

**TRAILL COUNTY WATER RESOURCE DISTRICT
RECURRENT MEETING
SEPTEMBER 15, 2020 ~ HILLSBORO, ND**

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

AGENDA

Manager Lovas moved to approve the order of the agenda as amended. Manager Neset seconded the motion. Upon roll call vote, the motion carried unanimously.

MINUTES

Manager Lovas moved to approve the September 1, 2020 meeting minutes as presented. Manager Thompson seconded the motion. Upon roll call vote, the motion carried unanimously.

SECRETARY-TREASURER'S REPORT

It was moved by Manager Neset and seconded by Manager Lovas to approve payment of September 2 - 15, 2020 bills and the electronic funds transfers as presented. Upon roll call vote, the motion carried unanimously.

Manager Lovas moved to approve the August 2020 checking and saving account statements as presented. Manager Neset seconded the motion. Upon roll call vote, the motion carried unanimously.

GRAND FORKS-TRAILL JOINT WATER RESOURCE DISTRICT

(9-15-20) Chris Gross said that 16 purchase agreements for the Thompson Drain No. 72 Project have been drafted and were sent out this week. Formal land negotiations will take place in approximately 40 days.

DRAIN BUSINESS

Camrud Drain No. 79

(9-15-20) Chris Gross said that 15 purchase agreements were drafted and sent out this week. Formal land negotiations will take place in approximately 40 days.

Norway Drain No. 38

(9-15-20) Discussion was revisited on the Overmoe/Tingum access easement. Recently Dan Overmoe once again inquired with the Traill County WRD the standards for the crossing. The Board were (and are) waiting on information regarding the sale before the Board can finalize the easement, and before the Board can ultimately approve the easement. The Board executed a certificate for Mr. Overmoe to use at his auction, in which the Board indicated their intent to execute an easement, but the Board has not ultimately approved the easement because they have

not heard back. If Mr. Overmoe has not sold the property, and if he is still interested in constructing a crossing, the Board will have to finalize the easement.

(9-1-20) Manager Neset informed the Board that the contractor (KRB) has approximately 4-5 miles of the cleanout left to do on this drain. Jason Siegert told the Board that he ordered an 18" culvert to be replaced in the SE ¼ of Section 15 of Norway Township. KRB will do the work while he is in the area doing the cleanout.

Kelso Floodway

(9-15-20) Discussion was held on placing 2 new culverts during the work that is currently underway. Manager Neset moved to install 2-30" x 80' intercept culverts in the NE corner of Section 23 of Kelso Township. Manager Halvorson seconded the motion. Upon roll call vote, the motion carried unanimously.

(8-18-20) The contractor (No. States Excavating) has completed the majority of the work on the floodway. The work that is yet to be completed is to replace 2-48"x60' culverts and to level the spoil. He anticipates the work to be completed by mid-September. Jason Lovas told the Board that he noticed 3 culvert caps that have fallen off culverts in Section 22. He added that he believes the culverts need to be replaced. After further discussion, Manager Lovas moved to have the contractor install 2-18" x 60' culverts, 1-2'x18" extension, 1 band, and 3 flap gates. Chris Gross will order these items on behalf of the contractor. Manager Thompson seconded the motion. Upon roll call vote, the motion carried unanimously.

Preston Floodway

(8-4-20) Most of the work has been completed on the Preston. Chris Gross presented a map reflecting areas that have erosion which the contractor (KRB) found in addition to the work already done in Sections 12 of Greenfield twp. and Sections 7, 8 & 5 of Bohnsack twp. After further discussion, Manager Neset moved to hire the contractor (KRB) to repair the 3 erosion sites for a cost not to exceed \$25,000.00. Manager Lovas seconded the motion. Upon roll call vote, the motion carried unanimously.

Stavanger-Belmont Drain No. 52

(8-4-20) Discussion was revisited on a culvert in Section 8 that is leaking and has caused a hole in the road on the west side of the north culvert. On the drain tour the Board discovered that the leaks are occurring due to inadequate bands. Mr. Siegert said that he has spoken to the contractor (JAV) who said he will dig back the dirt to get a better look at what can be done. It will most likely have to be filled in with CDF (flowable cement). The contractor was also asked to place 3 caps on culverts that are missing in the drain.

Buxton Drain No. 68

(8-18-20) Chris Gross indicated that the contractor has completed Sites 1 – 3 with site 4 in the process of being worked on.

Paulson Drain No. 7

(9-17-19) Jason Siegert said that most of the berm-spoil has been levelled on this drain with only a mile and a half mile left to clean, spoil, and place a culvert.

(9-17-19) Discussion was revisited on the possibility of putting in some approaches in Section 5. (This was a request made by Neil Pulskamp). Jason Siegert said he will provide an estimate to have the work done.

Hillsboro Drain No. 26

(9-15-20) Paul Fossum and Jon Diehl met with the Board this morning regarding the discussion below. Mr. Fossum is disgruntled that this project has not happened yet and, apparently, the County directed him to our attorney and the Board to find a solution to the County Commissioner's financial non-committal stance relating to this project. After further discussion, the Board directed Mr. Fossum, Mr. Diehl, and Chairman Siegert to approach the Commissioner's this morning and address the problem of them not financially supporting this project after agreeing to it on 2-20-18. After this meeting, Chairman Siegert indicated that the County Commissioner's will be reconsidering their stance with the contract they made and bring their decision to the Board soon.

(8-18-20) Jason Siegert stated that he has spoken to Ken Nesvig, County Commissioner regarding the subject below. After their discussion, Mr. Nesvig said that he will approach the rest of the Commission and ask them to reconsider their decision of denying payment per the agreement made between the County Hwy Dept and TCWRD on February 20, 2018.

(8-4-20) Corey Martin, County Highway superintendent, met with the Board this morning to inform them that work has halted on this project due to the County Commissioners denying payment for any further work to be done there. The Board all agreed that they should speak to the Commissioners about this because there was an agreement between the County and the Water Board made on February 20, 2018 for the County to perform the work. The Board is concerned that if the money from the County is not received the bond may be in jeopardy of being repaid. The Board asked Attorney Fredricks to look into the matter on where the Board stands on this matter.

Viking-Lindaas Drain No. 44

(8-18-20) Gary Thompson said that he recently spoke to Spencer Enrud who informed Gary that he will be doing the survey for a culvert that is to be installed in Section 30 of Lindaas Township after bean harvest is complete.

Blanchard-Norman Drain 23-40

(9-1-20) Chris Gross presented bids from two contractors to do the work on this drain. After further discussion, Manager Lovas moved to award the contract to KRB Contracting to do the work for the amount of \$44,835.56 and to order the drop structure from TruNorth Steel in the amount of \$9,313.18. Manager Neset seconded the motion. Upon roll call vote, the motion carried unanimously.

(8-4-20) On the drain tour the Board discovered that there is a need for a 36' x 100' culvert and headwall in Sections 14 & 15 of Norman Township along with being filled in with sand. Chris Gross does not recommend this as there may be a threat that it may cave in. Chris recommends installing a 48" culvert to comply with downstream standards. The Board asked Chris to ask for bids from several contractors to do the work.

Nelson Drain No. 28

(9-15-20) Discussion was revisited on the existing culverts in Section 25. Manager Lovas moved to award the bid to Bohlman Trenching, Inc. and choose Option No. 1 to replace the culverts between Section 25 of Hillsboro Township and Section 30 of Herberg Township with 3-71" x 47" corrugated culverts and accept the contractor cost of \$57,990.00 to do the work. Manager Neset seconded the motion. Upon roll call vote, the motion carried unanimously.

(9-15-20) Manager Neset moved to acknowledge the Request for Drainage on Highway Right of Way application and submit it to the ND DOT for their approval. Manager Halvorson seconded the motion. Upon roll call vote, the motion carried unanimously.

(9-15-20) Discussion was held on Bridge 55 in the Nelson Drain. It was discovered the County shut it down because it no longer meets safety standards. The Board will revisit this topic in 2021.

Leirness-Steenerson Drain 34-20

(8-18-20) Jason Siegert informed the Board that an outlet culvert has failed on County Road 2 where it enters the river. Manager Lovas moved to hire Chad's Excavation to order a band that is large enough to reattach the culvert and to also place rip rap at the outlet. Manager Halvorson seconded the motion. Upon roll call vote, the motion carried unanimously.

(8-4-20) Jason Lovas and the Board held a discussion on a possible new lateral being built in Section 21 of Hillsboro Township under Highway 200. Mr. Lovas will obtain more information from the Department of Transportation and Ellingson Drainage.

Moen Drain No. 27

(9-15-20) Discussion was revisited on utility issues and costs for this plan (see below). It will be tabled until the next meeting.

(8-18-20) Lauren Steinhaus, Greater Mn Gas, met with the Board this morning regarding installing a 4" natural gas line along Moen Drain No. 27. Chris Gross said that he will be looking at this with Mr. Steinhaus and provide a right of way map and project plan and present it to the Board at the next meeting.

DRAIN SPRAYING FOR WEED CONTROL / TREE REMOVAL

(9-15-20) Chris Gross told the Board that the applicator (Dakota Helicopters) will commence with the spraying of the designated drains this Thursday.

PERMITS

Application to Install a Subsurface Water Management System No. 2020-15 for Jon and Sonja Diehl in the Northeast Quarter of Section 9 in Hillsboro Township

The District reviewed an *Application to Install a Subsurface Water Management System No. 2020-15*, dated September 3, 2020, and filed September 9, 2020, for Jon and Sonja Diehl. Under the application, Applicants seek to install a 159-acre drain tile system in the Northeast Quarter of Section 9 in Hillsboro Township, Traill County, North Dakota. The project will include a single pump outlet located on the east boundary of the Northeast Quarter of Section 9; the outlet will discharge directly into Hillsboro Drain No. 26, a legal assessment drain owned and operated by the Traill County Water Resource District.

Because the project will discharge directly into a legal assessment drain, no THIRTY-DAY NOTICES were necessary to downstream landowners under N.D. Cent. Code § 61-32-03.1, and the Board could not require Applicants to obtain consent from any downstream landowners as a

condition to the permit. The Board can and will require Applicants to install erosion protection at the outlet into Drain 26.

According to records submitted by Applicants, Jon H. Diehl owns the Northeast Quarter of Section 9 of Hillsboro Township.

Manager Neset moved, and Manager Lovas seconded the motion, to approve *Application to Install a Subsurface Water Management System No. 2020-15*, dated September 3, 2020, and filed September 9, 2020, for Jon and Sonja Diehl in the Northeast Quarter of Section 9 in Hillsboro Township, and to authorize the Secretary-Treasurer to sign SUBSURFACE WATER MANAGEMENT PERMIT NO. 2020-15, subject to the following conditions:

- 1) that Applicants notify the Traill County Water Resource District in advance of any proposed alterations to outlet locations, or addition of any outlets;
- 2) that Applicants must turn off any pump outlets and otherwise close all outlets during “critical flood periods,” as determined by the Traill County Water Resource District; and
- 3) that Applicants provide, install, and maintain riprap or other erosion protection at the outlet into Hillsboro Drain No. 26.

Upon roll call vote, the motion carried unanimously.

Under Section 61-32-03.1, the District cannot attach any additional conditions to Applicants’ permit. However, for Applicants’ protection, and to ensure protection of Applicants’ tile system, the District will recommend that Applicants comply with the following:

- 1) that Applicants 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
- 2) that Applicants 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.

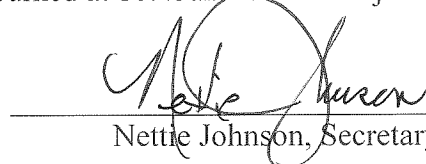
OTHER BUSINESS

None.

ADJOURNMENT

Having no further topics to discuss, the meeting adjourned at 10:45am without objection.


Jason Siegert, Chairman


Nettie Johnson, Secretary

Vice Chair