

RICHLAND COUNTY WATER RESOURCE DISTRICT
Richland County Courthouse, Wahpeton, ND
April 9, 2019

The Richland County Water Resource Board ("RCWRB") met April 9, 2019 at 9:00 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 March 26, 2019 minutes were presented. A motion was made by Mgr. Rostad and seconded by Mgr. Moffet to approve the March 26, 2019 minutes as presented. The motion carried unanimously.

Financial Matters

- March 2019 Financial Reports- A motion was made by Mgr. Haugen and seconded by Mgr. Moffet to accept the March 2019 financial reports as presented. The motion carried unanimously.

- Bremer Bank Letter of Credit- 110% of the District's securities totaled \$8,220,562.53 on March 31, 2019; Bremer Bank raised the Letter of Credit on March 12, 2019 to a total of \$8,650,000 which adequately covers the District's funds.

- Bond Payments-The Secretary-Treasurer reported the following semi-annual bond payments are due:

Bond #2	\$ 43,311.00
Bond #5	\$ 82,848.00
Bond #14	\$ 62,253.00
Bond RS #1	<u>\$604,851.77</u>
Total Payment	\$793,263.77

A motion was made by Mgr. Burvee and seconded by Mgr. Rostad to approve Voucher #18047 in the amount of \$793,263.77 for the herein reported bond payments. The motion carried unanimously.

- Laptop Computer- Bid for a new laptop computer was \$645 through R & B Printer Repair. A motion was made by Mgr. Burvee and seconded by Mgr. Haugen to approve purchase of a laptop computer from R & B Printer Repair in the amount of \$645. The motion carried unanimously.

Mail:

- 1.) Richland County Commission- Minutes of the March meetings.
- 2.) North Dakota Insurance Reserve Fund (NDRF)- Notice of annual meeting scheduled for May 22, 2019 and proxy for position on the Board of Directors. No action was taken regarding the proxy ballot.
- 3.) MnDak Upstream Coalition- Notice of public meeting between the Fargo-Moorhead Diversion Authority and Eagle Township Board of Township Supervisors scheduled for April 9, 2019.

Mike Bassingthwaite, of Interstate Engineering, joined the meeting.

Continuation of Mail:

- 4.) Richland County Highway Department- Copy of TrueNorth Steel 2019 culvert prices. It was noted that prices increased approximately 14%.
- 5.) North Dakota State Engineer's Office- Copy of Temporary Water Permit #ND2019-19446 issued to Gowan Construction. Nature of Use: Road Construction; Source of Water: Wild Rice River; Point of Diversion: NE1/4 Sec 3, Colfax East; Quantity of Water: 3.0 Acre-Feet.

- 6.) North Dakota State Engineer- Copy of Temporary Water Permit #ND2019-19447 issued to Gowan Construction. Nature of Use: Road Construction; Source of Water: Wild Rice River; Point of Diversion: SE1/4 Sec 34, Walcott East; Quantity of Water: 3.0 Acre-Feet.

Proj #1 Reconstruction

Mike Bassingthwaite reported that he met with Kelly Miller and Tony Wulfekuhle this past week. His purpose for meeting with the two parties was to discuss the RCWRD's financial commitment for the Proj #1 partial reconstruction. From his meeting, Mr. Bassingthwaite brought forward the parties concern on the estimated private financial contribution and their questions relating to ways to possibly reduce that cost. Options to reduce the cost were considered, including scaling back the project. The Board held firm to their prior decision to commit a total of \$106,000 to this project. The Managers directed a meeting be scheduled with Mr. Miller to discuss options.

(RCWRD #17-017)

Proj #2 Flooding Concerns

As a result of recent flooding associated with the spring runoff some affected landowners on Proj #2 contacted Mgr. Rostad and Mr. Bassingthwaite this past week. The Board held a brief conversation with Mr. Bassingthwaite about observed potential issues. Some erosion damage was noticed and will be followed up on when the water recedes. The landowners may address their concerns with the Board in the near future.

Mr. Bassingthwaite left the meeting.

Proj #41 Cleanout/Buffer Strip

The Managers previously directed a letter be sent to the landowners along Proj #41 in Sections 36, 25, 24, and 14, Mooreton Township, to notify them of the upcoming cleanout in Sections 36 and 25 and seeding of a 16 foot buffer strip along the entire four mile stretch. At this time, a draft of the letter was presented for the Managers review. Minor changes were made; the letter will be sent before work commences this fall. (RCWRD #18-027)

Drain Tile "Letters to the Editor" Published in the *Daily News*

The Managers reviewed two recent letters published in the "Letters to the Editor" section of the *Daily News*.

Applications

Application to Install a Subsurface Water Management System No. 19-003 for Nancy and Duane Brosowske Trust; Carol Dotzenrod, Life Estate, and Edward A. Anderson, P.O.A.

The Board reviewed *Application to Install a Subsurface Water Management System No. 19-003*, submitted to the Richland County Water Resource District on March 27, 2019. Under the application, Applicants seek to install a 233-acre tile system in the East Half of Section 5 of Homestead Township, Richland County, North Dakota. The project will include a single pump outlet located in the northeast corner of the Northeast Quarter of Section 5; the pump will discharge to the east through an existing culvert through 158th Avenue SE; the tile discharge will continue east through the south road ditch along 72nd Street SE, along the north boundary of the Northwest Quarter of Section 4, until ultimately discharging into Richland County Drain No. 15 in the northwest corner of the Northeast Quarter of Section 4. The Richland County Water Resource District owns and operates Drain 15.

According to records supplied by Applicants, Duane H. Brosowske and Nancy E. Brosowske, as co-Trustees of the Brosowske Living Trust, own the East Half of Section 5 of Homestead Township, subject to a life estate in Carol E. Dotzenrod regarding only the Northeast Quarter of Section 5. With regard to downstream properties, Sharon Score and Lucas and Jill Mauch own interests in the Northwest Quarter of Section 4 of Homestead Township.

Applicants obtained NOTARIZED LETTERS OF APPROVAL from the downstream owners, Sharon Score and Lucas and Jill Mauch, under which the downstream owners indicated they have no objection to Applicants' proposed project. With that in mind, no THIRTY-DAY NOTICES were necessary under N.D. Cent. Code § 61-32-03.1. Homestead Township is not a downstream "landowner," since the Township operates its road right of way under the statutory 33-foot easement. With that in mind, Applicants are not required to provide THIRTY-DAY NOTICES to Homestead Township, though the Board will provide notice of the Board's final decision regarding the application to the Township. However, the Board will require Applicants to install and maintain riprap or other ditch stabilization materials satisfactory to the Township to protect its township road right of way.

Manager Haugen moved, and Manager Burvee seconded the motion, to approve *Application to Install a Subsurface Water Management System No. 19-003* for Nancy and Duane Brosowske Trust; Carol Dotzenrod, Life Estate, and Edward A. Anderson, P.O.A., in the East Half of Section 5 in Homestead Township, and to authorize the Secretary-Treasurer to sign SUBSURFACE WATER MANAGEMENT PERMIT No. 19-003, subject to the following conditions:

- 1) That Applicants notify the Richland County Water Resource District in advance of any proposed alterations to outlet locations, or addition of any outlets;
- 2) That Applicants provide, install, and maintain riprap or other ditch stabilization materials satisfactory to Homestead Township Board of Township Supervisors at any and all outlets into the Township's road right of way; and
- 3) That Applicants must turn off any pump outlets and otherwise close all outlets during "critical flood periods," as determined by the District.

Upon roll call vote, the motion carried unanimously.

Spring Thaw and Flooding Conditions

Discussion was held regarding the need for emergency removal of snow from various drains the past two weeks as a result of the spring thaw and flooding conditions. This discussion also included the District's financial involvement for this work performed. Upon conclusion of the discussion, a motion was made by Mgr. Burvee and seconded by Mgr. Haugen to approve Appls #19-004 through #19-007 at the respective drain's expense. Work approved at drain expense due to the nature of immediate threat to the residences. The motion carried unanimously.

Appl #19-004	Dr. #72	Tom Thayer	SE1/4 Sec 13, Nansen Twp
Appl #19-005	Dr. #7	RCWRD	S1/2 Sec 20, Garborg Twp
Appl #19-006	Dr. #65	RCWRD	SE1/4 Sec 26, Brandenburg & NE1/4 Sec 35, Brandenburg
Appl #19-007	Dr. #95	RCWRD	SW1/4 Sec 34, Antelope Twp SW1/4 Sec 31, Ibsen Twp

Mgr. Rostad left the meeting.

Matt and Sheila Bozovsky Residence- SECR SW1/4 Section 35, Antelope Township

Office Staff reported on an overland flooding issue on Proj #95 which occurred this past week at the Matt and Sheila Bozovsky residence in the SECR SW1/4 Section 35, Antelope Township. Email correspondence between Mrs. Bozovsky, the North Dakota State Water Commission (ND SWC), and RCWRD Office Staff was reviewed with the Board and a report of Richland County Emergency Manager Brett Lambrecht's involvement was given to the Board. It was noted that the RCWRD Office was not apprised of the situation until four days after the incident. Mrs. Bozovsky emailed the ND SWC and the RCWRD about her frustrations and

questions regarding removal of snow from the legal drain. An email was sent to Mrs. Bozovsky suggesting she contact the office to schedule a meeting with the Board where she can voice her concerns and receive answers to her questions.

Adjournment

There being no further business to come before the Board, Chr. Friskop adjourned the meeting at 12:05 PM.

Respectfully submitted,

Monica Zentgraf
Monica Zentgraf
Secretary

Gary Friskop
Gary Friskop
Chairman of the Board