

RICHLAND COUNTY WATER RESOURCE DISTRICT
Richland County Courthouse, Wahpeton, ND
January 26, 2021

The Richland County Water Resource Board ("RCWRB") met January 26, 2021 at 9:00 AM at the Richland County Courthouse.

THOSE PRESENT: Managers Arv Burvee, Mark Fahsholz (via teleconference), Gary Friskop, Don Moffet, Engineering Technician Justin Johnson, Secretary-Treasurer Monica Zentgraf, and Mike Bassingthwaite, of Interstate Engineering.

THOSE ABSENT: Clint Arndt

Approval of Agenda

A motion was made by Mgr. Moffet, seconded by Mgr. Friskop, and unanimously carried to approve the agenda as presented.

Minutes

The January 12, 2021 minutes were presented. A motion was made by Mgr. Fahsholz and seconded by Mgr. Friskop to approve the January 12, 2021 minutes as presented. Upon roll call vote, the motion carried unanimously.

Financial Matters

●**RS #1 Final Pay Estimate**- Secretary Zentgraf presented JAV Construction's final pay estimate (#9) for the RS #1, Phase 2 reconstruction. Final payment is \$35,736.18. A motion was made by Mgr. Friskop and seconded by Mgr. Moffet to approve the pay estimate as presented. Upon roll call vote, the motion carried unanimously. (RCWRD #16-001)

●**January 2021 Vouchers**- Vouchers for the month of January 2021 were presented for the Board's review and approval. A motion was made by Mgr. Moffet and seconded by Mgr. Fahsholz to approve Vouchers #18530 through #18552. Upon roll call vote, the motion carried unanimously.

●**Project #10 Repairs**- Secretary Zentgraf reported Shawn O'Leary, of Comstock Construction, made an offer to reduce their bill for the concrete headwall (constructed on Proj #10) by \$10,563.30. This would reduce the bill to \$28,272.02.

Chr. Burvee reported that he received a telephone call from Scott Olerud, a Member of the Ransom County Water Resource Board, to discuss Comstock's bill as their office is responsible for 50% of the project cost. Mgr. Olerud was in favor of accepting Comstock Construction's offer; however, he asked if the Richland County Water Resource Board would consider reducing Ransom County's bill by their 50% share of the engineering charges because they were not properly informed of the project cost. (Mgr. Olerud was not placing blame on the engineer; his request was solely for the purpose of reducing their cost since they did not have advance notice and were not able to plan for the expense.) After much discussion, a motion was made by Mgr. Friskop and seconded by Mgr. Moffet to accept Comstock Construction's offer and to waive Ransom County Water Resource District's share of the engineering costs. Upon roll call vote, the motion carried unanimously. (RCWRD #19-020)

Mail

- 1) North Dakota State Water Commission ("ND SWC")- Copy of the ND SWC request for comments from the Cass County Water Resource District regarding the Metro Flood Diversion Authority's application, #2638, for the Interstate 29 grade raise, which is a part of the Fargo-Moorhead Diversion project.
- 2) Kurt Lysne, Moore Engineering- Summary of improvements and costs for a new closure structure on CR #1.

- 3) ND SWC- Notification that the District's request for cost share assistance for the \$131,500 Wild Rice River snagging and clearing project was put on hold by the State Engineer due to uncertainty in projected agency revenues to the Resource Trust Fund. Secretary Zentgraf reported that she contacted Pat Fridgen, of the ND SWC; Mr. Fridgen advised that future funding will be dependent upon the Commission's decision whether they follow legislative intent for funding the three large flood control projects. If the Commission follows legislative intent there will be no funds available for any other projects this biennium. (RCWRD #20-069)

Applications

Appl #21-002, Jeff Erbes: SE1/4 Section 14, Nansen Township: Mr. Erbes submitted Appl #21-002 for a culvert to culvert cleanout of Proj #72 in the SE1/4 Section 14, Nansen Township. This request is to accommodate Mr. Erbes' drain tile project in the N1/2NW1/4 and NW1/4NE1/4 Section 23, which includes an outlet into Proj #72 in SECR SW1/4 SW1/4 Section 14. Considerable discussion followed with input from Mr. Johnson and Mr. Bassingthwaite. A conference call was held with Mr. Erbes to discuss the Board's concern for continual maintenance of the legal drain because of the placement of the outlet. Mr. Erbes is waiting for an answer from Ellingson Companies whether the outlet will adequately drain based on culvert elevations provided by Mr. Johnson. Chr. Burvee suggested Mr. Erbes consider his alternate plan, which is to run a tile main into the NE1/4NE1/4 Section 23 and then directly into Proj #72 in the SE1/4SE1/4 Section 14. Installing the outlet at this location would eliminate maintenance concerns. Upon conclusion of the conference call with Mr. Erbes, a motion was made by Mgr. Friskop and seconded by Mgr. Moffet to defer Appl #21-002 pending an answer from Mr. Erbes whether the tile outlet will adequately drain if it is installed in the SECR SW1/4SW1/4 Section 14, Nansen Township. Upon roll call vote, the motion carried unanimously.

Appl #21-003, Lugert Land Limited Partnership: SW1/4 Section 10, Belford Township A motion was made by Mgr. Moffet and seconded by Mgr. Fahsholz to defer Drain Tile Appl #21-003 pending the 30 day notice to downstream landowners. Upon roll call vote, the motion carried unanimously.

Technician's Report

●Proj #72- During last year's inspection of Proj #72 Mr. Johnson found deteriorated culverts at Site #462 (SW1/4 Section 14, Nansen Township) and Site #463 (SE1/4 Section 14, Nansen Township). The work was not done last year as contractors were booked full. Board consensus was to table action on this matter pending the Erbes cleanout request (#20-002) dealt with earlier in the meeting, as all of this is in the same area. (RCWRD #20-026)

Mr. Bassingthwaite left the meeting.

Legislative Update

HB 1437 (drain tile bill) was presented to the Managers for their review.

An email sent to the Senate Ag Committee by Jim Dotzenrod regarding SB 2208 was reviewed by the Board. SB 2208 will be in front of the Senate Ag Committee on January 28th. The District is waiting to see amendments, which are rumored to be forthcoming, before submitting comments to the Members of the Senate Ag Committee.

Adjournment

There being no further business to come before the Board, Chr. Burvee adjourned the meeting at 11:50 AM.

Respectfully submitted,

Monica Zentgraf
Monica Zentgraf
Secretary

Arv Burvee
Arv Burvee
Chairman of the Board