

**TRAILL COUNTY WATER RESOURCE DISTRICT
RESCHEDULED SPECIAL MEETING
APRIL 4, 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: Andy Neset, Joel Halvorson, Gary Thompson and Jason Lovas, with Chairman Jason Siegert presiding. Also present were: Chris Gross, Moore Engineering, Inc., and Attorney Sean Fredricks.

Manager Lovas moved to approve the March 21, 2017 meeting minutes as presented. Manager Thompson seconded the motion. Upon roll call vote, the motion carried unanimously.

Manager Lovas moved to accept the agenda as presented. 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 the March 22, 2017 – April 4, 2017 bills and the electronic funds transfers, as presented. Upon roll call vote, the motion carried unanimously.

Joe Dufner met with the Board this morning to discuss the **cleaning of a ditch** on the east side of **Section 10 in Ervin Township**. After further discussion, the Board directed Mr. Dufner to submit a surface drainage permit to the State Engineer's office for their review and for them to determine whether or not a permit would be necessary.

Lindsay Koffler, American Enterprises, met with the Board this morning to present photos taken of the **snagging & clearing** that has been performed on the **Elm River** this year. She stated that the river has been cleaned all the way to the railroad. She added that Mike Staber will fly the river to look for any additional obstruction's and report back to the Board.

At 9:00am, Chairman Siegert commenced the **Bid Opening for the Carson Drain 10 Improvement Project**. After all of the bid envelopes were opened and determined eligible for being counted, the lowest bid submitted was by Comstock Construction, Inc. in the amount of \$234,400.00. Engineer Chris Gross told those in attendance that a summary will be comprised and posted on the website for their review. A special meeting will be held in the near future after the bid has been confirmed to award the contract to the lowest eligible bidder.

Discussion was held on the status of the **Thoreson Drain 64 project**. Gary Peterson told the Board that rock has been placed and he will be checking on it.

Chris Gross told the Board that he and others continue to work on the **Mayville Airport issue** and are putting together a map of the land that pertains to that area. He will bring the findings to our next Board meeting.

The **Stavanger-Belmont Drain No. 52 Improvement Project** was discussed. Chris Gross told the Board that the purchase agreements have been finalized and mailed out and a bid opening date has been set for April 18th at 9:00am.

The status of the **Murray Drain 17 Improvement Project** was talked about. Chris Gross said that land purchase offer letters are going out today, a utility agreement is being worked on, and the bid opening has been set for April 18th at 10:00am.

The Board discussed the plans for developing channel improvements on the **Norway 38 Drain**. Chris Gross said that the plans are in the **preliminary stages** and the surface drainage permit application and cost-share application will be submitted to the State Water Commission today for approval. The purpose of the Project is to eliminate significant head cut and scour that has occurred within a segment of the existing legal drain. The segment of the drain to be reconstructed is approximately 700 feet long and is located in the NW ¼ of Section 35 or Norway Township, south of County Road 11 and west of County Road 6. Manager Lovas moved to submit the permit and cost-share applications to the State Water Commission today. Manager Neset seconded the motion. Upon roll call vote, the motion carried unanimously.

Discussion was held on **right-of-way acquisitions** for the **Palace Drain 80**. Apparently the Treasurer's Office did not split the parcels for tax purposes so the County was still including the parcels we purchased on the landowner's tax statements. Sean Fredrick's office is working on this issue and will have it resolved soon.

The Board, Attorney Fredricks, and Chris Gross revisited a **complaint filed by Ray Zajac against the Florence MacMillian Trust**. As of April 3, 2017, Moore Engineering, Inc. determined that there is indeed a berm on the east side of this depression area in Section 7 of Bohnsack Township and, based on aerial photography, it was likely constructed between 1961 and 1981. Additionally, the laws in place at the time of construction indicate that a construction permit was required for any dam, dike or other device that exceeded 12.5 acre-feet. Based on the analysis, the 12.5 acre feet threshold is exceeded for two of the three scenarios. Therefore, at the time of the construction of the berm, a permit would have been required. A final investigation will be conducted and brought to our April 18th board meeting to be acted on.

At 10:00am, Scott Adelman and his attorney Kip Kaler, Thomas Anderson, Eric Nesheim and an Anderson Construction employee, met with the Board to discuss the **delinquent payment scenario** involving Adelman Concrete & Excavating (main contractor for the **Buxton Drain No. 68** project) and their subcontractors. Mr. Fredricks described Adelman Concrete's alternatives and added that the Surety Company is continuing their investigation. Mr. Gross added that Adelman has some grading on the drain left to do along with some minimum miscellaneous work. Three punch-list items and erosion and warranty issues remain. Seeding is yet to be established and the Board will have until June 15th, 2017 to accept. Some additional work is yet to be done on the railroad. Retainage and liquidated damages claims were discussed. No action on liquidated damages was taken today.

At the Board's request, Moore Engineering conducted **culvert recommendations** for **Bridge 312** in Section 23 of Mayville Township in the Miller 29 Drain, **Bridge 122** between Section 33 of Eldorado Township and Section 4 of Hillsboro Township in the Hillsboro 26 Drain, and **Bridge 87** between Section 19 and Section 24 of Kelso Township and Section 19 of Elm River

Township in the Kelso Floodway, on behalf of the County Highway Department. The recommendations for said bridges can be found in the files of the Secretary's Office.

Discussion was held on the **reassessment of the South Mayville Drains 9-18-29, Mayville-Blanchard Drain 39, Murray Drain 17, and the Roseville Drain 19**. Chris Gross provided maps showing the existing assessment district, watershed delineation, land use, and productivity index. A special meeting has been called for Monday, April 10th, 2017 to review said drains for the possible reassessment of them.

The meeting adjourned at 11:15am without objection.



Jason Siegert, Chairman



Nettie Johnson, Secretary