

**Minutes of Meeting
Souris River Joint Water Resource Board
Thursday, July 11, 2024**

A meeting of the board of directors of the Souris River Joint Water Resource District was called to order by Chairman David Ashley at 4:00 p.m. on Thursday, July 11, 2024, after announcing that a quorum was present. The meeting was held at the Sleep in in Minot, North Dakota. Joint Board members in attendance were Tom Klein and Dan Steinberger.

The Joint Board discussed the proposed Agenda for the meeting. As this was a special meeting, no additions or changes were discussed.

The draft minutes of the June 6, 2024 regular meeting were discussed.

Tom Klein made a motion to approve the minutes from the June 6, 2024 regular meeting. Dan Steinberger seconded the motion. The motion passed without opposition.

Ryan Ackerman presented the Balance Sheet and Budget Report and the Joint Board reviewed the Budget Report included in the June Board Packet. Brent Burgard explained the Budget Report.

Dan Steinberger moved to approve the Budget Report. Tom Klein seconded the motion. A roll call vote was cast. The motion passed without opposition.

The Joint Board reviewed and discussed various bills set forth in the June Board Packet totaling \$5,921,539.12. Chairman Ashley opened it up for questions from the Board on each bill being considered for approval and advised the Verizon bill has been paid per normal process. On Barr Engineering's invoice, Dan Steinberger asked about the Mouse River Plan Update expense. Jason Westbrook of Barr Engineering advised that the Chairman asked Barr Engineering to look at the remainder of the project and apply the value engineering techniques, run updated models, and come up with new where it makes sense to ensure that the second half of the project is moving forward with the right plan. This included an updated cost estimate. On the City of Velva invoice, Dan Steinberger asked about the \$72,082.35 charge on page 284 of the Joint Board Packet. Ryan Ackerman explained this is an invoice from City of Velva to the SRJB for lift station work being done in Velva. The City of Velva has incurred various costs, and they deduct what they have received for federal assistance, so the \$72,082.35 is a deduct of the total. The bill to the SRJB is the net of that (\$107,755.41), which is the figure that shows up on the invoices. On Minot Park District invoice, Ryan Ackerman explained work is being done within their property and they are working to get directional signage for pedestrian traffic. Two-sided signs are being purchased for safety within the park. Dan Steinberger asked if the signs need to be reviewed by legal. Ryan Ackerman indicated SRJB is providing stands and the Park District is inserting their own signs. On Sprinklers Plus, Ryan Ackerman indicated there have been issues with sprinklers associated with Phases MI-2 and MI-3. The warranty period has expired, so a proposal was obtained from a sprinkler contractor to install sprinklers that were missed as a part of that project.

Tom Klein moved to approve the payment of bills totaling \$5,921,539.12. Dan Steinberger seconded the motion. A roll call vote was cast. The motion passed without opposition.

Jerry Bents of Houston Engineering updated the Joint Board on Phase MI-1. A Project Status Report from Houston Engineering is contained in the July Board Packet. Jerry Bents advised that there are no substantial updates. The contractor is working on punch list warranty items (which are about 90% done).

Jerry Bents updated on Phase MI-4. A Project Status Report from Houston Engineering is contained in the July Board Packet. Jerry Bents indicated the railroad discussions are ongoing. The operations staff of CP will hopefully be reporting back with respect to grades soon.

Jerry Bents updated on Phase MI-5. A Project Status Report from Houston Engineering is contained in the July Board Packet. There is a lot happening with this phase. A drone video was shown by Jerry Bents to show updates on this phase.

Jerry Bents updated the Joint Board on Phase MI-6. A Project Status Report from Houston Engineering is contained in the July Board Packet. A decision is awaited from SRJB on awarding Phase MI-6B but that is on hold for now (as the low bid was 38% over the engineer's estimate). Phase MI-7 bids are scheduled to open July 25, 2024, which may provide insight on how to proceed in Phase MI-6. A Phase 2 environmental assessment should go out this week to BNSF and a closing date is expected around September. Jason Westbrook provided preliminary comments on the environmental report, indicating there are risks associated with the property but if the land use does not change, there is no regulatory department that would require any changes.

The Joint Board next considered a Nedrose Township Haul Road Agreement. The Joint Board Packet contains the use and restoration of haul road agreement with the Nedrose Township for the MI-6 and MI-7 projects. The draft has been verbally accepted by the township. Jason Westbrook of Barr Engineering provided details of the agreement. Dan Steinberger questioned the process by which damage will be determined. Jerry Bents indicated they will go out before the project starts and photography will be taken at intervals along the roadway to depict the condition. There is a rating scale for each spot. The same process will take place after the project to compare condition.

Tom Klein moved to approve and authorize the chairman to sign the agreement on behalf of the SRJB. Dan Steinberger seconded the motion. A roll call vote was cast. The motion passed without opposition.

Jason Westbrook of Barr Engineering provided an update to the Joint Board regarding Phase MI-7. A Project Status Report is contained in the July Board Packet. This phase is out for rebid with structures removed from scope of work (Magic City Express and a couple of zoo exhibits) and the project schedule lengthened. Bids are scheduled to open July 25, 2024. Jason Westbrook explained that a conditional bid will be accepted from Park Construction (a bid conditioned on SRJB action with Phase MI-6, as Park was the lowest bid on that phase but no bid has been awarded yet).

Jason Westbrook provided an update to the Joint Board regarding WC-1. The Project Status Report is contained in the July Board Packet. There is not much to report until the railroad issues are worked out.

Ryan Ackerman provided the SRJB with a Rural Program Update. Ryan Ackerman indicated the committee for the Trapped Water Program has nearly wrapped up their work. Recommendations will be brought to the SRJB at the August meeting.

Troy Borchard of HDR Engineering provided an update regarding Rural Bridges. A Project Status Report is contained in the July Board Packet. On Sawyer, the county reached out about the bump off the south end. The county has done a temporary repair on that themselves by excavating and backfilling and putting asphalt millings off the end. It will sit until just before Fall and then come out to patch that. Their costs will be submitted to SRJB for payment as opposed to putting together a contract and hiring an independent contractor on that. An inspector went out to investigate whether there was a void under the approach slab itself, but nothing was found. The roadway settlement is beyond the bridge approach slab, which suggests it is only a local compaction problem at the surface and should be alleviated by this Fall.

On the Velva site, Troy Borchard indicated that the FEMA documents are ready to be submitted. A signature needs to be obtained from Jim Hystad (Chairman Ashley indicated he would work on this). Two additional utilities have decided they do want access onto the bridge, so plans are being altered for bringing those utilities up and over the levee and having conduit attached to the bridge. Fees for those will be submitted for SRJB review in August.

On the Mouse River site, Troy Borchard indicated that the contracting language is being worked on to let this as an alternative contract method (ACM). Dwyer Law is reviewing to ensure it is compliant with the North Dakota Century Code to update the project manual for bidding on how that will be divided out.

Christopher Korkowski presented in Eaton Irrigation Update to the Joint Board. Christopher Korkowski indicated there are four different events plugged into the hydraulic model (2011, 2023, 2013 and 2009), so the team went through and evaluated the events. At this point, concurrence is sought to proceed using the 2023, 2013 and 2009 events (as those handle most issues that occur at the Eaton Irrigation District). The survey is awaited to complete the existing conditions model, but the survey is expected soon. Chairman Ashley agreed to proceed with those three years as modeling events.

The Joint Board took note of future meetings and events as set forth in the July Board Packet. The next regular meeting of the SRJB will be on Thursday, August 1, 2024.

The SRJB next discussed the Financial Audit Proposals (2023-2025). Ryan Ackerman advised that the SRJB received two bids for the Financial Audit Proposals for the years 2023, 2024 and 2025.

Dan Steinberger moved to accept the low bid of Brady Martz in the amount of \$57,000 total (\$18,000 for 2023, \$19,000 for 2024, and \$20,000 for 2025) and authorize the chairman to sign the contract documents on behalf of the SRJB. Tom Klein seconded the motion. A roll call vote was cast. The motion passed without opposition.

The next item the SRJB discussed was Tierrecita Vallejo and Burlington Maintenance. Tom Klein sought direction on whether Ward County is supposed to be doing maintenance. Tom Klein indicated the matter can be tabled until next month. Ryan Ackerman indicated currently the SRJB and the Ward County Water Board have a sub-agreement that provides that the Ward County Water Resource District will take on maintenance activities for Ward County systems. That agreement has not been updated to reflect anything related to the new project.

Tom Klein made a motion to table this topic until the August SRJB meeting. Dan Steinberger seconded the motion. The motion passed without opposition.

There being no further business to discuss, the meeting was adjourned.

Tom Klein made a motion to adjourn. Dan Steinberger seconded the motion. The motion passed without opposition.

A handwritten signature in black ink, appearing to read "Jack Dwyer", is written above a horizontal line.

Jack Dwyer
Legal Counsel