1 Phase I Improvements;
- a) administer bidding and construction contract administration;
- b) identify any additional temporary and permanent right of way the District must acquire to accommodate the RS #1 Phase I Improvements;
- c) administer any additional right of way acquisition;
- d) acquire any additional temporary and permanent right of way necessary to accommodate the RS #1 Phase I Improvements, in the District's name;
- e) apply for and secure all necessary permits and approvals from all applicable federal and state entities, including the North Dakota State Engineer's Office;
- f) prepare a bond issue to finance the RS #1 Phase I Improvements; and
- g) otherwise perform all other tasks necessary on the District's behalf to finance, fund, design, and construct the RS #1 Phase I Improvements.

BE IT FURTHER RESOLVED, that the RS #1 Phase I Improvements will not constitute construction of a "lateral drain" under North Dakota law, and construction of the RS #1 Phase I Improvements does not require an excess levy vote, any additional assessment district vote, or any other additional legal proceedings under North Dakota law.

APPROVED:

James Haugen, Chair

ATTEST:

Monica Zentgraf, Secretary-Treasurer

Date Approved: April 21, 2014

The motion for the adoption of the foregoing resolution was duly seconded by Manager Engst. On roll call vote the following Managers voted aye: Friskop, Moffet, Rostad, Burvee, Haugen, Siemieniewski, Zetocha, Engst, and Bosse. The following Managers voted nay: none. The following Managers were absent and not voting: McFarland. The motion carried unanimously, and the resolution was duly adopted.

EXHIBIT A

ORDER TO EXTEND RICHLAND-SARGENT DRAIN #1

WHEREAS, the Richland-Sargent Joint Water Resource District (the “District”) owns, operates, manages, maintains, and administers Richland-Sargent Drain #1 (“RS #1”) as a legal assessment drain and “Project” under Chapter 61-16.1 of the North Dakota Century Code.

WHEREAS, in response to requests from landowners within the RS #1 watershed, the District previously proposed a construction project to improve RS #1 and to provide additional drainage benefits to landowners and properties within the RS #1 maintenance assessment district.

WHEREAS, the District previously conducted an excess levy vote of the members of the RS #1 maintenance assessment district in accordance with North Dakota law to determine if the landowners within the RS #1 maintenance assessment district were willing to pay more than their maximum annual maintenance levies to finance and fund the costs of constructing the improvement project

WHEREAS, a majority of the votes returned opposed the excess levy to finance and fund the construction of the improvement project and the vote failed and, as a result, the District lacks authority to obligate the RS #1 maintenance assessment district beyond the maximum annual maintenance levies permitted under North Dakota law.

WHEREAS, despite the unsuccessful excess levy vote, the District concluded a legal extension of RS #1 would still be beneficial for landowners and properties within the RS #1 maintenance district in light of the jurisdiction the District would acquire to own, operate, manage, maintain, and control that portion of Shortfoot Creek between the current outlet of RS #1 and the Wild Rice River, and ultimately the outlet of RS #1 into the Wild Rice River.

WHEREAS, the legal extension of RS #1 would not require any excess levy.

WHEREAS, under a RESOLUTION OF NECESSITY TO EXTEND RICHLAND-SARGENT DRAIN #1 dated April 14, 2014 (the “RESOLUTION”), the District determined that a legal extension of RS #1 would permit the District to more effectively and efficiently own, operate, manage, and maintain RS #1, including the outlet of RS #1 into the Wild Rice River, for the benefit of the landowners and properties within the RS #1 watershed and assessment district.

WHEREAS, the extension of RS #1 would not require the addition of any new or additional properties to the existing RS #1 assessment district.

WHEREAS, the District previously acquired all right of way required for purposes of extending, owning, operating, managing, and maintaining the extension of RS #1.

WHEREAS, attached to this ORDER as **Exhibit A** is a map of RS #1 and the proposed extension to RS #1.

NOW THEREFORE, IT IS ORDERED, that RS #1 is legally extended, as depicted in the map attached to this ORDER as **Exhibit A**.

IT IS FURTHER ORDERED, that the extension is necessary for the benefit of the RS #1 watershed and assessment district, including the properties and landowners that benefit from the extension of RS #1.

IT IS FURTHER ORDERED, that the extension of RS #1 will permit the District to more effectively and efficiently own, operate, manage, and maintain RS #1, including the outlet of RS #1 into the Wild Rice River, for the benefit of the landowners and properties within the RS #1 watershed and assessment district.

IT IS FURTHER ORDERED, that the Richland-Sargent Joint Water Resource District will own, operate, manage, maintain, and control RS #1, including the extension of RS #1, as a “Project” under Chapter 61-16.1 of the North Dakota Century Code.

Dated this 21st day of April, 2014.

APPROVED:

James Haugen, Chair

ATTEST:

Monica Zentgraf
Secretary-Treasurer

EXHIBIT A
FOR
ORDER TO EXTEND RICHLAND-SARGENT DRAIN #1

Map of RS #1 and Extension

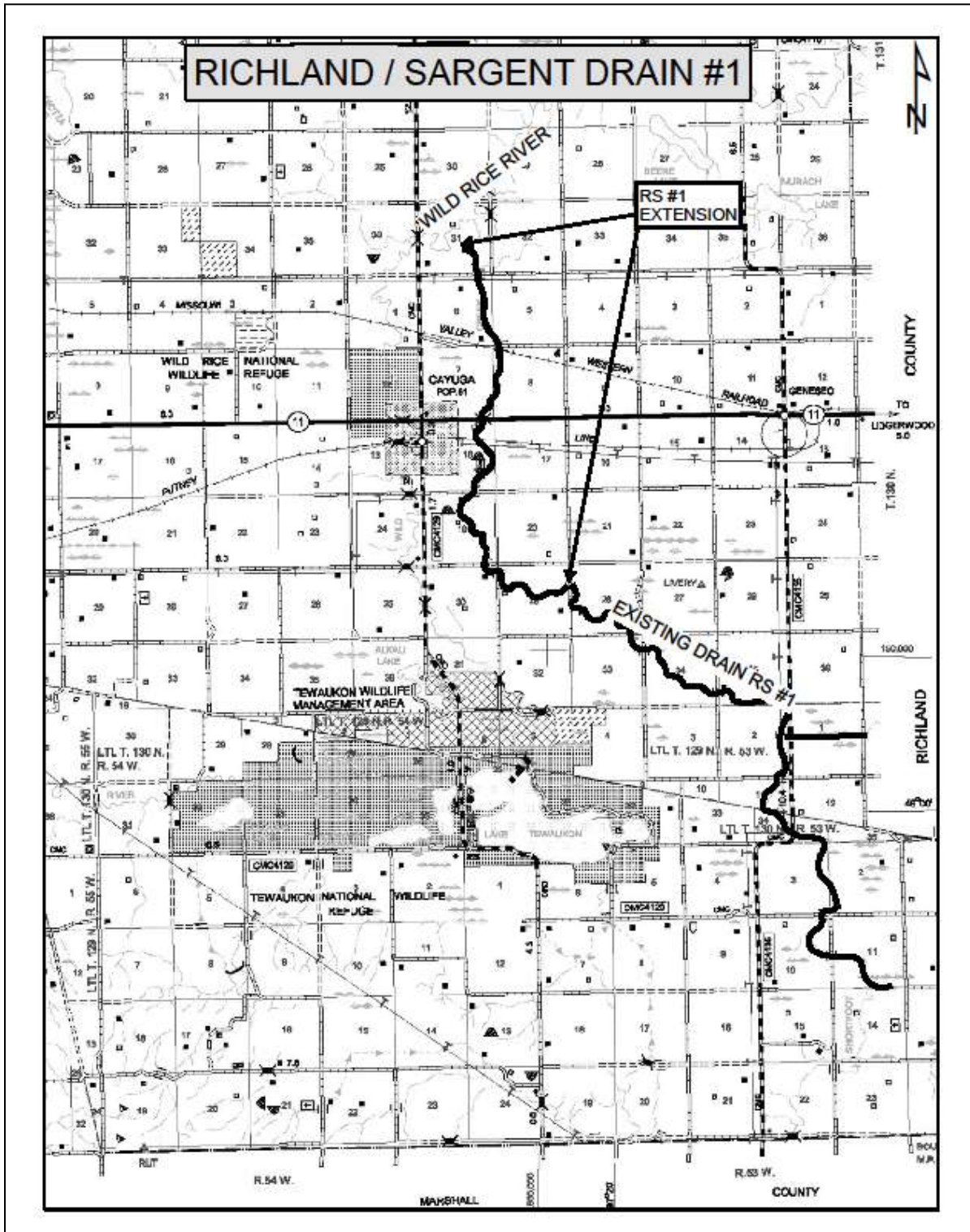


EXHIBIT B

MAP OF THE RS #1 PHASE I IMPROVEMENTS

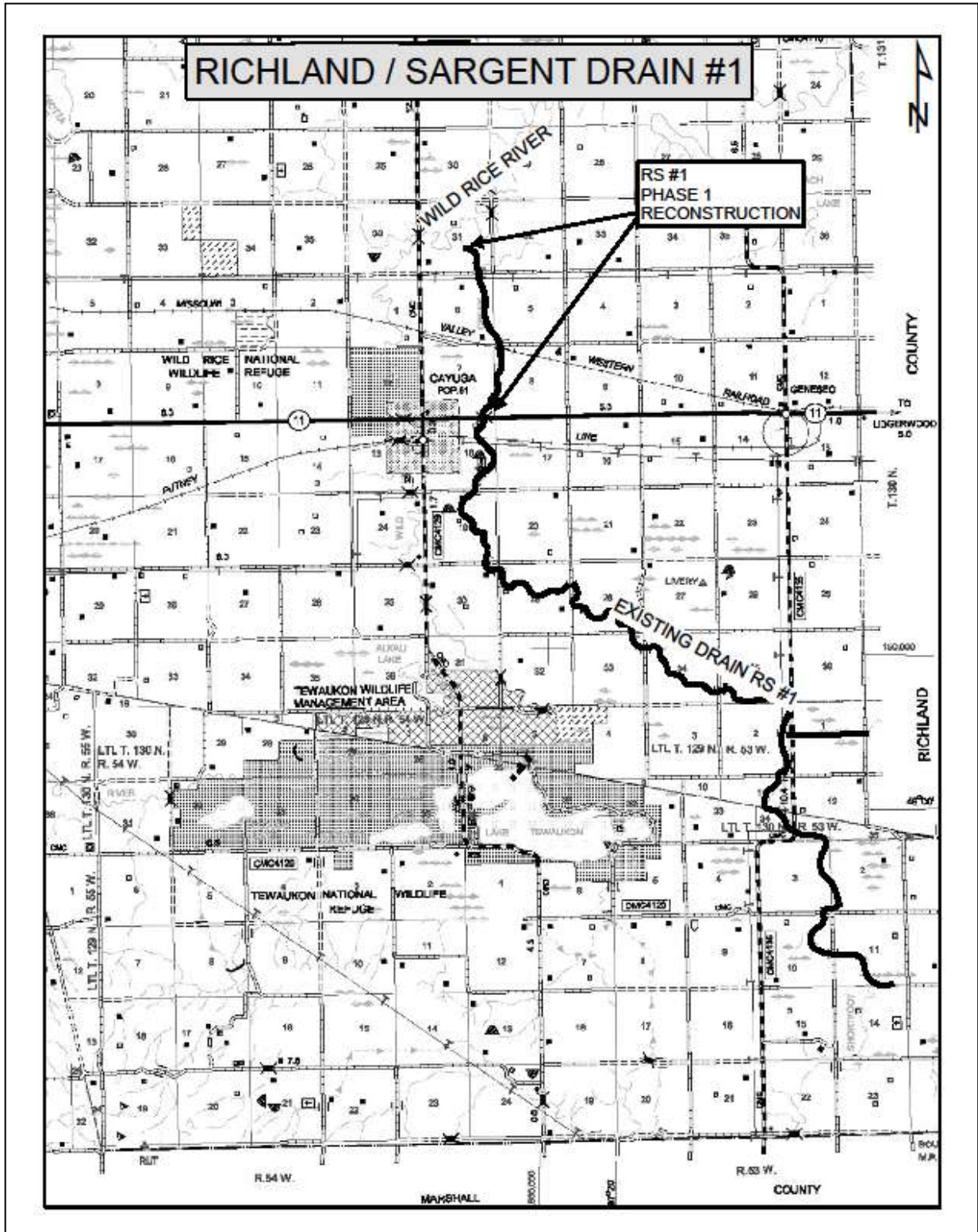


EXHIBIT C

ENGINEER'S REPORT - PROJECT NARRATIVE RS LEGAL DRAIN #1 EXTENSION & CHANNEL IMPROVEMENTS (Phase 1) SARGENT COUNTY, NORTH DAKOTA 2014

GENERAL

This project will consist of the reconstruction/restoration of part of the existing natural outlet channel to Legal Drain RS #1. This channel is also known as Shortfoot Creek. The legal drain will be extended to the Wild Rice River and the portion north of State Highway 11 will be improved. The project is approximately 2.5 miles long, however, the actual channel length when taking the existing meanders into account is approximately 5.0 miles. The project starts near the confluence with the Wild Rice River northeast of the City of Cayuga approximately 2.5 miles north of State Highway 11. The channel continues southerly terminating at the State Highway.

The need for the proposed project includes flooding concerns along the channel as the speed of the flows from the south has increased over the years. Maintenance of this channel has been sporadic and the channel has become overgrown and choked with sediment. Several bridge structures require replacement due to condition/age and inadequate sizing. The project is intended to restore the channel capacity to reduce adjacent flooding issues as well as improve the transportation system across the channel. The extension of the legal drain to the river will increase the ability of the Board to manage water within this sub-watershed to the Wild Rice River.

This project is planned for construction during the 2014 construction season.

DESIGN

The channel improvement will follow the existing channel alignment which currently meanders as a natural channel. The design longitudinal slope of the drain varies from structure to structure and will follow this grade unless dictated otherwise by the NRCS. The channel will be constructed to a maximum bottom width of 16 feet and the side slopes flattened to 4:1 as possible. The NRCS has stipulated that restoration is the goal, thus the design typical section will be varied in the field. It is likely, given the breath of sediment load in this channel, that the design section and depth can be achieved without modification. Construction engineering will include re-cross sectioning the channel to determine the actual amount of material excavated and the pay quantities will be adjusted accordingly.

Permanent easements have been obtained for the proposed work. The permanent easements encompass primarily the proposed channel typical section plus reasonable buffer areas. The easements do not in all cases contain all the adjacent flood plains or non-cropped areas. Spoil spreading agreements will be required on upland areas adjacent to the channel as various agencies will not allow the spoil to be spread in the wetland/flood plain areas along the channel.

Two township road crossings will be replaced with concrete box culverts. The roads will be raised a small amount to reduce flooding frequency. CP Rail will be requested to replace/upgrade their crossing as the crossing is inadequate in size and sits too high in the channel.

Seeding of the channel proper will be part of the project as well as any pasture land where spoil will be spread.

PERMITS REQUIRED

The following permits have been identified to be required for the proposed project:

- A North Dakota State Water Commission “Application to Drain” permit.
- A United States Army Corp of Engineers 404 permit.
- The NRCS has indicated that no wetland impacts will exist if the project design follows several stipulations, thus, they will require no permits or mitigation. The alignment of the existing channel cannot be changed. All spoil material will be required to be placed on upland areas adjacent to the channel and outside the vegetated flood plain. The NRCS will take an active role in the construction process working with the engineer to modify the channel cross section as the project proceeds in an effort to limit excavation to channel restoration/sediment removal.
- The contractor will be responsible for obtaining a North Dakota Department of Health storm water permit.

No other permits have been identified as required.

FUNDING SOURCES

Funding sources have been identified, to include North Dakota State Water Commission cost share, Sargent County Highway Department funding (local share of bridge replacement costs), a portion of the existing maintenance funds on-hand, and loan proceeds to be repaid by maintenance levy funds from the assessment district. CP Rail will bear the cost of the replacement structure through their rail bed.

The estimated cost for this Phase 1 reconstruction is \$1,000,000. The estimated maintenance assessment district share of this cost is approximately \$556,000.

Adjournment

There being no further business to come before the Board, Chr. Haugen adjourned the meeting at 9:10 AM.

Respectfully submitted,

Monica Zentgraf
Secretary

James Haugen
Chairman of the Board