

Minutes of Meeting

Souris River Joint Water Resource Board

Thursday, December 5, 2019

A meeting of the board of directors of the Souris River Joint Water Resource Board was called to order by Chairman David Ashley at 12:05 p.m. on Thursday, December 5, 2019, in the Governor's Room, in the Ramkota Hotel, Bismarck, North Dakota, which was held in conjunction with the North Dakota annual Water Convention. Joint Board members attending the meeting were Chairman David Ashley, Mark Cook, Clif Issendorf, Dan Jonasson and Tom Klein. Chairman David Ashley called the meeting to order and announced that a quorum was present, and asked those in attendance to provide introductions. A roster of those who attended the meeting is attached as Attachment A.

The Joint Board discussed the proposed Agenda for the meeting.

Tom Klein moved to approve the agenda. Dan Jonasson seconded the motion. The motion passed without opposition.

The draft Minutes from the November 7, 2019 regular meeting were discussed.

Dan Jonasson made a motion to approve the Minutes from the November 7, 2019 Joint Board meeting. Mark Cook seconded the motion. The motion passed without opposition.

The Joint Board discussed the Budget Report included in the December Board Packet. Ryan Ackerman provided an explanation to the Joint Board regarding the December Budget Report and some timing issues of debits and credits.

Mark Cook moved to approve the December Budget Report. Tom Klein seconded the motion. The motion passed without opposition.

The Joint Board discussed HDR Contract Amendments. Dennis Reep from HDR Engineering provided an explanation regarding HDR's proposal to amend its existing contract with the Joint Board. HDR's contract only provides for a 60% design, and the proposal would give HDR the authority to complete the design. Ryan Ackerman reported to the Board regarding HDR's current contractual status, and directed the Joint Board's attention to the memo contained at page 12 of the December Board Packet. Ryan Ackerman indicated that his team had evaluated whether the proposed contract amendments were reasonable in relation to the work, and concluded that the fees were within industry standards. Ryan Ackerman also indicated that while the budget for HDR's design fees was robust, the contracts were "hourly not to exceed" contracts.

Dan Jonasson moved to approve the HDR Engineering contract amendments and authorize the Chairman to sign necessary documentation on behalf of the SRJB. Clif Issendorf seconded the motion. A roll call vote was cast. The motion passed without opposition.

The Joint Board discussed the bills in the aggregate amount of \$4,307,466.27 as set forth in the December Board Packet. Chairman David Ashley provided an opportunity for questions on bills. Ryan Ackerman provided an explanation regarding the bill for audit services from Eide Bailley, which was originally withheld due to statutory requirements to withhold payment until acceptance by the ND state auditor's office.

Tom Klein made a motion to approve the payment of bills in the amount of \$4,307,466.27. Clif Issendorf 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 Phases MI-1, which featured a drone video. A Project Status Report from Houston Engineering is contained in the December Board Packet at page 426. Jerry Bents indicated that Phase MI-1 construction is about 65% complete, and is on schedule to be completed in May of 2021. Jerry Bents provided an update on Phase MI-5 design work, the alignment for which has recently shifted due to the north side of Railway Avenue, due to unfruitful negotiations with BNSF with the first proposed alignment. Jerry Bents indicated that he was hopeful that construction would begin in mid 2021.

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 December Board Packet at page 430. Jason Westbrook reported that contract sets substantial completion in June, with final completion towards the end of the summer, and that the contractor appears to be on track to hit those dates. Jason Westbrook provided an update regarding Phase BU-1 construction for Colton Avenue Bridge, which is currently behind schedule, but the contractor has recently achieved substantial completion. The contractor will have to return to button up construction in the spring.

Jason Westbrook indicated that the Phase BU-1 levee project was working to obtain required permits, and believed the Joint Board was on track to obtain necessary permits by construction season. Jason Westbrook requested the Joint Board approve plans and specs for bidding the project. Ryan Ackerman reported that the Opinion of Probable Cost was contained in the Board Packet at page 432.

Clif Issendorf moved to approve plans, specifications, and estimate for MREFPP Phase BU-1 and authorize advertising for construction bids. Tom Klein seconded the motion. A roll call vote was cast. The motion passed without opposition.

Jason Westbrook provided an update regarding Phase WC-1. A railroad closure is contemplated as a part of the project. The railroad has requested inundation modeling in an effort to make an informed decision regarding authorizing the railroad closure and other flood protection features. Ryan Ackerman indicated that the railroad does not have specific historical data regarding past floods and inundation levels. Jerry Bents indicated that of the two closures that are required of CP Rail's line, there were fewer concerns about this particular closure.

Ryan Ackerman provided a report to the Joint Board regarding the advertisement for property resale as a part of the StARR Program.

Dan Jonasson moved to approve the sale of Valley Meadow Addition Lot 3 and Valley Meadow Addition Lot 2 to Steve and Jan Moen. Mark Cook seconded the motion. A roll call vote was cast. The motion passed without opposition.

Clif Issendorf moved to approve the sale of Eisenzimmer Lot 2 and Eisenzimmer Lot 3 to Tom Klein. Mark Cook seconded the motion. A roll call vote was cast. Tom Klein abstained. The motion passed without opposition.

Ryan Ackerman indicated that his team would consider the use and maintenance of the properties which did not receive bids for resale, and other acquired StARR Properties. Ryan Ackerman indicated that he was working with the City of Minot Park District on an upcoming proposal for a few StARR properties near Logan.

Dennis Reep from HDR Engineering provided an update regarding Rural Bridges. A Project Status Report is contained at page 462 of the December Board Packet. HDR has been working on obtaining federal permits from the USACE. Velva has requested a walking path for its bridge, which would be a local cost, not a flood control cost. Alignment and configuration of the Mouse River Park Bridge has been considered. Locals have asked for a walking path option, which again would be a local cost.

The Joint Board discussed acquisition negotiation policy for real estate acquisitions that are necessary for the Project. Ryan Ackerman provided a recommended policy for negotiating agility for the acquisition team, which can be found at page of the December Board Packet. The Board tabled the discussion.

Ryan Ackerman indicated that the Office of the State Auditor has approved the Joint Board's 2016 and 2017 financial statements.

The Joint Board took note of future meetings as set forth in the December Board Packet.

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



Jack Dwyer
Legal Counsel



PROJECT ENGINEERING GRAPH
 NORTH DAKOTA STATE WATER COMMISSION
 SFN 61558 (10/2018)

Project		Project Number	
By	Date	Checked By	Date
Subject			

SRJB	Sign In Sheet	12-5-2019	
Jack Dager		Dager Law	
Cliff Anderson		SRJB, Bottineau Co W. R. Bd	
Dave Oddy		SRJA - Mottong City WRO	
Mark Cook		SRJB, Renville City	
Tom Klein		SRJB - Ward County	
DAN JONASSON		SRJB / City of Minot	
JERRY BEND		HOUSTON EDC	
Bjorn Berg		Houston Engineering	
Karli Frohling		HDR Engineering	
LOREN JOHNSON		WARD Co WB	
Matt Lindsay		State Water Commission	
Jason Zimmerman		ward water / SWC	
Paul Pitner		City of Minot	
Sally Johnson		Senator John Hoeven Office	
Wanda McFadyen		ARRB	
Jennifer Malloy		Apex Engineering Group	
Bryce Klaseen		OSE / SWC	
Brent Hanson		USGS	
Jason Westbrock		BARR	

