

**Minutes of Meeting
Souris River Joint Water Resource Board
Thursday, May 6, 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, May 6 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 Chairman David Ashley, Dan Steinberger, Tom Klein, Clif Issendorf and Dan Jonasson. Chairman David Ashley called the meeting to order and announced that a quorum was present.

The Joint Board discussed the proposed Agenda for the meeting.

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

The draft minutes from the April 1, 2021 regular meeting and April 7, 2021 special meeting were discussed.

Dan Jonasson made a motion to approve the Minutes from the April 1, 2021 and April 7, 2021 Joint Board meeting. Tom Klein seconded the motion. The motion passed without opposition.

The Joint Board discussed the Budget Report included in the May Board Packet. Ryan Ackerman explained the Balance Sheet and Budget Report included in the Board Packet.

Clif Issendorf moved to approve the Budget Report included in the May Board Packet. Dan Steinberger seconded the motion. The motion passed without opposition.

The Joint Board discussed the bills set forth in the May Board Packet totaling \$994,685.17.

Cliff Issendorf moved to approve the payment of bills. Dan Jonasson 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 May Board Packet at page 200. As of now, pump testing on pump station is scheduled for June. Currently at \$38.6 million out of the current contract amount of \$41 million, so about 94% complete by value.

Jerry Bents provided an update on Phase MI-4A design work. The Project Status Report from Houston includes information regarding Phase MI-4A is contained in the May Board Packet. Work was largely suspended through the winter. That has started back up this week – working on dewatering around sanitary lift station just to the east of the city hall/police department. Expecting next week to have traffic control set up so that utility work can take place west side of 6th Street. Through pay application number 3, currently at about \$1.4 million out of about \$3.3 million of total project costs, so roughly 40% complete on the project. Expect to be predominately done by the end of construction season at the end of 2021.

Jerry Bents provided an update on Phase MI-5 design work. The Project Status Report from Houston includes information regarding Phase MI-5. Still in design phase. Have completed 90% and received

comments from the CORPS, city and independent external peer review. Those comments are being incorporated. Targeting to be at 100% design report in the first half of June, then to CORPS for approval under 408 and other necessary permitting. From there, will break out a large phase of the project around the pump station and prepare that for bid setup plans and specs and bring to the Board sometime mid-summer.

Jason Westbrook provided an update to the Joint Board regarding construction of Phase MI-2/3. Jason Westbrook indicated they are working with Wagner on some warranty concrete repairs. This work is coming to a close, as the warranty period is set to expire in September. A ribbon cutting for this project will likely be held in late-June (possibly June 26).

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 May Board Packet. With respect to BU-1B, Wagner Construction reinitiated work this spring, focusing on underwater and sewer work and plan to start moving levee fill in next week. The latest schedule shows they will be complete with project before the end of the summer. As to BU-1C, we are working with Bluestone Contracting. They intend to start work on Monday with original clearing of corridor. In Tierrectia, we got all of the state permits, including dam permit, construction permit, and sovereign lands permit last week. Should have some bid results to share with the Board at the June meeting.

Phase WC-1 Update on Property Owner Invitation. Wayne Moe was invited to join the meeting to discuss the proposed acquisition of a right of way interest of his property. Mr. Moe and his attorney, Mr. Larson, were present but unsure what the Board expected them to be prepared to present. Jack Dwyer advised that the meeting is an opportunity for Mr. Moe to address the board regarding the acquisition – either necessity or valuation or the process. Mr. Larson stated that nothing in the agenda tells them what they are supposed to do. Mr. Moe and Mr. Larson were provided an opportunity to address the board regarding the letter setting forth an offer of just compensation, along with the proposed easement document. Mr. Larson raised issues with maintenance of the proposed easement property, contended the price offered is de minimus and requested that they be provided with the sovereign lands permit recently acquired. Shelby Larson was also present and contended the invitation to attend the meeting was untimely.

Ryan Ackerman provided the Joint Board with an update regarding the StARR Program. A Status Report is contained in the May Board Packet. Ryan Ackerman updated that Ward County and the Park Board have requested that Talbott Mobile Home Park property be transferred to them for maintaining as a park in perpetuity. Next meeting there will likely be an action item associated with this.

Troy Borchard from HDR Engineering provided an update regarding Rural Bridges. A Project Status Report from HDR Engineering is contained in the May Board Packet. Dan Steinberger inquired whether they resolved the loading capability and weight limits. Troy Borchard responded with the research that has been done.

MI-6 Design was reviewed by Ryan Ackerman. Housing Engineering is proposing a contract amendment that would allow for the design of the MREFPP Phase MI-6 South Downtown/Roosevelt Park Project. The design includes floodwalls, levees, street modifications, utility relocation, storm lift station, pedestrian bridge modifications, BNSF Spur RR realignments, temporary closure structures, and other miscellaneous features. The recommended action was to approve Work Order No. 14.

Dan Jonasson moved to approve Work Order No. 14 with Houston Engineering in an amount not to exceed \$4,459,000.00 and authorize the Chairman to sign the agreement. Tom Klein seconded the motion. A roll call vote was cast. The motion passed without opposition.

Ryan Ackerman presented on Phase MI-7 segment design and permitting. Barr Engineering is proposing a contract amendment that would allow for the design of the MREFPP Phase MI-7 Project. The design includes planning, engineering, and design (PED) work, as well as tasks associated with other cost categories including USACE section 408 permission, NEPA compliance, Independent External Peer Review (IEPR), state and local permitting, Hazardous Toxic and Radioactive Waste (HTRW), and public outreach. The recommended action was to approve Task Order 14 with Barr Engineering.

Tom Klein moved to approve Task Order No. 14 with Barr Engineering in an amount not to exceed \$3,480,000.00 and authorize the Chairman to sign the agreement. Dan Jonasson seconded the motion. A roll call vote was cast. The motion passed without opposition.

Ryan Ackerman presented on WC-1A Tierrecita Vallejo engineering services during construction. Barr Engineering is proposing a contract amendment for the WC-1A Tierrecita Vallejo Engineering Services during construction. This includes submittal reviews and updates; construction administration, observation, surveying, and documentation; project administration and support; public outreach; material testing and construction photo documentation as part of Phase WC-1A construction. The recommended action was to approve Task Order No. 13 with Barr Engineering.

Dan Jonasson moved to approve Task Order No. 13 with Barr Engineering in an amount not to exceed \$785,500.00 and authorize the Chairman to sign the agreement. Tom Klein seconded the motion. A roll call vote was cast. The motion passed without opposition.

Ryan Ackerman presented on MI-2C engineering services during construction. Barr Engineering is proposing a contract amendment for the MI-2C Engineering Services during Construction. This includes bid administration; construction administration submittal reviews and updates, observation, surveying, and documentation; project administration and support; public outreach; and material testing as part of Phase MI-2C construction. The recommended action was to approve Task Order No. 15 with Barr Engineering.

Tom Klein moved to approve Task Order No. 15 with Barr Engineering in an amount not to exceed \$196,600.00 and authorize the Chairman to sign the agreement. Dan Jonasson seconded the motion. A roll call vote was cast. The motion passed without opposition.

Ryan Ackerman provided a legislative update to the Board relating to water, including that the bonding bill for Mouse River including \$74.5 million of state appropriation. In addition, there was a flood control purpose appropriated within the State Water Commission's budget and it is believed approximately \$10 million will be budgeted for Mouse River. Jack Dwyer indicated that Clif Issendorf will be serving on the SB2208 interim study, working on policy changes for water resource districts.

The Joint Board took note of future meetings as set forth in the May Board Packet. Don Jonasson indicated a 10-year anniversary of the flood will be held in Minot, with events held on June 26, 2021. In conjunction with that, there will be a ribbon cutting for MI-2/3 since a lot of dignitaries will be in town for the anniversary and it will be an opportunity for recognition for the flood protection work the Board is doing.

There being no further business to discuss, the meeting was adjourned. Next regular meeting is scheduled for Thursday, June 3, 2021 at 4:00 p.m.



Jack Dwyer
Legal Counsel