

**BOTTINEAU COUNTY WATER RESOURCE DISTRICT
MINUTES OF THE MEETING HELD ON MAY 18, 2026
BOTTINEAU COUNTY COURTHOUSE**

1. ATTENDANCES

PRESENT: Clifford Issendorf, Chair
Wayne Drangsholt, Treasurer (via video conference)
Paxton Engelhard, Manager

IN ATTENDANCE: Jennifer Malloy, Administrator/Engineer
Kale Van Bruggen, Secretary/Counsel (via video conference)
Stacy Lorenz, Chad Strand Agency, P.C. – left at 9:12 a.m.

APOLOGIES: Mitch Opdahl, Vice Chair
Jared Abernathey, 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. Hearing no objections, corrections, or further additions, Chair Issendorf declared the agenda approved as presented.

4. APPROVAL OF FINANCIAL REPORT/APPROPRIATIONS

4.1 Financial Report & Proposed Appropriations Stacy Lorenz (Chad Strand, P.C.) presented the financial report for May 2026 and proposed appropriations. The report and proposed appropriations were made available to the Board and the public in advance of the meeting and were reviewed and discussed by the Board.

Loren reported on deposits made by affected landowners in support of the Petitioners' Bond for Starbuck Assessment Drain. Deposits were made by Nathan Boll; Romsos Farm; Jay Tonneson; Jonathan Kersten; and Christenson Farms.

Moved Manager Drangsholt/Seconded Manager Engelhard

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

Carried.

4.2 Draft Annual budget for the Year Ending 2027 Stacey Lorenz (Chad Strand, P.C.) and Administrator Jennifer Malloy (Apex Engineering) presented the draft Annual Budget for the Year Ending 2027. The proposed tax levy for the year ending 2027 is \$190,446.73. The Board reviewed the draft Annual Budget for the Year Ending 2027 and Lorenz & Malloy responded to Board questions.

Moved Manager Drangsholt/Seconded Manager Engelhard

That the draft Annual Budget for the Year Ending 2027 be approved and that Assistant Treasurer Stacy Lorenz (Chad Strand, P.C.) and Administrator Jennifer Malloy (Apex Engineering) be authorized to transmit the Budget to the Bottineau County Auditor.

Carried.

- 5. CONFIRMATION OF MINUTES** The Board reviewed the draft minutes from the April 20, 2026, regularly scheduled Board meeting. Attorney Kale Van Bruggen (Rinke Noonan Law Firm) reported on two corrections to the draft minutes that were posted on the County website, both in Section 6.7.1: (1) To strike the line “Malloy will have an assessment of the permit application prepared for the May meeting.” and (2) to correct “6092” to “6902” in the motion to approve Surface Drain Permit Application No. 6902.

Moved Manager Drangsholt/Seconded Manager Engelhard

That the minutes of the regular Board meeting held on April 20, 2026, be approved as presented, with two changes to Section 6.7.1 recommended by Attorney Kale Van Bruggen (Rinke Noonan, Ltd.) as follows: (1) Striking the sentence, “Malloy will have an assessment of the permit application prepared for the May meeting.” and (2) correcting “6092” to “6902.”

Carried.

Stacy Lorenz left the meeting at 9:12 A.M.

- 6. ASSESSMENT DRAINS** Discussion was held on the status of all the District’s existing assessment drains and proposed assessment drain projects. During the discussion, Administrator Malloy compiled a list of assessment drains where spraying or mowing services are needed. Special discussion was held on the following items:

6.1 Haas Coulee Drain

6.1.1 Haas Coulee Improvement (2026-1) Engineer Jennifer Malloy (Apex Engineering) reported that the draft engineering report for the Improvement project is complete and being reviewed before being filed with the District.

6.2 Russell Drain Chair Issendorf reported that sediment has blown into the assessment drain from the SE1/4 Section 35-160-79 to the SW1/4 of Section 36-160-79. Chair Issendorf shared photographs from his site inspection of the condition of the assessment drain. The Board discussed potential short-term and long-term solutions to the sediment transfer. Consensus was to solicit input from others on how to address the solutions.

6.3 White Spur Drain

6.3.1 White Spur Drain Reroute Engineer/Administrator Jennifer Malloy (Apex Engineering) presented the cost-share application materials prepared for the White Spur Assessment Drain reroute project. Malloy advised the Board that the cost-share application must be submitted through the online application portal, but that a hard copy of the application materials had been prepared for the Board’s review and approval prior to online submission.

The Board reviewed and considered the application materials, including the project description, proposed scope of work, estimated costs, cost-share request, supporting documentation, and the proposed attachments to the online application. The Board also noted that the Board approved the surface drain permit for the project at its regularly scheduled April meeting and that a Notice of Decision approving the surface drain permit was issued on May 11, 2026. The Board further noted that the draft May meeting minutes and the Notice of Decision approving the surface drain permit will be attached to the online cost-share application.

The Board discussed the certification required in the online application, which requires the Board Chair to certify, to the best of the Chair’s knowledge, that the information

provided is true and accurate; that, in execution of the project, the sponsor will follow all applicable laws and permitting requirements; and that the sponsor provides assurance of sustainable operation, maintenance, and replacement of the assets for which cost-share is requested.

After review and discussion, the following motion was made:

Moved Manager Drangsholt/Seconded Manager Engelhard

That the White Spur Assessment Drain Reroute Project cost-share application materials as presented by Engineer/Administrator Jennifer Malloy of Apex Engineering be approved; that Malloy and Board Chair Clifford Issendorf be authorized to complete and submit the online application along with the draft May regularly scheduled meeting minutes and the May 11, 2026 Notice of Decision approving the surface drain permit for the Project; and that the Board Chair be authorized to sign and date the required online certification on behalf of the Board, based upon the Board's review and approval of the application materials and its determination that, to the best of the Board's knowledge, the application information is true and accurate and that the District will follow applicable laws, permitting requirements, and sustainable operation, maintenance, and replacement obligations for the project assets.

Carried.

Engineer Jennifer Malloy (Apex Engineering) reviewed a draft Advertisement of Bids for the White Spur Drain Reroute Project. The estimated cost does not require that the Board publish in the Bottineau Courant; however, Malloy recommends doing so for competitive bids for the project. The draft Advertisement includes a substantial completion date of November 15 with final completion date of June 30, 2027. Bid date is June 15, 2026 at 9:00 a.m. in the Community Room of the Bottineau County Courthouse. The Board reviewed the draft Advertisement and Malloy responded to the Board questions.

Moved Manager Engelhard/Seconded Manager Drangsholt

That the Advertisement for Bids for the White Spur Drain Reroute Project be approved and that Engineer Jennifer Malloy (Apex Engineering) be authorized to publish the Advertisement in the Bottineau Courant and take all actions necessary for the bid opening to occur on June 15, 2026 at 9:00 a.m. in the Community Room of the Bottineau County Courthouse.

Carried.

- 6.4 Starbuck Drain** Chair Clifford Issendorf reported on conversations between the April and May Board meeting held with landowners in the assessment drain watershed regarding preliminary project design and alignment. Engineer Jennifer Malloy (Apex Engineering) displayed maps of the affected watershed and proposed various options for ongoing investigation of the preliminary design and assessment drain alignment.

7. OLD BUSINESS

- 7.1 2027 Legislative Issues** Attorney Kale Van Bruggen (Rinke Noonan, Ltd.) reported on draft legislation prepared by the ND Water Resource District Association with amendments to N.D.C.C. § 61-16.1-45. The proposed amendments would prevent cash-on-hand from counting

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against a water resource district's borrowing authority (six-year levy limit) and increases the six-year max to a ten-year max.

8. **NEW BUSINESS** No New Business items were on the agenda.

9. **OPEN MIC** No members of the public were present to address the Board.

10. ITEMS FOR DISCUSSION & INFORMATION

10.1 Staff Reports

10.1.1 Engineer/Administrator Administrator Jennifer Malloy (Apex Engineering) reported that on trainings have been made available online by the ND Water Resource District Association for Managers and District Staff and Consultants.

10.1.2 Western Agency Memorandum of Coverage Administrator Jennifer Malloy (Apex Engineering) reviewed the current coverage under the Memorandum of Coverage Liability Coverage Declarations through the ND Insurance Reserve Fund for the period April 29, 2026, through April 29, 2027.

10.1.3 Attorney Report No report.

10.2 Upcoming Events

10.2.1 May 21 – The State Water Commission will hold a virtual pre-commission meeting on Thursday, May 21, at 1 p.m. More information can be found on the Department of Water Resources' website.

10.2.2 June 10 – The interim Water Topics Overview Committee is meeting at 9 a.m. on Wednesday, June 10, in the Roughrider Room at the Capitol.

10.2.3 June Board Meeting The June Board Meeting will be held at 9:00 a.m. on June 15, 2026, in the Community Room of the Bottineau County Courthouse.

10.2.4 June 17 – The interim Ag and Water Management Committee will be held on Wednesday, June 17, at 9:30 a.m. on the campus of North Dakota State University in Fargo.

10.2.5 June 17 – The Mouse River Basin SWC Commissioner-hosted meeting is at 3 p.m. on Wednesday, June 17, at the City Hall in Minot.

10.2.6 July 15-16 – The ND Water Users Association and the ND Water Resource Districts Association summer water conference will be held July 15-16 in Watford City. Chair Clifford Issendorf will attend on behalf of the Bottineau County Water Resource District.

10.2.7 July Board Meeting The July Board Meeting will be held at 9:00 a.m. on July 20, 2026, in the Commissioners Room of the Bottineau County Courthouse.

10.3 Managers' Updates

10.3.1 Souris River Joint Board Chair Clifford Issendorf reported on construction access for the public and safety issues being addressed by the Souris River Joint Board.

11. **CLOSE OF MEETING** Having completed all business on the noticed agenda, the Chair declared the meeting adjourned at 10:02 a.m.

Minutes approved by the Board on June 15, 2026.

Clifford Issendorf, Chair

Kale R. Van Bruggen, Secretary

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