

RICHLAND COUNTY WATER RESOURCE DISTRICT  
Richland County Courthouse, Wahpeton, ND  
August 28, 2018

The Richland County Water Resource Board (RCWRB) met August 28, 2018 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 August 14, 2018 minutes were presented. A motion was made by Mgr. Rostad and seconded by Mgr. Moffet to approve the August 14, 2018 minutes as presented. The motion carried unanimously.

### **Financial Matters:**

- Letter of Credit- The Secretary reported Bremer Bank increased the District's Letter of Credit to \$7,900,000 effective August 14, 2018. The increase was due to incoming funds for the Richland-Sargent WRD bond sale. The increased Letter of Credit adequately covers the District's funds held at Bremer Bank.

- Proj #4(28) Reconstruction- Pay Estimate #1, to JAV Construction, was presented to the Board. The pay estimate represents 91% completion of the Proj #4(28) reconstruction. A motion was made by Mgr. Haugen and seconded by Mgr. Moffet to approve Pay Estimate #1 in the amount of \$131,032.10. The motion carried unanimously. (RCWRD #17-095)

- Proj #14 Reconstruction- Pay Estimate #6, to JAV Construction, was presented to the Board. The pay estimate represents 100% completion of the Proj #14 reconstruction. A motion was made by Mgr. Moffet and seconded by Mgr. Rostad to approve Pay Estimate #6 in the amount of \$7,100.00 and to accept the project as completed in full. The motion carried unanimously. (RCWRD #11-001).

- Proj #14 Reconstruction Funds- The Secretary requested approval to transfer \$2,409.04 from the Proj #14 Maintenance Account to the Proj #14 Bond Construction Account to cover final bills for the reconstruction. Cost over-runs were due to patch work required on County Road 4 and miscellaneous quantity over-runs. A motion was made by Mgr. Haugen and seconded by Mgr. Rostad authorizing a transfer of \$2,409.04 from the Proj #14 Maintenance Account to the Proj #14 Bond Construction Account. The motion carried unanimously. (RCWRD #11-001)

- Vouchers- Vouchers for the month of August 2018 were presented for the Board's review and approval. A motion was made by Mgr. Burvee and seconded by Mgr. Rostad to approve Vouchers #17842 through #17866 and the electronic funds transfer for the IRS payment. The motion carried unanimously.

### **Mail**

- 1.) Richland County Commission- Minutes of the July 2018 meetings.
- 2.) Red River Retention Authority- Minutes of the June 29, 2018 meeting and agenda for the September 5, 2018 meeting.
- 3.) Minnesota Department of Natural Resources- Request for comments on the Draft Supplemental Environmental Impact Statement for the Fargo-Moorhead Flood Risk Management Project to evaluate a new alternative (Alternative 2) to the previously-proposed Project. A conference call was held with Richland County Commissioner Berseth to discuss submission of comments. Cmr. Berseth indicated the Richland-Wilkin Joint Powers Authority will meet September 4, 2018; this matter will be discussed at that time. Cmr. Berseth will contact the District after the meeting. No further action was taken by the Managers.
- 4.) Arthur Bernard- Complaint regarding plugging of culvert under County Road #1 in the NE1/4 Section 19, Ibsen Township. Mr. Bernard wants the

culvert removed and a new culvert installed to equalize the water on both sides of the road. A conference call was held with the District's Legal Counsel to discuss the matter. The complaint will be forwarded to Legal Counsel. (Complaint #18-024)

### **Technician's Report**

●Proj #4(28) Reconstruction- Mr. Johnson reported someone informed him that the culvert located between the SECR SW1/4 and SWCR SE1/4 Section 32, Abercrombie West, was plugged during installation of an inlet culvert into Proj #4(28). A private party saw to the plugging of the culvert; the WRD was not involved. No action was taken by the Board as this matter is outside of their jurisdiction. (RCWRD #17-095)

Mr. Johnson presented additional data received from Moore Engineering for the four hydraulic study reports they recently submitted to the District:

●Proj #5- Site #326, located in the NE1/4 Section 1, Colfax West. A motion was made by Mgr. Rostad and seconded by Mgr. Moffet to table action pending a decision by Leslie Rieger about relocating the field approach off of the legal drain. The motion carried unanimously. (RCWRD #18-010)

●Proj #12- Site #330, located in the SW1/4 Section 2, Garborg Township. A motion was made by Mgr. Burvee and seconded by Mgr. Haugen to approve replacement of the existing 24 inch culvert with a 30 inch inlet culvert and assign the project to JBX. The motion carried unanimously. (RCWRD #18-011)

●Proj #26- Site #336, located in the NWCR NE1/4 Section 19, Fairmount North. A motion was made by Mgr. Burvee and seconded by Mgr. Haugen to approve replacement of the existing 60 inch culvert with a new 60 inch culvert and assign the project to Comstock Construction. The motion carried unanimously. (RCWRD #18-012)

●Proj #26- Site #337, located in the NE1/4 Section 20, Fairmount North. A motion was made by Mgr. Burvee and seconded by Mgr. Rostad to approve replacement of the existing 30 inch RCP with a 36 inch CMP and assign the project to Comstock Construction. The motion carried unanimously. (RCWRD #18-012)

●Metro Flood Diversion Authority Meeting- Mr. Johnson provided a report on the August 23, 2018 meeting.

### **Applications**

#### **APPLICATION FOR SURFACE DRAIN NO. 5185 for Raymond Schroeder in the Northwest Quarter of Section 17 in Lamars Township**

The Board reviewed information from the State Engineer regarding APPLICATION FOR SURFACE DRAIN No. 5185 for Applicant Raymond Schroeder. Under the application, Applicant seeks to construct channel improvements to the south township road ditch along the north boundary of the Northwest Quarter of Section 17 of Lamars Township that will ultimately utilize and discharge into the channel improvements constructed under SURFACE PERMIT NO. 4838, approved by the Richland County Water Resource District on October 18, 2016. The project proposed under Application No. 5185 will include installation of an 840-foot non-perforated pipeline 2 feet in diameter that will run from west to east and discharge into open channel ditch improvements; the open channel improvements will include 675 feet of ditch improvements continuing east with a bottom width of 9.5 feet; 3:1 side slopes; and a maximum cut of 2.3 feet. The ditch improvements will discharge into the improvements under SURFACE PERMIT NO. 4838 in the south township road ditch along the north boundary of the Northeast Quarter of Section 17. The township road and drainage improvements will serve as an outlet for Applicant's tile project in the Northwest Quarter of Section 17.

According to records on file with the Richland County Recorder's office, Raymond and Jean Schroeder own the Northwest Quarter of Section 17 of Lamars Township.

The Board prepared responses to the eight elements under Section 89-02-01-09.2 of the North Dakota Administrative Code. The Board further determined no hearing was necessary under Section 89-02-01-09.1(2) of the North Dakota Administrative Code because the project will not result in adverse impacts downstream, and the Board will require Applicant to obtain permission from Lamars Township to install, construct, operate, and maintain buried pipeline and open channel improvements in the township's road ditch. The township can address any additional conditions in their consent process. The Board concluded that, in light of these measures, there will be no further adverse impacts.

Manager Burvee moved, and Manager Rostad seconded the motion to approve APPLICATION FOR SURFACE DRAIN No. 5185 for Raymond Schroeder, and to authorize the Secretary-Treasurer to sign PERMIT FOR SURFACE DRAIN No. 5185, subject to the conditions attached by the State Engineer, and subject to the following conditions:

- 1) That Applicant will not construct or improve the drain in any manner that exceeds the dimensions indicated in the application, including a pipeline length of 840 feet of non-perforated 24-inch pipe;
- 2) That Applicant will not construct or improve the surface drainage improvements in any manner that exceeds the dimensions indicated in the application, including a drain length of 675 feet; 9.5-foot bottom width; 3:1 side slopes; and a 2.3-foot maximum cut;
- 3) That Applicant obtain written permission from the Lamars Township Board of Township Supervisors to install, construct, operate, and maintain pipeline and surface drain improvements in its township road ditch, or to otherwise utilize its township road ditch;
- 4) That Applicant notify the Richland County Water Resource District in advance of any proposed improvements to the drain, including any increase in the capacity or drainage area affected, and, if necessary, submit an additional permit application; and
- 5) That Applicant obtain all other necessary and requisite licenses, permits, registrations, and/or approvals from all applicable federal, state, county, and municipal governments, and any other applicable governmental entities.

Upon roll call vote, the motion carried unanimously. The Board directed Sean Fredricks to prepare the requisite NOTICE OF DECISION and to provide the NOTICE to all parties of record.

### **Adjournment**

There being no further business to come before the Board, Chr. Friskop adjourned the meeting at 11:00 A.M.

Respectfully submitted,

*Monica Zentgraf*  
Monica Zentgraf  
Secretary

*Gary Friskop*  
Gary Friskop  
Chairman of the Board