

**Minutes of Meeting
Souris River Joint Water Resource Board
Tuesday, July 12, 2022**

A meeting of the board of directors of the Souris River Joint Water Resource District was called to order by Chairman David Ashley at 3:30 p.m. on Tuesday, July 12, 2022, via Teams videoconference. Joint Board members in attendance were Clif Issendorf, Dan Jonasson, Tom Klein, and Dan Steinberger.

The Joint Board discussed the proposed Agenda for the meeting. Ryan Ackerman explained why this meeting was called as a special meeting.

The draft minutes of the June 2, 2022 regular meeting of the SRJB were discussed.

Dan Jonasson made a motion to approve the minutes from the June 2, 2022 regular meeting of the SRJB. Tom Klein seconded the motion. The motion passed without opposition.

The Joint Board discussed the Budget Report included in the July Board Packet. Ryan Ackerman explained the Balance Sheet and Budget Report.

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

The Joint Board next discussed the bills set forth in the July Board Packet totaling \$6,237,784.43. Chairman Ashley opened it up for questions from the Board on each bill being approved. On Barr Engineering, Dan Steinberger questioned what information has been acquired from the Historical Information Gatherers (with respect to a bill for \$1,245 on Page 38 of the July Board Packet). Jason Westbrook indicated the information collected is historical in nature, dating back to the early 1900s that is not readily available. The purpose is to assess risk of contamination of radioactive waste, and Jason Westbrook indicated that a draft report should be available within a month if any members of the Board would like to review it in more detail. With respect to Minot Commercial Appraisal for BNSF office (on Page 63 of the Board Packet), Ryan Ackerman indicated it is the contracted appraiser for the BNSF site acquisition (with Phases MI-4, MI-5 and MI06). Joint Board is looking to acquire approximately 20 acres from BNSF, including its general office building, which is located on the north end of downtown Minot. The appraiser is helping facilitate that negotiation. Dan Steinberger questioned money allocated to Outlaw Creek – specifically, whether this falls into the overland flooding category discussed at the December meeting. Ryan Ackerman indicated that if the Outlaw Creek project comes to fruition, it is a potential project to be categorized under the rural farm program. Dan Steinberger asked a question about a Houston Engineering bill for wetland determination (on Page 294 of the Board Packet). Jerry Bents indicated the wetland delineation work on Phases MI-6 and MI-7 involve determining impacts to the wetlands. The invoice from Prairie Soil Consulting is for a soil scientist, as the State of North Dakota requires a biologist (which is on staff at Houston) and a licensed soil scientist be on site to evaluate the soil conditions.

Dan Jonasson moved to approve the payment of bills totaling \$6,237,784.43. Tom Klein 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 Phase MI-1. A Project Status Report from Houston Engineering is contained in the July Board Packet. Two main things are happening in this phase: (1) the contractor continues to work on the punch list items developed as part

of substantial completion; and (2) claims are being negotiated with the contractor regarding costs of the project, and a mediation is scheduled for August 9, 2022. If an agreement is reached at mediation, the tentative agreement would be brought to the full board for approval.

Jerry Bents updated on Phase MI-4A (the utility relocates on the south side) and Phase MI-4B (relocation of the raw water line near the tail end). A Project Status Report from Houston Engineering is contained in the July Board Packet. On Phase MI-4A, a final walkthrough with some of the city utilities staff and public works staff is being scheduled, as the contractor (Kemper Construction) is primarily done with the work. On MI-4B, work is approximately 95% done. Substantial completion has been issued to the contractor. A walkthrough with public works staff and the City of Minot has taken place.

Jerry Bents updated on Phase MI-5 (bigger project – phase that Wagner Construction was awarded at the end of April). A Project Status Report from Houston Engineering is contained in the July Board Packet. A bid opening was conducted on July 7, 2022 for the MI-5B.2 Equipment Building Improvements. One bid was received. The engineer's estimate was \$339,580.00. The low bid received from Rolac Contracting was \$371,074.41, which is 9.3% higher than the engineer's estimate.

Dan Steinberger moved to accept the bid of Rolac Contracting in the amount of \$371,074.41 and authorize the Chairman to sign the agreements on behalf of the SRJB. Dan Jonasson seconded the motion. A roll call vote was cast. The motion passed without opposition.

Jerry Bents updated on Phase MI-6 (the downtown area up to Roosevelt Park). A Project Status Report from Houston Engineering is contained in the July Board Packet. The contractors are working from 30% design to 60% design at this time. Negotiations with BNSF are taking place with respect to the land north of the tracks and land on the west side of Third Street. Once the acquisition areas are negotiated, it will allow construction to proceed.

Jason Westbrook of Barr Engineering updated on Phase MI-2C (the West Peterson Coulee along Fourth Avenue). A Project Status Report from Barr Engineering is contained in the July Board Packet. The contract was awarded to Wagner Construction. A pre-construction meeting was held, at which time Wagner advised of issues they are facing with procuring all of the right concrete pieces. The hope is that all components are available by August, but it is likely that additional time will be needed.

Jason Westbrook provided an update to the Joint Board regarding Phase MI-7 (Roosevelt Park levee and flood wall components). A Project Status Report is contained in the July Board Packet. They are marching ahead toward 60% submittal. An updated cost estimate will be forthcoming. There has been a lot of coordination taking place with the zoo and parks. Dan Steinberger questioned about the apparent higher flow of the river by the oxbow in the past and whether that will impact the flood wall. Ryan Ackerman indicated when the original flood control project was constructed through the City of Minot in the 1970s, a section of river around Eastwood Park used to be a flowing section of the river but was excavated and the same was done northeast of Roosevelt Park. Ryan Ackerman advised that the historic meanders were eliminated, and the velocities are all taken into account with the current project.

Jason Westbrook provided an update to the Joint Board regarding Phase WC-1. A Project Status Report is contained in the July Board Packet. A color-coded map was shown to the Joint Board to explain progress.

Jason Westbrook provided an update on Phase BU-1. Colton Avenue Bridge is complete. The area south of the bridge was completed last year, and the warranty period is coming up. The substantial completion

certificate request is close on BU-1C. A Project Status Report is contained in the July Board Packet. Dan Steinberger asked about the levee by the ball diamonds and whether that will become a playground towards the river. Jason Westbrook advised that it is conceivable since it is a public area, but signage will be displayed to identify the activities that will not be allowed.

Ryan Ackerman advised the Joint Board that the StARR program has no updates since it is in the process of being closed out.

Troy Borchard from HDR Engineering provided an update regarding Rural Bridges. A Project Status Report from HDR Engineering is contained in the July Board Packet. On the Sawyer site, Troy Borchard showed areas poured and ready for diverters and those ready to be poured. On the Mouse River Park site, the plans are at 90% and the 408 application is ready to be sent this week. On the Velva site, first review (the 60% review) is ready to be sent to the NDDOT for review before moving forward. An agreement has been reached for access for maintenance and operation, so that is accomplished.

The Joint Board took note of future meetings and events as set forth in the July Board Packet. The next regular meeting of the Joint Board is scheduled for Thursday, August 4, 2022. Ryan Ackerman indicated meetings with legislators are being scheduled. A meeting with Senator Ronald Sorvaag of Fargo is set for July 27, 2022. In September, the Water Topics Overview Committee will be meeting, and the Board will be invited to participate.

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

The next regular meeting of the Joint Board is scheduled for Thursday, August 4, 2022 at 4:00 p.m. in Room 203 of the Minot Auditorium.



Jack Dwyer
Legal Counsel