

**Minutes of Meeting
Souris River Joint Water Resource Board
Thursday, April 6, 2023**

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, April 6, 2023, after announcing that a quorum was present. The meeting was held virtually via Teams. Joint Board members in attendance were Tom Klein, Dan Steinberger, Dan Jonasson and Clif Issendorf.

The Joint Board discussed the proposed Agenda for the meeting.

Clif Issendorf made a motion to approve the agenda for the meeting. Tom Klein seconded the motion. The motion passed without opposition.

The draft minutes of the March 2, 2023 regular meeting of the SRJB were discussed.

Dan Steinberger made a motion to approve the minutes from March 2, 2023 regular meeting. Clif Issendorf seconded the motion. The motion passed without opposition.

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

Dan Steinberger moved to approve the Budget Report. Clif Issendorf seconded the motion. The motion passed without opposition.

The Joint Board reviewed and approved bills set forth in the April Board Packet totaling \$1,248,633.29. Chairman Ashley opened it up for questions from the Board on each bill being considered for approval. On Barr Engineering, Dan Steinberger asked about ABS Software charges on Page 58 of the Board Packet. Jason Westbrook advised the charge would be for proprietary software that a subscription is paid for that was utilized on Phase MI-7 of the project.

Dan Jonasson moved to approve the payment of bills totaling \$1,248,633.29. Tom Klein 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 April Board Packet. Work is largely on winter suspension. The negotiations and mediation with Park Construction have concluded. The contractor is scheduled to finish work this fall.

Jerry Bents updated on Phase MI-4A and MI-4B. A Project Status Report from Houston Engineering is contained in the April Board Packet. On Phase MI-4A, final submissions from Strata are being worked through after which there will be a final pay application. On Phase MI-4B, the project has been closed out with the contractor and final design needs to be closed out. By way of construction, both phases are done. On the rest of MI-4 (the Maple Diversion), negotiations are ongoing with CP Rail for the diversion channel. A letter for the chairman to sign asking for decisions from CP Rail is expected to go out next week to address some of the remaining concerns.

Jerry Bents updated on Phase MI-5. A Project Status Report from Houston Engineering is contained in the April Board Packet. Phase MI-5A is the floodwall project that Wagner is doing (the one the recent pay application was paid on in the approved bills). Work in the last year has been focused largely on the pump station. The walls and top slab are poured for that. The base of the foundation is started for where the booster pump station will go. That has been moved so that so that can be relocated. They got some of the lines bored through the railroad last year before going on winter suspension. Phase MI-5B has been focused on relocating one of the buildings out to public works to be used for future storage for flood-related projects. There were two contracts – MI-5B.1, which was hiring Huwe the Housemover, Inc. to move the building out there which is done and closed out and MI-5B.2, which was a separate contract with Rolac Contracting, Inc. to make modifications to bring things up to current building code with the City. Additionally, a concrete floor was poured and new doors installed. Rolac is done with their work now and a final balancing change order in the amount of deduct of \$956.61. Change Order No. 3 reflects the final installed quantities to extend the substantial completion date. All adjustments have been reviewed by the Engineer and agreed to by the contractor. Details of the quantities changed, and substantial completion date are included in the April Board Packet.

Dan Jonasson moved to Approve Change Order No. 3 to deduct (\$956.61) from the total contract and extend the substantial completion date from December 31, 2022 to February 14, 2023 and authorize the chairman to sign the agreement. Cliff Issendorf seconded the motion. A roll call vote was cast. The motion passed without opposition.

Jerry Bents updated the Joint Board on Phase MI-6. A Project Status Report from Houston Engineering is contained in the April Board Packet. The 90% is finished up and got back USACE IEPR and comments and final touches are being put on that to get to 100% design. Work with BNSF continues on the property acquisition on the area west of Third Street. BNSF recently reviewed the 90% and a few adjustments were made to the levee alignment to address their comments (take a little less property from them and have a wider corridor through the community). 100% design is expected within the next several months.

Jason Westbrook of Barr Engineering updated the Joint Board on Phase MI-2C. A Project Status Report from is contained in the April Board Packet. This phase is in winter suspension and there are no updates.

Jason Westbrook provided an update to the Joint Board regarding Phase MI-7. A Project Status Report is contained in the April Board Packet. The 90% plans were submitted last month and received the first set of comments back from USACE. It is expected to reach 100% deliverable this summer.

Jason Westbrook provided an update to the Joint Board regarding Phase WC-1. A Project Status Report is contained in the April Board Packet. Paperwork was received from Wagner Construction this week on working through the deduct for removing the closure out of Wagner's contract at the CP crossing. A deduct change order is expected to be processed at the next SRJB meeting. This afternoon there were discussions with CP to talk through comments on the draft O&M manual that will go with that closure. A response will go back in the next couple of weeks.

Jason Westbrook provided an update on Phase BU-1. A Project Status Report is contained in the April Board Packet. The project has been in winter suspension with respect to civil work. There have been contacts with the State of North Dakota and FEMA to start a dialogue about getting Burlington out of the flood plain. Dan Steinberger asked about insurance. Ryan Ackerman indicated that based on the current effective flood insurance rate maps, if a structure falls within the flood plain there is a mandatory purchase requirement if your property is subject to any federally-backed debt instrument (i.e. mortgage). Once the

project is finished, a map revision is completed that is approved by FEMA that changes the flood insurance rate maps and the structures currently in the regulatory flood plain are excluded so the mandatory purchase requirement would go away. Additionally, the rates will be significantly reduced for those people who do choose to purchase flood insurance.

Ryan Ackerman provided the SRJB with a Rural Program Update. The rural farm program team has been identified and they are working on organizing the outreach program to get in touch with the residents in the basin. The second item with respect to the Rural Program is seeking authorization for advertisement of bids for structure resale. The next round of rural structure resales has been prepared for bidding. The advertisement for bids are contained in the April Board Packet.

Dan Jonasson moved to approve the advertisement for bids for the resale of Rural program structures. Clif Issendorf seconded the motion. A roll call vote was cast. The motion passed without opposition.

Troy Borchard from HDR Engineering provided an update regarding Rural Bridges. A Project Status Report is contained in the April Board Packet. On the Sawyer site, there has been winter shutdown and things will move forward for the punch list items when the snow goes away. For the Velva site, a discussion took place with NDDOT about phasing the structure since they will not let it shut down. On Mouse River Park, adjustments are being made to the construction type for the bridge. Hydraulics are done and there are minimal to zero impact on it. There may be some re-permitting required. Dan Steinberger questioned whether a two-year construction period is still expected. Troy Borchard indicated that is accurate.

A legislative update was presented to the Joint Board by Ryan Ackerman. \$76.1 million is pretty much locked in as the appropriation level for the next biennium. The House appropriations subcommittee on education and environment met today and passed their amendments on the bill. The full appropriations committee is expected to take that up early next week and take that up to the House floor. The legislative intent language that the House has adopted is identical to what the Senate had, which there are still concerns with. Concerns have been expressed to members of the House committee hoping they would make the changes; however, they were essentially lobbied by their counterparts in the Senate to hold firm in the language. The intent is to approach local legislators to clean up the language to make it more firm with regard to future appropriations.

The Joint Board took note of future meetings and events as set forth in the April Board Packet. The next regular meeting of the Joint Board is scheduled for Thursday, May 4, 2023 at 4:00 p.m. in Room 203 of the Minot Auditorium.

Clif Issendorf motioned to adjourn the meeting. Dan Jonasson seconded the motion.

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



Jack Dwyer
Legal Counsel