

**Minutes of Meeting**  
**Souris River Joint Water Resource Board**  
**Thursday, June 8, 2017**

A regular meeting of the Board of Directors of the Souris River Joint Water Resource Board was called to order by Chairman David Ashley on Thursday, June 8, 2017, in the Community Room of the Minot City Auditorium in Minot, North Dakota. Joint Board members attending the meeting were Dave Ashley, Cliff Issendorf, Roger Sauer, and Tom Klein. Dan Jonasson was absent. A roster of those attending the meeting is listed on Attachment A.

The Joint Board discussed the proposed agenda for the meeting. The buy-out of the KOA campground was added as an agenda item. It was moved by Roger Sauer, seconded by Cliff Issendorf, that the agenda as amended be approved. The motion was unanimously approved.

The draft minutes of the Thursday, May 11, 2017 meeting were discussed. There being no corrections, it was moved by Tom Klein, seconded by Roger Sauer, that the minutes be approved. The motion was unanimously approved.

The Joint Board reviewed all bills and invoices. Dave Ashley reviewed each invoice. Cliff Issendorf inquired as to the percentage of completion. Ryan Ackerman answered that these invoices were very close to 90% completion. It was moved by Cliff Issendorf, seconded by Roger Sauer, that the invoices identified herein be approved. The motion was unanimously approved by roll call vote.

<b>Firm</b>	<b>Project</b>	<b>Cost</b>
<b>Barr Engineering</b>	Environmental & Design	\$ 88,891.47
	MI-2A Construction Perkett	\$ 45,946.95
	StARR Program	\$ 8,027.50
	BU-1 Burlington	\$ 252,387.16
	Outlaw Creek	\$ 4,667.50
<b>Houston Engineering</b>	Environmental & Design	\$ 68,007.62
	SWIF – Outfall Pipes	\$ 2,383.75
	MI-5 4 <sup>th</sup> Ave Tieback	\$ 196,924.95
<b>Ackerman-Estvold</b>	Administration	\$ 9,482.50
	USACE Feasibility Study- WIK	\$ 1,243.75
<b>HDR Engineering, Inc.</b>	BU-1MI-5 Ind Ext Review	\$ 9,751.68
<b>Scherbenske Inc.</b>	MI-2A Construction	\$ 431,055.04
<b>Corps of Engineers</b>	Souris Basin Feasibility Study	\$ 200,000.00
<b>MDU</b>	StARR Program Acq. Utilities	\$ 101.42
<b>Verendrye</b>	StARR Program Acq. Utilities	\$ 108.26
<b>ND Guaranty</b>	StARR Acquisition	\$ 312,717.04
<b>Total</b>		<b>\$1,631,696.59</b>

Ryan Ackerman reported on the Silver Jackets Program, and explained its value to the Mouse River Enhanced Flood Control Project. Ryan Ackerman called on Terry Zien from the U.S. Army Corps of Engineers to further report on the Silver Jackets Program. Terry Zien reported on the mapping work, and indicated they would be applying for Phase II support under the Silver Jackets Program for continued mapping. Ackerman reported that the objective was to establish one stop shopping. Questions ensued.

Chairman Ashley called upon Jerry Bents of Houston Engineering and Jason Westbrook of Barr Engineering to provide a project status report. The status reports are attached to these minutes as Attachment B.

Ryan Ackerman explained proposed change order number six, which is Attachment C. After review, it was moved by Tom Klein, seconded by Roger Sauer, that change order number six be approved. The motion was unanimously approved by roll call vote.

Ryan Ackerman reported on proposed change order number seven, which is Attachment D. After review, it was moved by Cliff Issendorf, seconded by Roger Sauer, that proposed change order number seven be approved. The motion was unanimously approved by roll call vote.

Ryan Ackerman proposed an authorized amount whereby Ackerman as the Joint Board Administrator could approve change orders without Joint Board motion. The Joint Board took that recommendation under advisement.

The board considered StARR Program appeals. Emily Huettl explained the recommendations of the StARR Program appeals committee.

Appeal number one was tabled.

Appeal number two. It was moved by Cliff Issendorf, seconded by Roger Sauer, that depreciation on the structure be changed from 75% to 40%, for appeal number two. The Joint Board approved the motion, with Tom Klein voting no.

Appeal number three. It was moved by David Ashley, seconded by Cliff Issendorf, that appeal number three be denied. The motion was approved with Tom Klein voting no.

Appeal number four. It was moved by Roger Sauer, seconded by Cliff Issendorf, that appeal number four be approved with no change in value of the offer. The motion was approved with Tom Klein voting no and Dave Ashley abstaining.

Tom Klein explained that his no vote on the appeals committee recommendations was due to inadequate information to vote on these appeals.

Emily Huettl explained the bids for structure resale. After discussion and questions, it was moved by Cliff Issendorf, seconded by Roger Sauer, that the bids for structure resale be approved, and appropriate documents be authorized to execute the resales. The motion was unanimously approved by roll call vote. The bids for structure resale is Attachment E.

Ryan Ackerman provided a Feasibility Study update. On May 31 and June 1, Ryan Ackerman and Dan Jonasson traveled to Minneapolis to meet with the US Army Corps of Engineers and members of the project delivery team to conduct a value engineering workshop for the project.

Specific attention was paid to the Maple Diversion, as that is likely the extent of the federal government's involvement for the project. Ideas generated during the value engineering workshop include flood-proofing buildings on the south side of the diversion in lieu of constructing the south side levee; rerouting 2<sup>nd</sup> Avenue to be located on the north side of the north levee thereby eliminating a road closure structure; reconfiguring the upstream closure and inlet of the diversion; and eliminating a road closure structure; reconfiguring the upstream closure and inlet of the diversion; and eliminating the access road that currently serves the BNSF rail property. These concepts are being further evaluated by members of the USACE and the project delivery team.

During the value engineering workshop, other potential cost-saving measures were identified and discussed. These include potentially eliminating some of the levees on the south side of the river in east Minot. These concepts will be further evaluated by the local project delivery team.


The next milestone related to the Feasibility Study is the identification of the Tentatively Selected Plan. This is scheduled for August of this year. It appears that this milestone will be slightly delayed to allow the schedules of the Mouse River Plan EIS and the Feasibility Study decisions to be coordinated. It is important that the schedules and processes be coordinated so that the construction of Phases MI-1, MI-2 and MI-3 can be included in the Future Without Project definition.

Tom Klein recommended that some action be taken to buy out the KOA campground, as it is in complete disrepair. Ryan Ackerman stated that it could fall under the StARR Program. No action was taken.

Ryan Ackerman explained the need for invoices to coincide with the end of the State Water Commission biennium.

Dave Ashley presented a plaque to Tim Fay, and commended his dedicated and exemplary commitment to the Souris River Joint Board and the Mouse River Enhanced Flood Control Project. Dave Ashley read the inscription on the plaque, and invited Tim Fay to make some comments. Tim Fay thanked the Joint Board for their excellent work, and stated working on the Mouse River Enhanced Flood Control Project has been a highlight of his career, and he would be available if the Joint Board had any questions. Congratulations were expressed by all.

There being no further business, the meeting was adjourned.



Michael Dwyer  
Legal Counsel

## Attachment A

Clifford Jassendaf	S R JH
Roger Sauer	S R JH
Shelly Wypfer	Ward Clerk
Jessie Westbrook	Bank J
Anne Scholias	Ward Co. SM
Lynn R. Kanger	Turner
Verna Kongsli	Turner
Gene Zim	USACE
Michelle Larson	USACE
Michael J Hall	ND SWC
Mitch Weier	ND SWC





## PROJECT STATUS REPORT

### PROJECT INFORMATION

REPORT DATE	PROJECT NAME	PREPARED BY
May 25, 2017	MOUSE RIVER ENHANCED FLOOD PROTECTION PROJECT (MREFPP)	Jerry Bents, PE.

### STATUS SUMMARY

This report provides an update of the project status for the different initiatives that the Houston Engineering Team has underway for the Souris River Joint Board (SRJB). This report summarizes activities that are included in the invoices that you will be considering at the next meeting as well as additional items completed through the date of this report.

### MREFPP - GENERAL PROJECT COORDINATION AND SUPPORT (8313-001)

#### TASK

##### Phase 1 - General Project Coordination and Support

- Coordination and minute review. Assist Jason in development of the Agenda for the coordination meetings and review of minutes prior to publishing.
- General project management and coordination with the BARR team.
- Attend SRJB coordination meetings and preparation

##### Phase 2 - Additional Services - FEMA Conditional Letter of Map Revision (CLOMR)

- Revised memo and hydraulics for NDRC alternative (additional services). The adoption of the NDRC alternative required updating the Steady-State HEC-RAS Model and review/revisions to the proposed Mitigation Plan for the CLOMR application that FEMA is considering.
- Coordination w/FEMA on proposed update to the CLOMR Application.
- Developed responses to comments on CLOMR submittal based on FEMA initial review.

### MREFPP - NEPA ASSISTANCE (8313-002)

#### TASK

- Project Management of HEI NEPA/EIS Team and coordination with BARR NEPA/EIS team
- Developed "draft" text for NDRC alternative for FEIS (additional services). After the public comment period for the addendum is completed, our team will work with the BARR team to incorporate the necessary "final revisions text" to the Final EIS that will then be published. This included the following sections of the EIS addendum that the HEI team is responsible for:
  - 1) Land Use/Infrastructure,

- 2) Socio-Economics,
- 3) Aesthetics,
- 4) Recreation,
- 5) Cultural Resources.
- Developed Cultural Report for St. Anne's bridge at request of USACE (additional services)
- Review cultural reports for additional sections of Construction Phase 1.5 that were developed by Ackerman-Estfold.

#### MREFPP - REGULATORY COORDINATION AND COMPREHENSIVE MITIGATION PLANNING (8313-007)

##### TASK

- Project Management and coordination with regulatory team
- Coordination w/Dwyer Law Office on legal documents for private mitigation documents
- Development of revised USACE 404 application to incorporate revisions required by NDRC Alternative (additional services).
- Payment BNSF Permit Fee - \$1925 (additional services)

#### MREFPP - PROJECT DESIGN GUIDELINES (8313-009)

##### TASK

- Development of DRAFT Version 2.0 Design Guidelines.
- Review comments from BARR team on DRAFT and provide suggested language revisions
- Coordination call with BARR team on proposed revisions
- Incorporating all proposed changes for DRAFT Version 2.0 with exception of Geotechnical and Hydraulics Sections, pending review by BARR Team.

#### MREFPP NORTH 4TH AVE NW GENERAL DESIGN - PHASE MI-1 (8313-010)

##### TASK

- Project Management
- Permitting
  - BNSF permit application and coordination.
- Real Estate
  - Individual meetings with property owners on temporary and permanent right-of-way acquisition
- Franchise Utility Coordination
  - Meetings and call on relocations planning
- Bid Set Development
  - Development of final specification revisions
  - Development of final plan revisions
  - Develop submittal list
- Construction
  - Develop proposed construction schedule and milestones
- Additional Alternatives

- Review path and closure options for connection to Phase MI-5

## MREFPP SWIF - INVESTIGATION & ANALYSIS OF OUTFALL PIPES (8313-015)

### TASK

- Negotiations w/Pace to gather bid prices for future change order
- Process change order draft for City Contract
- Coordination with Roger S and USACE on details of mouse river box culvert televising needs

## MREFPP - 4TH AVENUE NE LEVEE EXTENSION - PHASE MI-5 (8313-016)

### TASK

- Project management
- Coordination with property owners on boring access agreements
- Alternatives review and development of preferred alignment – Including cost estimates
  - Levee alignment
  - Closure configurations
  - Path/pedestrian underpass
- Field survey and topographic surveys
- Geotechnical review and field investigations (borings and CPTs)
- Transportation – Review of potential roadway and trail alignments
- Preliminary interior drainage analysis
- Preliminary utility relocation planning
- Permitting
  - BNSF coordination on closure structures. Additional survey for permitting questions
  - Meeting with BNSF representatives 5/24
- Began development of the 30% Basis of Design Report for the preferred alignment

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Attachment B

## PROJECT STATUS REPORT

### PROJECT SUMMARY

**Report Date**

May 29, 2017

**Project Name**

MREFPP

**Prepared By**

Jason Westbrook

### STATUS SUMMARY

This report provided an update of the project status for the different initiatives that the Barr Engineering Team has underway for the Souris River Joint Board (SRJB). This summaries activities that are included in the invoices that you will be considering at the next meeting as well as additional items to the date of this report.

### PHASES 2 & 3 DESIGN & PERMITTING

**EIS**

- Revised draft EIS to incorporate NDRC alternative as the preferred alternative
- Submitted draft FEIS to USACE.
- Received comments from USACE and have begun addressing comments
- Completed report for CS 1.5 cultural resource surveys.

**Permitting**

- Responding to information request from NDSWC
- Completed application for 6(f) impacts at SVGC
- Checking with ND Parks and Rec on viability of 6(f) mitigation banking
- Completed walkthrough of project impacts with CP Rail
- Obtained utility license from CP Rail

**Design**

- Coordinate specifications with Phase 1
- Coordinate borrow site usage with Phase 1
- Field recon of borrow site



## BURLINGTON

### DESIGN & PERMITTING

- Refine alternative evaluations at Park Road, Colton Ave Bridge, and tie in locations
- Receive comments from IEPR panel on 30% submittal
- Developing 60% submittal and responding to IEPR comments.
- Completed supplemental geotechnical investigations
- Met with City leadership to provide project overview and update
- Completed field investigations for wetlands

## OUTLAW CREEK

### FEASIBILITY STUDY

- Completed hydraulic modeling
- Evaluating options for opening the outlaw creek channel
- Developing benefits analysis

## MI-2A CONSTRUCTION (PERKETT DITCH IMPROVEMENTS)

### CONSTRUCTION UPDATE

- 2<sup>nd</sup> Ave SW box culvert has been placed, paving projected week of 6/5
- Concrete being placed in existing Perkett Ditch 2<sup>nd</sup> Ave SW to Central
- Pond and shared use path substantially complete

## STARR

### STARR Update

- Three closings scheduled for July
- First Agreement for Relocation has been signed
- Structures for Resale
- Continue to write new Offers and have accepted Agreements

## USACE FEASIBILITY STUDY WORK-IN-KIND

### VBS Workshop

- Facilitated a value based design workshop at our Minneapolis office.

Change Order No. 6

Date of Issuance: 5-24-17	Effective Date: 5-24-17
Owner: Souris River Joint Water Resources Board	Owner's Contract No.: MI-2-2
Contractor: Scherbenske Inc.	Contractor's Project No.:
Engineer: Barr Engineering Co.	Engineer's Project No.: 34-51-1010.10
Project: Mouse River Enhanced Flood Protection Project	Contract Name: Phase MI-2A, Perkett Ditch Improvements

The Contract is modified as follows upon execution of this Change Order:

Description: Slope protection was necessary for the overhead power poles along the concrete channel. Concrete slopes were placed around the power poles and paid for at the unit bid price for concrete driveway. Four additional days will be added to the contract to accommodate this additional work.

Attachments: Field Order 4

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price: \$ <u>2,969,919.10</u>	Original Contract Times: Substantial Completion: <u>June 1, 2017</u> Ready for Final Payment: <u>July 15, 2017</u> days or dates
[Increase] [ <del>Decrease</del> ] from previously approved Change Orders No. <u>0</u> to No. <u>5</u> : \$ <u>29,401.31</u>	[Increase] [ <del>Decrease</del> ] from previously approved Change Orders No. <u>1</u> to No. <u>5</u> : Substantial Completion: <u>June 16, 2017</u> Ready for Final Payment: <u>July 30, 2017</u> days or dates
Contract Price prior to this Change Order: \$ <u>2,999,320.41</u>	Contract Times prior to this Change Order: Substantial Completion: <u>June 16, 2017</u> Ready for Final Payment: <u>July 30, 2017</u> days or dates
[Increase] [ <del>Decrease</del> ] of this Change Order: \$ <u>0</u>	[Increase] [ <del>Decrease</del> ] of this Change Order: Substantial Completion: <u>4</u> Ready for Final Payment: <u>4</u> days or dates
Contract Price incorporating this Change Order: \$ <u>2,999,320.41</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>June 20, 2017</u> Ready for Final Payment: <u>August 3, 2017</u> days or dates

RECOMMENDED:		ACCEPTED:		ACCEPTED:	
By: _____	By: _____	By: _____	By: _____	By: _____	By: _____
Engineer (if required)	Owner (Authorized Signature)	Contractor (Authorized Signature)			
Title: _____	Title _____	Title _____	Title _____	Title _____	Title _____
Date: _____	Date _____	Date _____	Date _____	Date _____	Date _____

Approved by Funding Agency (if applicable)

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Title: \_\_\_\_\_



Change Order No. 7

Date of Issuance: 5-24-17  
 Owner: **Souris River Joint Water Resources Board**  
 Contractor: **Scherbenske Inc.**  
 Engineer: **Barr Engineering Co.**  
 Project: **Mouse River Enhanced Flood Protection Project**

Effective Date: 5-24-17  
 Owner's Contract No.: **MI-2-2**  
 Contractor's Project No.:  
 Engineer's Project No.: **34-51-1010.10**  
 Contract Name: **Phase MI-2A, Perkett Ditch Improvements**

The Contract is modified as follows upon execution of this Change Order:

Description: A water service line was found to be in conflict with the location of a manhole. The water service line had to be relocated.

Attachments: Field Order 7 and Contractor's time and materials

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price: \$ <u>2,969,919.10</u>	Original Contract Times: Substantial Completion: <u>June 1, 2017</u> Ready for Final Payment: <u>July 15, 2017</u> <span style="float: right;">days or dates</span>
[Increase] <del>{Decrease}</del> from previously approved Change Orders No. <u>0</u> to No. <u>6</u> : \$ <u>29,401.31</u>	[Increase] <del>{Decrease}</del> from previously approved Change Orders No. <u>1</u> to No. <u>6</u> : Substantial Completion: <u>June 20, 2017</u> Ready for Final Payment: <u>August 3, 2017</u> <span style="float: right;">days or dates</span>
Contract Price prior to this Change Order: \$ <u>2,999,320.41</u>	Contract Times prior to this Change Order: Substantial Completion: <u>June 20, 2017</u> Ready for Final Payment: <u>August 3, 2017</u> <span style="float: right;">days or dates</span>
[Increase] <del>{Decrease}</del> of this Change Order: \$ <u>3,630.00</u>	[Increase] <del>{Decrease}</del> of this Change Order: Substantial Completion: <u>0</u> Ready for Final Payment: <u>0</u> <span style="float: right;">days or dates</span>
Contract Price incorporating this Change Order: \$ <u>3,002,950.41</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>June 20, 2017</u> Ready for Final Payment: <u>August 3, 2017</u> <span style="float: right;">days or dates</span>

<p><b>RECOMMENDED:</b></p> <p>By: _____                  Title: _____                  Date: _____</p>	<p><b>ACCEPTED:</b></p> <p>By: _____                  Title: _____                  Date: _____</p>	<p><b>ACCEPTED:</b></p> <p>By: _____                  Title: _____                  Date: _____</p>
Engineer (if required)	Owner (Authorized Signature)	Contractor (Authorized Signature)

Approved by Funding Agency (if applicable)

By: \_\_\_\_\_ Date: \_\_\_\_\_  
 Title: \_\_\_\_\_







Souris River Joint Board  
Bids for Structure Resale

June 5, 2017 at 4pm at Ackerman-Estvold Conference Room

7531 County Road 15 W, Single Stall Garage	
<i>Bidder</i>	<i>Amount</i>
NO BIDS RECEIVED	

7531 County Road 15 W, Utility Shed	
<i>Bidder</i>	<i>Amount</i>
NO BIDS RECEIVED	

7531 County Road 15 W, Single Family Home	
<i>Bidder</i>	<i>Amount</i>
NO BIDS RECEIVED	

7731 County Road 15 W, Utility Shed	
<i>Bidder</i>	<i>Amount</i>
Laurel Kleven	\$800
JD Karhoff	\$300
Loretta Haugen	\$111.11
<i>Raised by verbal bids:</i>	
Laurel Kleven	\$1,500
<b>Loretta Haugen</b>	<b>\$1,550</b>

7731 County Road 15 W, Three Stall Garage	
<i>Bidder</i>	<i>Amount</i>
<b>JD Karhoff</b>	<b>\$1,800</b>



7731 County Road 15 W, SF Single Family Home	
<i>Bidder</i>	<i>Amount</i>
NO BIDS RECEIVED	

7971 W County Road 15, Single Family Home with Attached Three Stall Garage	
<i>Bidder</i>	<i>Amount</i>
Ardell Haugen	\$2,100
Loretta Haugen	\$2,000
Sarah Glasoe	\$45,000
Devon Mantz	\$15,000
Leah Moberg	\$20,000
<i>Raised by verbal bids:</i>	
Devon Mantz	\$46,000
Leah Moberg	\$47,000
Sarah Glasoe	\$48,000
Leah Moberg	\$49,000
Sarah Glasoe	\$50,000
<b>Leah Moberg</b>	<b>\$51,000</b>

10003 County Road 15 W, Single Family Home with Attached Garage	
<i>Bidder</i>	<i>Amount</i>
<b>Laurel Kleven</b>	<b>\$16,000</b>

6801 County Road 19 S, Single Family Home with Attached Double Garage	
<i>Bidder</i>	<i>Amount</i>
NO BIDS RECEIVED	

6801 County Road 19 S, Double Stall Garage	
<i>Bidder</i>	<i>Amount</i>
NO BIDS RECEIVED	

*Cliff  
Pomeroy*

Following this sheet are current bills to be considered by the SRJB. Pending no additions or corrections, the following actions are recommended:

**Approve bills in the amount of \$1,635,664.85, as shown below.**



Firm	Project	Cost	Page
<b>Barr Engineering</b>	Environmental & Design	\$ 18,426.90	17
	MI-2A Construction Perkett	\$ 101,749.75	30
	MI-2B Construction SVGC	\$ 1,102.50	40
	StARR Program	\$ 28,387.50	44
	BU-1 Burlington	\$ 544,340.42	79
	Outlaw Creek	\$ 8,064.00	155
	USACE Feasibility Study	\$ 15,927.00	157
<b>Houston Engineering</b>	Environmental & Design	\$ 212,922.08	161
	SWIF – Outfall Pipes	\$ 262.50	188
	MI-5 4 <sup>th</sup> Ave Tieback	\$ 316,987.58	189
<b>Ackerman-Estvoid</b>	Administration	\$ 15,972.61	198
	USACE Feasibility Study-WIK	\$ 13,077.50	204
<b>HDR Engineering, Inc.</b>	BU-1MI-5 Ind Ext Review	\$ 28,392.92	206
<b>Scherbenske Inc.</b>	MI-2A Construction Perkett	\$ 319,208.44	212
<b>Dwyer Law Office</b>	Legal	\$ 10,661.00	218
<b>MDU</b>	StARR Program Acq. Utilities	\$ 28.13	222
<b>Verendrye</b>	StARR Program Acq. Utilities	\$ 154.02	224
<b>Total</b>		<b>\$ 1,635,664.85</b>	