

**BOTTINEAU COUNTY WATER RESOURCE DISTRICT
MINUTES OF THE MEETING HELD ON SEPTEMBER 15, 2025
BOTTINEAU COUNTY COURTHOUSE**

1. ATTENDANCES

PRESENT: Clifford Issendorf, Chair
Mitch Opdahl, Vice Chair
Jared Abernathey, Manager
Paxton Engelhard, Manager – arrived at 9:08 a.m.

IN ATTENDANCE: Jennifer Malloy, Administrator/Engineer (via video conference)
Kale Van Bruggen, Secretary/Counsel (via video conference)
Stacy Lorenz, Chad Strand Agency, P.C. – left at 9:10 a.m.
Leroy Rude – arrived at 9:37 a.m.; left at 10:08 a.m.
Roberta Rude – arrived at 9:37 a.m.; left at 10:08 a.m.

APOLOGIES: Wayne Drangsholt, Treasurer

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 September 2025 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.

Moved Manager Opdahl/Seconded Manager Abernathey

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

Carried.

Paxton Engelhard arrived at the meeting at 9:08 a.m.

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

5. CONFIRMATION OF MINUTES The Board reviewed the draft minutes from August 18, 2025.

Moved Manager Opdahl/Seconded Manager Abernathey

That the minutes of the regular Board meeting held on August 18, 2025, 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 Baumann Drain

6.2 Haas Coulee Drain Engineer Jennifer Malloy (Apex Engineering) reported that she received a picture of the Texas crossing and recent mowing maintenance work completed on the Haas

Assessment Drain from Richard Williams. Williams requested that the mowing be extended to 24 feet wide at least and close cropped on the grass before winter. Williams stated that the trees on the upper side are no problem. Williams requested all the culverts under roads downstream from him to be cleaned if they are plugged. Malloy will investigate and respond to the most recent request.

6.2.1 Stead Drain Phase II Engineer Jennifer Malloy (Apex Engineering) reported that Apex Engineering will bring revised and final construction plans and quotes for Board review and approval at the October meeting.

6.2.2 Haas Coulee Phase V Engineer Jennifer Malloy (Apex Engineering) reported on a quote from Mikkelsen Aggregates, LLC for construction of Haas Coulee Phase V dated August 29, 2025 in the amount of \$61,594. The Board discussed the quote and directed Malloy to ensure the quote for seeding was drill seeding, and not broadcast. Phase V is the final phase of the initial Haas-Stead Assessment Drain project approval.

Moved Manager Opdahl/Seconded Manager Abernathey

That the quote from Mikkelsen Aggregates, LLC for construction of Haas Coulee Phase V dated August 29, 2025, in the amount of \$61,594 be approved and that Apex Engineering shall be authorized to proceed with construction of Haas Coulee Phase V.

Carried.

6.2.3 Haas Coulee Improvement (2025-1) Attorney Van Bruggen (Rinke Noonan, Ltd.) reported that Apex Engineering and Rinke Noonan will be following up with NDDOT on the proposed improvement project for the Haas Coulee Assessment Drain.

6.3 LaPorte Coulee Drain Engineer Jennifer Malloy (Apex Engineering) reviewed the draft final construction plans for the LaPorte Coulee Assessment Drain project with the Board. The Board discussed several, additional minor revisions needed for the plan set before the plans are approved as final for the engineer's stamp. After approval, the District can put the construction plans up for bids. Also, at that time, the proposed easements will be finalized and sent to affected landowners.

Moved Manager Opdahl/Seconded Manager Abernathey

That the draft final construction plans for the LaPorte Coulee Drain shall be approved subject to final revisions discussed by the Board; that authority shall be delegated to the Board Chair to review the revised final construction plans for the LaPorte Coulee to confirm that the revisions requested by the Board have been appropriately incorporated, and to approve the revised plans on behalf of the Board; that Apex Engineering shall be authorized to proceed with public bidding for construction of the LaPorte Coulee Assessment Drain upon approval of the revised plans by the Chair; and that Rinke Noonan, Ltd. shall be authorized to initiate and proceed with easement acquisitions on behalf of the District necessary for the LaPorte Coulee Assessment Drain project.

Carried.

6.4 Russell Drain Engineer Jennifer Malloy (Apex Engineering) reported that the last cost-share request to the ND Department of Water Resources was received. This will close out the McHenry County Lateral project.

6.5 South Landa Drain Engineer Jennifer Malloy (Apex Engineering) reported that Apex Engineering is conducting final inspection. Manager Engelhard reported that additional dirt work is needed in the North Half (N½) of Section 33, Scandia Township. Apex Engineering will investigate.

Leroy Rude & Roberta Rude arrived at 9:37 a.m.

- 6.6 Stone Creek Drain Lateral (Elysian)** Engineer Jennifer Malloy (Apex Engineering) reported on a quote from Mikkelsen Aggregates, LLC for cleaning out and repairing Sections 1 & 2-160-77 of the Stone Creek Drain Lateral (Elysian) dated August 29, 2025 in the amount of \$41,920. The Board discussed the quote. Malloy reported that there are sufficient funds in the assessment drain's operation & maintenance account to cover the quote.

Moved Manager Opdahl/Seconded Manager Abernathey

That the quote from Mikkelsen Aggregates, LLC for cleaning out and repairing Sections 1 & 2-160-77 of the Stone Creek Drain Lateral (Elysian) dated August 29, 2025, in the amount of \$41,920 be approved and that Apex Engineering shall be authorized to proceed with construction of cleaning out and repairing.

Carried.

- 6.7 White Spur Drain** Engineer Jennifer Malloy (Apex Engineering) reported that the final construction plans will be ready for approval in October. After that, Apex Engineering could solicit quotes for the construction. Also, at that time, the proposed easements will be finalized and sent to affected landowners.

7. OPEN MIC

- 7.1 Leroy Rude and Roberta Rude/Hellick Lake** Leroy Rude and Roberta Rude appeared before the Board for follow up on the issue of the idle speed regulation for Hellick Lake. Attorney Kale Van Bruggen (Rinke Noonan, Ltd.) provided an overview of the history summarized from a review of the Bottineau County Water Resource District records from 2006-2008. Van Bruggen reported that a copy of the records was mailed to Leroy Rude on September 12, 2025. Rude indicated he will use the records to meet with ND Game & Fish Department on enforcement of the idle speed regulation but does not plan on pursuing establishment of a local recreational district.

Leroy Rude & Roberta Rude left the meeting at 10:08 a.m.

8. OLD BUSINESS

- 8.1 2026 Annual Budget** Engineer Jennifer Malloy (Apex Engineering) and Attorney Kale Van Bruggen (Rinke Noonan, Ltd.) reviewed the proposed 2026 Annual Budget approved by the Board in May. No members of the public were present to make comments on the proposed Budget. The 2026 Annual Budget approved by the Board will be submitted to the Bottineau County Board of Commissioners who will hold and conduct its public hearing on September 16, 2025.

Moved Manager Opdahl/Seconded Manager Abernathey

That the proposed 2026 Annual Budget for the Bottineau County Water Resource District shall be approved, and that Administrator Jennifer Malloy (Apex Engineering) shall certify the proposed Budget to the Bottineau County Auditor.

Carried.

- 9. NEW BUSINESS** There was no New Business on the agenda to be discussed at the meeting.

10. ITEMS FOR DISCUSSION & INFORMATION

10.1 Staff Reports

10.1.1 Attorney Report Attorney Kale Van Bruggen (Rinke Noonan, Ltd.) reported that final comments on the proposed changes to administrative rules from the ND Department of Water Resources were filed on Friday, September 12. A copy was provided via email to the Board. Van Bruggen will provide the Department's written response when it is received.

11. CLOSE OF MEETING Having completed all business on the noticed agenda, the Chair declared the meeting adjourned at 11:00 a.m.

Minutes approved by the Board on October 20, 2025.

Clifford Issendorf, Chair

Kale R. Van Bruggen, Secretary

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