

**TRAILL COUNTY WATER RESOURCE DISTRICT  
RECURRENT MEETING  
MARCH 3, 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, Gary Thompson and Andy Neset with Vice-Chair Jason Lovas presiding as Chairman. Also present were Attorney Sean Fredricks and Chris Gross, Moore Engineering, Inc.

**AGENDA**

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

**MINUTES**

Manager Thompson moved to approve the February 18, 2020 recurrent meeting minutes as presented. Manager Halvorson 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 Halvorson to approve payment of February 19 – March 3, 2020 bills and the electronic funds transfers, as presented. Upon roll call vote, the motion carried unanimously.

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

(Update) The assessment hearing for the Thompson Drain No. 72 Improvement Project was held on February 24, 2020 at 9:00am at the office of the Traill County WRD. Sean Fredricks has been in communication with landowner Carolyn Heskin on assessment issues. A letter of invitation has been sent to Ms. Heskin asking her to meet with the Board for the purpose of discussing and addressing the questions she has pertaining to her assessments.

**SNAGGING AND CLEARING**

(No new updates) Several of the water board managers will be meeting with the county commissioners on March 17<sup>th</sup> at 8:00am to remind them of the importance of snagging and clearing projects for the purpose of protecting infrastructure and land. It is with hope that they will resume funding snagging and clearing projects.

**DRAIN BUSINESS**

**Proposed Hong Drain No. 81**

(No new updates) Chris Gross said that Chris Hong continues to speak to landowners and attempts to collect the bond and signatures for this proposed project.

**Camrud Drain No. 79**

(Updates) Chris Gross said that the cost-share application has been submitted to the State Water Commission (SWC) Regulatory Division and will be on their April 9<sup>th</sup> agenda to review/approve. The subcommittee will be meeting on March 12<sup>th</sup> to review and recommend approval to the SWC for cost-sharing this project. Chris suggests that representatives from our Board be in attendance.

Chris said that the survey crew has been on site.

David Meyers met with the Board again this morning to speak to them about his assessments for this drain. He owns 7.86 acres in the SW ¼ of Section 21 of Stavanger Township and said he will not receive any benefit from this project. The Board reiterated that all landowners within a mile of the new drain will indeed receive benefit. They added that the assessments have been set and verified and cannot be changed at this point.

Chris Gross told the Board that he has been dealing with the State Water Commission staff on Economic Analysis issues. Legislation passed by the North Dakota Legislature in 2017 created NDCC 61-03-21.4 - requiring the State Engineer to: *“develop an economic analysis process for water conveyance projects and flood-related projects expected to cost more than one million dollars, and a life cycle analysis process for municipal water supply projects. When the State Water Commission is considering whether to fund a water conveyance project, flood-related project, or water supply project, the State Engineer shall review the economic analysis or life cycle analysis, and inform the State Water Commission of the findings from the analysis and review.”*

On December 6, 2019, the Commission adopted policy requiring EAs on all flood control and water conveyance projects requesting cost-share that have a total project cost of \$200,000 or more.

Chris added that the EA is under review and the SWC is changing the way the engineering firms use the EA model. The staff at the SWC is currently drafting another internal procedure. Sean Fredricks suggested that Chris put together bullet points and Sean will ask the Red River Joint WRD to draft a letter to the SWC expressing the WRD's stance on this issue.

**Murray Drain No. 17**

(Update) A request for reimbursement for overrun project costs was submitted to the SWC in September of 2019 to cover construction costs not included in original project itinerary. Our office received a letter from the SWC recently which indicated that they will not be providing funding assistance for these overrun costs due to them not having prior approval. This will be discussed further at our next meeting.

**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) \$5,000.00 is being retained until the seeding can be established this year.

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

(No new updates) Lance Fugleberg, President of the Airport Authority, was here this morning to speak with the Board about the difficulty they are having with signing the easement agreement. The WRD is proposing to acquire a 25' easement. The Airport Authority feels that the agreement benefits the water board and excludes any for the Airport Authority. Mr. Fugelberg added that they are unwilling to give up any land as they have little to build on already but are willing to work with the water board and allow them to work there when necessary. Sean Fredricks said that he will revise the agreement to make it more palatable for all parties involved and will also work with their legal counsel on agreement matters. (Update) Chris Gross said that the survey crew has placed stakes in the ground which will give the Airport Authority an opportunity to visualize on the ground what the easement boundary is. Hopefully this will lead them to granting an easement once they see the impacts are non-existent.

**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.

(No new updates) 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**

(No new updates) Chris Gross stated that a cost-share application was submitted to the SWC on February 4<sup>th</sup> for the purpose of requesting assistance to cover costs in the amount of \$72,041.05 for the box culvert and channel work that is not included in the bond.

**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 specified that he has sent Harlan Erickson maps, preliminary drawings, and a cost estimate for the possible reconstruction of this drain. Mr. Erickson will be speaking to landowners to gage their interest in moving forward with this project.

**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.

### **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.

### **Norway Drain No. 38**

(Update) At our meeting this morning, Manager Neset moved to authorize Moore Engineering to complete the construction standards for the construction of the approach for the Overmoe/Tingum request, and also to prepare the survey and legal description necessary to convey the easement. Janice Tingum has requested that the easement be set in place by March 10<sup>th</sup> but the problem is that it will likely take Moore Engineering a few weeks to complete the survey. The Board is ready and prepared to grant the easement, but needs to complete the survey, so there are just practical issues related only to the timing of the easement; we won't be able to complete the survey in time for the March 10 auction. Attorney Fredricks will continue to correspond with Janice Tingum on this matter.

### **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.

Permitting issues and loading restrictions were discussed.

Corey mentioned that the county will be digging ditches this week and suggested the Board contact their contractors to start removing snow and ice from the legal drains. Chris Gross showed a graph of hydrologic water levels in the county. The Board discussed how to best handle the threat of spring flooding and what to do if an emergency arises. Manager Halvorson moved to authorize each manager to hire a contractor and pay up to \$10,000.00 for removing snow and ice from our legal drains for the purpose of protecting infrastructure. Manager Neset seconded the motion. Upon roll call vote, the motion carried unanimously. Manager Thompson moved to direct Attorney Fredricks to draft a *Resolution of Emergency* for this purpose. Manager Halvorson seconded the motion. Upon roll call vote, the motion carried unanimously.

Manager Halvorson asked questions about the Augustadt Dam and Corey replied that the water appears to be staying in the channel. They will be keeping an eye on it.

### **COMPLAINTS**

(No new updates) 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.

At our meeting on January 7th, The Board and attorney Fredricks discussed the Koenig-Reimer expenses. Mr. Fredricks was planning on directing Traill County to levy assessments against the Koenig property to collect the Board's costs. However, in the meantime, Dan Gaustad (appointed by NDIRF to defend the Board in Koenig's attempted appeal of the Board's cost decision) filed a Motion to Dismiss Koenig's attempted appeal for failure to properly and timely serve the Board.

This matter will be re-addressed when we know the Court's decision on the motion before directing the County to levy.

**PERMITS**


None.

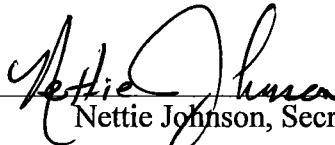
**OTHER BUSINESS**

Manager Halvorson moved to allow the Secretary to purchase a petty cash box and have \$200.00 in cash on sight for the purpose of paying cash for small expenses. Manager Neset seconded the motion. Upon roll call vote, the motion carried unanimously.

**ADJOURNMENT**

Having no further topics to discuss, the meeting adjourned at 10:20am without objection.

  
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Jason Lovas, Vice-Chairman

  
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Nettie Johnson, Secretary