

**Minutes of Meeting
Souris River Joint Water Resource Board
Thursday, December 9, 2021**

A meeting of the board of directors of the Souris River Joint Water Resource Board was called to order by Chairman David Ashley at 12:00 p.m. on Thursday, December 9, 2021, at the Ramkota Hotel in Bismarck, North Dakota (ND Water Convention. Joint Board members in attendance were Dan Jonasson, Tom Klein, Clif Issendorf and Dan Steinberger. 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. Two items were added, including BNSF Construction and Maintenance Agreement and Rural FARM Program.

Clif Issendorf made a motion to approve the agenda. Dan Steinberger seconded the motion. The motion passed without opposition.

The draft minutes from the November 4, 2021 regular meeting and November 18, 2021 special meeting were discussed.

Dan Jonasson made a motion to approve the Minutes from the November 4, 2021 and November 18, 2021 Joint Board meetings. Clif Issendorf seconded the motion. The motion passed without opposition.

The Board discussed the Joint Funding Agreement – USGS Gaging Station. Ryan Ackerman explained we have historically paid 50% with Ward County Water Resource District paying 50%. The cost was previously \$15,000 annually (\$7,500 for the Joint Board’s share). It is expected to be slightly higher next year – a total of \$15,160 (\$7,580 for the Joint Board’s share).

Tom Klein made a motion to approve the Joint Funding Agreement, authorizing the Chairman to sign on behalf of the SRJB and directing the administrative pursuit of the 50% cost share from the Ward County Water Resource District. Dan Jonasson seconded the motion. The motion passed without opposition.

The Joint Board discussed the 2022 SRJB Regular Meeting Schedule. The current schedule of meeting the first Thursday of the month usually results in special meetings in January and July. An option for 2022 would be to move meetings to the second Thursday of each month to potentially avoid special meetings. Meeting the second Thursday could interfere with other meetings.

Dan Jonasson made a motion to keep the meetings on the first Thursday of each month. Clif Issendorf seconded the motion. The motion passed without opposition.

The Joint Board discussed the Budget Report included on Page 5 of the December Board Packet. Ryan Ackerman explained the Balance Sheet and Budget Report. Total current assets for SRJB are approximately \$9.35 million. Total current liabilities are \$7.87 million. Total equity is approximately \$1.49 million.

Dan Jonasson 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 discussed the bills set forth in the December Board Packet totaling \$4,106,919.02.

Dan Jonasson moved to approve the payment of bills totaling \$4,106,919.02. Clif Issendorf 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. Working through current punch list. The final completion date is expected to be June 2022. A Project Status Report from Houston Engineering is contained in the December Board Packet.

Jerry Bents updated on Phase MI-4A. Substantial completion was achieved last month. Generator was set last week. Bid opening on Phase MI-4B is January 18, 2022 for moving water line for estimated cost of \$350,000. Ryan Ackerman advised there is encouraging news from USACE, as approximately \$90M project may be funded. Maple Diversion included in work plan for 2022 and 2023. Should hear in January of 2022 on funding. Design is approaching 60% complete, estimated complete is end of 2022. A Project Status Report from Houston Engineering is contained in the December Board Packet.

Jerry Bents updated on Phase MI-5A. The \$50M floodwall work is under way. Bid opening for that is scheduled for February 18, 2022, with a potential award to take place in March. On Phase MI-5B, one of the larger existing structures is being moved from current location to Public Works to serve as storage facility for Mouse River flood control related items. Working through a contract for that and anticipate opening bids on January 31, 2022. A Project Status Report from Houston Engineering is contained in the December Board Packet.

Dan Jonasson moved to approve the advertisement for bids for moving the structure to serve as flood project storage as part of Phase MI-5B. Dan Steinberger seconded the motion. Dan Steinberger inquired about logistics. Ryan Ackerman and Dan Jonasson explained utilizing a building instead of demolishing it and it will be a more efficient operation with the building in its new location. A roll call vote was cast. The motion passed without opposition.

The Board discussed structure resale and liquidating the buildings purchased to be moved by private people. Did receive a quote for 7,200 square foot building in the amount of \$750.

Dan Jonasson moved to approve the acceptance of \$750 for the 7,200 square foot building. Clif Issendorf seconded the motion. A roll call vote was cast. The motion passed without opposition.

The Board discussed negotiations with BNSF. The SRJB has received a copy of an agreement negotiated and acceptable to BNSF. Final adjustments are being made by SRJB. Jerry Bents discussed four items: (1) temporary access for flood project construction (approximate cost of \$241,300, along with administrative costs); (2) permanent easement on BNSF property (approximately \$11,700); (3) other costs to allow construction, including somebody to do flagging for trains (\$794,000) and third party review to do inspection (\$350,000), moving yard lighting (\$80,000) and improving pedestrian path on bridge over Mouse River via modifications to bridge (\$169,000 on east side of bridge and \$60,000 for west side of bridge), these other costs totaling approximately \$1,453,280); and (4) BNSF ability to go outside of their right-of-way to do drainage corrections between railroad tracks and floodwall. Since the BNSF agreement was a late addition to this meeting, the SRJB tabled action on this topic for a future meeting.

Jerry Bents updated on Phase MI-6. Design has been refined due to concerns over the pedestrian bridge in downtown area (Anne Street Bridge). Three options represent what is best in the downtown area: (1) continued levee, resulting in removal of the pedestrian bridge; (2) continued levee, construct new bridge over the levee and roadway; and (3) continued levee, modified location and reconstruction of bridge. Have worked through regulatory issues that might arise and held two coordination meetings with the State Historical Preservation Office and USACE. Bridge is on easement over BNSF, so will likely need new property rights under Options 2 and 3. Bridge is currently closed and needs \$1.2-\$1.6M for repairs. Houston prepared a memo for costs with the three options. The option selected by the SRJB will be presented to the Minot City Council. A Project Status Report from Houston Engineering is contained in the December Board Packet. Clif Issendorf has recently made observations of the bridge and noted that the bridge is seldom used and needs repair. Jerry Bents indicated that other routes for pedestrians do exist. Tom Klein voiced concerns over potential public outcry. Ryan Ackerman indicated that City of Minot has closed bridge and has not elected to take any capital improvements and ultimately this is a City decision. Alan Walter commented that it is a historic bridge (predates 1919) and there is no traffic because it is closed.

Chairman Ashley moved to recommend Option 1 to the City of Minot for consideration. Clif Issendorf seconded the motion. A roll call vote was cast. The motion passed without opposition.

The Joint Board took a brief break for introductions.

Jason Westbrook with Barr Engineering provided an update to the Joint Board regarding Phases MI-2/3, Phases MI-7, Phase WC-1 and Phase BU-1. Bid opening on Phase WC-1 is December 21, 2021 and results will be presented at the January SRJB meeting. A Project Status Report is contained in the December Board Packet.

The Board discussed Change Order No. 21 (at page 358 of Board Packet). Based on final quantities, the balancing change order with Wagner Construction would be a deduct in the contract price of \$558,068.74.

Tom Klein moved to approve Change Order No. 21. Dan Steinberger seconded the motion. Dan Jonasson inquired about what amount of the change order is for the slurry cutoff. Jason Westbrook advised the areas we see savings are: (1) the pipe that was to be jacked under the rail tracks was removed from the plan; and (2) reduced levee fill quantity. A roll call vote was cast. The motion passed without opposition.

Ryan Ackerman advised the Joint Board that a correspondence was received by the Joint Board from David Kohlman, requesting to purchase property back. The SRJB responded that it would not be an option. An update regarding the StARR Program is contained in the December Board Packet.

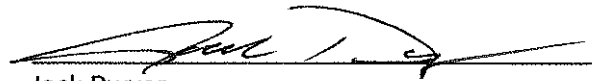
Dennis Reep from HDR Engineering provided an update regarding Rural Bridges. The Sawyer 408 permit is ready for signature. Routing is underway. Project manual is near completion and bidding is imminent. A Project Status Report from HDR Engineering is contained in the December Board Packet. On Velva, the DOT and HDR have worked out issues with respect to design and things are progressing. On Mouse River Park, a signature will be obtained from a Renville County official on these agreements and Mouse River is still tracking for a spring/summer bid process.

The Joint Board took note of future meetings and events as set forth in the December Board Packet.

Ryan Ackerman discussed rural program per rural reaches study. Ryan Ackerman introduced a program to the board called the Flood Assistance and Risk Management Program ("FARM"). The total budget per site is capped at \$150,000. Cost share would be 65% from the State, 25% from the City of Minot and 10% from the landowner. With the 10% landowner contribution, the maximum public funding contribution would be \$135,000 per site. Funding would be limited to \$1,000 per acre of benefitting land. The initial budget would be set at \$5M. The purpose of bringing this to the board at this time was not to take any action, but instead to get feedback to determine if it meets the Joint Board's vision of rural flood risk management. The program will be refined after feedback is received. Dan Steinberger inquired about access to study. Ryan Ackerman advised it is on the website.

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

The next regular meeting of the SRJB is scheduled for Thursday, January 6, 2022 at 4:00 p.m. in Room 203 of the Minot Auditorium.



Jack Dwyer
Legal Counsel