

RICHLAND COUNTY WATER RESOURCE DISTRICT  
Richland County Courthouse, Wahpeton, ND  
June 11, 2019

The Richland County Water Resource Board ("RCWRB") met June 11, 2019 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 May 28, 2019 minutes were presented. A motion was made by Mgr. Moffet and seconded by Mgr. Haugen to approve the June 11, 2019 minutes as presented. The motion carried unanimously.

### **Financial Matters**

● May 2019 Financial Reports- A motion was made by Mgr. Burvee and seconded by Mgr. Rostad to accept the May 2019 financial reports as presented. The motion carried unanimously.

● Bremer Bank Letter of Credit- 110% of the District's securities totaled \$7,315,301.86 on May 31, 2019. The existing Letter of Credit, in the amount of \$7,800,000 adequately covers the District's funds.

### **Mail:**

- 1.) US Army Corps of Engineers ("USACE")- Email notification that the USACE is preparing to resume construction activities on the Fargo-Moorhead flood risk management project inlet structure near Horace in mid-June.
- 2.) State Engineer's Office- Temporary Water Permit #ND2019-19586, issued to Knife River Materials. Source: Unnamed Slough; Points of Diversion: NE1/4 NE1/4 Section 25 and SE1/4 SE1/4 Section 24, Dexter Township; Nature of Use: Road Construction; Total Quantity of Water: 600,000 Gallons.
- 3.) Interstate Engineering- Report of damages and recommendation for repairing the low water crossing in the SE1/4 Section 30, Sheyenne Township. It was also reported that per Mgr. Haugen's conversation with US Forest Service Ranger Casey Johnson, the Forest Service will pay for the culvert materials for this crossing. (Note that the location was mistakenly reported as being in the NE1/4 Section 31 at the May 21, 2019 meeting.) No action was taken pending meeting with the engineer later in the day. (RCWRD #19-020)

Mike Bassingthwaite, of Interstate Engineering, joined the meeting.

### **Proj #7 Reconstruction**

A conference call was held with Gabe Bladow, of Houston Engineering, for the purpose of Mr. Bladow providing a status update on the Proj #7 reconstruction. Mr. Bladow informed the Board that at the May 7, 2019 preconstruction conference, the contractor anticipated construction to begin the week of June 10<sup>th</sup>. The engineer's communication with TrueNorth Steel, at that time, was that culverts would be delivered mid-June. The contractor's actual start date was May 29<sup>th</sup>; excavation of the first mile has been completed. Inlet culverts have been delivered; however, mainline culverts will not be delivered until approximately June 26<sup>th</sup>. Mr. Bladow felt the best solution to get the water out of the ditch would be for the contractor to install a temporary culvert, which would be placed at the new centerline of the channel. Additional cost for installation of the temporary culvert is \$3,000. (The contractor would supply the temporary culvert.) Board consensus was to proceed per Mr. Bladow's recommendation.

Mr. Bladow further reported the contractor ran into excess spoil at various locations on the south side of the first mile. Plans called for a maximum spoil bank height of 12 feet; however, due to the excess spoil, a spoil height of 13.5 feet will be allowed and any additional spoil above this height will be spread laterally on the access path. The Managers agreed with this change. (RCWRD #17-016)

The conference call with Mr. Bladow concluded.

### **Proj #1 Reconstruction**

Kelly Miller, Jeff Christopherson, and Mr. Bassingthwaite met with the Board to discuss the reconstruction of Proj #1. Discussion was held relative to the total cost of the project, which is estimated at \$213,000 for the base project and \$250,000 for the base plus alternate. Funding, including the balance of funds committed to the project by the RCWRD, potential for North Dakota State Water Commission ("ND SWC") cost share assistance in 2020, and possibly delaying the project until next year (because of potential ND SWC cost share funding) were discussed at length.

Mr. Bassingthwaite previously held a conversation with Dallas Loff, of the Abercrombie Township Board, regarding the cost to replace the culvert in the SWCR SW1/4 Section 20. The Township will bear the cost of the culvert, but not rock, gravel, and installation costs. Everyone agreed the culvert is the Township Board's responsibility; Mr. Miller will talk with the Township Board about their responsibility for all costs associated with replacing the culvert, which is in poor condition.

This portion of the discussion concluded with Mr. Miller advising that he was not ready to make a financial commitment to the project at this time.

The next item of business associated with this project was purchase of 4.78 acres of right-of-way out of the N1/2NW1/4 Section 29, Abercrombie East, from Jeff Christopherson. Of the 4.78 acres, 2.0 acres are tillable land and 2.78 acres are non-tillable.

Several questions from Mr. Christopherson were fielded by Mr. Bassingthwaite regarding his driveway and the natural channel downstream of the driveway. After hearing what work would be done on this natural channel, which is located on the non-tillable acreage, the opinion of the Board was that the legal drain should be legally extended to include this portion of the natural channel. Additional discussion will be required by the Board at a future meeting.

After much discussion, a purchase price of \$15,200 for the 4.78 acres of land was agreed upon by the Board and Mr. Christopherson. A motion was subsequently made by Mgr. Burvee, seconded by Mgr. Moffet, and carried unanimously to purchase 4.78 acres of land, located in the N1/2NW1/4 Section 29, Abercrombie East, from Jeff Christopherson, for a total purchase price of \$15,200. The total estimated cost of the project only included \$5,000 for right-of-way; with the price agreed upon for the land, the new cost estimates are \$223,200 for the base project and \$260,200 for the base plus alternate project.

A follow up meeting will be held with Mr. Miller to discuss his financial commitment to the project and to make a decision on when to proceed with the project (2019 or 2020).

Mr. Miller and Mr. Christopherson left the meeting.

The USACE permit was presented for the Board's approval. A motion was made by Mgr. Burvee and seconded by Mgr. Rostad to accept the USACE permit as presented. The motion carried unanimously. (RCWRD #17-017)

### **Proj #10 Low Water Crossing Repairs**

The Managers and Mr. Bassingthwaite discussed the engineer's recommendation (reviewed earlier in the meeting) for repairing the low water crossing located on Proj #10, in the SE1/4 Section 30, Sheyenne Township. Mr. Bassingthwaite reported this crossing has been damaged several times since 2009; it was felt the best long term repair would be Option #2. If the Managers desire FEMA funding for Option #2, work cannot commence until FEMA approval is received. Repairs would most likely be delay until late this year or 2020. Doing the work prior to securing FEMA approval would make it ineligible for funding. Consensus of the Board was to forego FEMA funding as the crossing is needed timely by the landowner. Per the 2014 Operation & Maintenance Agreement between the Ransom and Richland County Water Resource Districts, Ransom County Water Resource District is responsible for 50% of the costs associated with this project. At this time a motion was made by Mgr. Haugen and seconded by Mgr. Rostad authorizing repair of the aforementioned low water crossing, based on Interstate Engineering Option #2. The motion carried unanimously. The Managers directed the Engineer to assign the project to the first available contractor. (RCWRD #19-020)

Mr. Bassingthwaite left the meeting.

### **Maintenance Levy Improvement Bonds of 2019 (Legal Drain #7)**

Mgr. Rostad introduced the resolution and moved its adoption authorizing the issuance of the \$345,000 Maintenance Levy Improvement Bonds of 2019, Series A, and \$275,000 Temporary Maintenance Levy Improvement Bonds of 2019, Series B, with a not to exceed interest rate of 3.25%. The motion for the adoption of the resolution was duly seconded by Mgr. Moffet and upon roll call vote, all Managers voted in favor thereof. The resolution was declared duly passed and adopted. (RCWRD #17-016)

### **Wild Rice River Snagging and Clearing Project**

Considerable deadfall in the Wild Rice River was reported and discussion was held relative to doing a snagging and clearing project on the river this winter. The Managers directed Mike Staber, of American Enterprises, be contacted about flying the channel and submitting a bid to the District.

### **Technician's Report**

Mr. Johnson reported on inspections of several legal drains:

- Inspections have been completed and no damages were found on Projs #1, 2 (no additional damage beyond the original report under Appl #19-013), 15, 35, 62, 63, 66A, and 97.

- Inspections have been completed and damages were found on the following drains:

- Proj #7- Two damage sites, both located in the SW1/4 Section 20, Nansen Township:

- Site #397- Damage to drop structure

- Site #398- Erosion of south ditch bank

Appl #19-025 was completed and a motion was made by Mgr. Moffet and seconded by Mgr. Rostad to assign repair of Site #397 to JAV Construction at Proj #7 expense. The motion carried unanimously. Site #398 will be monitored.

- Proj #26- Site #396, located in the NE1/4 Section 21, Fairmount North:  
2- 52 inch x 58 foot culverts damaged

Appl #19-026 was completed and a motion was made by Mgr. Burvee and seconded by Mgr. Haugen to order a hydraulic study from Interstate Engineering. The motion carried unanimously.

- Proj #31- Site #399, located in the NE1/4 Section 7, Lamars Township:  
Inlet culvert needs to be lowered.

A motion was made by Mgr. Burvee and seconded by Mgr. Rostad to assign the repair to JBX. The motion carried unanimously. (Appl #19-011)

●Proj #34- Site #395, located in the SE1/4 Section 29, Fairmount North:  
Erosion hole with separation of 72 inch x 28 foot RCP  
Appl #19-027 was completed and a motion was made by Mgr. Burvee and  
seconded by Mgr. Haugen to assign repairs to JBX at Proj #34 expense. The  
motion carried unanimously.

●Jeff Bolme Appl #19-022 for the NW1/4 Section 32, Eagle South- Mr.  
Johnson reported that the culvert could be lowered approximately 0.8 inches and  
extended an additional 10 feet.

●Jeff Bolme Appl #19-021 for the NW1/4 Section 29, Eagle South- It  
appears there is a low area in the field which Mr. Bolme may want to drain. The  
culvert could be lowered 0.5 feet.

At this time both Bolme applications were deferred, as the Board needs to consider  
a previous verbal request from a landowner for some cleaning in the legal drain.  
That work had not been approved due to lack of funds in the maintenance account.  
The matter will be discussed further at the next board meeting.

●Proj #5(64) in the NE1/4 Section 27, Walcott West- Mr. Johnson reported  
that he surveyed the legal drain in the NE1/4 Section 27, Walcott West, and found  
the ditch bottom was lowered approximately 2 feet. The work was done to  
accommodate a drain tile outlet and was done without Drain Board approval. The  
Board will discuss this matter with Legal Counsel on June 28, 2019. (RCWRD  
#19-024)

●Proj #7 Reconstruction- The Managers viewed Mr. Johnson's drone video  
of the reconstruction.

### **Adjournment**

There being no further business to come before the Board, Chr. Friskop adjourned  
the meeting at 12:15 PM.

Respectfully submitted,  
*Monica Zentgraf*  
Monica Zentgraf  
Secretary

*Gary Friskop*  
Gary Friskop  
Chairman of the Board