

Minutes of Meeting

Souris River Joint Water Resource Board

Thursday, November 9, 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, November 9, 2017, in the Community Room of the Minot Auditorium, Minot, North Dakota. Joint Board members attending the meeting were Dave Ashley, Clif Issendorf, Roger Sauer (via conference call), Tom Klein and Dan Jonasson. A roster of those attending the meeting is attached as Attachment A.

The Joint Board discussed the proposed Agenda for the meeting. Tom Klein made a motion to accept the Agenda, as proposed. Dan Jonasson seconded the motion. The motion was approved without opposition.

The draft Minutes of the October 12, 2017, regular meeting, and the draft Minutes of the October 27, 2017, special meeting were discussed. Clif Issendorf made a motion to approve the Minutes of the October 12 and October 27 meeting as presented, and Dan Jonasson seconded the motion. The motion was approved without opposition.

The Joint Board discussed Agenda Item No. 4 regarding bills. Ryan Ackerman substituted a revised Page 7 of the Board packet in order to include a bill from Verendrye, and to adjust a settlement statement from ND Guaranty. The revised Page 7, the bill from Verendrye, and the revised settlement statement are attached as Attachment B. The bills that were considered by the Joint Board are as follows:

- Barr Engineering	Environmental & Design	\$4,966.13
	StARR Program	\$18,184.25
	BU-1 Burlington	\$322,122.69
	Outlaw Creek	\$861.25
	USACE Feasibility Study	\$3,939.50
- Houston Engineering	Environmental & Design	\$46,916.30
	SWIF – Outfall Pipes	\$9,509.50
	MI-5 4 th Ave. Tieback	\$189,509.39
- Ackerman Estvold	Administration	\$19,427.50
	USACE Feasibility Study WIK	\$300.00
- Dwyer Law Office	Legal	\$6,921.20
- Sherbenske	MI-2A Construction Perkett	\$44,079.68
- Klimpel Excavating	StARR Demolition and Site Restoration	\$22,667.00
- City of Minot	Highway 83 Broadway Viaduct	\$136,075.35
- Verendrye	StARR Program Acq. Utilities	\$38.02
- ND Guaranty	StARR Program Acquisition	\$378,206.77
- TOTAL		\$1,203,724.53

Tom Klein made a motion to approve the bills in the amount of \$1,203,724.53. Dan Jonasson seconded the motion. The motion passed without opposition.

Jerry Bents provided an update to the Joint Board on Phases MI-1 and MI-5. Jerry Bents directed the Joint Board's attention to the Project Status Report included in the Board Packet at page 183. Jerry Bents noted that the Project has successfully obtained its Certified Letter of Map Revision for construction stage 1.5, which includes the first three phases of the Project. Jerry Bents also noted that competitive bids were received for Phase MI-1 on October 25, 2017, but due to concerns relating to the lack of a mechanical bid, Phase MI-1 was rebid, with bid opening scheduled for November 29, 2017. Jerry Bents indicated that Phase MI-5 60% design submittal has been submitted to the USACE and HDR for external peer review, and Houston Engineering has received comments back from both.

Jason Westbrook provided an update to the Joint Board on Phase MI-2/3. Jason Westbrook indicated that the Environmental Impact Statement has been delayed due to concerns relating to the Project in relation to standard USACE guidance documents. Jason Westbrook indicated that bids were opened on Phase MI-2/3 on November 1, 2017. The engineer's estimate was \$41.6 million, and the low bid received was approximately \$35.6 million, which was received from Wagner Construction. Jason Westbrook provided an update relating to Phase BU-1 Burlington, for which 90% submittals were provided to USACE and HDR for external peer review.

Emily Huettl provided the Joint Board with an update regarding MI-2A, Perkett Ditch. In the last two months, most work has been focused on finalizing paperwork to finalize the construction project. Emily Huettl directed the Joint Board's attention to the Change Order #8 located at page 190 for Phase MI-2A. Dan Jonasson made a motion to approve Change Order #8. Tom Klein seconded the motion. The motion passed without opposition.

Emily Huettl provided an update on the StARR Program. Emily Huettl indicated that 7 properties had closed in the previous month, that 1 property had closed in November, and that 2 properties are scheduled to close in December. Klimpel Excavating, one of the demolition contractors, has nearly completed work on 2 of the demolition properties, and that Dig It Up, the other contractor, is working on 5 other demolition properties. Emily Huettl indicated that the demolition properties will be restored to a natural state, and that next spring we will discuss conveying those properties to the local county.


Lastly, Jason Westbrook provided an in-depth slide presentation to the Joint Board relating to Outlaw Creek, which is attached as Attachment C. The Joint Board discussed the possibility of subsurface drainage to increase benefits to local landowners along Outlaw Creek.

Ryan Ackerman provided an update regarding the USACE's Feasibility Study. Ryan Ackerman indicated that the draft Feasibility Study Report is located on the mouseriveplan.com website, the Minot Public Library, and the Ward County Library. Ryan Ackerman indicated that the Joint Board and USACE will be hosting a public information meeting that the USACE has included in its Feasibility Study on November 16, 2017, at 6:30 p.m. at the Minot Municipal Auditorium. Ryan Ackerman indicated several of the Joint Board's consultants and David Ashley and Dan Jonasson visited with the USACE in St. Paul, Minnesota, to implement a plan for the Maple Diversion, and that the design will be moving forward in the next few weeks. Ryan Ackerman indicated that the optimal plan may increase the scope of federal project, which

could add more federal dollars as well as making the federal project more compatible with the MREFPP. Ryan Ackerman indicated that the USACE will complete the design only to the extent to obtain a realistic budget and quantified cost-benefit ratio, and will move forward with additional design after reviewing the budget and cost-benefit ratio, therefore the federal project could take a long time to design and construct.

Jack Dwyer provided an update to the Joint Board regarding its general liability policy under NDIRF. Jack Dwyer reported that the Joint Board members are listed as "additional insureds" on the Joint Board's insurance policy. Clif Issendorf inquired whether NDIRF has increased policy limits over the \$2 million policy currently held by the Joint Board, and Jack Dwyer indicated he would report back to the Joint Board.

There being no further business, the meeting was adjourned.



Jack Dwyer
Legal Counsel



Minot Municipal Auditorium

[illegible]



Firm	Project	Cost	Page
Barr Engineering	Environmental & Design	\$ 4,966.13	8
	StARR Program	\$ 18,184.25	20
	BU-1 Burlington	\$ 322,122.69	45
	Outlaw Creek	\$ 861.25	77
	USACE Feasibility Study	\$ 3,939.50	79
Houston Engineering	Environmental & Design	\$ 46,916.30	82
	SWIF – Outfall Pipes	\$ 9,509.50	109
	MI-5 4 th Ave Tieback	\$ 189,509.39	111
Ackerman-Estvold	Administration	\$ 19,427.50	127
	USACE Feasibility Study-WIK	\$ 300.00	131
Dwyer Law Office	Legal	\$ 6,921.20	132
Sherbenske	MI-2A Construction Perkett	\$ 44,079.68	134
Klimpel Excavating	StARR Demolition and Site Restoration	\$ 22,667.00	140
City of Minot	Highway 83 - Broadway Viaduct	\$ 136,075.35	142
Verendrye	StARR Program Acq. Utilities	\$ 38.02	
ND Guaranty	StARR Acquisition	\$ 378,206.77	179
Total		\$ 1,203,724.53	



615 Highway 52 West
Velva ND 58790-7417

Your Touchstone Energy[®] Cooperative

Office Hours: Mon-Fri 8AM to 5PM

Phone: 1-800-472-2141 or E-mail: rec@verendrye.com

Web site: www.verendrye.com

8792 1 AV 0.370 4 8792
SOURIS RIVER JOINT BOARD C-20 P-23
PO BOX 1516
MINOT ND 58702-1516



This cooperative is an equal opportunity provider and employer.

Account Number 5868300

Statement Date 11/02/2017

Billing Summary

Previous Balance	\$40.37
Payments 11/02/2017	-40.37
Balance Forward	0.00
Current Charges	38.02

Amount Due \$38.02

Due Upon Receipt

Page 1 of 1

Payment Options:

We accept cash, check, money order, VISA or MasterCard.

- Electronically via SmartHub
- MoneyGram (Receive Code 15420)
- In person at our Minot or Velva offices
- Via the phone
- Set up auto pay
- Mail

Service Details

Loc: 028361401950 Addr: 7971 COUNTY RD 15 W Desc: Rate: 013

Meter Reading Details Meter 55538098

Current Reading	11/01/17	41,887
Previous Reading	10/01/17	41,759
Master Meter Usage		128
Less Sub Meter Usage		51
Total Usage		77

Detail of Charges

KWH Revenue	77 KWH	\$7.97
Facility Charge		23.00
Total This Service		\$30.97

Loc: 028361401950 Addr: 7971 COUNTY RD 15 W Desc: Heat Meter Rate: 119 Heat Meter

Meter Reading Details Meter 32101072

Current Reading	11/01/17	17,155
Previous Reading	10/01/17	17,104
Total Usage		51

Detail of Charges

KWH Revenue	51 KWH	\$2.30
Facility Charge		4.75
Total This Service		\$7.05

Please Return This Stub With Your Payment

Tear Stub Along This Dotted Line

☐ Yes! I would like to sign up for Auto Pay!

Your payment and any returned checks may be processed electronically.

By signing this you are authorizing Verendrye Electric Cooperative to withdraw payments from your account for payment of your electric bills around the 22nd of each month. You agree each payment is the same as an instrument personally signed by you.

☐ Checking ☐ Savings

Attach a voided check or savings deposit slip (you will receive a 50-cent credit each month).

☐ Visa/Mastercard No. _____ exp. _____

X _____
Authorized signature on my account must match name on account

SOURIS RIVER JOINT BOARD
PO BOX 1516
MINOT ND 58702-1516

Account#: 5868300
Subject to 1.5% penalty if not paid by 11/22/2017.

Amount Due: \$38.02

Verendrye Electric Cooperative
615 Highway 52 West
Velva ND 58790-7417



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A. U.S. DEPARTMENT OF HOUSING & URBAN DEVELOPMENT SETTLEMENT STATEMENT		B. TYPE OF LOAN 1. <input type="checkbox"/> FHA 2. <input type="checkbox"/> FmHA 3. <input type="checkbox"/> Conv. Unins. 4. <input type="checkbox"/> VA 5. <input type="checkbox"/> Conv. Ins. 6. FILE NUMBER: MI17-3143 7. LOAN NUMBER: 8. MORTGAGE INS CASE NUMBER:	
C. NOTE: <i>This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked "[POC]" were paid outside the closing; they are shown here for informational purposes and are not included in the totals.</i>			
D. NAME AND ADDRESS OF BUYER: Souris River Joint Water Resource Board PO Box 1516 Minot, ND 58702		E. NAME AND ADDRESS OF SELLER: William C. Cross, III and Whitney A. Cross 7987 W County Rd 15 Minot, ND 58703	
G. PROPERTY LOCATION: 7987 W County Rd 15 Minot, ND 58703 Ward County, North Dakota L3 & 4, Valley Meadow to Burlington		F. NAME AND ADDRESS OF LENDER: N/A (Cash Sale) H. SETTLEMENT AGENT: 45-0249312 North Dakota Guaranty & Title Co. PLACE OF SETTLEMENT: 1835 16th St SW Minot, ND 58701	
I. SETTLEMENT DATE: December 4, 2017 DISBURSEMENT DATE: December 4, 2017			

J. SUMMARY OF BUYER'S TRANSACTION 100. GROSS AMOUNT DUE FROM BUYER: 101. Contract sales price 343,805.00 102. Personal property 103. Settlement charges to buyer (line 1400) 939.50 104. 105. <i>Adjustments for items paid by seller in advance</i> 106. City/Town taxes 107. County taxes 108. Assessments 109. 110. 111. 112. 120. GROSS AMOUNT DUE FROM BUYER 344,744.50 200. AMOUNTS PAID BY OR IN BEHALF OF BUYER: 201. Deposit or earnest money 202. Principal amount of new loan(s) 203. Existing loan(s) taken subject to 204. 205. 206. 207. 208. 209. <i>Adjustments for items unpaid by seller</i> 210. City/Town taxes 211. County taxes 01/01/17 to 12/04/17 2,619.03 212. Assessments 213. 214. 215. 216. 217. 218. 219. 220. TOTAL PAID BY/FOR BUYER 2,619.03 300. CASH AT SETTLEMENT FROM/TO BUYER: 301. Gross amount due from Buyer (Line 120) 344,744.50 302. Less amount paid by/for Buyer (Line 220) (2,619.03) 303. CASH FROM BUYER 342,125.47	K. SUMMARY OF SELLER'S TRANSACTION 400. GROSS AMOUNT DUE TO SELLER: 401. Contract sales price 343,805.00 402. Personal property 403. 404. 405. <i>Adjustments for items paid by seller in advance</i> 406. City/Town taxes 407. County taxes 408. Assessments 409. 410. 411. 412. 420. GROSS AMOUNT DUE TO SELLER 343,805.00 500. REDUCTIONS IN AMOUNT DUE TO SELLER: 501. Excess deposit (see instructions) 502. Settlement charges to seller (line 1400) 320.00 503. Existing loan(s) taken subject to 504. Payoff of first mortgage loan Flagstar # 505. Payoff of second mortgage loan 506. Payoff Delivery Service 30.00 507. 508. 509. <i>Adjustments for items unpaid by seller</i> 510. City/Town taxes 511. County taxes 01/01/17 to 12/04/17 2,619.03 512. Assessments 513. 514. 515. 516. 517. 518. 519. 520. TOTAL REDUCTION AMOUNT DUE SELLER 2,969.03 600. CASH AT SETTLEMENT TO/FROM SELLER: 601. Gross amount due to Seller (Line 420) 343,805.00 602. Less reductions due Seller (Line 520) (2,969.03) 603. CASH TO SELLER 340,835.97
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The undersigned hereby acknowledge receipt of a completed copy of pages 1&2 of this statement & any attachments referred to herein.

Buyer

Souris River Joint Water Resource Board

BY: _____

Seller

William C. Cross, III

Whitney A. Cross

TO THE BEST OF MY KNOWLEDGE, THE HUD-1 SETTLEMENT STATEMENT WHICH I HAVE PREPARED IS A TRUE AND ACCURATE ACCOUNT OF THE FUNDS WHICH WERE RECEIVED AND HAVE BEEN OR WILL BE DISBURSED BY THE UNDERSIGNED AS PART OF THE SETTLEMENT OF THIS TRANSACTION.

North Dakota Guaranty & Title Co., Settlement Agent

WARNING: IT IS A CRIME TO KNOWINGLY MAKE FALSE STATEMENTS TO THE UNITED STATES ON THIS OR ANY SIMILAR FORM. PENALTIES UPON CONVICTION CAN INCLUDE A FINE AND IMPRISONMENT. FOR DETAILS SEE: TITLE 18 U.S. CODE SECTION 1001 & SECTION 1010.

L. SETTLEMENT CHARGES											
700. TOTAL COMMISSION Based on Price \$ @ %											
Division of Commission (line 700) as Follows:											
701. to											
702. to											
703. Commission Paid at Settlement											
704. to											
800. ITEMS PAYABLE IN CONNECTION WITH LOAN											
801. Loan Origination Fee % to											
802. Loan Discount % to											
803. Appraisal fee to											
804. Credit report to											
805. Lender's inspection fee to											
806. Mortgage insurance application fee to											
807. Assumption fee to											
808. to											
809. to											
810. to											
811. to											
900. ITEMS REQUIRED BY LENDER TO BE PAID IN ADVANCE											
901. Interest From to @ \$ /day (days %)											
902. Mortgage insurance premium for month to											
903. Hazard insurance premium for year to											
904. for year to											
905. to											
1000. RESERVES DEPOSITED WITH LENDER											
1001. Hazard insurance Months @ \$ per Month											
1002. Mortgage insurance Months @ \$ per Month											
1003. City property taxes Months @ \$ per Month											
1004. County taxes Months @ \$ per Month											
1005. Annual assessments Months @ \$ per Month											
1006. Months @ \$ per Month											
1007. Months @ \$ per Month											
1008. Months @ \$ per Month											
1100. TITLE CHARGES											
1101. Settlement or closing fee to North Dakota Guaranty & Title Co.										280.00	
1102. Abstract or title search to North Dakota Guaranty & Title Co.											225.00
1103. Title examination to											
1104. Title insurance binder to											
1105. Document preparation to North Dakota Guaranty & Title Co.											75.00
1106. Notary fees to											
1107. Attorney's fees to											
(includes above item numbers:)											
1108. Owner's policy premium to Stewart Title Guaranty Company										619.50	
(includes above item numbers:)											
1109. Lender's coverage											
1110. Owner's coverage \$ 343,805.00 619.50											
1111. to											
1112. to											
1113. to											
1200. GOVERNMENT RECORDING AND TRANSFER CHARGES											
1201. Recording fees: Deed \$ 20.00; Mortgage ; Releases \$20.00										20.00	20.00
1202. City/County tax/stamps: Deed ; Mortgage											
1203. State tax/stamps: Deed ; Mortgage											
1204. to											
1205. to											
1300. ADDITIONAL SETTLEMENT CHARGES											
1301. Survey to											
1302. Pest inspection to											
1303. Wire Service Fee to North Dakota Guaranty & Title Co.										20.00	
1304. to											
1305. to											
1400. TOTAL SETTLEMENT CHARGES (Enter on Lines 103, Section J and 502, Section K)										939.50	320.00

By signing page 1 of this statement, the signatories acknowledge receipt of a completed copy of page 2 of this two page statement.


BARR

Outlaw Creek

Presentation to SRJB
11-09-2017

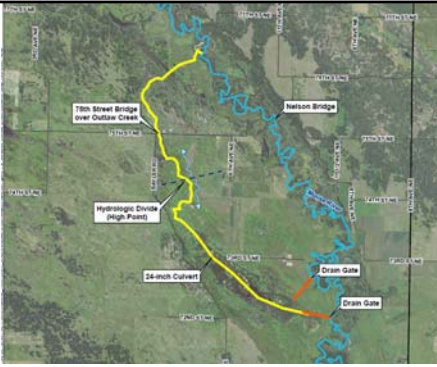
BARR

Outlaw Creek Location



BARR

Outlaw Creek Alignment



BARR

Outlaw Creek Aerial Photo




BARR

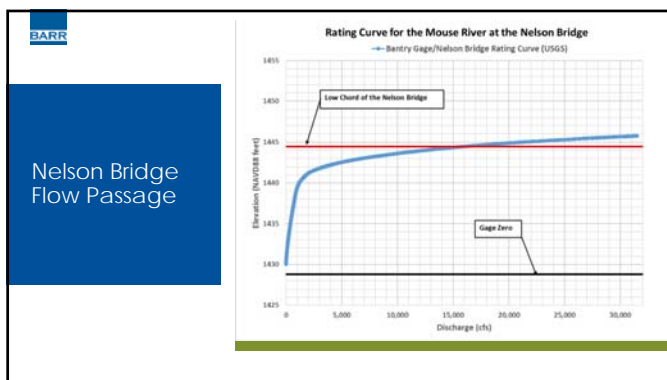
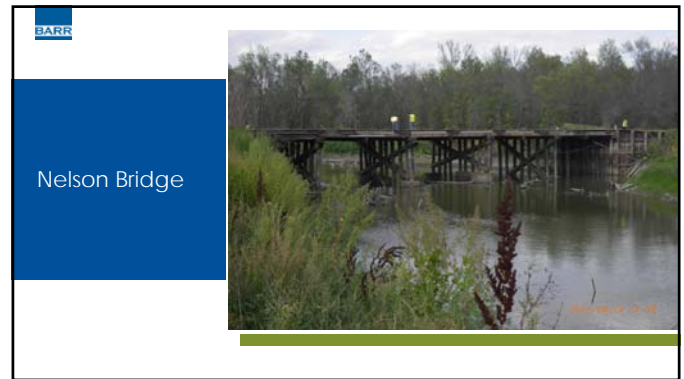
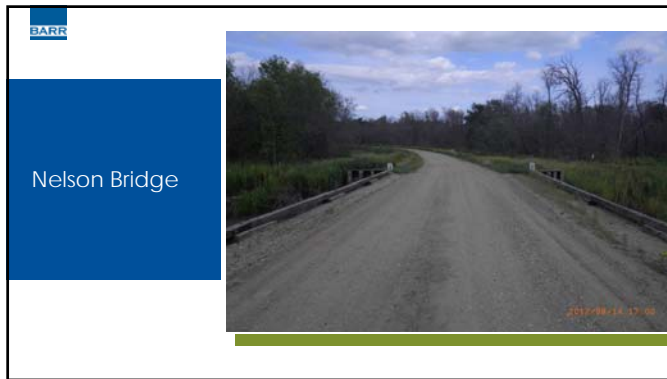
Outlaw Creek Purpose of Study

- Build off the work initiated by the NDSWC in 2013
- Evaluate merits of participating in replacement of Nelson Bridge
- Evaluate benefits of excavating the Outlaw Creek channel.

BARR

Nelson Bridge Location

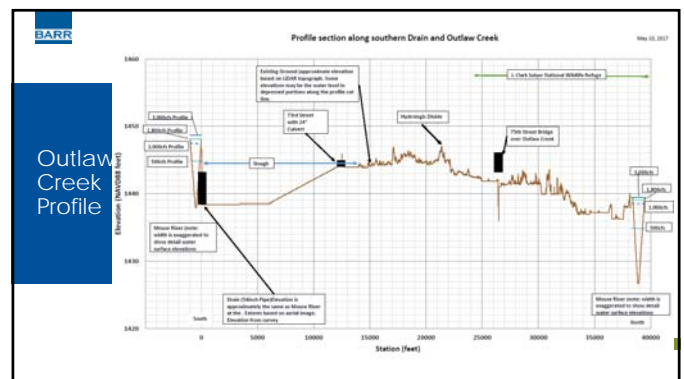
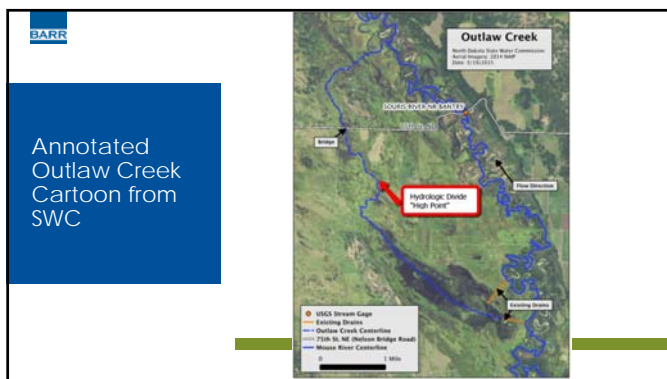


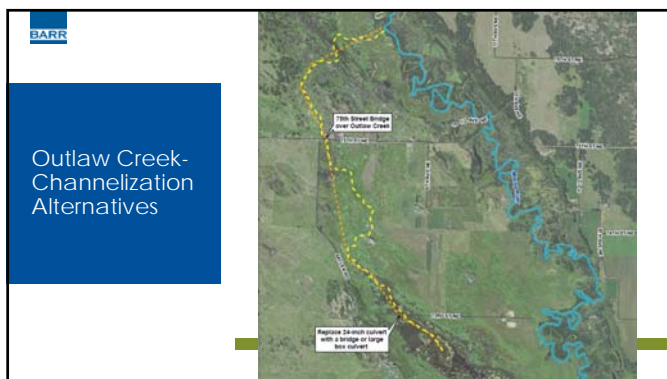
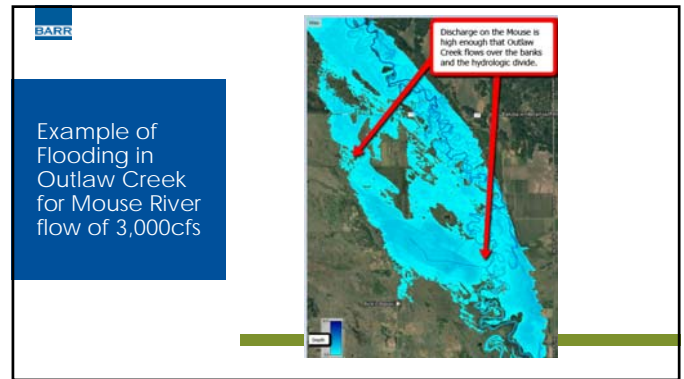
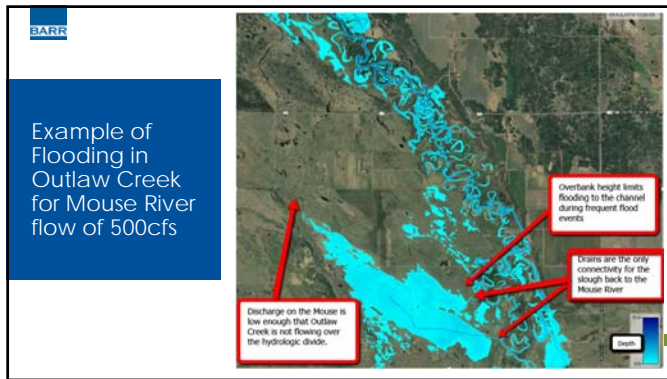


BARR

Outlaw Creek Narrative

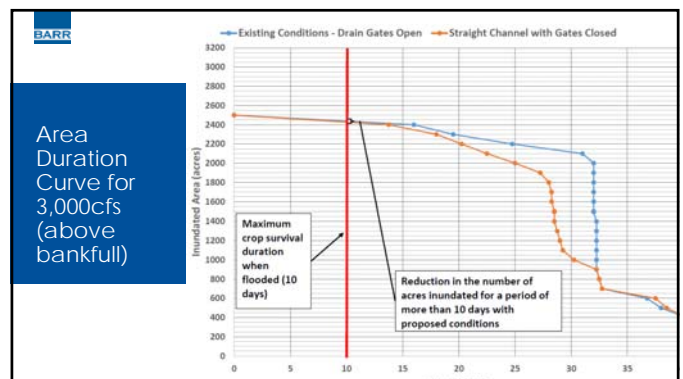
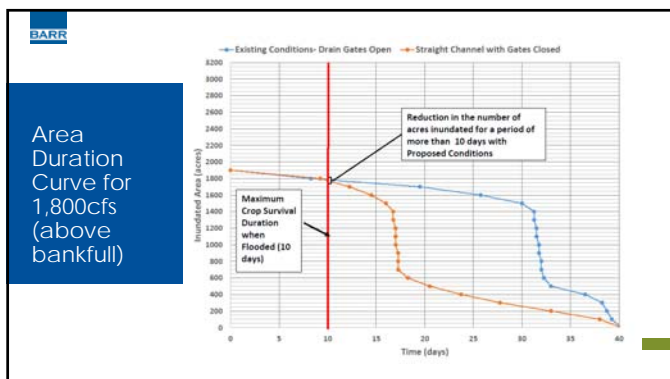
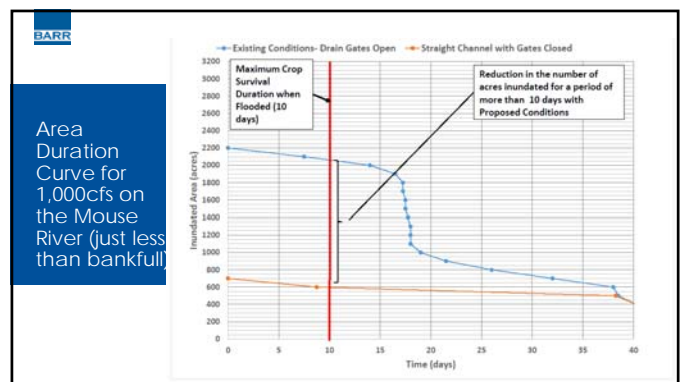
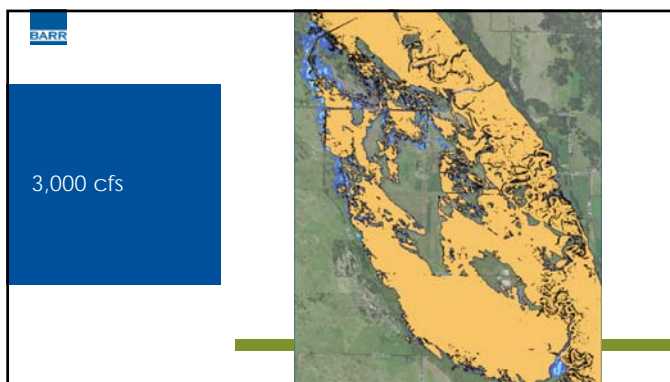
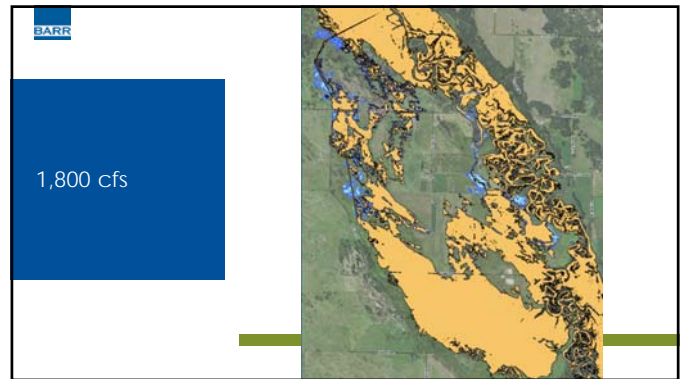
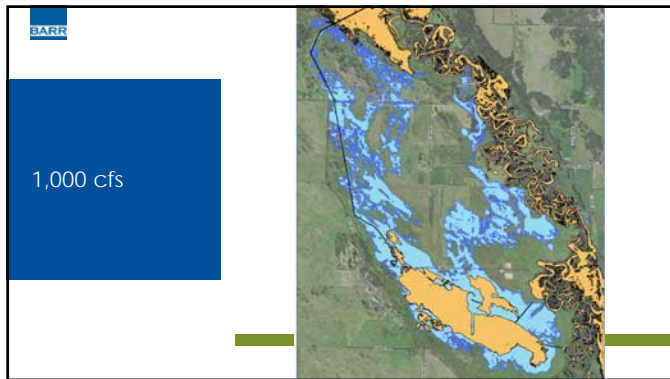
- The land along Outlaw Creek is primarily used as hay meadows.
- Meadows near the river can produce high hay yields when the spring and summer hydrologic conditions are favorable.
- River flows greater than 300 cfs for more than ten (10) days between June and October result in crop loss

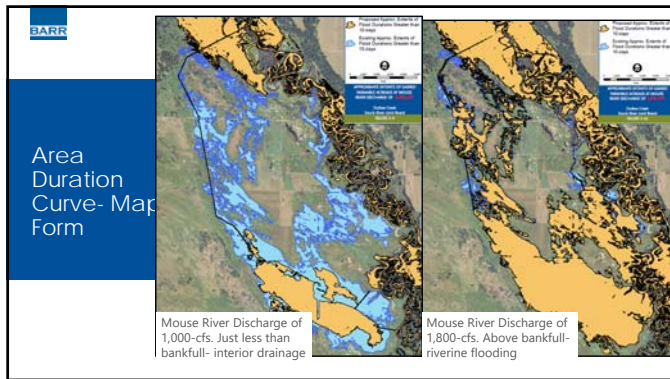




Channel Alternatives

Category	Straight Channel	Wide Channel
Bottom width (feet)	20	30
Side slopes	4H:1V	5H:1V
Maximum depth (feet)	6	6
Channel length (miles)	4.5	6.0
Excavation volume (cubic yards)	150,000	485,000





**Conclusions
& Limitations**

- **Conclusions**
 - Limited value of Nelson Bridge replacement on low flows
 - Channel excavation would provide benefit for Mouse River flows less than 1,100 cfs
 - Channel excavation would provide limited benefit for Mouse River flows greater than 1,100 cfs
- **Limitations**
 - Limited to surface water analysis
 - Channel excavation may provide additional benefit of providing subsurface drainage