

RICHLAND COUNTY WATER RESOURCE DISTRICT
Richland County Courthouse, Wahpeton, ND
June 13, 2017

The Richland County Water Resource Board (RCWRB) met June 13, 2017 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 June 6, 2017 minutes were presented. A motion was made by Mgr. Rostad and seconded by Mgr. Moffet to approve the minutes as presented. The motion carried unanimously.

Mail

- 1.) Bank of New York Mellon-Pledged securities totaled \$6,197,626.37 on May 31, 2017.
- 2.) Richland County Commission- Minutes of the May 2017 meetings.

North Dakota Water Users Association Board of Directors

Discussion continued from the June 6, 2017 meeting regarding appointment of Monica Zentgraf to the North Dakota Water Users Association Board of Directors. A motion was made by Mgr. Haugen and seconded by Mgr. Moffet to recommend Monica Zentgraf serve in an at-large position on the North Dakota Water Users Association Board of Directors. Upon request for a rollcall vote, Managers Rostad, Friskop, Moffet, and Haugen voted in favor of said motion; Manager Burvee voted against said motion. No Managers were absent and the motion was declared passed.

Engineer Mike Bassingthwaite joined the meeting.

Technician's Report

Mr. Johnson provided the following drain inspection report:

Proj #55

Site #264: SECR SE1/4 Section 19, Summit East- Replace 48 inch culvert. Concern was expressed about the culvert having rusted out as it is believed the culvert was installed no more than ten years ago. Water from the Tyler Beet Station pond flows through this culvert and may have contributed to the premature rusting. Mr. Bassingthwaite offered to check his records to see when the culvert was installed and report back to the Board. Appl #17-039 was completed and a motion was made by Mgr. Burvee and seconded by Mgr. Haugen authorizing Interstate Engineering to perform a hydraulic study on Site #264. The motion carried unanimously.

\$515,000 Maintenance Levy Improvement Bonds of 2017 (Legal Drain #14)

Mike Manstrom, of Dougherty and Company, met with the Board for the purpose of reviewing the resolution and authorizing issuance of the \$515,000 Improvement Bonds of 2017 (Proj #14). The following action was taken by the Board:

Mgr. Burvee introduced the resolution and moved its adoption authorizing the issuance of the \$515,000 Improvement Bonds of 2017. The motion for the adoption of the resolution was duly seconded by Mgr. Haugen and upon roll call vote, the following Managers voted in favor thereof: Burvee, Rostad, Friskop, Moffet, and Haugen. No Managers were absent, and no Managers voted against the resolution, whereupon the resolution was declared duly passed and adopted. (RCWRD #11-001)

Continuation of Technician's Report

Mr. Johnson provided the following drain inspection report:

Proj #3

Site #232: SE1/4 Section 6, Fairmount South- Ditch bank erosion from inlet culvert.

Appl #17-040 was completed and a motion was made by Mgr. Burvee and seconded by Mgr. Moffet to assign Site #232 repairs to Ehlert Excavating with a completion date of August 31, 2017. The motion carried unanimously.

Helendale Private Drain, LLC

Attorney David Bliss joined the meeting via conference call for the Board's discussion of SECass Water Resource District's recommendation to the Red River Joint Water Resource Board (RRJWRB) relative to Helendale Private Drain's statewide significance application. The SECass Water Resource District recommended all Helendale Private Drain gates be closed when the flows on the Sheyenne River exceed 3,000 cfs at the Kindred USGS Gage. Discussion was also held concerning Richland County Commissioner Sid Berg's comment at the Statewide Significance Hearing about the county road acting as a dam and responsibility for damages to the county road which may occur as a result of the gates being closed. Mr. Bliss recommended the WRD contact Cmr. Berg to get his thoughts on action the County Commission may take on the application since County approval will be required.

The conference call with Mr. Bliss concluded and the Board subsequently held a conference call with Cmr. Berg. Cmr. Berg told the Managers he wants a stipulation, in writing, that the applicants will be responsible for damages to the county road. Cmr. Berg further stated that he was speaking only on behalf of himself and not the entire Board of Commissioners.

Upon conclusion of the call with Cmr. Berg, a conference call was held with Mr. Bliss to update him on the conversation with Cmr. Berg. No action will be taken on the application by the RCWRB pending receipt of the recommendation from the RRJWRB and completion of the 8-Point Questionnaire. (Helendale Private Drain LLLC #13-088)

Fargo-Moorhead Flood Diversion Project

The Managers continued their conference call with Mr. Bliss. Mr. Bliss provided a brief update on the District's pending Fargo-Moorhead Diversion Project lawsuits. Mr. Bliss is preparing the response to the State Engineer's motion for summary judgement, which must be filed by June 15, 2017.

The conference call concluded.

Proj #2 Reconstruction/Extension

Consideration was given to a request by Larry Kensinger and RaeDell Braaten for payment for crop acres Mr. Braaten was not able to plant this spring in the SE1/4 Section 24, Colfax West. Mr. Kensinger and Mr. Braaten feel the ground could not be planted due to inlet culverts being plugged by the contractor while working on the Proj #2 reconstruction/extension. A conference call was held with Mr. Kensinger to ascertain the correct number of acres, as Mr. Kensinger had indicated to Mgr. Rostad that it involved 25 acres while Mr. Braaten indicated to Mr. Bassingthwaite that it was 5 to 6 acres. Mr. Kensinger advised that he spoke with Mr. Braaten and the correct acreage is 5 to 6. Mr. Kensinger accepted the Board's offer of \$500 (5 acres @ \$100 per acre). Mr. Kensinger asked that payment be made to Mr. Braaten. Upon conclusion of the conference call a motion was made by Mgr. Rostad and seconded by Mgr. Burvee to approve payment of \$500 to RaeDell Braaten for 5 acres of uncropped ground in the SE1/4 Section 24, Colfax West.

Mr. Bassingthwaite requested the Managers provide some guidance regarding the amount of liquidated damages they feel is appropriate so he can negotiate with Riley Bros. Various issues were taken into consideration, including items the Board will need to hire a different contractor to do or finish. Mr. Bassingthwaite will meet with Riley Bros. (RCWRD #10-079)

Proj #26- Lynn Boll and Casey Miller Appl #17-004 for the SW1/4 Section 18, North Fairmount Township

The Managers asked Mr. Bassingthwaite for clarification of which culverts he was referring to in his May 24, 2017 letter where he suggested downsizing “the culverts through the north-south road”. Upon further review, a motion was made by Mgr. Burvee and seconded by Mgr. Rostad authorizing Ehlert Excavating to replace the existing 36 inch and 24 inch culverts in the SWCR Section 18, Fairmount North, with one 42 inch CMPA lowered to the existing drain bottom. Work completion deadline set for August 31, 2017. The motion carried unanimously. (Boll/Miller #17-004)

Adjournment

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

Respectfully submitted,
Monica Zentgraf
Secretary

Gary Friskop
Chairman of the Board