

Minutes of Meeting  
 Souris River Joint Water Resource Board  
 Minot City Auditorium, Minot, North Dakota  
 October 13, 2016

A meeting of the Souris River Joint Water Resource Board was called to order by Chairman David Ashley on October 13, 2016 at the Minot Municipal City Auditorium in Minot, North Dakota. Board members in attendance were Dave Ashley, Cliff Issendorf, Roger Sauer, Tom Klein, and Dan Jonasson. A quorum was declared. A list of people attending the meeting is Attachment A.

The board reviewed the agenda. It was proposed that two additional items be added to the agenda, including the Renville County Private Cemetery, and cost share for utility franchises. It was then moved by Dan Jonasson, seconded by Roger Sauer, that the agenda be approved with the additions. The motion was unanimously approved.

The board reviewed the minutes of the September 8, 2016 meeting. After review, it was moved by Roger Sauer, seconded by Dan Jonasson, that the minutes of the September 8, 2016 meeting be approved. The motion was unanimously approved.

The board reviewed the following invoices;

<b>Barr Engineering</b>	<b>(Environmental &amp; Design)</b>	<b>\$ 93,742.06</b>
	<b>(MI-2A Construction Perkett)</b>	<b>\$ 41,877.95</b>
	<b>(MI-2B Construction SVGC)</b>	<b>\$ 4,348.95</b>
	<b>(USACE Feasibility Study)</b>	<b>\$ 2,675.50</b>
<b>Houston Engineering</b>	<b>(Environmental &amp; Design)</b>	<b>\$229,190.37</b>
	<b>(USACE Feasibility Study)</b>	<b>\$ 16,271.25</b>
<b>Ackerman-Estvold</b>	<b>(Administration)</b>	<b>\$ 19,068.75</b>
	<b>(StARR Program)</b>	<b>\$ 17,316.89</b>
<b>Point Value Appraisal</b>	<b>(StARR Program)</b>	<b>\$ 4,000.00</b>
<b>Scherbenske Inc.</b>	<b>(MI-2A Construction Perkett)</b>	<b>\$603,831.10</b>
<b>TOTAL</b>		<b>\$1,032,322.82</b>

It was moved by Cliff Issendorf, seconded by Roger Sauer that the invoices set forth above be approved. The motion was unanimously approved by roll call vote.

Chairman Ashley called on Emily Huettl to provide an update on the StARR Program. Emily reported that follow up meetings were being held, and that information was being provided. Emily stated they were almost ready to make initial offers. She further stated that there were sixty interested parties. Emily indicated that Ward County had approved request to acquire properties. Finally, she reviewed the agreement drafted by Jack Dwyer, and the changes to that agreement.

Clif Issendorf recommended that staff obtain county input before approving the proposed agreement for the StARR Program.

Ryan Ackerman stated that he would be reconciling all State Water Commission cost share approvals, and all invoice reimbursements to date.

Ryan Ackerman stated they were approaching the Bottineau, Renville, and McHenry County Commissions to consider the flood plain ordinances adopted by Ward County.

Jerry Bents reported on Phase MI-1. Bents stated that Houston was working with Barr on the final environmental impact statement, and that Houston was working through comments from the Independent External Peer Review. Bents stated that Phase MI-1 would be 100% completed by October 27.

Jason Westbrook reported on engineering work for Phase MI-2 and MI-3. Westbrook stated that Barr was working through comments of the Independent External Peer Review, that the 408 submittal was elevating from the district to the division level at the end of October, and related items.

Ryan Ackerman reviewed the request for cost share from Xcel Energy, a Franchise Utility Company. He stated that an additional request was being submitted from Xcel Energy, in the amount of \$30,151.80. The Souris River Joint Board cost share for this work item would be \$15,075.90. It was stated that the total cost share request for the Franchise Utility Company would be \$23,915.58. It was moved by Dan Jonasson, seconded by Roger Sauer, that the Souris River Joint Board authorize cost share in the amount of \$23,915.58. The motion was unanimously approved by roll call vote.

Ryan Ackerman stated that the construction cost of Phases 1 through 3 is \$112,000,000, and the amount recommended by the Water Coalition for allocation to the Souris River Flood Control Project would provide the necessary funding for Phases 1 through 3.

Ryan Ackerman reported on the workshop in Saint Paul attended by Dave Ashley, Ryan Ackerman, Dan Jonasson, the State Water Commission, and engineering firms. Ackerman stated that the workshop outcome was similar to the Reconnaissance Study conducted in 2013. He stated that the raise of Lake Darling Dam was not feasible. He further stated that Corps projects required a benefit cost ratio greater than one. It was inquired whether the Joint Board could build individual components to meet the benefit cost requirement.

Ryan Ackerman reported on the Feasibility Study Process. He stated that the Corp of Engineers needed an environmental impact statement very similar to the Mouse River Enhanced Flood Control Plan. He stated that because it was a separate federal action, separate scoping would be required. Scoping meetings were scheduled for October 24 in Mohall, October 25 in Velva, and October 26 in Minot, beginning with a 6:30 open house and a 7:30 presentation by the Corp of Engineers. Ackerman stated that project meetings would be held during the day and that a separate round of scoping meetings would be required after the October meetings.

The board considered appeal number 2-1. It was stated that approval of this appeal would require a change in the rules, which provide that you cannot relocate in the same location for which financial assistance has been provided to move a structure out of the flood plain. It was moved by Roger Sauer, seconded by Tom Klein, that the appeal be denied. The motion was unanimously approved by roll call vote.

The Joint Board discussed the Corp of Engineers levee inspections. Ryan Ackerman stated that the Corp had completed the 2016 levee inspections. He further stated that they had just received the report on the 2015 levee inspections.

The board discussed the levee pipe video inspections. It was stated that Minot had bid levee pipe video inspection on all pipes within the city. It was recommended that the Joint Board join together with the Minot bid for levee pipe video inspections, for rural inspections. It was stated that the Minot bid was \$240,000 for 140 structures, or about \$2,000 per video pipe inspection. It was moved by Tom Klein, seconded by Roger Sauer, that Ryan Ackerman be directed to coordinate with Houston Engineering and the contractor from Montana for the Minot pipe video inspections, and submit a recommendation for levee pipe video inspections outside the city, including costs. The motion was unanimously approved.

Ryan Ackerman reported on the State Water Commission meeting on October 12, and stated that the Water Commission had approved cost share at 65%. Ackerman stated that the results of the State Water Commission increasing cost share to 65% was very successful.

The Joint Board discussed the Renville County Private Cemetery. It was stated that two graves were being eroded by the river, and it had been requested that the Joint Board cost share in the relocation of these graves to higher ground. The board inquired whether those graves could be moved to the same land, or were required to be moved to an actual cemetery. It was recommended by Clif Issendorf that the matter of relocating the graves be submitted back to the family for relocation.

Dave Ashley addressed the Franchise Utility Agreements. Ashley stated that he had spoken with Jack Dwyer, they had received comments from Minot, and that the Utility Relocation Agreements were almost done. He stated that the addendum to the agreement for the City of Minot need to be reviewed by the Utilities.

There being no further business, the meeting was adjourned.



Michael Dwyer  
Legal Counsel

Dwyer

LAW OFFICE P.C.



Attachment A

Mike Jump	Souris At Bd - Board
Tom Klein	Souris River Joint Board
Cliff Jersendy	S R J B & Bottineau Co
Dan Jonsson	City of Minot / SRJB
Lorenda Haman	McHenry County
Josh Wolsky	The Minot Voice .com
Bob Schempp	NA w/ 9
Maurice Foley	ND W Comm
Lynn R. Kongalo	Towner Rancher
Shay C. Wippler	Ward County
Lorenda Haman	McHenry County
Josh Wolsky	The Minot Voice
Frank Durbian	US Fish & Wildlife Service
Gally Johnson	Senator Hoover office
Ray Hoover	City of Minot
Roger Clay	Moore Engineering