

**TRAILL COUNTY WATER RESOURCE DISTRICT
RECURRENT MEETING
JULY 2, 2019 ~ 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: Joel Halvorson, Gary Thompson, Jason Lovas, and Andy Neset with Jason Siegert presiding as Chairman. Also present was: Chris Gross, Moore Engineering, Inc.

AGENDA

Manager Lovas moved to approve the agenda. Manager Halvorson seconded the motion. Upon roll call vote, the motion carried unanimously.

MINUTES

Manager Halvorson moved to approve the June 18, 2019 recurrent meeting minutes as presented. Manager Lovas seconded the motion. Upon roll call vote, the motion carried unanimously.

FINANCIAL

It was moved by Manager Neset and seconded by Manager Halvorson to approve payment of the June 19 ~ July 2, 2019 bills and the electronic funds transfers, as presented. Upon roll call vote, the motion carried unanimously.

DRAIN BUSINESS

Updates were given on the following drains:

Proposed Grand Forks WRD/Traill County Line Project:

(No new updates) Discussion was revisited on the status of the JPA (Joint Powers Agreement) between Grand Forks and Traill County. Sean Fredricks told the Board that he has been in contact with Grand Forks WRD attorney Dan Gaustad regarding this and will keep us informed of the status.

Proposed Thompson Drain No. 72:

(No new updates) Sean Fredricks sent an email to Grand Forks attorney Dan Gaustad and relayed to him that because the project would have to include assessments to some Grand Forks County properties, he drafted a proposed Joint Powers Agreement between the Traill and Grand Forks WRDs. He asked Mr. Gaustad to take a look at the draft JPA and let him know if he had any thoughts or concerns. Mr. Gaustad replied that he will not have time to review the JPA as he is preparing for a federal case at this time. Mr. Fredricks will let us know when he hears back from Mr. Gaustad regarding his review and opinion.

Proposed Camrud Drain No. 79:

Chris Gross said that his office continues to be in contact with drain petitioner Chris Hong on preliminary engineering issues. A public hearing date will be set in the near future.

Snagging & Clearing:

Discussion was revisited on the importance of snagging and clearing projects in the Traill County river systems. Jason Siegert reiterated that the County Commissioners are adamantly opposed to funding these projects because of landowner complaints. After further discussion, the Board all agreed to hold public hearings in 2020 for the Goose and Elm Rivers and the Buffalo Coulee and invite the commissioners and landowners in to discuss the importance of continuing the clearing of the debris from our rivers for the purpose of protecting infrastructure.

Stavanger-Belmont Drain No. 52:

The payment of \$11,990.00 was accepted by Mr. Saure for the purchase of his land for this project. The Board reviewed the Addendum to the Purchase Agreement and the Permanent Easement for this purchase. Manager Lovas moved to approve the Addendum and Easement as presented. Manager Neset seconded the motion. Upon roll call vote, the motion carried unanimously.

Jason Siegert reminded the Board that Rick Camrud approached him about washouts on his land due to last winter's snow melt in the SE ¼ of Section 17 of Stavanger Township. Jason said he will be looking at the damage and will bring his findings back to the Board for recommendations on how to repair the area.

Mayville Airport (S. Mayville Drain No. 9):

(No new updates). Ohnstad Twichell, P.C., is working on concluding this issue.

Hillsboro Drain No. 26:

(No new updates). The culverts for the outlet and approach have been ordered and the bond is yet to be set for the work.

Blanchard-Norman Drain No. 23-40:

Discussion was continued on possible projects that can be done in order to improve the functionality of this drain since the vote failed to reconstruct it. The drop structure is a main concern and options were considered on how to repair it. The possibility of improving the grade in some areas was also talked about. The Board asked Chris Gross to provide a new cost estimate and prioritization list for this drain for the Board to review at the next meeting.

Holmen Drain No. 43:

Discussion was revisited about the erosion that has occurred towards the bottom of this drain at the 2nd drop structure in Section 26 of Garfield Township. Drone imaging reflected a berm that has eroded and is diverting the water near this drop structure. This is a wooden drop structure that is deteriorating and will need to be repaired or replaced. The Board asked Manager Thompson to contact contractor Rod Flaten to fill in the washout and place rock around the drop structure.

Nelson Drain No. 28:

At 9:00am, Wayne Koehring, on behalf of Dalrymple Farms, met with the Board to talk about a non-formal complaint by Tom McNamee regarding a culvert that Dalrymple Farms installed that is too small and is causing water to go over a township road in Hillsboro Township. The Board

talked to Mr. Koehring about the possibility of Dalrymple Farms installing a 36" culvert in the NE ¼ of Section 31 of Hillsboro Township. Other options were considered and after further discussion, Manager Lovas said that he will approach Tom McNamee about these options and deliver the results of the conversation at our next meeting.

Paulson Drain No. 7:

(No new updates) The Board was informed that the Surface Drainage Permit Application was submitted to the ND SWC for their review on May 10, 2019. Upon a recent request made to the OSE for the status of this permit, they replied that they have not yet processed the application due to their current backlog of reviews. Matt Lindsay said that it was brought to Kelsey's attention, and she will do what she can to work it into her current workload.

McCoy-McCradie Drain 4-14:

Chris Gross said that the bid packets will be sent out today to contractors for the upcoming work to be done this drain. Once all of the bid packets are received back, a bid hearing date will be set to award the contract.

Norway Drain No. 38:

Chris Gross said that the bid packets will be sent out today to contractors for the upcoming work to be done this drain. Once all of the bid packets are received back, a bid hearing date will be set to award the contract.

Elm River Diversion:

At 8:00am, Eric Knudsvig, Shawn Knudson, Leon Sand and a representative from Agassiz Drain Tile met with the Board to discuss additional cleaning that needs to be performed in Section 22 of Norman Township. Chris Gross provided a map of the area surrounding the Elm River and Knudsvig Diversion. Talk was held on building it to water board standards for the purpose of turning it over to the water board to maintain it. This will be revisited at the next meeting.

Mowing and Spraying of Drains:

Chris Gross provided a map showing the drains in need of spraying. After the Board reviewed the map and indicated which drains are to be sprayed, they asked Chris to bring in a price sheet reflecting the costs to spray the drains chosen.

PERMITS AND COMPLAINTS:

Application to Install a Subsurface Water Management System No. 2019-02 for Scott Hovde in the Southwest Quarter of Section 19 in Roseville Township

The Board reviewed an *Application to Install a Subsurface Water Management System No. 2019-02* dated June 7, 2019, for Scott Hovde. Under the application, Applicant seeks to install a 138-acre drain tile system in the Southwest Quarter of Section 19 in Roseville Township, Traill County, North Dakota. The project will include two gravity outlets that will discharge directly into a natural watercourse in the Southwest Quarter of Section 19.

Because the project will discharge directly into a natural watercourse, no THIRTY-DAY NOTICE was necessary to downstream landowners under N.D. Cent. Code § 61-32-03.1. Under the tile law passed during the 2017 Legislative session, the Board cannot require Applicant to obtain any

flowage easements or written consent from downstream landowners since the project discharges directly into a natural watercourse. Further, the Board cannot require Applicant to install erosion protection in the natural watercourse, though the Board will recommend riprap to avoid erosion in the natural.

According to records provided by Applicant, Zoesha, LLP, a North Dakota limited liability partnership, owns the Southwest Quarter of Section 19 where Applicant intends to install his tile system. However, Applicant indicated he is in the process of purchasing the property from Zoesha.

Manager Lovas moved, and Manager Neset seconded the motion, to approve *Application to Install a Subsurface Water Management System No. 2019-02* dated June 7, 2019, for Scott Hovde in the Southwest Quarter of Section 19 in Roseville Township, and to authorize the Secretary-Treasurer to sign SUBSURFACE WATER MANAGEMENT PERMIT NO. 2019-02, subject to the following condition:

- 1) That the Applicant notify the Traill County Water Resource District in advance of any proposed alterations to outlet locations, or addition of any outlets.

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 install and maintain erosion protection at all outlets into the natural watercourse in the Southwest Quarter of Section 19 in Roseville Township;
- 2) 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
- 3) 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.

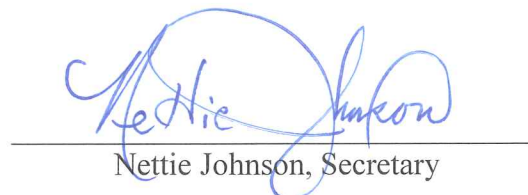
OTHER BUSINESS:

None.

Having no further topics to discuss, the meeting adjourned at 9:30am without objection.



Jason Siegert, Chairman



Nettie Johnson, Secretary