

**WARD COUNTY WATER RESOURCE BOARD
MINUTES
JANUARY 8, 2024**

Chairman Tom Klein called the meeting to order at 9:33 a.m. Water Resource Board members present were Dale Dohms, Loren Johnson, Travis Zabloutney and Jason Zimmerman. Others present: Water Resource Board Secretary/Treasurer Sarah Walker, Water Resource Board Attorney Bryan Van Grinsven, Water Resource Board Engineer Dennis Reep, Karli Frohling from HDR via WebEx, Matthew Lindsay from ND Department of Water Resources via WebEx, Steve Eberle from Ackerman-Estvold and Dana Larson Ward County Highway Department Engineer.

Election of Chair and Vice Chair: Johnson nominated Tom Klein for the position of Board Chair and moved to close nominations; second by Zimmerman. Motion passed 5-0. Zimmerman nominated Johnson as Vice Chair and moved to close nominations; second by Dohms. Motion passed 5-0.

Agenda: The agenda was approved with changes. Motion passed 5-0.

Previous Minutes: Johnson made a motion to approve the minutes from December 11, 2023. Zimmerman seconded the motion. Motion passed 5-0.

Bills/Statement of Accounts: Dohms moved and Zimmerman seconded to approve the Bills/Statement of Accounts. Motion passed 5-0.

First Larson Payment to Water Board: Zimmerman moved; Johnson seconded that \$121,306.86 be transferred from the First Larson operating account to the Water Board general fund as a reimbursement of project expenses advanced by the Water Resource Board. Motion passed 5-0.

Zabloutney moved to review the following at the February meeting: cash flow statement with obligation amounts annually, bond requirements for holding funds, review of the maintenance funds, reserves and the possibility of payment against the bond. Johnson seconded. Motion passed 5-0.

Drainage Complaint DC19-002: Reep and Zabloutney went to the site on December 11, 2023 and met with Delos Haugen and Dirk Mikkelsen. Due to snow, it wasn't possible to see if Mikkelsen has met the conditions set by the Board. In the meantime, Haugen appealed to the State. The complaint dealt with Section 29 and he is claiming that Section 32 was to be inspected as well. Based on input from Reep and Lindsay regarding Mr. Haugen's response, the decision was made to communicate with Haugen that he needs to file a new drainage complaint for Section 32. Zimmerman so moved and Johnson seconded. Motion passed 5-0.

Second Larson Detention Project: Reep reviewed modifications to the Project O&M Manual. Zabloutney moved and Zimmerman seconded to approve the changes to the O&M manual. Motion passed 5-0.

Zimmerman moved and Johnson seconded that HDR perform the inspections starting in Spring 2024. Motion passed 5-0.

Flood Pump Maintenance: Clint Cogdill is currently performing flood pump inspection and maintenance at a cost of \$10,000 per year. His services have been out of contract since June 2018. Based on Board discussion, Zabloutney moved that a list of the services required be attached to the agreement. As well, Cogdill shall increase insurance liability to \$1,750,000.00 million, provide an updated insurance certificate, submit reports to the Board quarterly and if not, payment for services will be withheld. The

term of the agreement is to be three years and the agreement shall permit the Water Resource Board Chair to perform contractor's duties in the contractor's absence. Zimmerman seconded the motion. Motion passed 5-0.

NDIRF Renewal: Walker presented the NDIRF renewal form. Reep will provide a list of the dams owned as an attachment to the renewal. There was discussion regarding land owned by the Water Resource Board at Nelson Carlson. Larsen was invited in to the meeting to discuss the application information for numbers five through seven. He suggested Walker consult with the Auditor's Office to see if this land is already covered through the County policy. Walker was also asked to call First Western to confirm how these items should be handled.

Zablotney moved to create a list of Board assets. Dohms seconded the motion. Reep will begin the list and Walker will provide other information as needed. Motion passed 5-0.

Engineer's Comments: The following items were presented to the board.

Plat Applications:

- Birkeland – Ree
- Bonness – Eureka
- Cardinal – Sauk Prairie
- Irwin - Freedom
- Peterson – Rice Lake

Plat and Variance Application:

- Lloyd – Freedom

Special Use and Variance Application:

- LLC Telecom – New Prairie

Johnson made a motion to accept and adopt HDR's recommendations. Zimmerman seconded the motion. Motion passed 5-0.

Low Head Dams: Frohling provided a status report. The hydraulic analyses are complete and HDR is waiting for the environmental report. An MOU has been created to share with landowners adjacent to the Burlington 3 dam. 65% design plan submittals are in progress with an estimated completion in January 2024. HDR will present alternative design options at the February meeting.

Office Updates: Zimmerman will meet with Walker regarding her performance evaluation. Zimmerman moved and Johnson seconded that Walker will receive a 3% raise effective January 1, 2024 and an additional 3% raise effective July 1, 2024. Motion passed 5-0.

Renewal of CDs: Zimmerman moved, Zablotney seconded to transfer proceeds from maturing CDs into the Money Market account pending an investment decision by the Board at its February 2024 meeting. Motion passed 5-0.

Property Designated Public Depository Bids: Proposals were opened and summarized for the Board by Zimmerman. A spreadsheet compiling the information was completed. Motion by Zimmerman to designate the following institutions in Ward County as depositories for public funds under N.D.C.C. Ch. 21-04:

- Aspire Credit Union: deposits not to exceed \$250,000 unless a pledge of security or bond is provided;
- Edward Jones: deposits not to exceed \$500,000 unless a pledge of security or bond is provided;
- Cornerstone Bank: deposits not to exceed maximum amounts insured under FDIC or an insurance company qualified to offer excess deposit insurance in North Dakota unless a pledge of security or bond is provided;
- Dacotah Bank: deposits not to exceed maximum amounts insured under FDIC or an insurance company qualified to offer excess deposit insurance in North Dakota unless a pledge of security or bond is provided;
- First Western Bank & Trust: deposits not to exceed maximum amounts insured under FDIC or an insurance company qualified to offer excess deposit insurance in North Dakota unless a pledge of security or bond is provided;
- First International Bank & Trust: deposits not to exceed maximum amounts insured under FDIC or an insurance company qualified to offer excess deposit insurance in North Dakota unless a pledge of security or bond is provided; and
- Town & Country Credit Union: deposits not to exceed maximum amounts insured under FCUA or an insurance company qualified to offer excess deposit insurance in North Dakota unless a pledge of security or bond is provided.

Second by Johnson. Motion passed 5-0.

Dennis Reep advised the Board that he was contacted by Paul Engeldinger regarding a possible drainage complaint. To date, no official documentation has been received from Engeldinger.

Johnson asked if the meeting times can be changed to 9:00 a.m. Topic to be discussed at the February meeting.

Zimmerman moved and Dohms seconded to adjourn the meeting. Motion passed 5-0. The next regular meeting will be Monday, February 12, 2024 at 9:30 a.m.

Bills Approved and Paid:

#8189 BradyMartz	500.00
#8190 Office Depot	71.98
#8191 Ward County Auditor's Office	9.94
#8192 Dale Dohms	534.70
#8193 Sarah Walker	2345.38
#8194 DL Barkie	38500.00
#8195 HDR Engineering	11401.25
#8196 McGee Law Firm	1957.50
#8197 Dakota Tax & Accounting	208.00
Xcel	50.25
Ottertail	38.67
IRS-941	2346.71
SRT	7.69
Verendrye	96.00
NDPERS-December/January	<u>399.20</u>
	\$58,068.07

Submitted by:

Date Approved: 2-12-2024

Sarah L. Walker

Secretary/Treasurer

Thomas J. Mc

Chairman