

RICHLAND COUNTY WATER RESOURCE DISTRICT
Richland County Courthouse, Wahpeton, ND
May 9, 2017

The Richland County Water Resource Board (RCWRB) met May 9, 2017 at 8:00 AM at the Richland County Courthouse, Wahpeton, North Dakota.

THOSE PRESENT: Managers Gary Friskop, James Haugen, Don Moffet, Robert Rostad, Engineering Technician Justin Johnson, and Secretary-Treasurer Monica Zentgraf.

THOSE ABSENT: Arv Burvee

Minutes

The April 25, 2017 minutes were presented. A motion was made by Mgr. Rostad and seconded by Mgr. Moffet to approve the minutes as approved. The motion carried unanimously.

Financial Matters

A motion was made by Mgr. Haugen and seconded by Mgr. Moffet to accept the April 2017 financial reports as presented. The motion carried unanimously.

Mail

- 1.) Bank of New York Mellon- Pledged securities totaled \$6,287,849.63 on April 28, 2017.
- 2.) Office of the State Engineer- "*The Current*" Newsletter.
- 3.) ND Water Resource Districts Association- Notice of 2017 annual meeting and executive briefing scheduled for July 13 and 14, 2017.
- 4.) Mooreton Township Zoning Commission- Notice of a petition submitted by Douglas and Eric Birchem for a conditional use permit for property located in the SE1/4 (NE 16.2 acres), Section 24, Mooreton Township. Purpose is to expand a small animal feed operation to a medium (300-999 animal unit) and to reduce the required setback from one mile to approximately 4,590 feet. A hearing on the matter will be held May 22, 2017 at 7:00 PM, at the Bagg Bonanza Farm.
- 5.) Office of the State Engineer- Temporary Water Permit #ND2017-18058, issued to Border States Paving, Inc. Point of Diversion: SW1/4 Section 27, Brightwood Township; Source: Lake Elsie; Nature of Use: Road Construction.
- 6.) Mike Bassingthwaite, Interstate Engineering- Proj #2 Reconstruction update and action items. The following action was taken:
 - A motion was made by Mgr. Moffet and seconded by Mgr. Haugen to accept the \$3,765 bid of Vision Fencing with a completion date of June 15, 2017. The motion carried unanimously.
 - A motion was made by Mgr. Rostad and seconded by Mgr. Haugen to approve 300 CYs gravel for the east-west road on the north side of Section 30, Colfax East. The motion carried unanimously. (The Board directed that Mr. Bassingthwaite choose the contractor.)
 - Consensus of the Managers was not to replace the culverts in the west ditch of Interstate 29, located in the W1/2 Section 22, Colfax East, as it appears the ND Department of Transportation may make this a part of their road project in 2018. (RCWRD #10-079)
- 7.) Mike Bassingthwaite, Interstate Engineering- Mr. Bassingthwaite received an inquiry from a contractor about availability of excess clay material from the Proj #5(27) Reconstruction. Mr. Bassingthwaite suggested offering 10,000 CYs of the material at a rate of \$1 per CY. The Managers agreed with Mr. Bassingthwaite's recommendation.

Fargo-Moorhead Flood Diversion Project Executive Session

A motion was made by Mgr. Rostad and seconded by Mgr. Moffet to go into Executive Session for the purpose of holding a conference call with the District's legal counsel, David Bliss, to discuss possible intervention and request for a Stay in the matter of the Cass County Joint Water Resource District's (CCJWRD's) application for permit to enter upon lands of Richland County residents and for a status update on the Appeal to the

Office of the State Engineer (OSE) regarding the issuance of a permit for the Diversion Project. The motion carried unanimously.

Upon conclusion of the Executive Session, Chr. Friskop called the regular meeting of the RCWRB back to order. The Chairman reported that the RCWRB passed a motion to intervene and request a Stay in the matter of the CCJWRD's application for permit to enter upon lands of Richland County residents. The Board also received an update from legal counsel as to the status of the Appeal to the OSE.

Drain Tile Application Process

Discussion was held relative to processing drain tile applications based on the new drain tile law.

Fargo-Moorhead Flood Diversion Project

The RCWRB met briefly with Richland County Commission Chairman, Nathan Berseth, to advise him of action taken by the Board in executive session today. Mr. Berseth felt the Board made the right decision regarding the intervention.

Applications

Appl #17-025, Blaine Kummer: NW1/4 Section 27, Colfax East A motion was made by Mgr. Moffet and seconded by Mgr. Haugen to approve the culvert extension at no cost to Proj #2. RCWRD Technician to oversee the work. The motion carried unanimously.

Mgr. Moffet left the meeting.

Appl #17-026, Rick Loll: E1/2 Section 19, Summit West The application was referred to the Richland County Highway Department, as all work is within county right-of-way and under the jurisdiction of the Richland County Highway Department.

Appl #17-020, Bison 64-58 Land Limited Partnership: SE1/4 & S1/2S1/2NE1/4, Section 5, Abercrombie East

Application for installation of a subsurface water management system ("drain tile") in the SE1/4 and S1/2S1/2NE1/4 Section 5, East Abercrombie Township, Richland County North Dakota, was revised due to the change in location of the tile outlet. The project will now include a single gravity flow outlet located at and discharging directly into the natural watercourse at the south end of the SE1/4NW1/4 Section 5, East Abercrombie Township. A motion was made by Mgr. Haugen and seconded by Mgr. Rostad to approve revised Appl #17-020. The motion carried unanimously. (No conditions could be added to the permit because the project discharges directly into a natural watercourse.)

Adjournment

There being no further business to come before the Board, Chr. Friskop adjourned the meeting at 11:25 A.M.

Respectfully submitted,

Monica Zentgraf
Secretary

Gary Friskop
Chairman of the Board