

**Minutes of Meeting
Souris River Joint Water Resource Board
Thursday, April 4, 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, April 4, 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 provided the following additions: (1) Authorization to Advertise for Bids for Phase MI-6C; (2) MI-7B Monument Relocation Award of Bid; (3) MI-7C Zoo Utility Improvements Bid Recommendation; (4) Brooks Addition and County Club Acres Property Acquisitions; (5) North Prairie Regional Water (NPRW)/Velva Update; and (6) System Wide Improvement Framework (SWIF) Update.

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

The draft minutes of the March 7, 2024 regular meeting were discussed.

Dan Steinberger made a motion to approve the minutes from the March 7, 2024 regular meeting. Clif Issendorf seconded the motion. The motion passed without opposition.

The draft minutes of the March 28, 2024 special meeting were discussed. Dan Steinberger corrected that he was not in attendance at the March 28, 2024 special meeting.

Tom Klein made a motion to approve the minutes from the March 28, 2024 special meeting (as corrected). Clif Issendorf 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 April Board Packet. Ryan Ackerman explained the Balance Sheet and Budget Report. No approval was made for the Budget Report due to audit updates (two will be approved at the May SRJB meeting).

The Joint Board reviewed and discussed various bills set forth in the April Board Packet totaling \$1,732,192.95. Chairman Ashley opened it up for questions from the Board on each bill being considered for approval. With respect to City of Velva, Ryan Ackerman explained this was related to a Memorandum of Agreement with the City of Velva for cost-sharing with their lift station. On Orion Network Solutions, Ryan Ackerman indicated this relates to publishing of inundation maps on the USGS Advanced Hydrologic Predictions Service website. Clif Issendorf questioned whether this will result in a savings to the property owners. Ryan Ackerman explained this is valuable information for residents to make personal decisions in the event of a flood threat.

Clif Issendorf moved to approve the payment of bills totaling \$1,732,192.95. Jason Sorenson 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 April Board Packet. Jerry Bents advised that punch list and warranty items are being worked on by the contractor (anticipated to be worked on later in April or early May).

Jerry Bents updated on Phase MI-4. A Project Status Report from Houston Engineering is contained in the April Board Packet. Jerry Bents indicated the two design teams are working on alignment-related items to determine what additional property acquisitions are needed.

Jerry Bents updated on Phase MI-5. A Project Status Report from Houston Engineering is contained in the April Board Packet. Jerry Bents showed a drone video to update the Joint Board on progress for Phase MI-5.

Jerry Bents updated the Joint Board on Phase MI-6. A Project Status Report from Houston Engineering is contained in the April Board Packet. Design is complete on this phase. Jerry Bents advised that approval of Plans and Specifications for Phase MI-6B is sought, along with authorization to advertise for bids.

Jason Sorenson moved to approve the Plans and Specifications for Phase MI-6B and authorize advertisement for bids. Dan Steinberger seconded the motion. A roll call vote was cast. The motion passed without opposition.

Dan Steinberger asked about acquisitions on the north side of tracks and environmental studies. Jerry Bents indicated Phase 1 is a test top review of the site and if that indicates that there is potential for environmental cleanup needed, typically it goes to a Phase 2 assessment, which includes borings at the site, groundwater monitoring, etc. At the end of that, there is a good picture of the long-term risks with that piece of property and what sort of activities would require cleanups.

Jason Westbrook of Barr Engineering provided an update to the Joint Board regarding Phase MI-7. A Project Status Report is contained in the April Board Packet. Ryan Ackerman advised that a bid opening was conducted on April 3, 2024 for the MI-7B Roosevelt Park Monument Relocations. Four bids were received. The lowest bid received was from Mattson Construction Company in the amount of \$9,900.00. Bid tabs and recommendation are contained in the April Joint Board Packet.

Tom Klein moved to accept the low bid of Mattson Construction Company in the amount of \$9,900.00 and authorize the chairman to sign the appropriate agreements on behalf of the SRJB. Dan Steinberger seconded the motion. A roll call vote was cast. The motion passed without opposition.

Ryan Ackerman advised that a bid opening was conducted on April 2, 2024 for the MI-7C Roosevelt Park Zoo Utility Improvements. Two bids were received. The Engineer's Opinion of Probable Cost for the project was \$596,437.50. The lowest bid received was \$1,037,060.00, which was more than 70% above the Engineer's estimate. The reason for the high bids given was due to the June 28, 2024 completion date, which was set to accommodate the Zoo's construction of the African Plain Building.

Clif Issendorf moved to reject all bids and add the proposed project into the Phase MI-7E Scope of Work. Jason Sorenson 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 that there are no updates to report.

Ryan Ackerman provided the SRJB with a Rural Program Update. There are several properties that will be impacted by the proposed improvements that have yet to be acquired. Four of these properties have recently sold or will become available soon. The purpose of this memorandum is to make the SRJB aware of these four properties and to request permission to reach out to the owners on the possible acquisition. A Memorandum was shown to the Joint Board and is contained in the Joint Board Packet.

Dan Steinberger moved to authorize the SRJB administrator to contact the property owners on possible acquisitions. Jason Sorenson seconded the motion. A roll call vote was cast. The motion passed without opposition.

Dennis Reep from HDR Engineering provided an update regarding Rural Bridges. A Project Status Report is contained in the April Board Packet. On the Sawyer Bridge, Otter Tail Power determined how they would like to get their power through the river and determined they will do overhead power. The layout has been reviewed and adjusted to move further south. Otter Tail Power is finishing permitting and obtaining an easement to set the pole, which is the last thing that needs to be done for utilities for the Sawyer site.

On the Velva site, Dennis Reep advised that the design team, FEMA, the Department of Natural Resources had a meeting to discuss the FEMA mapping that is being required to re-do and an agreement was reached on how the model will be put together and what will be in it. Right of way documents should be done and submitted. NDDOT requested an internal evaluation of the storm sewer, and that document should be sent to the NDDOT next week before finalizing plans. Comments were received from USACE and those comments are being worked through. And bridge design is being worked on. Final plans are anticipated to be done by June.

On the Mouse River bridge, Dennis Reep indicated that discussions are ongoing on the path forward to get somebody to bid on the project. At a future meeting, the path forward will be brought to the Joint Board for review and approval. Ryan Ackerman indicated that an alternative delivery method is being considered in lieu of the traditional format (design, bid, build). That alternative would be a construction management process to break up the scope of the overall project into smaller pieces and solicit interest that way. Dwyer Law Office is to conduct a legal analysis of this plan and report on the legal aspects.

The Joint Board took note of future meetings and events as set forth in the April Board Packet. Ryan Ackerman indicated that the State Water Commission meets on April 11, 2024 and the agenda includes the consideration of the SRJB and City of Minot's funding request for the current biennium. The next regular meeting of the SRJB will be at 4:00 p.m. on May 2, 2024 in Room 203 of the Minot Auditorium.

Ryan Ackerman provided a North Prairie Regional Water (NPRW)/Velva Update. Ryan advised that years ago a waterline was directionally drilled under the Velva levee without securing required permits. This created concerns with respect to integrity of the system, safety and levee accreditation. Work is ongoing with North Prairie to find a path forward to fix the issue. The cost is not anticipated to be significant. But not doing anything about it causes significant concerns. Dan Steinberger asked if the USACE is involved. Ryan Ackerman indicated they are. They are responsible for issuing a Rule 408 permit in instances like this but that process was not gone through.

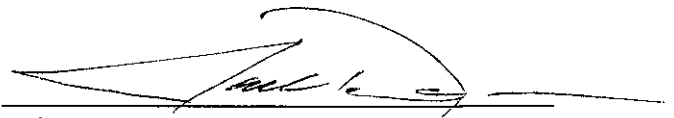
With respect to the System Wide Improvement Framework (SWIF), Ryan Ackerman advised this is a document that allows SRJB to maintain eligibility for assistance through the PL8499 Program through the USACE following a disaster. That assistance is only available if your system is eligible for assistance because it meets 19 criteria. Following the flood of 2011, it was found that the systems from

Burlington through Minot are not acceptable and as a result no longer eligible for assistance through PL8499. In response to that, a system-wide improvement framework was developed. That document has been maintained for eight years with regular updates, and the improvements to develop deficiencies have plateaued. As a result, the system should be deemed minimally acceptable and eligible for assistance under PL8499. USACE agrees there is a basis for SRJB being out of the SWIF program (and thus no longer required to complete the paperwork). But before that can happen, one more update will be needed and one more meeting will take place to talk through any remaining deficiencies (likely this summer).

Dan Steinberger inquired about getting a list of phone numbers to be sent to Joint Board members.

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

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

A handwritten signature in black ink, appearing to read "Jack Dwyer", is written over a horizontal line. The signature is stylized and cursive.

Jack Dwyer
Legal Counsel