

RICHLAND-SARGENT JOINT WATER RESOURCE DISTRICT  
Richland County Courthouse, Wahpeton, ND  
February 24, 2014

The Richland-Sargent Joint Water Resource Board (RSJWRB) met February 24, 2014 at 10:30 AM at the Richland County Courthouse, Wahpeton, North Dakota.

THOSE PRESENT: Managers Jim Bosse, Richard Engst, Roger Zetocha, Lucas Siemieniewski, Arv Burvee, Robert Rostad, Gary Friskop, James Haugen, Secretary-Treasurer Monica Zentgraf, Attorney Sean Fredricks, Engineer Mike Bassingthwaite, Gene and Cari Wefel, and Keith Saunders.

The meeting was called to order by Vice Chr. Haugen.

### **Minutes**

A motion was made by Mgr. Bosse and seconded by Mgr. Burvee to approve the minutes of the October 28, 2014 meeting as presented. The motion carried unanimously.

The meeting was turned over to Attorney Fredericks for the Board's reorganization.

### **Board Reorganization**

Attorney Fredericks called for nominations for Chairman of the RSJWRB for calendar year 2014. A motion was made by Mgr. Burvee nominating Jim Bosse to serve as Chairman of the RSJWRB for calendar year 2014. A motion was made by Mgr. Bosse nominating James Haugen to serve as Chairman of the RSJWRB for calendar year 2014. Discussion followed and a motion was made by Mgr. Engst for votes to be cast by secret ballot. Mgr. Burvee withdrew his nomination for Jim Bosse and Mgr. Engst withdrew his motion for the vote by secret ballot. A motion was made by Mgr. Rostad and seconded by Mgr. Zetocha that nominations cease and a unanimous ballot be cast for James Haugen to serve as Chairman of the RSJWRB for calendar year 2014. Upon roll call vote, Mgrs. Burvee, Engst, Siemieniewski, Zetocha, Bosse, Friskop, and Rostad voted in favor of the motion; Mgr. Haugen abstained from voting. The motion carried.

The meeting was turned over to Chr. Haugen. Chr. Haugen called for nominations for Vice Chairman of the RSJWRB for calendar year 2014. A motion was made by Mgr. Engst and seconded by Mgr. Zetocha nominating Lucas Siemieniewski to serve as Vice Chairman of the RSJWRB for calendar year 2014. A motion was made by Mgr. Bosse and seconded by Mgr. Burvee that nominations cease and a unanimous ballot be cast for Lucas Siemieniewski to serve as Vice Chairman of the RSJWRB for calendar year 2014. Upon roll call vote, Mgrs. Burvee, Engst, Siemieniewski, Zetocha, Bosse, Haugen, Friskop, and Rostad voted in favor of the motion. The motion carried unanimously.

Chr. Haugen called for nominations for Secretary-Treasurer of the RSJWRB for calendar year 2014. A motion was made by Mgr. Engst nominating Monica Zentgraf to serve as Secretary-Treasurer of the RSJWRB for calendar year 2014. Upon roll call vote, Mgrs. Burvee, Engst, Siemieniewski, Zetocha, Bosse, Haugen, Friskop, and Rostad voted in

favor of the motion. The motion carried unanimously.

Chr. Haugen called for nominations for Legal Counsel for the RSJWRB for calendar year 2014. A motion was made by Mgr. Siemieniewski and seconded by Mgr. Burvee nominating Attorney Sean Fredricks, of Ohnstad Twichell Law Firm, to serve as Legal Counsel for the RSJWRB for calendar year 2014. A motion was made by Mgr. Burvee and seconded by Mgr. Zetocha that nominations cease and a unanimous ballot be cast for Attorney Sean Fredricks, of Ohnstad Twichell Law Firm, to serve as Legal Counsel for the RSJWRB for calendar year 2014. Upon roll call vote, Mgrs. Burvee, Engst, Siemieniewski, Zetocha, Bosse, Haugen, Friskop, and Rostad voted in favor of the motion. The motion carried unanimously.

### **Financial Matters**

A motion was made by Mgr. Engst and seconded by Mgr. Rostad to accept the October 2013 through January 2014 financial reports as presented. The motion carried unanimously.

### **Mail**

- 1) Big Stone South to Ellendale (BSSE)- January newsletter
- 2) Robert Singelman- Protest of assessment for RS #1 maintenance levy on Parcel #33-6614.

### **RS #1 Excess Levy Report**

Secretary Zentgraf reported the outcome of the vote for the \$1,000,000 excess levy. "No" votes were 539,508.66; "Yes" votes were 257,715.35. Secretary Zentgraf reported the vote failed with 67.7% of the votes cast being "No".

### **Reconstruction of RS #1- Where Do We Go From Here?**

With the excess levy having failed, the Managers turned their attention to what work could be done on Shortfoot Creek utilizing maintenance funds. Consideration was given to simply doing a maintenance cleanout, as needed, or proceeding with reconstruction in two phases by borrowing the necessary funds not to exceed the amount allowed under North Dakota law. The Managers felt the most prudent action would be to move forward with reconstruction of Phase 1 and fund the project with maintenance assessments of \$4 per acre (weighted method) for the next six year. They felt \$3 per acre should be earmarked for the reconstruction with \$1 per acre going into the maintenance account. Final decisions will not be made until after bid opening. Engineer Bassingthwaite and Attorney Fredricks cautioned the Board that the railroad crossing may not be done until 2015. The Managers asked for input from the Wefels and Mr. Saunders about the Managers plan; all three individuals spoke in favor of the plan. A motion was made by Mgr. Burvee and seconded by Mgr. Bosse authorizing Attorney Fredricks to prepare a resolution to extend RS #1. Upon roll call vote, Mgrs. Burvee, Engst, Siemieniewski, Zetocha, Bosse, Haugen, Friskop, and Rostad voted in favor of the motion. The motion carried unanimously. Consensus of the Managers was to request landowners to donate the temporary right-of-way needed for the reconstruction.

**Permanent Easements for Reconstruction**

It was reported that all permanent right-of-ways have been acquired. A motion was made by Mgr. Zetocha and seconded by Mgr. Engst to approve the permanent easements and authorize execution of the documents. Upon roll call vote, Mgrs. Burvee, Engst, Siemieniewski, Zetocha, Bosse, Haugen, Friskop, and Rostad voted in favor of the motion. The motion carried unanimously. The easements will be recorded with the Sargent County Register of Deeds.

**Administration Time**

Secretary-Treasurer Zentgraf reported that she spent approximately 100 hours of time in the office doing administrative work associated with RS #1 and brought up a concern of her time having been paid out of the Richland County Water Resource District's general fund. Discussion followed; the Managers felt the Secretary's salary should be split between the Richland and Sargent County Water Resource Districts based on the percentage of acres each county has in the RS #1 assessment district. It was determined that the split of acres is 33% Richland County/67% Sargent County. Mgr. Bosse asked that a bill for salary expense be submitted to the Sargent County Water Resource District on that percentage basis.

**North Dakota State Water Plan**

The Managers directed that Phase 2 Reconstruction be submitted to the North Dakota State Water Commission for the 2015-2017 State Water Plan.

**Adjournment**

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

Respectfully submitted,

Monica Zentgraf  
Secretary

James Haugen  
Chairman of the Board