

Minutes of Meeting
Souris River Joint Water Resource Board
Thursday, April 1, 2021

A meeting of the board of directors of the Souris River Joint Water Resource Board was called to order by Chairman David Ashley at 4:00 p.m. on Thursday, April 1, 2021, by way of a Microsoft Teams video conference call. The speakerphone was available in the Broadway Conference Room at Ackerman-Estvold located at 1907 17th Street SE, Minot, North Dakota, and call-in information was provided on the public notice for the meeting. Joint Board members attending the meeting were Dan Steinberger, Tom Klein, Clif Issendorf and Dan Jonasson. Director (and acting Chairman) Dan Jonasson called the meeting to order.

The Joint Board discussed the proposed Agenda for the meeting.

Clif Issendorf made a motion to approve the agenda. Dan Steinberger seconded the motion. The motion passed without opposition.

The draft minutes from the March 4, 2021 meeting were discussed.

Dan Steinberger made a motion to approve the Minutes from the March 4, 2021 Joint Board meeting. Clif Issendorf seconded the motion. The motion passed without opposition.

The Joint Board discussed the Budget Report included in the April Board Packet. Ryan Ackerman explained the Budget Report is the same as last month since the process was changed last month, so no action was required or taken by the board with respect to the Budget Report.

The Joint Board discussed the bills set forth in the April Board Packet. Dan Steinberger inquired about the change orders on the Houston Engineering grease lube system. Jerry Bents agreed to address that in the MI-1 update.

Tom Klein made a motion to approve the payment of bills. Clif Issendorf seconded the motion. A roll call vote was cast. The motion passed without opposition.

Jerry Bents from Houston Engineering provided the Joint Board with an update on Phase MI-1. A Project Status Report from Houston Engineering is contained in the April Board Packet. Jerry Bents explained the change proposal 74 which was the grease lube wiring system. The change proposal was for \$7,778.00. This originated from wiring to the pumps where the lubrication system that was not included in the original project drawings so the contractor submitted an RFI and inquired whether the wiring exist. Upon review of the RFI, it was decided that the contractor was certainly within their rights to request that change order and they had provided a breakdown on a time and material basis and the change order was issued.

Jerry Bents provided an update on Phase MI-4A design work. The Project Status Report from Houston includes information regarding Phase MI-4A.

Jerry Bents provided an update on Phase MI-5 design work. The Project Status Report from Houston includes information regarding Phase MI-5. The 100% submittal is targeted for the first half of June to get necessary permits. From there, Jerry Bents explained the intent is to break off a pump station proposed as part of the project on the east end into a bid package this summer (to be called MI-5A).

Jason Westbrook provided an update to the Joint Board regarding construction of Phase MI-2/3. Jason Westbrook indicated they are still working on the operation and maintenance manual and provided a status report on Phase MI-2/3. A Project Status Report from Barr Engineering is contained in the April Board Packet. Dan Steinberger inquired about the hydro-seeding is faring with the dry conditions. Jason Westbrook indicated it is early to tell with the dry winter we have had but stated he feels good about the vegetation coverage last summer and advised that the trees the grass have a warranty so that can be monitored. A drought tolerant mixes were used along the levee; prairie mixes were used in the lower areas and the hope is that they will survive well. Jason Westbrook indicated we are still in the warranty period for all of the vegetation, so it is something to keep an eye on.

Jason Westbrook provided an update to the Joint Board regarding construction of Phase BU-1. A Project Status Report from Barr Engineering is contained in the April Board Packet. Bridge project record drawings are complete now. Phase BU-1B (levee project south of Colton Avenue) work will be revving up in the next week or two with contractors starting on underground water and utilities. Phase BU-1C (segment to the north of Colton Avenue up through the ball fields) had bid opening for that project was on Tuesday, March 30, 2021. Ryan Ackerman summarized the bids. A chart summary of bids received was presented, which included six total bids. The lowest three bids were all very competitive. The Engineer's Estimate was \$8,297,940.00. Bluestone Construction, Inc. was the lowest bidder at \$6,595,030.80. Ryan Ackerman's request was to take no action at this meeting and to schedule a special meeting next week to consider a recommendation from engineering team with regard to direction to go after verification checks on Bluestone Construction. Need to further evaluate bids and qualification submittals. If everything checks out after due diligence, engineering team will recommend to award to Bluestone Construction. A special meeting at 4:00 p.m. on Wednesday, April 7, 2021 was agreed upon.

Jason Westbrook provided an update to the Joint Board regarding construction of Phase WC-1. The Project Status Report from Barr includes information regarding Phase WC-1. A concept to incorporate work in this phase to split out and bring to approval of the board may be coming at the May meeting. Dan Steinberger inquired what mitigation plans are in place for dust containment during construction due to the dry conditions. Jason Westbrook said dust control is part of a permitting requirement through the state health department so it is in the specifications and gets monitored.

Ryan Ackerman provided the Joint Board with an update regarding the StARR Program. A Status Report is contained in the April Board Packet. There are no updates at this time and efforts are in place for a project closeout at this time, with limited activity in the last month.

Troy Borchard from HDR Engineering provided an update regarding Rural Bridges. A Project Status Report from HDR Engineering is contained in the April Board Packet. Not much movement on these projects since maps are needed to move forward.

Lance Gaebe and Dani Hanson joined the meeting to provide a legislative update to the Board relating to water. Due to technical issues, Ryan Ackerman ultimately provided a legislative overview from a funding perspective, indicating the bonding bill (House Bill 1431) passed the House, which includes \$74.5 million in funding for Mouse River flood control activities. And a reference to that got incorporated into House Bill 1020 which is the State Water Commission budget bill, so basically the bonding bill supplies the funding for Mouse River and the water commission will administer that under the authority in House Bill 1020. Ryan Ackerman explained that within House Bill 1020 there is also a section that establishes a future cap of state funding (\$604 million) and that cap is based on our estimate to complete the entire project and

there is some legislative intent language around that cap. Previous cap was \$193 million and we wanted legislators to understand that cap applied solely to Minot activities and only those associated with the first milestone in Minot and there are three milestones. In summary, things with the legislature have been successful. Senate now has the bill and will take it up next week.

Agenda Item 15 was the System Wide Improvement Framework (SWIF) Public Hearing. The SRJB is responsible for the SWIF of the existing levee systems for Burlington through Minot. The SWIF outlines the SRJB's plan to provide levee system maintenance and improve the general condition of the existing levee systems covered in the SWIF. As part of the SWIF, SRJB is required to hold a public hearing. A public hearing opened and nobody spoke or presented any comment.

Dan Steinberger made a motion to close public hearing. Clif Issendorf seconded the motion. A roll call vote was cast. Ryan Ackerman clarified that the motion was solely to close the public hearing – nothing was actually approved. The motion passed without opposition.

The Joint Board took note of future meetings as set forth in the April Board Packet.

Director Issendorf questioned board packets being printed and delivered to board members rather than viewing on screen. Ryan Ackerman indicated he will contact all directors to see who wants hard copies before future meetings.

Director Steinberger raised the March 10, 2021 email received from Troy Stevenson and whether any formal response has been issued to Troy Stevenson. Ryan Ackerman advised information was provided in response to the correspondence but the matter would be directed to Dwyer Law Office to ensure proper handling.

There being no further business to discuss, the meeting was adjourned. Next regular meeting is scheduled for Thursday, May 6, 2021 at 4:00 p.m. Special meeting Wednesday, April 7, 2021 at 4:00 p.m.



Jack Dwyer
Legal Counsel