

**BOTTINEAU COUNTY WATER RESOURCE DISTRICT  
MINUTES OF THE MEETING HELD ON JUNE 15, 2026  
BOTTINEAU COUNTY COURTHOUSE**

**1. ATTENDANCE**

PRESENT: Clifford Issendorf, Chair  
Wayne Drangsholt, Treasurer (via video conference)  
Jared Abernathey, Manager

IN ATTENDANCE: Jennifer Malloy, Administrator/Engineer  
Kale Van Bruggen, Secretary/Counsel (via video conference)  
Stacy Lorenz, Chad Strand Agency, P.C. – left at 9:10 a.m.  
Justin Lorenz – left at 9:12 a.m.  
Steve Farden – left at 9:12 a.m.  
Ric Johnson – left at 9:58 a.m.

APOLOGIES: Paxton Engelhard, Manager  
Mitch Opdahl, Vice Chair

**2. COMMENCEMENT** The meeting was called to order at 9:06 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 June 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. Lorenz reported on the checks deposited by petitioners and landowners interested in the proposed Starbuck Assessment Drain.

Moved Manager Drangsholt/Seconded Manager Abernathey

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

Carried.

Stacy Lorenz (Chad Strand, P.C.) left the meeting at 9:10 a.m.

**5. WHITE SPUR DRAIN SECTION 13 & 14 IMPROVEMENT BID OPENING:** Engineer Jennifer Malloy, P.E., of Apex Engineering, announced that two bids had been received for the White Spur Drain Sections 13 and 14 Improvement project. Malloy first opened the bid submitted by Farden Construction. She announced that the bid included the required bid security, contractor's license, and bid bond. Malloy further announced that Farden Construction's bid was in the amount of \$88,470.00. Malloy then opened the bid submitted by Mikkelsen Aggregate. She announced that the bid included the required bid security, contractor's license, and bid bond. Malloy further announced that Mikkelsen Aggregate's bid was in the amount of \$73,860.00. Malloy announced that Mikkelsen Aggregate was the apparent low bidder. She stated that she would take the bids back to her office to review and validate the bid amounts.

## DRAFT/UNOFFICIAL MEETING MINUTES

Justin Lorenz and Steve Farden left the meeting at 9:12 a.m.

Moved Manager Abernathey/Seconded Manager Drangsholt

That a contract for construction of the White Spur Drain Sections 13 and 14 Improvement project be awarded to Mikkelsen Aggregate as the apparent low bidder, in the amount of \$73,860.00, contingent upon Engineer Jennifer Malloy, P.E., and Apex Engineering reviewing and validating the bid numbers and confirming that the bid documents are in order.

Carried.

- 6. CONFIRMATION OF MINUTES** The Board reviewed the draft minutes from the May 18, 2026, regularly scheduled Board meeting.

Moved Manager Drangsholt/Seconded Manager Abernathey

That the minutes of the regular Board meeting held on May 18, 2026, 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. 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:

- 7.1 Starbuck Drain** Engineer Jennifer Malloy, P.E. (Apex Engineering) displayed a map of proposed alignment for Starbuck Drain 1 and Starbuck Drain 2, and a proposed watershed boundary for each alignment based upon the available off-site data, including LiDAR data. Malloy reported that she will be doing a site visit after today's meeting to verify elevation data from the LiDAR against on the ground elevations and existing private drains. Ric Johnson commented on his observations about elevation and flow within the watershed of Starbuck Drain 1, particularly in Sections 15, 16, 20, & 21, Township 161 North, Range 78 West. The Board, Malloy, and Ric Johnson reviewed the available elevation data and discussed the differences between watershed boundary and assessment district boundary, as well as how the ability or inability to make private drain connections is taken into consideration in determining benefits and proposed assessments.

Ric Johnson left the meeting at 9:58 a.m.

The Board discussed the bond amount that was set at \$40,000. The Board will continue to monitor preliminary expenses with Stacy Lorenz (Chad Strand, P.C.) and request additional bond funds if the bond funds deposited are depleted.

Malloy reported on the procedures for determining the benefits of the proposed drain to affected landowners. Apex Engineering will continue to prepare the preliminary engineer's report and benefits analysis.

**7.2 Haas Coulee Drain**

- 7.2.1 Haas Coulee Improvement (2026-1)** Engineer Jennifer Malloy, P.E. (Apex Engineering) reviewed the Engineer's Report titled "Haas Coulee – US Hwy 83 Crossing," dated June 15, 2026, Project No. 17.137.0001.6. Malloy explained the existing conditions at the U.S. Highway 83 crossing, including the relationship between Structure No. 83-247.339 and Structure No. 83-248.343, the relatively flat drainage profile, and the hydraulic

restriction created by the downstream crossing invert. Malloy reported that the proposed work consists of installing one 24-inch pipe adjacent to Structure No. 83-248.343 to improve hydraulic continuity through the existing Haas Coulee Assessment Drain crossing.

Malloy reviewed the purpose and need for the proposed work and explained that the project is intended to maintain and restore the function of the existing Haas Coulee Assessment Drain, reduce localized upstream backwater conditions, and preserve the intended drainage benefit to lands within the Haas Coulee Assessment District. Malloy further explained that the proposed work is not intended to create a new drainage outlet, increase the contributing watershed area, create new drainage pathways, accelerate watershed runoff generation, expand the drainage system beyond its existing purpose, alter existing drainage alignments, or modify the roadway profile.

Malloy reviewed Apex's coordination with the North Dakota Department of Transportation. She summarized NDDOT's prior concerns regarding potential wetland effects within highway right-of-way, mowing and maintenance impacts, additional infrastructure responsibilities, potential downstream impacts due to the flat drainage profile, and the original placement of the existing culvert inverts. Malloy explained that the Engineer's Report addresses those concerns through the proposed jack-and-bore construction method, the proposed use of applicable NDDOT specifications, the no-injury evaluation for U.S. Highway 83, the hydraulic analysis, the environmental considerations, the maintenance considerations, and the downstream impact evaluation.

Malloy reviewed the hydraulic analysis and stated that the proposed improvement does not increase the overall design discharge conveyed within the Haas Coulee drainage system. Malloy reported that the 50-year design flow remains unchanged under existing and proposed conditions, and that the proposed improvement is expected to reduce localized backwater effects while producing only negligible downstream changes in depth and velocity. Ms. Malloy stated that, in Apex's opinion, the proposed improvement can be constructed without injury to U.S. Highway 83 and will not materially increase downstream discharge, velocity, or drainage area.

Attorney Kale Van Bruggen (Rinke Noonan, Ltd.) then reviewed the proposed Resolution Adopting Engineer's Report, Findings of Cleaning, Repair, and Maintenance, Maintenance Assessment Findings, and Road-Crossing Determination for the Haas Coulee Assessment Drain U.S. Highway 83 Crossing Maintenance and Repair Project. Attorney Van Bruggen explained that the Resolution is intended to create the Board's formal record that the proposed work constitutes cleaning out, repairing, and maintenance of the existing Haas Coulee Assessment Drain as those terms are defined and described by North Dakota law, and is not being pursued as a new drain, new assessment project, or new assessment district.

Attorney Van Bruggen reviewed the maintenance-assessment provisions of N.D.C.C. § 61-16.1-45 and explained that the District intends to fund the work through the Haas Coulee Assessment Drain maintenance fund and maintenance assessments. Attorney Van Bruggen explained that the Board should confirm that the estimated project cost

is within the six-year maintenance assessment capacity available for the Haas Coulee Assessment Drain and should select the maintenance assessment method to be used for the levy. The Board discussed the proposed use of the maintenance assessment authority under N.D.C.C. § 61-16.1-45 and the estimated project cost of approximately \$150,000, subject to final plans, specifications, permitting, bidding or quote procedure, and later Board approval.

Attorney Van Bruggen also reviewed the road-crossing provisions of N.D.C.C. § 61-16.1-42. He explained that the proposed Resolution would adopt the Board's determination that it is necessary for the Haas Coulee Assessment Drain to cross U.S. Highway 83 at the existing crossing location near Structure No. 83-248.343, that NDDOT guidance has been solicited and considered, and that the proposed crossing improvement can be completed without injury to U.S. Highway 83. Attorney Van Bruggen explained that, following adoption of the Resolution, the District's legal counsel and engineer would coordinate and serve formal notice of the Board's determination and relevant supporting information on NDDOT.

The Board discussed the Engineer's Report, the proposed findings, the need to maintain the function of the existing Haas Coulee Assessment Drain, the proposed funding through maintenance assessments, the estimated project cost and maintenance assessment capacity, the NDDOT coordination record, and the Board's reservation of final approval of final plans and specifications, final cost estimates, bidding or quote procedure, and award of any construction contract.

Moved Manager Abernathey/Seconded Manager Drangsholt

That the Resolution Adopting Engineer's Report, Findings of Cleaning, Repair, and Maintenance, Maintenance Assessment Findings, and Road-Crossing Determination for the Haas Coulee Assessment Drain U.S. Highway 83 Crossing Maintenance and Repair Project be approved; to direct District legal counsel and Apex Engineering Group, Inc. to coordinate and serve formal notice of the Resolution, Engineer's Report, and relevant supporting information on NDDOT; to direct Apex Engineering Group, Inc. to continue and complete DWR, USACE, and NDDOT construction coordination; and to reserve to the Board final approval of final plans and specifications, final cost estimates, bidding or quote procedure, and award of any construction contract.

Roll call vote: Abernathey – AYE; Drangsholt – AYE; Engelhard – ABSENT; Issendorf – AYE; Opdahl – ABSENT. Carried.

The Board directed District legal counsel and Apex Engineering Group, Inc. to coordinate and serve formal notice of the Board's Resolution and road-crossing determination on NDDOT, together with the Engineer's Report and relevant supporting materials. The Board further directed Apex Engineering Group, Inc. to continue and complete coordination with the North Dakota Department of Water Resources, the United States Army Corps of Engineers, and NDDOT regarding applicable permits, approvals, construction requirements, right-of-way access, traffic control, inspection, environmental compliance, and restoration requirements. The Board reserved final approval of final plans and specifications, final project cost estimates, final funding and

maintenance assessment levy amount, determination of bidding or quote procedure, and award of any construction contract for later Board action.

**7.3 Overgaard Lateral Drain** Chair Clifford Issendorf reported on the maintenance work being constructed by Farden Construction. Issendorf reported that a local landowner was coordinating to support Farden's construction efforts.

**7.4 LaPorte Coulee Drain**

**7.4.1 Easement 01 (Kersten et al.)** The Board discussed the status of easement acquisition. Attorney Kale Van Bruggen (Rinke Noonan, Ltd.) outlined the next procedures in the North Dakota Century Code for easement acquisition. Rinke Noonan, Ltd. will send a letter responding to Mac Kersten's latest comments and questions about the easement acquisition. Engineer Jennifer Malloy, P.E. (Apex Engineering) offered to meet with Kerstens on site to continue informal negotiations. The Board directed Van Bruggen and Malloy to coordinate on the response letter and proceed to next steps for acquisition under the North Dakota Century Code.

**8. OLD BUSINESS**

**8.1 2027 Legislative Issues** No report.

**9. NEW BUSINESS** No New Business items were presented.

**10. Open MIC** No members of the public were present to address the Board.

**11. ITEMS FOR DISCUSSION & INFORMATION**

**11.1 Staff Reports**

**11.1.1 Engineer/Administrator** Administrator Jennifer Malloy (Apex Engineering) reported on the ND Water Education Foundation Water Tours coming up, and the ND Water Resource District Association and Water Users Association joint summer conference coming up. Chair Issendorf is attending for the District.

**11.1.2 Attorney Report** No report.

**11.2 Upcoming Events**

**11.2.1 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.

**11.2.2 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.

**11.2.3 June to August** – 2026 ND Water Education Foundation Water Tours

**11.2.4 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.

**11.2.5 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.

**11.2.6 August Board Meeting** The August Board Meeting will be held at 9:00 a.m. on August 17, 2026, in the Commissioners Room of the Bottineau County Courthouse.

**11.3 Managers' Updates**

**11.3.1 Souris River Joint Board** Chair Clifford Issendorf reported on the status of construction. The Board will meet during the summer conference in Watford City.

**DRAFT/UNOFFICIAL MEETING MINUTES**

**12. CLOSE OF MEETING** Having completed all business on the noticed agenda, the Chair declared the meeting adjourned at 10:50 a.m.

Minutes approved by the Board on July 20, 2026.

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Clifford Issendorf, Chair

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Kale R. Van Bruggen, Secretary

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Water | Transportation | Municipal | Facilities

# Sign In Sheet

## White Spur Drain Section 13 & 14 Improvement

Bottineau County Water Resource District

June 15, 2026 | 9:00 AM CDT | Bottineau County Courthouse, Community Room, located at 314 5th Street West in Bottineau, ND

Apex Project No. 23.137.0029

Name	Company/Agency	Phone	Email
Justin Hornz	Mikkelsen Aggregate	701-228-6025	miktagg@outlook.com
Steve Fork	Fouder Cost	228-8225	fordencconstruction@snt.com
Jared Abernathy		701-813-2323	
Clifford Issendorf		701-228-4070	isendorf@UTMA.com
Ric Johnson		701-263-7799	akarj-dog@gnit.com

June Monthly Board Meeting 6/15/26

Name

Ric Johnson 701-263-7799

Contact (Name & Email)

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