

## **Traill County Water Resource District Tuesday, September 7, 2021 - 8:00 a.m.**

The Traill County Water Resource District met on Tuesday, September 7, 2021, at 8:00 a.m., at the Board's office in Hillsboro, North Dakota. Present were Chairman Jason Siegert and Water Managers Jason Lovas, Joel Halvorson, Gary Thompson, and Andy Neset. Chris Gross, the Board's engineer, was also present. Sean Fredricks, the Board's attorney, attended virtually. Tim Overmoe and Cody Braaten were also present for portions of the meeting.

### **Approval of Agenda**

Chairman Siegert requested the addition of Tim Overmoe on the agenda to discuss the Norway Drain. He also indicated Cody Braaten planned to be present at some point to discuss a tile project he plans to install into the Blanchard-Norman Drain. Manager Lovas moved to approve the agenda with those two additions. Manager Halvorson seconded the motion. Upon roll call vote, the motion carried unanimously.

### **Minutes**

Manager Thompson moved to approve the meeting minutes from the Board's meeting on August 17. Manager Lovas seconded the motion. Upon roll call vote, the motion carried unanimously.

### **Bills**

Manager Neset moved to approve payment of the bills and electronic fund transfers, as presented. Manager Lovas seconded the motion. Upon roll call vote, the motion carried unanimously.

### **Tim Overmoe - Norway Drain 38**

Tim Overmoe was present to discuss the Norway Drain 38 project. Tim indicated the dirt in Section 27 is not level. Manager Neset indicated he will inspect the area with the contractor, KRB, and will direct KRB to level the dirt where necessary. Manager Lovas moved to authorize a contract with KRB to level dirt where necessary along Norway Drain 38, not to exceed \$10,000. Manager Halvorson seconded the motion. Upon roll call vote, the motion carried unanimously.

### **Elm River and Goose River Snagging and Clearing Projects**

Sean Fredricks will check his records to see if Nettie Johnson secured signatures from American Enterprises regarding the Elm River and Goose River snagging and clearing contracts previously approved by the Board. If so, Chris Gross will coordinate with the contractor to commence work.

### **Camrud Drainage Improvement District No. 79 Project**

Chris Gross reported on the utility relocation work with Nodak Electric to accommodate the Camrud project. Nodak's original estimate was \$61,500, but they were able to complete their relocation under budget. Nodak submitted an invoice for \$52,763 for the Board's consideration. Manager Lovas moved to approve the invoice from Nodak Electric in the amount of \$52,763. Manager Neset seconded the motion. Upon roll call vote, the motion carried unanimously.

Chris further reported the project has gone smoothly with the project contractor, RJ Zavoral. Zavoral submitted Pay Application No. 2 for the Board's consideration, in the amount of

\$802,597.84. Chris reported there is \$63,618 remaining on the contract in retainage, plus additional seeding retainage. Manager Lovas moved to approve Pay Application No. 2 for RJ Zavoral in the amount of \$802,597.84. Manager Thompson seconded the motion. Upon roll call vote, the motion carried unanimously.

#### **Thompson Drainage Improvement District No. 72 Project**

The North Dakota State Water Commission previously approved additional cost-share for the project in the amount of \$168,148. The Commission recently forwarded the Cost-Share Agreement for that additional amount for the Board's consideration. Manager Neset moved to approve the Cost-Share Agreement with the North Dakota State Water Commission in the amount of \$168,148. Manager Thompson seconded the motion. Upon roll call vote, the motion carried unanimously.

The contractor recently reached out to Manager Thompson to inquire into whether or not the contractor could bury or otherwise dispose of trees on drain right of way or on private property. Josh Hassell and Sean Fredricks conferred regarding this request and Josh sent an email to Manager Thompson on September 3. In the email, Josh indicated that, under the contract, the contractor has an obligation to remove and dispose of the trees off-site. If the contractor wishes to modify that requirement to allow the contractor to bury or otherwise dispose of the trees in some other manner, the contractor must submit a change proposal to the Board for consideration. If the Board was willing to entertain that type of change proposal, the contractor would then have to secure agreements with private landowners regarding access on private property to bury, store, burn, or otherwise dispose of trees on those private parcels, and would have to present copies of those agreements to the Board. At this point, the Board has not offered a change proposal so no action is necessary for the Board.

#### **Hong Drainage Improvement District No. 81 Project**

Chris Gross reported the vote on this project failed. Chris Hong was the sole petitioner on this project, and he submitted \$20,000. The Board ended up incurring costs in the total amount of \$27,962 for development of the project and regarding the assessment vote. The Board may ask Mr. Hong if he would be willing to make-up the additional costs.

#### **Elm River Watershed Study**

The Board previously submitted an additional cost-share request to the Red River Joint Water Resource District in the amount of \$15,600 in additional funds (in addition to the original \$31,200 originally approved by RRJWRD) regarding the Elm River Watershed Study. The Board submitted the request on behalf of the Elm River Joint WRD since that joint board is not a member of RRJWRD. RRJWRD forwarded a cost-share agreement for consideration for the additional \$15,600, to increase the cost-share from RRJWRD to \$46,800. Manager Lovas moved to approve the cost-share agreement with the Red River Joint Water Resource District. Manager Halvorson seconded the motion. Upon roll call vote, the motion carried unanimously.

The Elm River Joint WRD will meet next on Monday, September 20, at 9:00 a.m., in Galesburg.

### **Blanchard-Norman Drain No. 23-40 Improvement Project No. 2021-01 Project**

Chris Gross reported that he submitted an additional cost-share application to the North Dakota State Water Commission regarding final design costs. The Board does not yet have a permit for the project and, therefore, under the SWC's cost-share policies, the Board cannot yet submit a cost-share request for construction. Chris is working with SWC staff on this issue but indicated the Board will have to submit a third cost-share request once the Board has a permit for the project.

### **Trail County Bridges**

Trail County Highway Superintendent Cory Martin, contacted Chairman Siegert and indicated Bridge 328, on North Mayville Drain No. 8, was in need of repair or replacement. Manager Lovas authorized Moore Engineering to prepare recommendations to replace the three existing 7' steel culverts with a concrete box culvert. Manager Neset seconded the motion. Upon roll call vote, the motion carried unanimously.

### **Red Owl Drain 55 - Cleanout Project**

KRB has completed approximately 4.5 miles of cleanout on Drain 55. There is a portion along the west side of Section 32 of Blanchard Township that is also in need of cleanout. Manager Halvorson moved to authorize KRB to conduct a cleanout along the west side of Drain 55 in Section 32 in Blanchard Township, up to \$8,000. Manager Thompson seconded the motion. Upon roll call vote, the motion carried unanimously.

### **Greenfield-Bohnsack Drain 57A - Repair Project**

The Board previously approved a contract with KRB in the total amount of \$192,110.03 to conduct a cleanout of Drain 57A and to replace culverts. The Board authorized Ohnstad Twichell to negotiate with local banks to secure a bond issue. Katie Bertsch, bond counsel at Ohnstad Twichell, negotiated a rate of 1.95% with Dakota Heritage Bank. The Board would like the bond issue to be in the amount of \$120,000. Ohnstad Twichell will prepare an updated Resolution for the Board's consideration.

### **Mayville-Blanchard Drain No. 39**

The culvert is on-site and the Board expects the project will be complete by the Board's next meeting.

### **Cody Braaten Tile Project**

Cody Braaten is proposing a tile project adjacent to the Blanchard-Norman Drain 23-40 project and requested some direction in terms of where he might install his pump relative to the project. Chris Gross will work with Mr. Braaten to explain the Board's drain project so Mr. Braaten can determine the best location to install his pump. Mr. Braaten also submitted a tile application for the Board's consideration. Sean Fredricks will review and the Board can discuss next meeting.

### **Nettie Johnson Resignation**

The Board discussed Nettie Johnson's recent resignation as the Board's secretary-treasurer. Nettie submitted a letter to the Board and a separate letter to the Traill County Commission; in each letter, she offered her resignation. Manager Lovas moved to accept Nettie Johnson's resignation as the Board's Secretary-Treasurer. Manager Neset seconded the motion. Upon roll call vote, the motion carried unanimously.

The Board will conduct a special meeting to discuss a job description for the position, compensation, and related matters. Chairman Siegert has worked with the County, Chris Gross, and Sean Fredricks to handle practical, logistic, and legal matters related to Ms. Johnson's resignation. Sean Fredricks will act as "Acting Secretary" until the Board secures a replacement.

**Annual Drain Levies**

The Board next discussed drain assessments and annual "maintenance" levies. The Board went through each drain where bonds are still outstanding, and annual "maintenance" levies for all of the drains. The Board used the 2020 list as a guide and made several modifications; Chris Gross kept track of the assessments and changes. After lengthy review and discussion, Manager Halvorson moved to approve the 2021 assessments and annual "maintenance" levies. Manager Thompson seconded the motion. Upon roll call vote, the motion carried unanimously.

There being no further business, the meeting adjourned.

APPROVED:

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Jason Siegert, Chair

ATTEST:



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Sean M. Fredricks, Acting Secretary