

**BOTTINEAU COUNTY WATER RESOURCE DISTRICT
MINUTES OF THE MEETING HELD ON DECEMBER 18, 2023
BOTTINEAU COUNTY COURTHOUSE**

1. ATTENDANCES

PRESENT: Clifford Issendorf, Chair
Wayne Drangsholt, Treasurer
Mark Glinz, 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.

APOLOGIES: Wally Brandjord, Vice Chair
Mitch Opdahl, Manager

2. COMMENCEMENT The meeting was called to order at 9:05 a.m.

3. SETTING OF THE AGENDA Chair Issendorf called for corrections or additions to the agenda. Hearing no corrections or additions to the agenda, the Chair declared the agenda adopted as presented.

4. APPROVAL OF FINANCIAL REPORT/APPROPRIATIONS

4.1 Financial Report & Proposed Appropriations Lorenz presented the financial report for December 2023 and proposed appropriations. Lorenz reported that draws are being taken on the line of credit to pay bills, but that she anticipates the line of credit will be paid off in January when the District receives its first income distribution. The report and proposed appropriations were reviewed and discussed by the Board.

Moved Manager Drangsholt/Seconded Manager Glinz

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 Agency, P.C.) left the meeting.

5. CONFIRMATION OF MINUTES

Moved Manager Drangsholt/Seconded Manager Glinz

That the minutes of the regular Board meeting held on November 20, 2023, be approved as presented.

Carried.

6. 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:

6.1 Haas Coulee Phase IV Repair Engineer Jennifer Malloy (Apex Engineering) reported that she is working with Mikkelsen Aggregates over the winter to identify the extension of work that needs to be completed during the next construction season.

6.2 Kane Tacoma Drain Engineer Jennifer Malloy (Apex Engineering) reported Mikkelsen Aggregates has installed the culverts and moved on to the clean out portion. There are 3 or 4 miles of clean out work left which will be done next year.

6.3 LaPorte Coulee Drain Engineer Jennifer Malloy (Apex Engineering) reported that she is still working on a preliminary cost estimate to share with landowners interested in petitioning for establishment of the LaPorte Coulee Drain.

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- 6.4 **Russell Drain** Engineer Jennifer Malloy (Apex Engineering) and Chair Issendorf are working with Mikkelsen Aggregates on erosion issues that occurred where the seeding did not take.
- 6.5 **Scandia-Scotia Drain** Engineer Jennifer Malloy (Apex Engineering) reported that they will be working with landowners in the area of Scandia-Scotia drain over the winter about improvement ideas.
- 6.6 **South Landa Drain** Engineer Jennifer Malloy (Apex Engineering) and Chair Issendorf reported on meetings with landowners during construction in the past month.

Attorney Kale Van Bruggen (Rinke Noonan, Ltd.) and Engineer Jennifer Malloy (Apex Engineering) reported to the Board on the status of easement acquisition. Van Bruggen reported that presently, informal negotiations have exceeded sixty days on 5 easements (Easements 19, 24, 26, 28, and 29) and those negotiations have failed. The Board discussed alternatives for further informal negotiations to formal negotiations.

Engineer Jennifer Malloy (Apex Engineering) reported she offered consideration on Easement 24, which the grantors rejected. Malloy presented the grantors counteroffer of consideration and project-design changes to the Board.

Moved Manager Drangsholt/Seconded Manager Glinz

That Rinke Noonan, Ltd. be authorized to begin formal negotiations under N.D. Century Code 61-16.1-09(2)(b)(1)(b) with landowners on Easements 19 and 24 and that Chair Issendorf be delegated authority to select and contract with an appraiser to produce an appraisal for just compensation.

Carried

The Board, by consensus, directed Malloy and Van Bruggen to continue engaging with the grantors on Easement 28 that have not yet signed. Malloy reported that she discussed Easement 29 with the renter and the renter indicated the trustees would sign but directed Malloy to follow up with the Bank.

Malloy reported that Burlington Northern Inc.'s attorney is still reviewing the permit application for the crossing.

7. OLD BUSINESS

- 7.1 **Oak Creek Water Resource District Boundary Correction** No updates.
- 7.2 **NDWRDA 2024 Goals & Resolutions** Attorney Kale Van Bruggen (Rinke Noonan, Ltd.) reported on changes recommended to the 2023 Goals & Resolutions of the NDWRDA shared with membership prior to the joint water convention. Engineer Jennifer Malloy (Apex Engineering) reported on further suggested changes that were brought to the joint water convention.

8. NEW BUSINESS

- 8.1 **2024 Meeting Schedule Resolution** Attorney Kale Van Bruggen (Rinke Noonan, Ltd.) reviewed a draft meeting schedule resolution with the Board for 2024.

Moved Manager Drangsholt/Seconded Manager Glinz

That the Resolution Setting Regular Meeting Schedule for the Year 2024 be approved.

Carried

- 9. **CLOSE OF MEETING** Having completed all business on the noticed agenda, the chair declared the meeting adjourned at 10:10 a.m.

DRAFT/UNOFFICIAL MEETING MINUTES

Minutes approved by the Board on January 15, 2023.

Clifford Issendorf, Chair

Kale R. Van Bruggen, Secretary

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