

**TRAILL COUNTY WATER RESOURCE DISTRICT  
RECURRENT MEETING  
JANUARY 7, 2020 ~ 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: Joel Halvorson, Jason Lovas, Gary Thompson and Andy Neset with Jason Siegert presiding as Chairman. Also present were Attorney for the Board Sean Fredricks, and Chris Gross, Moore Engineering, Inc.

**AGENDA**

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

**MINUTES**

Manager Thompson moved to approve the December 17, 2019 recurrent meeting minutes as presented. Manager Lovas seconded the motion. Upon roll call vote, the motion carried unanimously.

**TREASURER'S REPORT**

It was moved by Manager Neset and seconded by Manager Lovas to approve payment of the December 18, 2019 ~ January 7, 2020 bills and the electronic funds transfers, as presented. Upon roll call vote, the motion carried unanimously.

**GRAND FORKS-TRAILL JOINT WATER RESOURCE DISTRICT**

At 9:00am the joint board conducted a special meeting to approve Resolutions for the Thompson Drain No. 72 Improvement Project and, to set the Assessment Hearing for said Project. Those present were: Traill County managers Jason Siegert, Andy Neset, Gary Thompson, Jason Lovas, and Joel Halvorson. By phone were Grand Forks managers Tom Perdue and Rich Axvig. Also present were Attorney for the Board Sean Fredricks, and Engineer Chris Gross.

Chairman Siegert called the meeting to order:

Engineer Chris Gross provided the Summary of Vote on the Project:

57.59% of the votes were returned affirmative, and  
42.41% of the votes were returned negative

Attorney Fredricks explained the next step is for the Grand Forks-Traill Joint WRD to issue an Order officially creating the project & corresponding assessment district, and to set the assessment hearing. After further discussion, Andy Neset moved to approve the *Resolution Regarding the Vote Outcome, and the Resolution Authorizing the Entry of Order Establishing the Project and Setting the Assessment Hearing*. Rich Axvig seconded the motion. Upon roll call

vote, the motion carried unanimously. The Assessment Hearing is set for February 24, 2020 at 9:00am at the Office of the Traill County Water Resource District.

Having no further topics to discuss, the special meeting adjourned at 9:25am without objection.

#### 2020 Appointments:

Jason Lovas moved to appoint Jason Siegert, Andy Neset and Gary Thompson as members of the Grand Forks-Traill Joint WRD for 2020 with Jason Siegert being Chairman. Joel Halvorson seconded the motion. Upon roll call vote, the motion carried unanimously.

### **SNAGGING AND CLEARING**

(No new updates) Public hearings for the Goose and Elm Rivers and the Buffalo Coulee will be held in early 2020 to stress the importance of snagging and clearing projects to the Commissioners and the land patrons.

### **DRAIN BUSINESS**

#### **Proposed Hong Drain No. 81**

(No new updates) Chris Gross said that he has been in contact with Chris Hong who is still in the process of trying to collect signatures for this project.

#### **Camrud Drain No. 79**

At 9:30am, Chairman Siegert opened the Camrud Drain No. 79 Assessment Hearing.

Land patrons present were: Rick Camrud, Neil Adams, Steven Nesvig, Julie Thompson, David Mayers, and Ken Knutson.

Chris Gross provided a map showing the preliminary district for the project and asked the land patrons for comments on the boundaries and benefit areas:

- |                        |   |
|------------------------|---|
| <u>Rick Camrud:</u>    | SW ¼, Section 21, Stavanger Township – The water runs south. The assessment should be lowered from 100% to 50%.                         |
| <u>Neil Adams:</u>     | Section 23 – Landlocked.  |
| <u>Steven Nesvig:</u>  | Section 20, Belmont Township – Concerns about the project flooding out his property and suggests the plans for the project be rerouted. |
| <u>Julie Thompson:</u> | NE ¼, Section 19, Belmont Township - The water runs to the coulee. Will not see benefit. Suggests 0% assessment.                        |
| <u>Dave Mayers:</u>    | SW ¼, Section 21, Stavanger Township – Owns 7.56 acres on a high ridge. He sees no benefits. Trees absorb 100% of the water.            |

Ken Knutson: NE ¼, Section 21, NW ¼, Section 22 – reiterated concerns about the construction of this drain and the taxes that he will be paying for it. The Board and the engineer addressed his questions and he appeared satisfied.

Hearing no further comments, Chairman Siegert closed the Assessment Hearing at 10:20am.

The next steps included in the project schedule are;  
Winter 2020 – SWC Funding for design and construction, regulatory approvals, final design and right of way acquisitions.  
Spring 2020 – Advertise and award construction contract.  
Fall/Winter 2020 – Substantial completion and project closeout.

#### **McCoy Drain No. 14**

(No new updates) Chris told the Board that Comstock Construction has requested an extension for the project due to inclement weather. Manager Halvorson moved to approve Change Order No. 1 for the request to extend the completion date of the contract which will most likely transpire in 2020. Manager Neset seconded the motion. Upon roll call vote, the motion carried unanimously.

#### **Stavanger-Belmont Drain No. 52**

(No new updates) Chris Gross indicated that he is waiting for a pay application by contractor JAV Construction for the improvement project. Seeding is yet to be established.

#### **Mayville Airport (S. Mayville Drain No. 9)**

Manager Neset has brought the easement to the Airport Authority for their review and signatures. He indicated that they are seeing a problem within the agreement in having to give up land to the water board in order to maintain legal Drain No. 9 efficiently. They are concerned this may inhibit any plans they have to build hangers there in the future. The Board directed Andy Neset to contact Lance Fugleberg, President of the Airport Authority, to come in to speak with the Board on February 4<sup>th</sup> so that both sides may find a solution to this matter.

#### **Paulson Drain No. 7**

(No new updates)

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.

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**

Jason Siegert told the Board that a landowner has concerns about how this project is progressing. Because of the wet conditions this year, the project has been disrupted and there is still work to be completed by the County. The Board all agreed that in the long run, the landowners should all be happy with the outcome.

Discussion was held on the status of obtaining a bond to help with engineering costs and the improvement work that has been performed on this drain. Sean Fredricks stated that he will draft a Resolution to set the bond for this project. Dakota Heritage Bank will provide the bond for \$85,000.00 at 2.7% which will cover out-fill and the field approach culvert. The box culvert will not be covered in this bond but will be cost shared by the County.

#### **Viking-Lindaas Drain No. 44**

(No new updates) Spencer Endrud has requested a culvert be installed in Section 30 of Lindaas Township. Chris Gross provided a map of contours for the Board to review.

#### **Red Owl Drain No. 55**

(No new updates) Chris Gross told the Board that the survey has been completed for the request to increase the size of the culvert at the outlet in Section 32 of Blanchard Township. He added that there is a significant drop by the culvert in the second mile. The culvert also appears to be damaged. Chris presented three options for the Board to consider for the replacement of the damaged culvert:

- Option #1: Cutback Style or,
- Option #2 Double Elbow or,
- Option #3 Half Round CMP Inlet Trough

A cost estimate for the materials will be needed before making a final decision on the culvert. Joel Halvorson said he will speak to Harlan Erickson and try to obtain more details.

#### **Carson Drain No. 10**

(No new updates) A culvert in an approach in the NW ¼ of Section 34 of Belmont Township is failing and causing flooding in a farmstead. The Board and Chris Gross will put a plan together to replace 2 culverts and clean the ditch from County Road 2 west and proceed one and a half miles through the farmstead.

#### **Leirness Drain No. 34**

(No new updates) Jason Siegert told the Board that he has contacted Chad Hanson to repair a washout in the SW ¼ of Section 17 into Section 20 in Herberg Township.

#### **Roseville Drain No. 19**

(No new updates) Discussion was revisited on Pete Haugen's request to find a solution to drainage problems that are occurring on his land due to the condition of this drain. Chris Gross provided a quad map of the area of the drain that was proposed to be reconstructed in 2007, but failed. The Board suggests having Mr. Haugen visit with landowners who are assessed into this drain and gauge the interest in reconstructing it. Chris will work with Pete Haugen on these issues and report back to the Board.

#### **ELM RIVER DAMS**

Joel Halvorson, Chairman of the Elm River Joint WRD told the Traill County Board this morning that there will be a meeting held tomorrow January 8<sup>th</sup> in West Fargo to discuss what

can be done about the future of the Elm River Dams. Many attempts to find a solution to repairing the dam have failed. Joel said that a representative from the ND Game and Fish Department will be meeting with the Elm River JWRD to provide a presentation and hold a conversation on how they can assist with finding ways to repair the problems that are occurring on Dam #1.

#### 2020 Appointments:

Joel Halvorson moved to appoint Andy Neset to serve as Traill County Representative of the Elm River Joint WRD for 2020 with Jason Siegert serving as alternate. Jason Lovas seconded the motion. Upon roll call vote, the motion carried unanimously. Joel Halvorson will be stepping down. The Elm River Joint WRD will be reorganizing the Board and making it official at their meeting tomorrow.

### **TRAILL COUNTY HIGHWAY DEPARTMENT**

Corey Martin, Traill County Highway Superintendent met with the Board to go over county road and bridge issues with the Board.

### **NEW COMPLAINTS**

Discussion was revisited on the Reimer vs. Koenig complaint and the status of recovering attorney fees and engineering costs incurred due to this complaint. The District is entitled to assess the Koenig property to recover its costs under Section 61-16.1-51. After further discussion, Manager Lovas moved to direct Attorney Fredricks to send notice to the County Auditor of the assessment of the Koenig property. Manager Neset seconded the motion. Upon roll call vote, the motion carried unanimously.

### **PENDING COMPLAINTS**

#### **COMPLAINT FOR WATER-RELATED ISSUES Filed by Larry Thompson against Dennis Peterson**

The Board has held this Complaint in abeyance while the State Engineer's office processed Mr. Dennis Peterson's diversion permit application. The State Engineer's office recently issued CONSTRUCTION PERMIT NO. 2518 for Mr. Peterson regarding his activities in the North Half of Section 16 in Bohnsack Township. With that in mind, the District no longer has jurisdiction under N.D. Cent. Code § 61-16.1-51 to order the removal of any fill in the natural drain in the North Half of Section 16 previously installed by Mr. Peterson. With that in mind, the District has no choice but to dismiss the Complaint.

Manager Neset moved, and Manager Thompson seconded the motion, to dismiss Larry Thompson's COMPLAINT FOR WATER-RELATED ISSUES filed against Dennis Peterson dated June 28, 2017. Upon roll call vote, the motion carried unanimously. Sean Fredricks will provide a NOTICE OF DECISION to the parties.

### **NEW PERMITS**

None.

**OTHER BUSINESS**

Trall County WRD Reorganization of the Board:


Manager Lovas moved to elect the following managers for the following positions for year 2020:

- Chairman: Jason Siegert,
- Vice-chair: Jason Lovas,
- Board Managers: Joel Halvorson, Gary Thompson, and Andy Neset.

Manager Neset seconded the motion. Upon roll call vote, the motion carried unanimously.

Attorney Sean Fredricks presented a 2020 Rate Schedule for his services. Manager Thompson moved to continue to retain Mr. Fredricks as the Board's legal counsel for 2020. Manager Halvorson seconded the motion. Upon roll call vote, the motion carried unanimously.

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

  
\_\_\_\_\_  
Jason Siegert, Chairman  
\_\_\_\_\_  
Nettie Johnson, Secretary