

**Minutes of Meeting
Souris River Joint Water Resource Board
Thursday, December 7, 2023**

A special meeting of the board of directors of the Souris River Joint Water Resource District was called to order by Chairman David Ashley at 12:00 p.m. on Thursday, December 7, 2023, after announcing that a quorum was present. The meeting was held the Governor's Room of the Bismark Hotel & Conference Center, located at 800 South Third Street, Bismarck, ND 58504. Joint Board members in attendance were Klein, Dan Steinberger and Jason Sorenson.

The Joint Board started with introductions, as additional people were in the crowd as this meeting took place in conjunction with the 60th Annual North Dakota Water Convention.

The Joint Board discussed the proposed Agenda for the meeting.

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

The draft minutes of the November 2, 2023 regular meeting of the SRJB were discussed.

Dan Steinberger made a motion to approve the minutes from the November 2, 2023 regular meeting. Jason Sorenson seconded the motion. The motion passed without opposition.

The Joint Board reviewed the 2024 SRJB Regular Meeting Schedule, a copy of which was contained in the December Board Packet.

Jason Sorenson made a motion to approve the minutes from the November 2, 2023 regular meeting. Dan Steinberger seconded the motion. The motion passed without opposition.

Brent Burgard presented the Budget Report and the Joint Board reviewed the Budget Report included in the August Board Packet. Brent Burgard explained the Balance Sheet and Budget Report.

Tom Klein moved to approve the Budget Report. Jason Sorenson seconded the motion. The motion passed without opposition.

The Joint Board reviewed and approved bills set forth in the December Board Packet totaling \$7,424,135.04. Chairman Ashley opened it up for questions from the Board on each bill being considered for approval. With regarding to BradyMartz, Dan Steinberger questioned whether the bill was through 2021 or 2022. Brent Burgard indicated it was for three audits, for 2020, 2021 and 2022.

Dan Steinberger moved to approve the payment of bills totaling \$7,424,135.04. Jason Sorenson seconded the motion. A roll call vote was cast. The motion passed without opposition.

The Joint Board next reviewed an engineering contract amendment. Jason Westbrook explained that Barr Engineering is proposing an amendment to the Phase BU-1 MREFPP project. This amendment is to include closeout activities, as well as develop the certification documentation for FEMA and CLOMR application.

Tom Klein moved to approve Amendment 3 with Barr Engineering in an amount not to exceed \$425,000 and allow the chairman to sign the agreement 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 December Board Packet. The work is fully complete and the project is operational. Warranty punch list items are still being worked through with the contractor and work is expected to be complete in the Spring of 2024, at which time the contract will be closed out.

Jerry Bents updated on Phase MI-4A and MI-4B. A Project Status Report from Houston Engineering is contained in the December Board Packet. An alignment has been reached that appears to be agreeable to both railroads. An updated Memorandum of Agreement with Canadian Pacific (CPKC) is being worked on that will ultimately be brought to the Joint Board at a future meeting.

Jerry Bents updated on Phase MI-5. A Project Status Report from Houston Engineering is contained in the December Board Packet. A drone video was shown to display updates to this phase of the project. The project is at about 60% completion from a construction standpoint.

Jerry Bents updated the Joint Board on Phase MI-6. A Project Status Report from Houston Engineering is contained in the December Board Packet. This phase has been under design for two years. In the last month, the 100% design submittal was submitted to USACE, independent and external peer review teams and other stakeholders for review. Any comments will be incorporated and eventually advertise the project for a Spring 2024 construction start. Construction estimate on this phase is around \$50 million. San Steinberger questioned whether lot numbers of the concrete are being kept to compare to the samples. Jerry Bents explained the process of Braun Intertec Corporation taking samples.

Jason Westbrook of Barr Engineering updated the Joint Board on Phase MI-2C. A Project Status Report from is contained in the December Board Packet. The application for final payment was in the December Board Packet. The project is done.

Jason Westbrook provided an update to the Joint Board regarding Phase MI-7. A Project Status Report is contained in the December Board Packet. This phase will be bid in multiple packages. Jerry Bents advised that a package for tree removal will be bid out in each of the projects in advance, so a special meeting may be called for approval to advertise for bids.

Jason Westbrook provided an update to the Joint Board regarding Phase WC-1. A Project Status Report is contained in the December Board Packet. There has not been a lot of activity with this project. Wagner Construction is working on some warranty items.

Jason Westbrook provided an update on Phase BU-1. A Project Status Report is contained in the December Board Packet. Bluestone has not been very responsive in providing final submittals that they owe to Barr Engineering but a letter was sent to them this week advising that final payment is being withheld until this information is received.

Ryan Ackerman provided the SRJB with a Rural Program Update. The team is in the process of finishing the individual site assessments for the landowners who expressed interest in the farm trapped water program. The intent is to bring that before the Joint Board in January. With respect to the StARR Program, Nathan Amick advised that the buildings are down and demolitions will be completed in the spring.

Dennis Reep from HDR Engineering provided an update regarding Rural Bridges. A Project Status Report is contained in the December Board Packet. On the Sawyer Bridge, there are two punch list items that are being worked on. Reimbursement from Swingen has been received for the overpayment. On the Velva, Bridge comments are expected back from the DOT on December 15, 2023 and right of way agreements should be finalized by the end of December. On the Mouse River Park Bridge, there was a bid opening on December 1, 2023, with no bids received. This was the third cycle of bids, and included in a redesign in November. Options are being considered by the design group on the best way to proceed. It is unknown when a better bidding environment may surface. Chairman Ashley inquired whether it is a labor issue, the amount of funding is not sufficient, etc. Dennis Reep indicated there is a high demand on bridge contractors in the state at present and the remoteness of Renville County may also play into it. Dan Steinberger questioned whether the plan is to kick the can down the road. Dennis Reep explained there are potential near-term options to consider but one of the options may be to let it sit for a while.

The Joint Board considered Montana Dakota Utilities Authorization for Mouse River Park Bridge with MDU. Ryan Ackerman advised that the SRJB received an estimate from MDU (the power provider) to relocate their facilities that conflict with the Mouse River Park Bridge Project.

Dan Steinberger moved to approve MDU to perform utility relocation services associated with the Mouse River Park Bridge Project and authorize the chairman to sign the agreement. Jason Sorenson seconded the motion. A roll call vote was cast. The motion passed without opposition.

The Joint Board Considered Montana Dakota Utilities Authorization for Mouse River Park Bridge with SRT. The SRJB received an estimate from SRT (the telephone service provider) to relocate their facilities that conflict with the Mouse River Park Bridge Project.

Jason Sorenson moved to approve SRT to perform utility relocation services associated with the Mouse River Park Bridge Project. Dan Steinberger seconded the motion. A roll call vote was cast. The motion passed without opposition.

In other business, Brent Burdick advised Brady Martz has completed all field work related to the audit of financial statements as of 12/31/22, 2021, and 2020 and are in the final stages of preparing the financial statements for internal review. The full audit report will be prepared and presented prior to the upcoming meeting scheduled for January 4, 2024. After the board's review of the audited financials Brady Martz will submit the audited financials to the State of North Dakota for review and recording.

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

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

Tom Klein motioned to adjourn the meeting. Dan Steinberger seconded the motion.

Jack Dwyer
Legal Counsel