

**TRAILL COUNTY WATER RESOURCE DISTRICT
REGULAR MEETING
JULY 11, 2017 ~ HILLSBORO, ND**

The District Board convened on this date and came to order at 7:00am at the office of the Trill County Water Resource District in Hillsboro, ND. Managers present were: Andy Neset, Joel Halvorson, Jason Lovas and Gary Thompson with Chairman Jason Siegert presiding. Also present were: Attorney Sean Fredricks, Chris Gross, Moore Engineering, Inc., and Robert Boone.

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

Manager Lovas moved to approve the June 20th and June 29th, 2017 **meeting minutes** as presented. Manager Halvorson 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 June 21, 2017 – July 11, 2017 bills and the electronic funds transfers, as presented. Upon roll call vote, the motion carried unanimously.

Cost-share agreements for the 2017-2018 Elm & Goose Rivers Snagging & Clearing projects were reviewed by the Board. Manager Lovas moved to approve both agreements. Manager Neset seconded the motion. Upon roll call vote, the motion carried unanimously.

Chris Gross relayed updates for the **Buxton 68 Drain project**. He said that there are several areas where the rain has created wash-outs in the drain and has destroyed the seeding that was done in those places. These areas will need to be repaired. Warranty issues were talked about.

Discussion was held on the status of the **Thoreson Drain 64 Project**. Bob Boone stated that the Project is complete. The Board is awaiting an estimate from Chad's Excavation for the tiling of the bottom of the drain.

Notices to Proceed for the Stavanger-Belmont Drain 52, Carson Drain 10, and the Murray Drain 17 have been signed and the contractors can commence with construction at any time.

Mayville Airport easement and abstract issues were revisited. Sean Fredricks told the Board that his office has drafted the deeds and will be sending out letters asking for signatures. The Board directed Sean Fredricks to draft a letter to the Airport Authority inviting them to our August 1st board meeting to discuss this matter further.

Bob Boone told the Board that the **Wold Drain 62 has a lot of trees growing in it**. Jason Siegert said he will contact someone to do the spraying.

Chris and Curt Hong met with the Board this morning asking for permission **to install an intercept pipe in the E ½ of the NW ¼ of Section 17 of Wold Township**. After further

discussion, it was decided that an 18" x 60' intercept culvert would work the best. The Hong's agreed to install the pipe with the Water Board paying for it.

Chris and Curt Hong and Aaron Rogenes informed the Board that they would like to see a **new drain constructed in Stavanger Township**. It would be approximately 7 miles long which include a mile long lateral. Manager Neset moved to set the bond at \$30,000.00 which covers the majority of the preliminary engineering costs. Manager Halvorson seconded the motion. Upon roll call vote, the motion carried unanimously. Sean Fredricks will draft a petition for all interested parties to sign and email it to Chris Hong to circulate. Manager Lovas moved to direct Chris Gross' office to officiate the necessary paperwork, i.e.: cost-share and permit requests etc. and submit it to the State Water Commission. Manager Neset seconded the motion. The official name of the drain will be the Camrud Drain No. 79.

Discussion was held on the **July 18th reassessment hearings** for the Roseville Drain 19, Mayville-Blanchard Drain 39, South Mayville Drain 9, Hanson Drain 18, Miller Drain 29, and Murray Drain 17. The hearings are scheduled as follows: Mayville-Blanchard Drain 39 at 8:00am, Roseville Drain 19 at 8:30am, Murray Drain 17 at 9:30am, South Mayville Drain 9, Hanson Drain 18, and Miller Drain 29 at 10:30am. Manager Lovas seconded the motion. Upon roll call vote, the motion carried unanimously.

Gary Thompson told the Board that **Ben Basol, City of Portland Maintenance Department**, contacted him about **drainage issues within the city limits** where there is a blocked natural drain. No action was taken.

Application to Install a Subsurface Drain No. 2017-2 for James Aarsvold in the West Half of Section 20 in Blanchard Township

The Board reviewed an *Application to Install a Subsurface Drain No. 2017-2* dated May 30, 2017, for **James Aarsvold**. Under the application, Applicant seeks to install a drain tile system in the West Half of Section 20 in Blanchard Township, Traill County, North Dakota. The project will include a pump outlet that will discharge approximately 10 feet away from NDDOT's Highway 18 road ditch; the tile discharge will flow into the Highway 18 road ditch. A second outlet will discharge via an underground pipeline that will daylight and discharge into a legal lateral of Blanchard-Norman Drain 23-40. The Traill County Water Resource District owns and operates the Blanchard-Norman Drain 23-40 lateral.

With regard to the outlet that discharges directly into Blanchard-Norman Drain 23-40, the outlet did not require a THIRTY-DAY NOTICE under N.D. Cent. Code § 61-32-03.1. However, with regard to the outlet that will discharge into NDDOT Highway 18 right of way, the Board provided a THIRTY-DAY NOTICE to NDDOT. Applicant is working with Troy Gilbertson from NDDOT regarding any approvals required from NDDOT. However, Troy Gilbertson did not submit "technical evidence," as that phrase is defined under Section 61-32-03.1, to demonstrate any adverse impacts the project will have on NDDOT's property. With that in mind, in accordance with Section 61-32-03.1, the District cannot require Applicant to obtain a "notarized letter of approval" from NDDOT as a condition to the District's approval of the application. Under Section 61-32-03.1, the Board can attach conditions to protect its legal assessment drain, and the Board will require Applicant to install and maintain erosion protection.

According to records on file with the Traill County Recorder's Office, James Aarsvold owns the West Half of Section 20 of Blanchard Township.

It was moved by Manager Lovas and seconded by Manager Thompson to approve *Application to Install a Subsurface Drain No. 2017-2* dated May 30, 2017, for James Aarsvold in the West Half of Section 20 in Blanchard Township, subject to the following conditions:

- 1) That Applicant provide, install, and maintain adequate erosion protection at any and all outlets into Blanchard-Norman Drain 23-40;
- 2) That Applicant notify the Traill County Water Resource District in advance of any proposed alterations to outlet locations, or addition of any outlets;
- 3) That Applicant must reseed any of the Board's right of way disturbed by Applicant's activities, and must maintain any reseeded areas for a period of one year from the date of completion to ensure the seeding adequately repairs any disturbed areas.
- 4) With regard to the outlet that will discharge via underground pipeline, Applicant must install and maintain a control structure, and must close the outlet during "critical flood periods," as determined by the Board.
- 5) With regard to the pump outlet, Applicant must turn off the pump and otherwise close all outlets during "critical flood periods," as determined by the Board.

Upon roll call vote, the motion carried unanimously.

Under Section 61-32-03.1, the District cannot attach any additional conditions to Applicant's permit. However, for Applicant's protection, and to ensure protection of Applicant's tile system, the District will recommend that Applicant consider complying with the following:

- 1) That Applicant obtain easements from the owner of any land, besides land owned by Applicant, on which Applicant will construct the tile system;
- 2) That Applicant obtain written permission from the North Dakota Department of Transportation to discharge into, or otherwise utilize, any NDDOT right of way;
- 3) That Applicant notify the Traill County Water Resource District in advance of any proposed improvements to the tile system, or any proposed increase in the capacity or drainage area of the tile system and, if necessary, submitting an additional permit application; and
- 4) That Applicant obtain all other necessary and requisite licenses, permits, registrations, and/or approvals from all applicable federal, state, county, and municipal governments, and any other applicable governmental entities.

Secretary-Treasurer Johnson presented the semi-annual reports for the **Pledges of Assets and Journal Entries**. Manager Neset moved to approve the reports as presented. Manager Halvorson seconded the motion. Upon roll call vote, the motion carried unanimously.

The meeting adjourned at 9:25am without objection.



Jason Siegert, Chairman



Nettie Johnson, Secretary