

**Minutes of Meeting  
Souris River Joint Water Resource Board  
Thursday, May 2, 2024**

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, May 2, 2024, 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, Jason Sorenson, Dan Steinberger and Clif Issendorf.

The Joint Board discussed the proposed Agenda for the meeting. Ryan Ackerman added alternative delivery methods under the Rural Bridges update.

**Tom Klein made a motion to approve the agenda for the meeting (as modified). Clif Issendorf seconded the motion. The motion passed without opposition.**

The draft minutes of the April 4, 2024 regular meeting were discussed.

**Jason Sorenson made a motion to approve the minutes from the April 4, 2024 regular meeting. Dan Steinberger seconded the motion. The motion passed without opposition.**

Ryan Ackerman presented the Budget Report and the Joint Board reviewed the Budget Report included in the May Board Packet. Ryan Ackerman explained the Budget Report.

**Dan Steinberger moved to approve the Budget Report. Tom Klein 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 May Board Packet totaling \$978,494.68. Chairman Ashley opened it up for questions from the Board on each bill being considered for approval and advised the Verizon bill has been paid per normal process. With respect to

**Clif Issendorf moved to approve the payment of bills totaling \$978,494.68. Dan Steinberger seconded the motion. A roll call vote was cast. The motion passed without opposition.**

The Joint Board next considered four different engineering contract amendments. First, Ryan Ackerman advised that HDR submitted a proposal related to conducting Independent External Peer Review (IEPR) services for construction of Phase MI-6.

**Tom Klein moved to approve Task Order 18 with HDR for the IEPR related to MI-6 Construction Services, in an amount not to exceed \$91,667.10, and authorize the Chairman to execute the contract documents on behalf of the SRJB. Jason Sorenson seconded the motion. A roll call vote was cast. The motion passed without opposition.**

Next, Ryan Ackerman advised that HDR has submitted a proposal related to conducting Independent External Peer Review (IEPR) services for the construction of Phase MI-7.

**Tom Klein moved to approve Task Order 19 with HDR for the IEPR related to MI-7 Construction Services, in an amount not to exceed \$91,688.70, and authorize the Chairman to execute the**

**contract documents on behalf of the SRJB. Clif Issendorf seconded the motion. A roll call vote was cast. The motion passed without opposition.**

Next, Ryan Ackerman indicated that Houston Engineering has submitted a proposal related to general design and related services for MREFPP Phase MI-8/9.

**Jason Sorenson moved to approve Task Order 23 with Houston Engineering for the General Design and Related Services for MREFPP Phase MI-8/9 Burdick Expressway Bridge/Valker Road Levee (West), in an amount not to exceed \$4,364,000 and authorize the Chairman to execute the contract documents on behalf of the SRJB. Dan Steinberger seconded the motion. A roll call vote was cast. The motion passed without opposition.**

Finally, Ryan Ackerman advised that Barr engineering has submitted a proposal related to reviewing and recommending changes to the Mouse River Enhanced Flood Protection Plan (Plan Updated). Tom Klein questioned whether it is pertinent that Ward County keeps maintain the flood pump at Talbott Nursery, as one pump is not working currently. Ryan Ackerman indicated this question has been posed to USACE, because the Talbott system is still a part of the federal project and subject to inspections until Congress deauthorizes that levee. Legislation is being worked on to remove the Talbott system from the federal role, after which those inspections would no longer be necessary. Dan Steinberger asked about a mile of levee that is to be raised at Mouse Park and asked for background on that. Ryan Ackerman indicated the original preliminary engineering report was based on adding works on the group to reduce the flood risk up to the event experienced in 2011 and that same standard has been applied throughout the basin. The intent would be to refine the work done in Mouse River Park and when those preliminary estimates are received, there is room for dialogue about the wishes of Renville County.

**Tom Klein moved to approve Task Order 19 with Barr Engineering for MREFPP Plan updated, in an amount not to exceed \$1,690,000 and authorize the Chairman to execute the contract documents on behalf of the SRJB. Clif Issendorf seconded the motion. A roll call vote was cast. The motion passed without opposition.**

Ryan Ackerman indicated the Agreement regarding cost-share for construction and acquisition costs for the 2023-2025 Biennium Mouse River Enhanced Flood Protection Project.

**Tom Klein moved to approve Agreement for Cost-Share Reimbursement 23-25 Biennium MREFPP in the amount of \$66,350,000 and upon attorney review, authorize the Chairman to execute the contract documents on behalf of the SRJB. Dan Steinberger seconded the motion. A roll call vote was cast. The motion passed without opposition.**

Jerry Bents updated the Joint Board on Phase MI-1. A Project Status Report from Houston Engineering is contained in the May Board Packet. Jerry Bents advised that not much has changed since last month. Warranty items are being worked on. Sidewalk work will be worked on next week. Completion is expected at the end of June. Dan Steinberger asked about debris by the pump station. Jerry Bents indicated this is likely the result of settlement issues with the discharge lines and those were dug up and reset and the debris will get cleaned up as it gets worked through.

Jerry Bents updated on Phase MI-4. A Project Status Report from Houston Engineering is contained in the May Board Packet. Jerry Bents indicated negotiations are ongoing with the railroad with respect to

acquisition needs in the area of the old GOB. That is on track for an August closing. And work is ongoing with Barr Engineering on some of the hydraulic questions.

Jerry Bents updated on Phase MI-5. A Project Status Report from Houston Engineering is contained in the May Board Packet. Jerry Bents showed a drone flight. Construction has started back up again. The last excavation for the last section of flood wall is scheduled.

Jerry Bents updated the Joint Board on Phase MI-6. A Project Status Report from Houston Engineering is contained in the May Board Packet. The bid documents are out and bid openings is upcoming for Phase MI-6B. Tom Klein asked when the closing date is for bids. Jerry Bents indicated bids are due by 10:00 a.m. on May 17, 2024.

Jason Westbrook of Barr Engineering provided an update to the Joint Board regarding Phase MI-7. A Project Status Report is contained in the May Board Packet. Jason Westbrook showed a drone flight. Bid opening is slated for next week. There are nine monuments within the zoo that will get picked up and relocated within the zoo.

Jason Westbrook provided an update to the Joint Board regarding WC-1. The Project Status Report is contained in the May Board Packet. Jason Westbrook indicated that there are a few punch list items that are being finished by Wagner Construction. Responses were given to CP Rail with respect to revisions they requested – the operation and maintenance and construction agreement for the closure. A meeting will be held next week at which time any concerns can be discussed with them.

Ryan Ackerman provided the SRJB with a Rural Program Update. With respect to the Farm Trapped Water Program, Chairman Ashley appointed a committee, chaired by Dan Steinberger and also including Dan Jonasson and Murray Pfau. A meeting was held on April 8, 2024 and preliminary findings from 20 sites that were evaluated as a part of the program were presented. Recommendations were made to improve the program and additional information was requested by the committee. That work is ongoing and expected to be done next week at which time the committee will meet to formally adopt recommendations to forward to the Joint Board for future consideration.

Chris Korkowski of HDR Engineering provided an update on the Eaton Irrigation Study. The hydraulic model was obtained from USACE and began making modifications to the model so that it could fit all of the structures identified in the as-built drawings from the original Eaton plans. A meeting took place with members of the Eaton Irrigation Board via Teams and did an aerial fly through of the reach and identified additional conveyance structures that were not originally in the as-builts or have been added since the as-builts were in place and are currently trying to identify which structures to survey and which structures we can get through other methods. It is hoped that the survey will be completed in June or July of 2024.

Troy Borchard from HDR Engineering provided an update regarding Rural Bridges. A Project Status Report is contained in the May Board Packet. On the Sawyer Bridge, all of the as-builts have been turned in and concurrence from the USACE is awaited. The Otter Tail Power Company is getting their permits for putting the power line across the river.

On the Velva site, Troy Borchard advised that internal drainage was submitted to NDDOT. Comments were received from USACE on the 408 submittal. Work is ongoing to compile information and submit for an approved CLOMR. Final plans for NDDOT are also being worked on.

On the Mouse River bridge, Troy Borchard advised that a path forward for letting this project. Jack Dwyer presented a legal analysis. The project has been bid four times under the traditional method of (1) design, (2) bid out publicly, and (3) award to the lowest responsible bidder to build. The design team has identified two other project delivery methods in North Dakota Statute for the Joint Board to consider. The first one is Construction Management at Risk (CMAR) and the second one is Agency Construction Management (ACM). Jack Dwyer explained the process for each, details of which are contained in the Joint Board packet. Dan Steinberger questioned whether there would be more success. Troy Borchard offered his insights from communications with Swingen Construction and Industrial Builders. Dan Steinberger questioned downstream catastrophic potential if nothing gets done at Mouse River. Ryan Ackerman indicated there is no intrinsic connection to the rest of the system. The biggest risk is to the residents of Mouse River Park. Clif Issendorf asked about difference between bridge in Larson, North Dakota and Mouse River bridge. Dan Steinberger indicated they are vastly different projects in scale and type. Jason Sorenson asked who acts as ACM. Ryan Ackerman indicated any contractor can act as an ACM. Clif Issendorf questioned whether there is potential to get this done this year if the ACM is selected. HDR representatives advised it would likely be late 2025 before completion of the bridge could be expected.

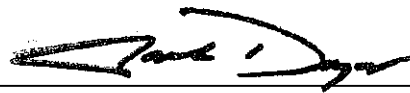
**Dan Steinberger moved to proceed with the ACM per the resolution attached to the memo contained in the Joint Board packet. Tom Klein seconded the motion. A roll call vote was cast. The motion passed without opposition.**

Ryan Ackerman updated on the North Prairie Rural Water situation. Ryan Ackerman and Chairman Ashley attended the North Prairie Rural Water Board meeting and an open records request is being answered.

The Joint Board took note of future meetings and events as set forth in the May Board Packet. Ryan Ackerman advised that the Water Topics Overview Committee of the Legislature will be in Minot on June 5-6, 2024. On the afternoon of June 5, 2024, there will be a tour of the project with legislators followed by an evening social at the Magic City Discovery Center in Minot. A business meeting will be on June 6, 2024 at the Minot Area Workforce Academy in Minot. The next regular meeting of the SRJB is currently scheduled for 4:00 p.m. on June 6, 2024 in Room 203 of the Minot Auditorium (but may be altered due to visitation by the Water Topics Overview Committee).

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

**Tom Klein made a motion to adjourn. Clif Issendorf seconded the motion. The motion passed without opposition.**



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Jack Dwyer  
Legal Counsel