

Minutes of Meeting
Souris River Joint Water Resource Board
Thursday, January 7, 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, January 7, 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, and 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. Ryan Ackerman proposed adding an introduction to the Minot City Manager to the agenda.

Dan Jonasson made a motion to approve the agenda as amended. Dan Steinberger seconded the motion. The motion passed without opposition.

The draft minutes from the December 3, 2020, meeting were discussed. An amendment was made to correct the name of a director.

Dan Jonasson made a motion to approve the Minutes, as amended, from the December 3, 2020, Joint Board meeting. Dan Steinberger seconded the motion. The motion passed without opposition.

The Joint Board discussed the 2021 SRJB meeting schedule.

Dan Jonasson made a motion to approve the 2021 SRJB Meeting Schedule. Dan Steinberger seconded the motion. The motion passed without opposition.

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

Dan Steinberger moved to approve the Budget Report included in the January Board Packet. Dan Jonasson seconded the motion. The motion passed without opposition.

Ryan Ackerman proposed Change Order 76 to the MI 2/3 Phase, which orders a final accounting of underruns and overruns to determine the final contract price, grants a time extension as a result of weather delays, and an increase in work due to the field conditions presented. Dan Jonasson inquired about a price increase for a concrete driveway. Jason Westbrook explained that there were more driveway impacts than estimated and more concrete that needed to be replaced. Dan Jonasson inquired about Change Order 8. Jason Westbrook explained that there was an accounting issue.

Dan Jonasson made a motion to approve Change Order 76. Clif Issendorf seconded the motion. A roll call vote was cast. The motion passed without opposition.

The Joint Board discussed the bills set forth in the January Board Packet.

Tom Klein made a motion to approve the payment of bills in the amount of \$2,971,707.40. Dan Jonasson seconded the motion. A roll call vote was cast. The motion passed without opposition.

Dan Jonasson introduced Harold Stewart, the New Minot City Manager.

Jerry Bents from Houston Engineering provided the Joint Board with an update on Phase MI-1. Jerry Bents provided a drone video of the project to the Joint Board. A Project Status Report from Houston Engineering is contained in the January Board Packet.

Jerry Bents provided an update on Phase MI-4A design work. Jerry Bents provided a drone video of the project to the Joint Board. The Project Status Report from Houston includes information regarding Phase MI-4A. Ryan Ackerman noted that the Maple Diversion officially has federal authorization, which opens up federal funding opportunities.

Jerry Bents provided an update on Phase MI-5 design work. The Project Status Report from Houston includes information regarding Phase MI-5.

Jason Westbrook provided an update to the Joint Board regarding construction of Phase MI-2/3. A Project Status Report from Barr Engineering is contained in the January Board Packet. Ryan Ackerman requested the Board issue its final acceptance of Phase MI 2/3 construction contract with Wagner Construction. Directors Klein and Issendorf requested a tour of the completed Phase.

Dan Jonasson made a motion to approve the Phase MI2/3 project acceptance. Clif Issendorf seconded the motion. A roll call vote was cast. The motion passed without opposition.

Jason Westbrook provided an update to the Joint Board regarding construction of Phase BU-1. Jason Westbrook provided a drone video of the project to the Joint Board. A Project Status Report from Barr Engineering is contained in the January Board Packet.

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.

Jack Dwyer gave some background on the current acquisitions. Wayne Moe and his attorney Mark Larson met with the Joint Board via Teams. Jack Dwyer explained that the Joint Board had commenced an eminent domain process, which required the meeting to be requested by the Joint Board. During the meeting, Mark Larson advocated for more negotiations before the condemnation proceeding moves forward. Mark Larson indicated that all previous correspondence did not indicate imminent legal action. Mark Larson said there were options presented to the Joint Board that would achieve cost savings for the Project, such as using placing fill material derived from Project construction on Mr. Moe's property, instead of hauling off site. Ryan Ackerman explained that the area that the fill material needed would be placed on would also have to be encumbered and have a larger footprint, and indicated that he would have to look at that option again. Jack Dwyer indicated to the Joint Board that he would continue negotiation efforts with Wayne Moe and Mark Larson.

Ryan Ackerman provided the Joint Board with an update regarding the StARR Program. A Status Report is contained in the January Board Packet. Ryan Ackerman brought up staking property corners on property resold as part of the land resale bid opening on November 30th, 2020. Tom Klein stated that the person that brought the issue to him has no idea where his property lines are. Jack Dwyer stated that the general rule of thumb for commercial property in North Dakota is buyer beware.

Dan Jonasson made a motion to deny the staking of property corners. Clif Issendorf seconded the motion. A roll call vote was cast. The motion passed without opposition. Director Klein abstained.

Troy Borchard from HDR Engineering provided an update regarding Rural Bridges. A Project Status Report from HDR Engineering is contained in the January Board Packet. Dan Steinberger asked about how many comments were received. Troy Borchard stated that three or four comments were received.

The Joint Board took note of future meetings as set forth in the January Board Packet. Dave Ashley noted that legislature is in session.

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



Jack Dwyer
Legal Counsel