

Minutes of Meeting

Souris River Joint Water Resource Board

Thursday, June 6, 2019

A regular 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, June 6, 2019, in the Community Room of the Minot Auditorium, in the City of Minot, North Dakota. Joint Board members attending the meeting were David Ashley, Clif Issendorf, and Tom Klein. A roster of those attending is attached as **Attachment A**. 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. Chairman David Ashley added Agenda Item No. 16.a to discuss the USACE Invoice Letter, attached as **Attachment B**, and Agenda Item No. 16.b to discuss a banking issue, for which an explanation and recommended action are attached as **Attachment C**.

Tom Klein made a motion to approve the agenda, as amended. Clif Issendorf seconded the motion. The motion passed without opposition.

The draft Minutes from the May 2, 2019, meeting were discussed.

Clif Issendorf made a motion to approve the Minutes from the May 2, 2019, Joint Board meeting. Tom Klein seconded the motion. The motion passed without opposition.

The Joint Board discussed the Budget Report included in the June Board packet. Ryan Ackerman provided an explanation to the Joint Board regarding the June Budget Report.

Clif Issendorf moved to approve the June Budget Report. Tom Klein seconded the motion. The motion passed without opposition.

The Joint Board discussed the bills. Ryan Ackerman provided an explanation to the Joint Board regarding a potential claim from Scherbenske under a construction contract.

Tom Klein moved to approve bills in the amount of \$3,710,373.29. Clif Issendorf seconded the motion. The motion passed without opposition.

Ryan Ackerman provided an update to the Joint Board regarding Phase MI-1, which featured a drone video. Ryan Ackerman provided an update regarding Phase MI-5. Ryan Ackerman indicated that BNSF has asked that its facilities be raised up out of the flood plain, which would add \$40 million to the Project. Ryan Ackerman indicated that Senator Hoeven's office has proposed using federal funding (available for DOT projects) for 50% of the increased cost through the BUILD grant, with BNSF picking up the tab on the remaining 50%. Ryan Ackerman provided an update to the Joint Board regarding Phase MI-2/3, which featured a drone video. Ryan Ackerman gave an update regarding Phase BU-1 and BU-1A. The Joint Board discussed the status of ongoing acquisitions that are necessary for this phase of the Project. Ryan Ackerman provided an update regarding Phase WC-1.

The Joint Board discussed the StARR Program. An update memo is contained at page 260 of the June Board packet.

Tom Klein moved to approve the advertisement for bids for demolition of StARR Program structures contained at page 257 of the June Board packet. Clif Issendorf seconded the motion. The motion passed without opposition.

Clif Issendorf moved to approve the advertisement for bids for resale of StARR Program structures contained at page 259 of the June Board packet. Tom Klein seconded the motion. The motion passed without opposition.

The Joint Board discussed Rural Bridge design. Dennis Reep from HDR Engineering provided an update.

The Joint Board discussed 2020 budget requests for Renville, Ward, McHenry, and Bottineau Counties. Ryan Ackerman explained that it was necessary to adopt a proposed budget to send out to the various counties, so that the various counties can account for the Joint Board's request as they each prepare their own budgets.

Clif Issendorf moved to approve the 2020 preliminary budget for the Souris River Joint Board and direct the administrator to make requests to the member county commissions for consideration. Tom Klein seconded the motion. The motion passed without opposition.

The Joint Board discussed the creation of a Finance Committee. It was discussed that a Finance Committee could focus on generating and sustaining the local cost share of the Mouse River Enhanced Flood Protection Project. The proposed representatives on the Finance Committee are David Ashley, Shaun Sipma, Shelly Wepler, Jason Zimmerman, and David Lakefield.

Clif Issendorf moved to approve the establishment of a Mouse River Enhanced Flood Protection Project Finance Committee consisting of the members identified by Chairman Ashley. Tom Klein seconded the motion.

Chairman David Ashley directed the Joint Board's attention to a list of upcoming meetings contained in the Board packet. Ryan Ackerman noted the June 19 State Water Commission meeting as well.

The Joint Board discussed Agenda Item No. 16.a relating to the USACE Section 214 Agreement request for payment in the amount of \$42,000.00, by way of a letter dated June 6, 2019, which is attached as **Attachment B**. Ryan Ackerman indicated that \$31,500 exists in a State cost share authorization that could be used to fund this request, with the remaining amount to be funded by the City of Minot. It was noted that this money would be used to fund the continued 408 permit review.

Tom Klein moved to approve the payment in the amount of \$42,000 as requested by the USACE. Clif Issendorf seconded the motion. The motion passed without opposition.

The Joint Board discussed Agenda Item No. 16.b relating to a recommendation from First Western Bank & Trust to utilize its ICS Promontory service as set forth in **Attachment C**, which fully insures the balance in accordance with public fund requirements, but also provides a return on balances held in the account.

Clif Issendorf moved to authorize the Chairman to execute documents with First Western Bank & Trust and transfer funds to the ICS Promontory Account, a fully-insured deposit account. Tom Klein seconded the motion. The motion passed without opposition.

There being no further business, the meeting was adjourned.



Jack Dwyer
Legal Counsel



DEPARTMENT OF THE ARMY
ST. PAUL DISTRICT, CORPS OF ENGINEERS
180 FIFTH STREET EAST, SUITE 700
ST. PAUL, MN 55101-1678

June 6, 2019

Programs and Project Management Division
Project Management Branch

Mr. David Ashley
Chairman
Souris River Joint Water Resource Board
P.O. Box 5005
Minot, ND 58702

Dear Mr. Ashley:

This is in regard to the executed Section 214 Agreement (No. SRJB214-3) for requestor funded 408 Reviews with respect to the design and environmental compliance of Tierracita Vallejo and the Maple Diversion aspects of the Mouse River Enhanced Flood Protection project in North Dakota. The Agreement between the U.S. Army Corps of Engineers (Corps) and the Souris River Joint Water Resource Board was signed on 8 April 2019.

In accordance with the agreement between the Corps and Souris River Joint Water Resource Board for the 408 review, please provide us with funds in the amount of \$42,000. You can either set up an electronic funds transfer for payment by contacting Ms. Cherie Law in our Resource Management Office at 651-290-5465 or send a check in the amount of \$42,000 payable to "FAO, USAED, ST. PAUL, B6" to the address listed below.

District Engineer
St. Paul District, U.S. Army Corps of Engineers
ATTN: Staff Accountant – Cherie Law CEMVP-RM
180 Fifth Street East, Suite 700
St. Paul, Minnesota 55101-1678

Additional payments will be requested as needed in accordance with the terms of the Section 214 agreement.

If you have any questions concerning this request, please contact me by phone at 651-290-5251 or email at nicholas.j.castellane@usace.army.mil.

Sincerely,



Nick Castellane
Project Manager

First Western Bank & Trust is offering a service to the SRJB for its deposit accounts. ICS Promontory is a service that provides fully insured deposits, regardless of amount, that also pays 1% interest. This service meets the audit requirements necessary for public funds while providing an interest return on the SRJB balances in its account.

The following action is recommended:

Authorize the Chairman to execute documents with First Western Bank & Trust and transfer funds to the ICS Promontory Account, a fully insured deposit account.