

**Minutes of Meeting
Souris River Joint Water Resource Board
Thursday, April 4, 2025**

A meeting of the board of directors of the Souris River Joint Water Resource District was called to order by Chairman David Ashley at 4:00 p.m. on Thursday, April 4, 2025, after announcing that a quorum was present. The meeting was held in Room 203 of the Minot Auditorium. Joint Board members in attendance were Tom Klein, Clif Issendorf, Jason Sorenson and Dan Steinberger.

The Joint Board discussed the proposed Agenda for the meeting. Ryan Ackerman added three items: Under Item 11, Change Order to Phase MI-7D, and under Other Business, an update to the Joint Board on Senate Bill 2180 and House Bill 1020.

Dan Steinberger made a motion to approve the revised agenda for the meeting. Jason Sorenson seconded the motion. The motion passed without opposition.

The draft minutes of both the March 6, 2025 SRJB regular meeting and March 19, 2025 SRJB special meeting were discussed.

Tom Klein made a motion to approve the minutes from the March 6, 2025 regular meeting and the special meeting of March 19, 2025. Jason Sorenson seconded the motion. The motion passed without opposition.

Ryan Ackerman presented the Balance Sheet and Budget Report and the Joint Board reviewed the Budget Report included in the April Board Packet. Ryan Ackerman explained the Budget Report.

Jason Sorenson 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 reviewed and discussed various bills set forth in the April Board Packet totaling \$1,821,070.53. Chairman Ashley opened it up for questions from the Board on each bill being considered for approval and advised the Verizon bill has been approved unilaterally and paid. On Barr Engineering, Dan Steinberger questioned whether the Dakota Technologies Company rig and crew entry for \$2,400 is a typical way to bill that expense. Jason Westbrook of Barr Engineering advised that it does look different that how it typically shows but it is not uncommon to bill it by the day, as was done here. This figure includes the two-man crew and supplies.

Dan Steinberger moved to approve payment of bills totaling \$1,821,070.53. Jason Sorenson 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 April Board Packet. Jerry Bents indicated nothing has really changed from the last meeting on this phase. Jerry Bents indicated finishing out paperwork is all that remains.

Jerry Bents updated on Phase MI-4 (Maple Diversion). A Project Status Report from Houston Engineering is contained in the April Board Packet. Jerry Bents advised that work on this phase is focused on design and 60% submittal is targeted to go to USACE around the middle of July. This phase has a lot of interaction

with the adjacent railroad entities and communications are ongoing with the railroads. The preliminary bridge concept has been submitted. The SRJB has a service agreement in place for CP Rail to use their engineering staff to do a design for modifications of the Sixth Street Bridge and 90% plans for that are expected next week.

Jerry Bents updated on Phase MI-5. A Project Status Report from Houston Engineering is contained in the April Board Packet. Jerry Bents showed the Joint Board a drone flight to depict updates to this phase. The majority of the work remaining is at the pump station. The contractor is trying to be in a position where they can do startup on that in the first week of May. Substantial completion is July, and final completion is scheduled for September. Things are in a good spot from a schedule standpoint. Dan Steinberger asked roughly how many structures/houses/people are being protected when this is complete. Jerry Bents indicated this phase is the downstream end of Milestone 1. When that milestone is complete, that is about 60% of the residents that are in the valley on the north side of the river that the milestone will protect. The gap piece in there, however, is the Maple Diversion which will enable full protection when complete.

Jerry Bents updated the Joint Board on Phase MI-6. A Project Status Report from Houston Engineering is contained in the April Board Packet. Jerry Bents showed a drone flight to depict this phase of the project and the increased construction activity. Dan Steinberger asked about change of access to pool area and avoiding entrance into the construction area. Jerry Bents showed the drone video showing the original road from last year, temporary access going through the old dead loop and the current chain-link fence from the pool to the road and to the north, which is the construction access for Park Construction. Starting Monday, the road will be closed with barricades because work will be ongoing at the intersection.

Jerry Bents provided an update to the Joint Board on Phase MI-8/MI-9. Jerry Bents advised that this phase is in the design phase. A Project Status Report from Houston Engineering is contained in the April Board Packet. Jerry Bents that 60% submittal is targeted for early July. Once 60% is achieved, a public meeting is planned to inform residents of the plan. The plan will include acquisitions beyond what was previously identified. The Joint Board will have an opportunity to interact with and hear from residents in the area.

Jason Westbrook of Barr Engineering updated the Joint Board regarding Phase MI-7. A Project Status Report is contained in the April Board Packet. Jason Westbrook showed a drone flight showing the increase in activity in this phase.

The Joint Board next considered a Change Order to Phase MI-7D. Ryan Ackerman showed the Joint Board a graphic of what the change order covers. It is a \$163,459.97 change order for electrical service. It would include the cost of materials and labor to fulfill underground power requirements for new Concessions and Children's Barn locations on the MI7-D Project. A credit for the original project base bid was included with the proposal. The change order is being brought because the sequencing of the project is such that plans need to be changed to get electric service to the Discovery Barn so that it can be heated and have service by the time of the AZA accreditation at the beginning of May. Ryan Ackerman showed the original plan and the new plan. None of the work for the original plan has been performed.

Tom Klein moved to approve the Change Order with Mattsen Construction Company in the amount of \$163,459.97 and authorize the Chairman to sign the documentation on behalf of the Joint Board. Clif Issendorf seconded the motion. A roll call vote was cast. The motion passed without opposition.

Jason Westbrook provided an update to the Joint Board regarding WC-1. The Project Status Report is contained in the April Board Packet. Jason Westbrook indicated comments from CP Rail are still awaited.

For a PER Update, Ryan Ackerman indicated feedback from the Joint Board is being considered to formalize recommendations. One of the important signals that is needed is with regard to the state support for the project and clarity is needed on budgeting before formalizing any recommendations to the Joint Board. With respect to Clif Issendorf's inquiry at the March meeting regarding the J. Clark Salyer National Wildlife Refuge dam raises, Ryan Ackerman indicated work is underway to compare three different scenarios: (1) a no dam alternative (how the river behaved prior to construction of the J. Clark Salyer Refuge); (2) a 1980 alternative; and (3) today. The intent is to stack those profiles for various return interval events to obtain a quantitative assessment of the dams. Clif Issendorf responded that this should also be looked at with the Dwyer Law Office team.

Ryan Ackerman provided the SRJB with a Rural Program Update. Ryan Ackerman indicated feedback received from the Department of Natural Resources regarding eligibility for cost share. The intent is to submit the information for formal consideration by the State Water Commission, which is a two-part process. The first part is a committee meeting in May and the second is the State Water Commission taking formal action in June.

Luke Rogers of HDR Engineering provided an update regarding Rural Bridges. A Project Status Report is contained in the April Board Packet. On Velva, Luke Rogers indicated this was re-advertised and that was posted this morning. A pre-bid meeting is scheduled for April 15, 2025 and bid opening is April 24, 2025. The project schedule is over two seasons, with substantial completion at the end of 2027 and final closeout the following Spring of 2028 for miscellaneous punch list items. Dennis Reep of HDR Engineering indicated FEMA reviewers provided additional comments on the CLOMR and a response is being prepared. The 408 had questions on hydraulic modeling and environmental side and response should be finalized by early next week. Permits should be obtained by June or July for Velva

On Mouse River Park, Dennis Reep indicated the 408 permit expires July 3, 2025, so an extension needs to be obtained. Also, the 404 permit expires March of 2026 and it will need to be extended or reissued with the USACE. The AECM contract has been approved by SRJB and revisions to scope and fee are being completed and should be ready for SRJB review at the May meeting. Ryan Ackerman indicated 9-11 separate packages are expected for this project.

Dennis Reep presented an Eaton Irrigation Update to the Joint Board. An update is contained in the April Joint Board Packet. Dennis Reep indicated the report is drafted and going through internal quality control. The final report is expected to be brought before the Joint Board at the May meeting.

The Joint Board took note of future meetings and events as set forth in the April Board Packet. The next meeting of the Joint Board is a regular meeting, scheduled for May 1, 2025 at 4:00 p.m. in Room 203 of the Minot Auditorium.

Also in Other Business, Ryan Ackerman presented the Joint Board with information on the request for proposal for banking services. The deadline for receiving proposals was Wednesday April 2, 2025 at 2:00 p.m. Proposals will be opened and evaluated by a banking committee of the Souris River Joint Water Resource Board in April. The Souris River Joint Water Resource Board will consider the recommendations of the banking committee at its May 2025 regular meeting. At that meeting, the Souris River Joint Board

Water Resource Board may designate one or more financial institutions as depositories of public funds in accordance with N.D.C.C. Ch. 21-04.

In Other Business, Ryan Ackerman reviewed Senate Bill No. 2180 and indicated that the legislature appears to be poised to pass legislation that would require personal appearances or public appearances mandatory as part of meetings. In preparation for this passing, Ryan Ackerman indicated his comments were that this would be the last agenda item prior to adjournment. A sign in sheet at the podium for those wishing to speak and the Chair would ask for name and city. Ryan Ackerman suggested four minutes per person per meeting, 20 minutes total per meeting and this may be extended by the Chair or by a vote of the members. Ryan Ackerman further suggested (with respect to the requirement that it be pertinent) that they must be residents of Renville, Ward, McHenry or Bottineau County unless permitted by the Chair or by a vote of the members. Ryan Ackerman wanted to be aware that this will likely become part of policy going forward. Ryan Ackerman indicated he intended to ask Jack Dwyer for legal review to develop sound policy to follow state law.

Also under Other Business was House Bill 1020, the Appropriations Bill. Ryan Ackerman provided updates on this bill, indicating there has been a significant reduction from the original \$125 million for the Mouse River. The draft amount for Mouse River funding coming from the Senate is now \$65 million. The Senate has not yet formally acted on this yet, so there is room for dialogue on this.

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

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

Jack Dwyer
Legal Counsel