

Minutes of Meeting
Souris River Joint Water Resource Board
Thursday, September 3, 2020

A meeting of the board of directors of the Souris River Joint Water Resource Board was called to order by Chairman David Ashley at 4:00 p.m. on Thursday, September 3, 2020, by way of a WebEx conference call. The speakerphone was located in the Broadway Conference Room at Ackerman-Estvold located at 1907 17th Street SE, Minot, North Dakota, and call in information was provided on the public notice for the meeting. Joint Board members attending the meeting were Chairman David Ashley, Dan Steinberger, Dan Jonasson, Clif Issendorf and Tom Klein. Chairman David Ashley called the meeting to order and announced that a quorum was present.

The Joint Board discussed the proposed Agenda for the meeting. Ryan Ackerman requested to add three items to the agenda, including a consideration for Task Order 13-B, the consideration of acquiring Talbots Nursery, and the consideration of authorizing eminent domain actions.

Clif Issendorf made a motion to approve the agenda, as amended. Dan Jonasson seconded the motion. The motion passed without opposition.

The draft minutes from the August 6, 2020, meeting were discussed.

Tom Klein made a motion to approve the Minutes from the August 6, 2020, Joint Board meeting. Clif Issendorf seconded the motion. The motion passed without opposition.

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

Dan Steinberger moved to approve the Budget Report included in the September Board Packet. Dan Jonasson seconded the motion. The motion passed without opposition.

The Joint Board discussed the bills as set forth in the September Board Packet.

Dan Jonasson made a motion to approve the payment of bills in the amount of \$1,636,044.79. 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. Jerry Bents provided a drone video of the project to the Joint Board. A Project Status Report from Houston Engineering is contained in the September Board Packet.

Jerry Bents provided an update on Phase MI-4A design work. A Project Status Report from Houston Engineering is contained in the September Board Packet. Ryan Ackerman proposed Task Order 13-B and explained that the original contract did not include public outreach.

Dan Jonasson made a motion to approve Task Order 13-B for an amount not to exceed \$16,050.00 and authorize the chairman to sign the contract. Dan Steinberger seconded the motion. A roll call vote was cast. The motion passed without opposition.

Jerry Bents provided an update on Phase MI-5 design work. A Project Status Report from Houston Engineering is contained in the September Board Packet.

Jason Westbrook provided an update to the Joint Board regarding construction of Phase MI-2/3. Jason Westbrook provided a drone video of the project to the Joint Board. A Project Status Report from Barr Engineering is contained in the September Board Packet. Dan Steinberger inquired whether there were any signs prohibiting motor vehicles. Jason Westbrook said that signs were a part of the bid packet and a design is being worked on.

Jason Westbrook provided an update to the Joint Board regarding construction of Phase BU-1. Jason Westbrook provided a drone video of the project to the Joint Board. A Project Status Report from Barr Engineering is contained in the September Board Packet.

Jason Westbrook provided an update to the Joint Board regarding construction of Phase WC-1. A Project Status Report from Barr Engineering is contained in the September Board Packet.

Ryan Ackerman provided the Joint Board with an update regarding the StARR Program. A Status Report is contained in the September Board Packet. Tom Klein inquired about a property in River Bend Addition that a neighbor would like to purchase. Ryan Ackerman said the issue will be considered by the board in October.

Ryan Ackerman explained that a mobile home park owned by a credit union is in need a major maintenance to the Talbots Nursery levee system and suggested that the Joint Board purchase it, using the StARR program. An unofficial offer for \$425,000.00 was made to the landowner, with the condition that the credit union be able to liquidate the trailers. The Dakota West Credit Union Board has approved the offer. Dan Steinberger inquired how many mobile homes would be removed. Ryan Ackerman stated 31. Dan Steinberger inquired about potential liabilities incurred by the Joint Board. Ryan Ackerman replied that the Joint Board would potentially acquire any liability, but he indicated that there is not a current concern that liability exists. Dan Steinberger inquired about any necessary sewer repairs. Ryan Ackerman explained that the sewer system would be removed with the mobile homes.

Tom Klein made a motion to approve the purchase of Talbots Nursery for \$425,000.00. Dan Jonasson seconded the motion. A roll call vote was cast. The motion passed without opposition.

Ryan Ackerman suggested that Dwyer Law Office commence eminent domain proceedings on three properties. Negotiations have failed to reach a reasonable price on all three properties. The properties have been deemed necessary in order to complete essential projects. The Calvin Sailor property located on the east end of Phase MI-5. Negotiations started in March of 2020. There was an initial offer of \$360,000; a counteroffer of \$850,000 was made. A counteroffer of \$387,000 was made by the Joint Board.

Dan Jonasson made a motion to approve Dwyer Law Office to commence an eminent domain action on the Calvin Sailor property. Clif Issendorf seconded the motion. A roll call vote was cast. The motion passed without opposition.

The Wayne Moe property is located in Phase WC-1. Negotiations started in December 2019. There was an initial offer of \$105,000 by the Joint Board. Mr. Moe countered at \$297,500.00.

Dan Jonasson made a motion to approve Dwyer Law Office to commence an eminent domain action on the Wayne Moe property. Dan Steinberger seconded the motion. A roll call vote was cast. The motion passed without opposition.

The Mark and Debbie Skeeze property is located in Phase BU-1. Negotiations started in April 2019. There was an initial offer of \$26,274 by the Joint Board; together with a revised offer made by the Joint Board in the amount of \$27,289. The seller made a counteroffer that far exceeded the cost of the Joint Board's appraisal.

Dan Jonasson made a motion to approve Dwyer Law Office to commence an eminent domain action on the Mark and Debbie Skeeze property. Dan Steinberger seconded the motion. A roll call vote was cast. The motion passed without opposition.

Troy Borchard from HDR Engineering provided an update regarding Rural Bridges. A Project Status Report from HDR Engineering is contained in the September Board Packet.

The Joint Board took note of future meetings as set forth in the September Board Packet. Several important upcoming meetings were noted and discussed.

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



Jack Dwyer
Legal Counsel