

**TRAILL COUNTY WATER RESOURCE DISTRICT  
RESCHEDULED SPECIAL MEETING  
JANUARY 10, 2017 ~ HILLSBORO, ND**

The District Board convened on this date and came to order at 8:00am at the office of the Traill County Water Resource District in Hillsboro, ND. Managers present were: Joel Halvorson, Gary Thompson, Andy Neset, and Jason Lovas with Chairman Seigert presiding. Also present by phone were: Sean Fredricks, Attorney for the Board and Chris Gross of Moore Engineering, Inc. Gary Peterson was also present.

Manager Lovas moved to approve the December 20, 2016 meeting minutes as amended. Manager Halvorson seconded the motion. Upon roll call vote, the motion carried unanimously.

Manager Lovas moved to accept the agenda as amended. Manager Thompson seconded the motion. Upon roll call vote, the motion carried unanimously.

**Bills:** It was moved by Manager Neset and seconded by Manager Halvorson to approve payment of December 21, 2016 – January 10, 2017 bills and the electronic funds transfers, as presented. Upon roll call vote, the motion carried unanimously.

Discussion was revisited regarding accessing a river on **private land** for the purpose of **removing beaver dams**. Jason Lovas said that he has spoken to several people regarding our stance on this issue. The Board is facing a dilemma of removing a beaver dam in Section 26 of Bloomfield Township on the Elm River because the landowner is against having said dam removed because of environmental reasons. Having a complaint initiated against the landowner was considered, but Attorney Fredricks said it wouldn't do any good. He described the steps necessary to go through the legal process of having this dam removed. Jurisdiction issues were talked about. Chris Gross told the Board that he will try to obtain DOT plans and have them available at our next meeting.

Dave Knudsvig and Ray Leddige met with the Board this morning to discuss the **inaccurate assessments** that were placed for the **Buxton Drain No. 68**. The Board and Chris Gross explained the process that is being set up to ensure all land patrons are issued a refund in the event they were assessed incorrectly. Mr. Gross said his firm is putting together a spreadsheet for the purpose of refunding the land patrons and will be sending it to John Shockley, attorney with Ohnstad-Twichell Law Firm who emphasizes in the area of municipal bond law, for his review to concur that the assessments are accurate on the spreadsheet. When the list has been prepared, it will be forwarded to the Secretary to utilize when disbursing the refunds.

Dave Knudsvig asked questions regarding a **payment for gravel** they are waiting for from the contractor (Adelman Concrete & Excavating) of the **Buxton Drain No. 68 project**. They will provide Chris Gross with a copy of the invoice(s). Chris is hopeful that all sub-contractors will be paid for the work that was done for Adelman Concrete and said he will do his best in having all payments to the sub-contractors satisfied.

Chris Gross informed the Board that Moore Engineering, Inc. has investigated the alleged **unpermitted dike structure** in the SE ¼ of Section 7 of Bohnsack Township. This was in a response to the submittal of a **complaint filed by Ray Zajac against the Florence MacMillian Trust**. Chris stated that some revisions to the information on the documents he presented to the Board are necessary before the Board can act on his findings, which he will supply at our next Board meeting.

Discussion was held on the construction of the **Carson No. 10 drain**. Issues pertaining to a **section line road** that is not being maintained by the township and how the WRD will handle this issue when it comes time to reconstruct that portion of the drain were talked about. It appears that since there isn't a township road to vacate, the WRD may not have to go through the process of vacating the township road. Therefore, in order to close the section line to travel, the WRD would be able to go right to the County Commission to close the section lines. The process would require the following:

- Petition County Commission
- By a person having an interest in the adjoining land or a portion thereof (this likely means the WRD needs to won adjacent property I order to the file petition itself or else it would need to have one of the adjoining landowners do so);
- A public hearing, and;
- Finding by Commissioners of public benefit.

Although it seems like a remote possibility, especially when the property is being used by a political subdivision, nothing really prevents county commission from deciding to reopen the section line to travel or worse, deciding to once again place a road on it. There will be continued discussion on this matter at our next meeting.

The upcoming reconstruction to the **Stavanger-Belmont Drain No. 52** was discussed. Chris Gross indicated that a consultation report is being prepared and he will forward to the Board for their review prior to our next meeting. He added that he will ask for recommended ROW offer prices for this project at our next meeting as his firm is getting close to that point in design.

Manager Thompson moved to **hire Attorney Sean Fredricks**, Ohnstad Twichell, P.C., for year 2017. Manager Halvorson seconded the motion. Upon roll call vote, the motion carried unanimously.

**Reorganization of the Board:** Manager Thompson moved to elect the following managers for the following positions for year 2017:

- Chairman: Jason Siegert,
- Vice-chair: Jason Lovas,
- Board Managers: Joel Halvorson, Gary Thompson, and Andy Neset.

Manager Halvorson seconded the motion. Upon roll call vote, the motion carried unanimously.

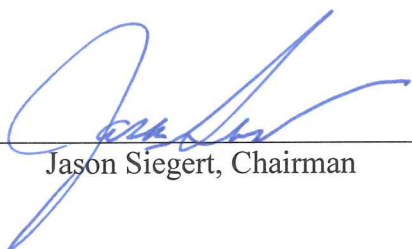
Manager Lovas moved to **increase the hourly wage for Gary Peterson** to \$30.00 per hour for performing part-time survey work in the future. Manager Thompson seconded the motion. Upon roll call vote, the motion carried unanimously. Mr. Peterson will take personal possession

of the company cell phone, be responsible for its monthly bills, and disconnect from the government plan as of February 1, 2017.

Manager Thompson moved to have the WRD purchase a **new cell phone for Secretary-Treasurer Johnson** for the purpose of conducting business. Ms. Johnson will reimburse the WRD half of the monthly bill for her personal usage. Manager Neset seconded the motion. Upon roll call vote, the motion carried unanimously.

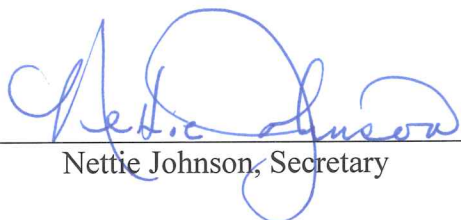
Discussion was held on the topic of **pay raises for the Secretary-Treasurer and the Board Managers** for 2017. After further discussion, Manager Neset moved to approve the requested increases for 2017 with the understanding that both the managers and the Secretary-Treasurer will be adopting much more responsibility for assuming Gary Peterson's prior job tasks. Manager Thompson seconded the motion. Upon roll call vote, the motion carried unanimously.

The meeting adjourned at 11:30am without objection.



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Jason Siegert, Chairman



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Nettie Johnson, Secretary