

**BOTTINEAU COUNTY WATER RESOURCE DISTRICT
MINUTES OF THE MEETING HELD ON MAY 20, 2024
BOTTINEAU COUNTY COURTHOUSE**

1. ATTENDANCES

PRESENT: Clifford Issendorf, Chair
Wayne Drangsholt, Treasurer – via video conference
Mitch Opdahl, Manager – via video conference

IN ATTENDANCE: Kale Van Bruggen, Secretary/Counsel
Stacy Lorenz, Chad Strand Agency, P.C. –left at 9:12 a.m.

APOLOGIES: Wally Brandjord, Vice Chair
Mark Glinz, Manager

2. COMMENCEMENT The meeting was called to order at 9:00 a.m.

3. SETTING OF THE AGENDA Chair Issendorf called for corrections or additions to the agenda. Stacy Lorenz (Chad Strand, P.C.) requested the 2025 Budget be moved from Old Business on the agenda to immediately following Approval of the Financial Report & Appropriations. Hearing no objections, the Chair declared the agenda adopted as amended.

4. APPROVAL OF FINANCIAL REPORT/APPROPRIATIONS

4.1 Financial Report & Proposed Appropriations Stacy Lorenz (Chad Strand, P.C.) presented the financial report for April 2024 and proposed appropriations. The report and proposed appropriations were reviewed and discussed by the Board.

Moved Manager Drangsholt/Seconded Manager Opdahl

That the financial reports be taken and confirmed as presented and that the monthly bills due be paid as presented.

Carried.

5. OLD BUSINESS

5.1 2025 Estimated Budget Stacy Lorenz (Chad Strand, P.C.) reviewed the proposed 2025 Estimated Budget with the Board. The proposed budget was presented at the April Board meeting. Lorenz reported that the Budget is due to the County on May 31, 2024. The Board reviewed and discussed the proposed budget. No members of the public were present to comment.

Moved Manager Drangsholt/Seconded Manager Opdahl

That the Bottineau County Water Resource District 2025 Budget and Levy of \$136,395.24 be approved and that Stacy Lorenz be authorized to send the 2025 Budget and Levy to the Bottineau County Auditor and Board of Commissioners.

Carried.

Stacy Lorenz (Chad Strand, P.C.) left the meeting.

6. CONFIRMATION OF MINUTES

Moved Manager Drangsholt/Seconded Manager Opdahl

That the minutes of the regular Board meeting held on April 15, 2024, be approved as presented.

Carried.

7. ASSESSMENT DRAINS Discussion was held on the status of all the District's existing assessment drains and proposed assessment drain projects. Special discussion was held on the following items:

- 7.1 Stead Drain Phase II & Haas Coulee Phase IV** Attorney Kale Van Bruggen (Rinke Noonan, Ltd.) delivered the report of Engineer Jennifer Malloy. The survey work on Stead Drain Phase II and Haas Coulee Phase IV is complete and Apex Engineering has begun preparation of construction plans. A construction plan set will be ready for the Board to review at the June meeting. Apex Engineering will work with Rinke Noonan, Ltd. on easement acquisition after the June meeting.
- 7.2 Kane Tacoma Drain** Attorney Kale Van Bruggen (Rinke Noonan, Ltd.) delivered the report of Engineer Jennifer Malloy. When Mikkelsen Aggregates is available for construction, Apex Engineering will work with them on the crossing repair between the NE¼ and SE¼ of Section 33-161-70.
- 7.3 LaPorte Coulee Drain** Chair Issendorf reported that \$46,500 had been deposited by petitioners of the LaPorte Coulee Drain with Stacy Lorenz (Chad Strand, P.C.) for the bond. Attorney Kale Van Bruggen (Rinke Noonan, Ltd.) reviewed the Resolution Relating to the Issuance of Bonds and the Reimbursement of Certain Expenditures for the LaPorte Coulee Assessment Drain and the Resolution Declaration of Necessity for Proceedings to Construct and Maintain the Proposed LaPorte Coulee Assessment Drain Project. The Resolution Declaration of Necessity must be published in the Bottineau Courant.

Moved Manager Drangsholt/Seconded Manager Opdahl

That the Resolution Relating to the Issuance of Bonds and the Reimbursement of Certain Expenditures for the LaPorte Coulee Assessment Drain be approved.

Carried.

Moved Manager Opdahl/Seconded Manager Drangsholt

That the bond on the LaPorte Coulee Assessment Drain petition be set at \$46,500; that the Resolution Declaration of Necessity for Proceedings to Construct and Maintain the Proposed LaPorte Coulee Assessment Drain Project be approved; and that Rinke Noonan, Ltd. publish the Resolution of Necessity in the Bottineau Courant.

Carried.

Attorney Kale Van Bruggen (Rinke Noonan, Ltd.) delivered the report of Engineer Jennifer Malloy. Apex Engineering has started the preliminary construction plans and will have the preliminary plans ready for the Board to approve at the June Board meeting.

- 7.4 Scandia-Scotia Drain** The Board reviewed the Proposal from Farden Construction dated April 30, 2024 for repair of existing erosion at the dam spillway.

Moved Manager Opdahl/Seconded Manager Drangsholt.

That the Farden Proposal dated April 30, 2024 for dam spillway erosion in the amount of \$9,8250 be approved; that Apex Engineering shall be authorized to work with Farden Construction on the repair; and that the costs of the repair shall be a cost of the Scandia-Scotia Drain operation and maintenance fund.

Carried.

- 7.5 North Landa Drain** Chair Issendorf reported that \$17,000 had been deposited by petitioners of the North Landa Drain with Stacy Lorenz (Chad Strand, P.C.) for the bond. Attorney Kale Van Bruggen (Rinke Noonan, Ltd.) reviewed the Resolution Relating to the Issuance of Bonds and

the Reimbursement of Certain Expenditures for the North Landa Assessment Drain and the Resolution Declaration of Necessity for Proceedings to Construct and Maintain the Proposed North Landa Assessment Drain Project. The Resolution Declaration of Necessity must be published in the Bottineau Courant. The Board reviewed the preliminary estimate of costs provided by Apex Engineering and discussed the amount of bond needed to cover preliminary expenses. The Board consensus from discussion was to set the bond at \$40,000 and direct Attorney Kale Van Bruggen (Rinke Noonan, Ltd.) to work with Manager Brandjord on a letter to petitioners requiring an additional \$23,000 in bond funds.

Moved Manager Drangsholt/Seconded Manager Opdahl

That the Resolution Relating to the Issuance of Bonds and the Reimbursement of Certain Expenditures for the North Landa Drain be approved.

Carried.

Moved Manager Drangsholt/Seconded Manager Opdahl

That the bond on the North Landa Assessment Drain petition be set at \$40,000; that the Resolution Declaration of Necessity for Proceedings to Construct and Maintain the Proposed LaPorte Coulee Assessment Drain Project be approved; that Rinke Noonan, Ltd. work with Manager Brandjord to send a letter to petitioners regarding the need for an additional \$23,000 in bond deposits; and that Rinke Noonan, Ltd. publish the Resolution of Necessity in the Bottineau Courant.

Carried.

- 7.6 South Landa Drain** Attorney Kale Van Bruggen (Rinke Noonan, Ltd.) delivered the report of Engineer Jennifer Malloy. Farden Construction has been constructing on the project over the past 2 weeks and mobilized out of the project area on May 17, 2024. Malloy met with a few landowners on Friday, May 10, 2024. Several approach locations were identified to improve access. Farden Construction completed construction of those approaches last week. Some of the approaches will have culverts installed later. Farden Construction is working with the fiber optic company to get a quote to relocate the fiber optic line at several locations. Apex Engineering has begun preparing the final assessment list and prepayment letter to landowners. The letter will be presented at the June meeting.

Attorney Kale Van Bruggen (Rinke Noonan, Ltd.) reported on the status of South Landa Drain easement acquisitions. One of the grantors on Easement 19 (Fiala, et al.) is refusing to accept letters via certified mail. Rinke Noonan, Ltd. arranged for delivery of the just compensation letter by the local county sheriff's office. No response from grantors. The grantors on Easement 24 (Morrises) have terminated their attorney and are no longer represented by legal counsel. Morrises proposed granting an easement in exchange for the contractors depositing spoils on their property for the Morrises use. Jennifer Malloy (Apex Engineering) will review the proposal. We are waiting on an appraisal on Easement 26 (Martinson et al.). No further developments on Easement 28 (Jodi Quiner et al.) or the Burlington Northern, Inc. RR crossings.

- 7.7 Stone Creek Lateral B** Attorney Kale Van Bruggen (Rinke Noonan, Ltd.) delivered the report of Engineer Jennifer Malloy. Apex Engineering met with Ryan of Farden Construction after the Board's April meeting. Ryan and Apex Engineering discussed the location of the double 36" culverts and the approach culvert. Apex Engineering has begun preparing the assessment list and prepayment letter which will be reviewed at the June board meeting.

DRAFT/UNOFFICIAL MEETING MINUTES

5. OLD BUSINESS (CONT.)

5.2 Oak Creek Water Resource District Boundary Correction No updates.

8. CLOSE OF MEETING Having completed all business on the noticed agenda, the Chair declared the meeting adjourned at 9:39 a.m.

Minutes approved by the Board on June 17, 2024.

Clifford Issendorf, Chair

Kale R. Van Bruggen, Secretary

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