Minutes of Meeting

Souris River Joint Water Resource Board

Thursday, August 10, 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, August 10, 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, 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. The Joint Board added Ward County Levee Certification as Agenda Item No. 17.a, the Joint Board added Ward County Acquisition as Agenda Item No. 17.b, the Joint Board added Ward County Emergency Action Plan as Agenda Item No. 17.c, the Joint Board added County Commission Mill Levy Action Plan, and the Joint Board added County Meeting Update as Agenda Item No. 17.e under "Other Business." Tom Klein made a motion to accept the Agenda, as amended. Roger Sauer seconded the motion. The motion was approved without opposition.

The draft Minutes of the July 13, 2017, meeting were discussed. Dan Jonasson made a motion to approve the Minutes of the July 13, 2017, meeting as presented, and Clif Issendorf seconded the motion. The motion was approved without opposition.

The Joint Board discussed Agenda Item No. 4 regarding bills. Ryan Ackerman added an additional invoice from SRT for utility relocation to be considered as set forth in a Memorandum, attached as Attachment B. The following bills were discussed:

-	Barr Engineering	BU-1 Burlington	\$45,918.81
-	Houston Engineering	Environmental & Design	\$49,040.56
		MI-5 4 th Ave. Tieback	\$30,445.17
-	City of Minot	Highway 83 Bridge Replacement	\$29,821.10
-	Scherbenske Inc.	MI-2A Construction Perkett	\$65,211.24
-	ND Guaranty	StARR Program Acquisition	\$305,613.47
-	Verendrye	StARR Program Acq. Utilities	\$94.91
-	SRT	Utility Relocation (See Attachment B)	\$17,367.89
-	TOTAL		\$543,513.15

Dan Jonasson made a motion to approve the bills in the amount of \$543,513.15, as presented. Roger Sauer seconded the motion.

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 79 through page 81.

Jason Westbrock provided an update to the Joint Board on Phase MI-2/3 and BU-1 and Outlaw Creek. Jason Westbrock directed the Joint Board's attention to the Project Status Report included in the Board Packet at page 83 through page 84. After Jason Westbrock provided his summary, Clif Issendorf asked whether Jason Westbrock had observed any locations which could be suitable wetland mitigation or enhancement sites near the Outlaw Creek area to offset some of the cost of obtaining credits from Duck Unlimited. Jason Westbrock indicated that there would be suitable sites in the area, but that he was not aware of whether any landowner would be open to providing an easement for wetland mitigation or enhancement.

Ryan Ackerman provided the Joint Board with an update on Phase 2A construction. Ryan Ackerman indicated that construction was approximately 98% complete. Ryan Ackerman indicated that the contractor has made several claims regarding railroad delays, weather delays, and lack of normal precipitation. Ryan Ackerman presented the Joint Board with a video from a drone that travelled through the Phase 2A construction site.

Ryan Ackerman provided the Joint Board with an update on the StARR Program. Ryan Ackerman provided the Joint Board with a summary of five different properties which the landowners or neighboring landowners were interested in entering into the StARR Program:

- 810 Central Avenue West, Sawyer, ND. This property has been accepted into the StARR
 Acquisition and Demolition Program. The structures eligible for the StARR Program will be
 demolished in due course.
- 2. 5261 Highway 52 South, Minot, ND. This is the KOA Campground property, which is owned by an LLC out of Bozeman, MT. The StARR Administrator has attempted to make contact with the landowner and get this property signed up for the StARR Program, and the StARR Administrator will make additional attempts to contact the landowner.
- 3. 113 Washington Avenue West, Carpio, ND. A property along the Des Lacs River, which was not in the 2011 Mouse River inundated area, and therefore not eligible for the StARR Program Policy. Ryan Ackerman indicated that the Joint Board would need to amend the StARR Program Policy to allow properties along tributaries to be eligible for StARR funding.
- 4. 1420 69th Street NW, Minot, ND. A property in Country Club Acres or Robinwood Subdivision, which is located on the dry side of future flood protection levees, and therefore has been determined to be ineligible for StARR funding.
- 5. 4 Plum Drive, Burlington, ND. A property which is located on the dry side of future flood protection levees, and therefore has been determined to be ineligible for StARR funding.

Ryan Ackerman provided an update regarding the USACE's Feasibility Study. A summary of the USACE Feasibility Study is included in the Board Packet at page 86. The USACE indicated during a recent conference call which project elements are being considered at this time:

- 1. Maple Diversion with north levy (no levy on south side)
- 2. West Minot tieback
- 3. Flood proofing of Minot Public Library
- 4. Recreational trail along Maple Diversion
- 5. Environmental mitigation

Ryan Ackerman provided the Joint Board with an update regarding State Water Commission and Cost-Share Request. The Joint Board has recently requested \$62,781,034 million for the state's share of the first three phases, and also \$74,750 for the state's share of the cost of USACE review on Phases MI-5 and BU-1. The SRJB Memorandum requesting state funding was included in the Board Packet at page 88 through page 100.

Ryan Ackerman indicated that two grave sites on the Johnson Farm in Renville County near a cliff eroded into the river bank would take an estimated \$5,898.50 for re-interment into Rosehill Cemetery. Ryan Ackerman indicated that the re-internment would not fall within the StARR Program, but asked the Joint Board if the Joint Board was interested in utilizing Joint Board funding it receives from the four affected counties to pay for the re-internment. Roger Sauer indicated that Joint Board funding would likely be the only way this was performed properly. Clif Issendorf indicated that Renville County Commission could cost share with the Joint Board. Ryan Ackerman indicated that Renville County currently pays approximately \$40,000 per year from its mill levy. Clif Issendorf made a motion to authorize up to \$6,000 for re-internment activities at the Johnson farm site and Rosehill Cemetery utilizing funding sourced from the Renville County Commission. Tom Klein seconded the motion. Dan Jonasson abstained. The remaining Joint Board members voted unanimously to pass the motion. Motion passed.

The Joint Board discussed the plans and specification for MREFPP Phase MI-1, MI-2, and MI-3. Ryan Ackerman indicated that the Joint Board's consultants have performed a significant amount of work to complete plans and specifications, as well as the 408 packages and analysis, and EIS documentation. Jerry Bents provided a summary of Phase MI-1 and its project features to the Joint Board. Jerry Bents indicated that the Engineer's Opinion of Probable Cost for the construction of Phase MI-1 is \$72,406,580. Jerry Bents indicated that he was anticipating a bid opening in early October. Jason Westbrock provided the Joint Board with a summary of the project features in Phase MI-2 and MI-3. Jason Westbrock indicated that the Engineer's Opinion of Probable Cost for Phase MI-2 and Phase MI-3 is \$47,562,335. Dave Ashley expressed gratitude to the engineers and board members for all the work necessary to get to this point. Tom Kline made a motion to approve the plans and specifications for MREFPP Phases MI-1, MI-2, and MI-3 and authorize bidding. Roger Sauer seconded the motion. The motion passed without opposition.

The Joint Board considered Agenda Item No. 16, relating to requests from the City Council for the City of Minot to the Joint Board, made during a special meeting of the City Council, held July 21, 2017, to discuss the MREFPP. The proposed changes to the MREFPP are itemized in page 115 through page 132 of the Board Packet. City Alderman Josh Wolsky was present and addressed the Joint Board to explain the proposed changes to the MREFPP. Josh Wolsky thanked the Joint Board for their efforts in

promoting flood risk reduction in the Souris River basin, and explained that the timing of these requests were due to recent changeovers in City leadership. Josh Wolsky indicated that it was unfortunate that these requests were not made earlier in the process. Roger Sauer questioned whether these requests would jeopardize the permitting work with the USACE. Roger Sauer indicated that the Joint Board should not make promises, but should look into what can be done. Clif Issendorf indicated that the Joint Board would not take any action that would delay construction of the Project. Roger Sauer asked if Jerry Bents from Houston Engineering could provide a report to the Joint Board to address the requests from the City of Minot. Dave Ashley indicated that the Joint Board's consultants that the requests were not included in the Joint Board's consultants' initial design, and that the Joint Board's directive was to provide flood risk reduction, not amenities. Josh Wolsky responded that, while most of the requests related to amenities, the request relating to Anne Street opening could be considered a flood-control feature, as that access point has been utilized by the public for years. Clif Issendorf indicated that the Anne Street opening was a minor request, adding a convenience for pedestrian traffic, which could cause a major movement in the construction of the first phases of the MREFPP. Dave Ashley thanked Josh Wolsky for his comments. Dan Jonasson indicated that he shared the sentiment of the Joint Board regarding not wanting to cause delay in the Project, but that the USACE had communicated that they would review any changes, but not undo or redo previous approvals and permitting.

The Joint Board discussed Agenda No. 17.a regarding Ward County levee certification. Ryan Ackerman indicated that certain areas were concerned about the risk of flooding and cost of flood insurance during the interim, between the commencement of the Project and the completion of the Project. Ryan Ackerman indicated that certain existing levees were not certified or accredited, and therefore the levees could not be considered in determining flood insurance rates. Ryan Ackerman indicated that the Joint Board's consultants were working obtaining certification or accreditation of the levees, so that they provide relief for some of the residents during the interim.

The Joint Board discussed Ward County acquisition program. Certain properties have not yet been acquired that lie outside of the footprint of the Project. Ryan Ackerman indicated that Ward County has funding to acquire these properties if Ward County can find a local cost share sponsor. The Joint Board will likely revisit this issue after more comprehensive estimates and participants are obtained.

The Joint Board discussed the Ward County Emergency Action Plan, for the Burlington to Minot section of the existing federal project. Ryan Ackerman indicated that the State Engineer awarded \$49,000 for this work. Ryan Ackerman indicated that "system wide improvement framework" is a requirement to maintain eligibility for federal funding.

The Joint Board discussed 2017 county contributions to the Joint Board via their mill levees. Ryan Ackerman provided the contribution amounts and rates for each of the four counties to the Joint Board. Clif Issendorf added that, not only are there less people in Renville, a significant portion of the land that is protected is refuge. Clif Issendorf added that Bottineau County is similar, in that a number of the land protected is refuge, and the 2011 flood cut the county in half, and there was only one bridge that provided access across the river.

Ryan Ackerman provided an update to the Joint Board on the upcoming meetings about the MREFPP:

- August 11 Ribbon cutting at the Minot Water Treatment Plant at 10:00 a.m.
- August 15 Ward County Commission meeting regarding StARR Program
- August 17 Regularly scheduled USACE conference call at 2:00 p.m.

- August 23 Coordination meeting at Barr Engineering
- August 23 SWC funding request meeting at 1:00 p.m.
- August 31 Milestone meeting via conference call with USACE at 2:00 p.m.
- September 5 StARR Bid Opening

There being no further business, the meeting was adjourned.

Jack Dwyer Legal Counsel

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3330 Fiechtner Dr. • Suite #102 • Fargo, ND 58103 PHONE: (701) 235-2040 EMAIL: Jack@NDwaterlaw.com Sours River Joint Board

August 10, 2017

4:00 p.m. Sign in sheet

Name	Representing
Jack Duyer	Duyer haw SRJB
Clif Assendof	SRJB
DAN JONASSON	SRIB/city of Minot
Dan Klein	SRJB SRJB
Rojer Sauer	SUID
Nancy Simpson	City of Minot Alderman would county planning.
Bob Bahm	County Rosiboust
Shelly weapler	WardCanty
Lorinda Haman Lelar O Booknas	makenny County
James Welson Brent Burgard	wand canty Resident
Duffy Zmmerman	Ackerman - Estvold Ackerman - Estvold
DAVE SCHLENGLER	adkarman-sstrold
	HOUSTON ENGINEERENG
Roger Clay	Moore Engineering
Eslee Markow	Sacrefactly Council
JERRY BENTS JESON Wastbrock	Houston Engineering
	- My way no



Memorandum

To:

Souris River Joint Board

From:

Stan Hanson, PE

Houston Engineering, Inc.

Subject:

MREFP Cost Share for SRT Relocation Plan Phase MI-1: 4th Avenue North

Date:

August 8, 2017

Project:

HEI #8313-010

INTRODUCTION

The proposed Phase MI-1 of the overall project will provide flood risk reduction features within the 4th Avenue NE area, located near the upstream reach of the Mouse River system through Minot. Phase MI-1 begins at 3rd Street NW and runs to 6th Street NE. Significant modifications to the existing flood protection system are required to accommodate the design flow increase from 5,000 cfs to 27,400 cfs and for the flood risk management system to obtain Federal Emergency Management Agency (FEMA) accreditation as well as meet current US Army Corps of Engineers (USACE) design criteria. This memorandum summarizes a review of the plan proposed by Souris River Telephone (SRT) and provides an estimated cost to relocate the private utilities to accommodate the flood protection system.

Several appendices to this memo are also given to include more information regarding the relocations. **Appendix A** includes SRT's relocation proposal and cost estimate.

PROJECT DESCRIPTION

SRT has a major existing line that runs underneath the Mouse River from 4^{th} Avenue NW to the Central Avenue and is located west of the Broadway Bridge. The existing line consist of $6-1\frac{1}{2}$ inch innerducts, 1-2 inch innerduct and $1-1\frac{1}{2}$ inch innerduct that reside in a 10" conduit pipe. A second SRT line that crosses the Mouse River is attached to the St Ann's Walking Bridge east of Broadway and consist of 6-4" ducts. Both existing lines will conflict with the proposed flood protection and will need to be relocated.

BROADWAY BRIDGE

SRT plans to relocate the existing line west of the Broadway Bridge and attach it to the bridge. There will be 6 – 5 inch PVC conduits, that will be attached on the north bound lane (east side). SRT has been working with the North Dakota Department of Transportation (NDDOT) and has received approval to locate the lines to the bridge. The estimated cost of the location to the Broadway Bridge is \$196,553. Appendix A includes SRT's relocation proposal and cost estimate.



APPENDIX A

Broadway Bridge Temporary Relocation

20162036 Minot Flood Protection Relocations
Bill actual work order costs per Steve Lysne 5-16-17

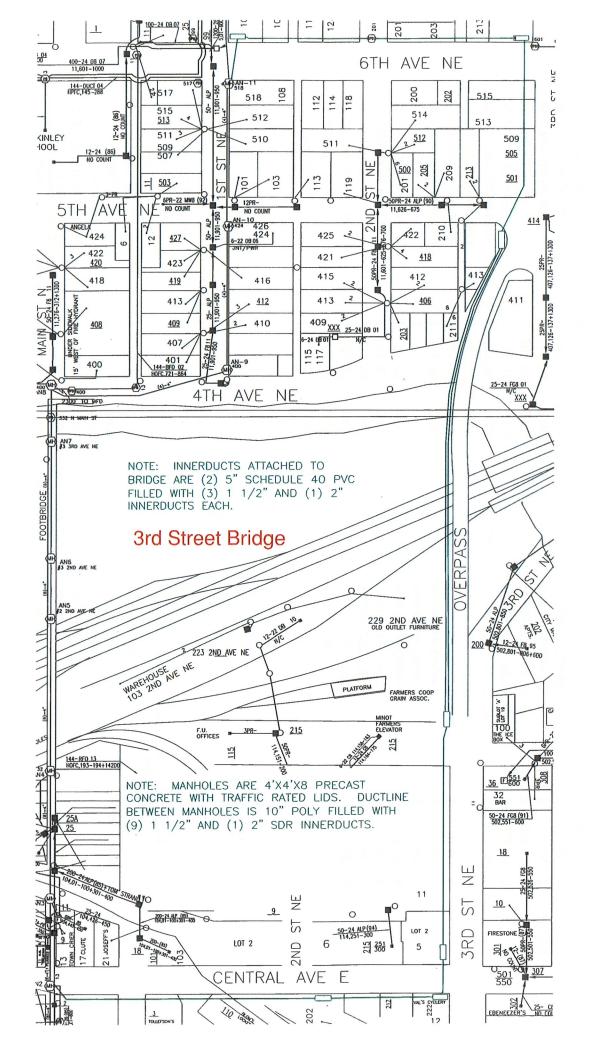
DESCRIPTION	DATE	Hours	Quantity	Total
SRT Construction labor & overheads.	March 2016	194.5		\$21,452.37
SRT Removal labor & overheads.	March 2016	116.0		\$7,346.92
UCN830 Splice Case. MI #2105.	March 2016		1	\$424.32
1.5" triplex duct . MI #1962.	April 2016		530	\$1,088.36
2° rigid innerduct. Mi #1995.	April 2016		1,192	\$1,284.14
(LS Services LLC - camera ductline inspection.	March 2016			\$250.00
Home of Economy-orange bailer twine.	March 2016			\$37.61
3D Specialties-signage.	March 2016			\$721.90
City of Minot permit fee.	April 2016			\$80.00
3D Speciallies-signage.	April 2016			\$864.80
Allowance for funds used during construction (AFUDC).				\$1,185.36
Total as of May 16, 2017				\$34,735.78

Broadway Bridge Permanent Relocation

Work Order #

2014 000

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,	↔	110.00	€9		Vactron		↔	8150	445.89	€	28 Calix 711 ONT
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,	↔	1,200.00	€9	Place HH - 48" X 96"	Place HH		69	8163	52.02	€9	26 20km sfp for 4220
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,	↔	450.00	€9	1 - 30" X 48"	Place HH -		€9	8104	221.04	€	24 zNid 4220 GE
,	€9	350.00	€9	Place HH - 27" Round	Place HF		69	8036	401.11	69	23 9.5"X28" Coyote Dome
,	↔	0.60	€9	Additional Cable 3" - 4"	Additional		€9	8034	300.37	€9	22 6.5"X22" Coyote Dome
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,	↔	2.80	69	"" - 48"	Trench 37" - 48"		€9	3491	416.07	€₽	18 30X48 PB Cover
,	↔	2.60	€9	5" - 36"	Trench 25"	ı	↔	3490	589.94	G	17 30X48X36 PB
	↔	2.50	↔	3" - 24"	Trench 18" - 24"		(A)	2055	7.20	€	16 864 fiber Ribbon AB
	↔	0.80	⇔	v 37" - 48"	Rural Plow 37"		()	2050	4.81	co	15 576 fiber Ribbon AB
ı	↔	0.70	€9	v 24" - 36"	Rural Plow 24"		↔		4.85	S	14 432 fiber Ribbon AB
•	↔	1.90	69	и 37" - 48"	Town Plow 37"		()	2045	2.66	cs	13 288 fiber Ribbon AB
	↔	1.80	↔	N 25" - 36"	Town Plow 25"	3,940	()	2039	1.31	3,000 \$	12 144 fiber Ribbon AB
,	↔	1.50	69	N 18" - 24"	Town Plow 18"		S	2034	0.98	€9	11 96 fiber Ribbon AB
	↔	12.00	69	•	Bore - 10"		€	2026	0.69	€₽	10 48 fiber Ribbon AB
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	↔				Linrcrew	8,369	€9	1962	1.99	4,200 \$	2 1-1/2" Tripelx B,O,G
1,700	↔	20			Splicer		69	1899	1.68	\$	1 1-1/4" Triplex B,O,G
	Total	SRT Hours -	SR	n	Technician		Total	Number	Unit Price	Quantity U	Description Qu
					Labor			Item			MI Cable/Material



3rd Street Bridge

Work Order#

Third St. Bridge Reroute

Total Materials Total SRT Labor Total Contractor Total Joint Trench Total R/W Total AFUDC Total Cost	MI Materials Special Materials Total Materials		13	12	1	10	9	8 10" Poly	7 Manholes 4X8	6 Third st.Bridge	5 Bdwy. Bridge	4 50-24 db cable	3 864 Cross Connect	2 432 Cross Connect	1 192 FMDF Block	Special Material Description
		Spe	,					2,000	7	2 :		€9	↔	€9	↔	Quantity Un
		cial Mate						\$20.00	\$6,200	\$40,000	\$20,000	2	17,664	8,835	3,358	Unit Price
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69 69 69 69 69	4 4 4 A	4	↔	€9	69	69	69	49	€9	€9	49	69	69	G	8	Total
277,910 21,780 105,675 - 2,000 12,221 419,586	103,072 174,838 277,910	7/4,838		1	1			42,800	46,438	85,600		1		,		
			Other Permits/Damages	Railroad Permits	Highway Permits	Crop Damages	Description	Right of Way			Cable Handling	Backhoe	Directional Bore	Plow	Trench	Joint Trench Description
			S	_						Joint Trench Total						Quantity Unit Price
		K/W								ench :	↔	↔	↔	↔	↔	Jnit Pr
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REGULAR MEETING 10 AUGUST 2017



Agenda

- 1. Call to Order
- 2. Approve Agenda
- 3. Approve Minutes
- 4. Approve Bills
- 5. Phase MI-1 Update
- 6. Phase MI-5 Update
- 7. Phase MI-2/3 Update 8. Phase BU-1 Update
- 9. Outlaw Creek Update
- 10. MI-2A Construction Update
- 11. StARR Update
- 12. Feasibility Study Update
- 13. SWC Cost Share Requests 14. Renville County Graves
- 15. Approval of Plans and Specifications A. Phase MI-1 B. Phase MI-2/3
- 16. City of Minot Design Requests
- 17. Other Business
- A. Ward County Levee Certifications
- B. Ward County Acquisitions
- C. Ward County Emergency Action Plan
- D. County Mill Levies
- E. Upcoming Meetings
- 18. Adjourn

SRJB

Agenda Item 3 – Approve Minutes

July SRJB Meeting Minutes

SRJB

Agend	da Item 4 – Appr	ove	Bills		Link to Bills	
Fee	freet		Cont	Page	ı	
Bar Engineering	Bà i Burington	1	46.010.01	\$1	1	
Mousian Engineering	Sculosolanda & Sweigh	1	41.041.56	26		
	NA 4 A A A Fishers	1	36,441.12	38		
Kity of Woods	ragnery \$5 dinega Representate	4	MARKS	45		
Di-horisonalea (mi.	M-SA Construction Pollate	1	48,311,24	67	1	
Nijo Biography	rhAftik Bugaston	4	306.0105	33		
Varandrya	DARK Fropen Are Utilities	1	94.81	N	SRT Relocation	\$17,367.89
	Tana	4	624,546,26		REV. TOTAL	\$543,513.15

Agenda Items 5 & 6 - Update on Phase MI-1 & Phase MI-5

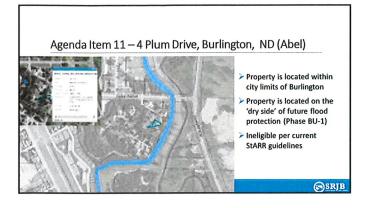
Link to Update

SRJB

Agenda Items 7, 8 & 9 — Update on Phases MI-2/3, Phase BU-1 & Outlaw Creek

Link to Update

SRJB



Agenda Item 12 – Feasibility Study Update

August 3, 2017 Conference Call with USACE Project Delivery Team

Tentatively Selected Plan (TSP) Includes (subject to design level refinement):

- >Maple Diversion with a north levee
- ➤ West Minot tieback
- Flood-proofing of Minot Public Library building
- Recreation trail along Maple Diversion that connects to trail system
- > Environmental mitigation through restoration of cutoff oxbow at Oak Park

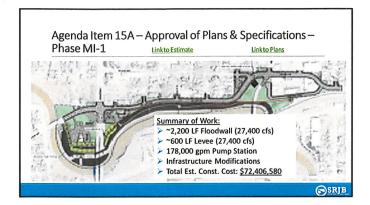


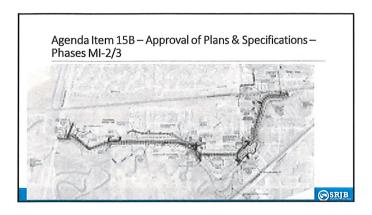


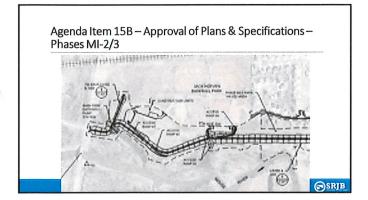


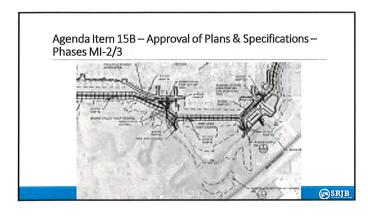


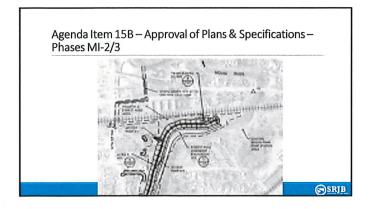














Agenda Item 17A – Ward County Levee Certifications



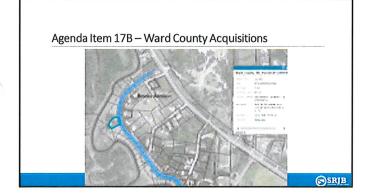
- Several Ward County subdivisions from Burlington to Minot have federal levee systems
- Preliminary FEMA Flood Insurance Rate Maps indicates these levees are deemed ineffective (de-accredited)
- Some of the maps indicate existing levees elevated above the 500-year floodplain (Kings Court)
- FEMA's Levee Analysis and Mapping Procedures (LAMP) may provide some economic relief to residents behind these levees
- Not certain of the viability of the approach. Certainty can be gained through proceeding with the analysis
 Preparing scope, schedule and budget for SRIB consideration at later meeting (subject to local funding, County Commissions, etc.)

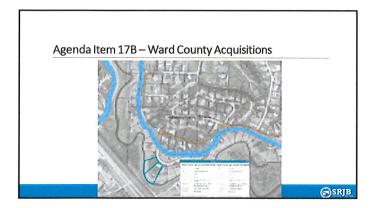


Agenda Item 17B – Ward County Acquisitions

- Additional properties within Ward County subdivisions may be acquired within the future based on new property owner wishes
- > Properties are under proposed flood protection features or on the wet side of urban systems
- Property owners were previously unwilling to sell when Ward County attempted to acquire them following the 2011 flood

⊗SRJB







Agenda Item 17C – Ward County Emergency Action Plan

- ➤ ~\$49,000 approved by the State Engineer for use in a Ward County Flood Specific Emergency Action Plan
- First authorization of its type in the state
- Coordinating with Ward County Emergency Manager on the contents of the document
- Will provide update of scope, schedule and budget for consideration at September meeting

SRJB