

**Minutes of Meeting
Souris River Joint Water Resource Board
Thursday, September 5, 2024**

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, September 5, 2024, after announcing that a quorum was present. The meeting was held in Room 203 of the Minot Auditorium. Joint Board members in attendance were David Ashley (remote), Tom Klein, Jason Sorenson, Dan Steinberger and Clif Issendorf (remote).

The Joint Board discussed the proposed Agenda for the meeting.

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

The draft minutes of the August 1, 2024, regular meeting were discussed.

Dan Steinberger made a motion to approve the minutes from the August 1, 2024 regular meeting. Tom Klein seconded the motion. The motion passed without opposition.

Ryan Ackerman presented the Balance Sheet and Budget Report, and the Joint Board reviewed the Budget Report included in the September Board Packet.

Jason Sorenson moved to approve the Budget Report. Dan Steinberger seconded the motion. A roll call vote was cast. The motion passed without opposition.

The Joint Board reviewed and discussed various bills set forth in the September Board Packet totaling \$2,442,205.57. Chairman Ashley opened it up for questions from the Board on each bill being considered for approval and advised the Verizon bill has been paid per normal process. On First Western Insurance, Dan Steinberger sought confirmation that this is a renewal policy for general liability. A discussion relating to the Joint Board's liability policy from NDIRF ensued.

Tom Klein moved to approve the payment of bills totaling \$2,442,205.57. Jason Sorenson seconded the motion. A roll call vote was cast. The motion passed without opposition.

The Joint Board next reviewed a Phase MI-8/9 Independent External Peer Review (IEPR) for Construction Task Order 20 with HDR Engineering. Ryan Ackerman explained that IEPR of all design documents is required by USACE as part of the 408 permitting process. A contract has been entered into with HDR to perform this work, and Dennis Reep was asked to describe Task Order 20 in the amount of \$104,100.00 for Phase MI-8/.

Clif Issendorf made a motion to approve Task Order 20 with HDR for the IEPR related to MI-8/9 Construction services in an amount not to exceed \$104,100.00 and authorize the Chairman to execute the contract documents on behalf of the SRJB. Dan Steinberger 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 September Board Packet. Jerry Bents explained the remaining

contract items that are being closed out. The contract was extended to September 30, 2024, and it is expected that deadline will be met.

Jerry Bents updated on Phase MI-4. A Project Status Report from Houston Engineering is contained in the September Board Packet. Jerry Bents indicated the activity in the past month has been predominately focused on public outreach and outreach with the Minot City Council. A map of the alignment depicting the agreed alignment with the railroads was shown to the Joint Board. There are eight impacted parcels (11 owners), and a public meeting was held August 22, 2024. Most owners have been contacted and given information on the project. The Minot City Council intends to have a special meeting the first week of October to get more information about options that were looked at previously to arrive at this alignment.

Jerry Bents updated on Phase MI-5. A Project Status Report from Houston Engineering is contained in the September Board Packet. A drone video was shown by Jerry Bents to show updates on this phase. Dan Steinberger inquired about the material of the pipes under the gate well. Jerry Bents advised they are large concrete pipes. Jerry Bents indicated the gates can be closed at the gate well and water is lifted up and over, and it runs by gravity under the railroad.

Jerry Bents updated the Joint Board on Phase MI-6. A Project Status Report from Houston Engineering is contained in the September Board Packet. Jerry Bents advised that bids will open on Tuesday for Phase MI-6B (Roosevelt Park flood wall coming along Central Avenue and onto First Avenue South). Bids were all rejected a few months ago based on how much higher they were than the estimates . A special meeting may need to be called to award the bid if bids are closer to the engineer's estimate so that pre-consolidation can happen this Fall.

Jerry Bents updated the Joint Board on Phase MI-8 and MI-9. Jerry Bents advised that the design is well underway. This phase will involve raising the Burdick Bridge along the Expressway. A DOT coordination meeting was held today. The goal is to be at 30% in December and be ready to bid for the 2026 construction season if funding is available.

Jason Westbrook of Barr Engineering provided an update to the Joint Board regarding Phase MI-7. A Project Status Report is contained in the September Board Packet. Jason Westbrook advised that a pre-contract meeting with Wagner Construction is scheduled for September 12, 2024, at which time Wagner will provide a schedule detailing where they want to focus their efforts this Fall. Jason Westbrook explained Change Order No. 2 for the relocation of the Theodore Roosevelt "teddy statue" at Roosevelt Park. Instead of storage, the statue is to be moved to the newly constructed foundation. The proposed Change Order for Madsen Construction to construct a foundation for the statue is included in the Joint Board Packet.

Tom Klein moved to approve Change Order No. 2 in the amount of \$67,774.00 and authorize the Chairman to sign the change order on behalf of the SRJB. Jason Sorenson seconded the motion. A roll call vote was cast. The motion passed without opposition.

Jason Westbrook advised there are no real updates regarding WC-1. A railroad coordination call with the three railroad groups was held last week, and CP is working on responses for SRJB. The Project Status Report is contained in the September Board Packet.

Ryan Ackerman provided the SRJB with a Rural Program Update. Ryan Ackerman thanked Dan Steinberger for chairing the subcommittee meeting for The Farm Trapped Water Program. The committee has met

several times and has developed high level concept designs for all interested landowners throughout the basin that have indicated an interest in this program. The committee has reviewed details with respect to each site. The committee has recommended that the SRJB recommend a few changes to the program, as detailed in the September Board Packet, including (1) putting burden on the landowner to coordinate with NRCS to ensure guidelines are met; (2) that neighbors can work together to meet the 10-acre requirement; and (3) changes in how funding is administered.

Tom Klein moved to adopt the changes recommended by The Farm Trapped Water Program subcommittee and direct the administrator to initiate landowner consultations based on the revised program documents. Clif Issendorf seconded the motion. A roll call vote was cast. The motion passed without opposition.

Troy Borchard of HDR Engineering provided an update regarding Rural Bridges. A Project Status Report is contained in the September Board Packet. With respect to the Sawyer site, Troy Borchard indicated that there is nothing new to report. The county will be coming back later this fall to repair the bump on the south end of Velva. On the Velva site, Troy Borchard advised that the CLOMR has been sent to FEMA for review and approval. Also, updated information has been sent to USACE for the 408 permit. A 95% set of plans was submitted to NDDOT and comments are being reviewed and worked through.

On the Mouse River site, Troy Borchard advised that Dwyer Law Office has prepared recommendations regarding the alternative method of bidding the project. Jack Dwyer advised that he prepared a memo to the SRJB regarding the agency construction management (ACM) project delivery method for the Mouse River Park Bridge authorized under N.D.C.C. § 48-01.2-19. Before advertising for qualifications, the Joint Board must first form a selection committee "composed of individuals the governing body determines to be qualified to make an informed decision as to the most competent and qualified person for the proposed public improvement." Jack Dwyer encouraged the SRJB to engage in discussion on who can fill the role of the Selection Committee and nominating said committee. The Dwyer Law Office memo also details what takes place after the Selection Committee is formed.


Dan Steinberger moved to approve a Selection Committee consisting of David Ashley, Tom Klein, Jason Sorenson and Dan Steinberger, combined with expertise from Dennis Reep and Jack Dwyer. Jason Sorenson seconded the motion. The motion passed without opposition.

With respect to the Eaton Irrigation Update, the Joint Board was advised that the survey is not yet complete but should be completed next week.

The Joint Board took note of future meetings and events as set forth in the September Board Packet. The next regular meeting of the Joint Board is scheduled for October 3, 2024, at 4:00 p.m. in Room 203 of the Minot Auditorium.

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

Jason Sorenson made a motion to adjourn. Dan Steinberger seconded the motion. The motion passed without opposition.



Jack Dwyer
Legal Counsel