

**BOTTINEAU COUNTY WATER RESOURCE DISTRICT
MINUTES OF THE MEETING HELD ON NOVEMBER 17, 2025
BOTTINEAU COUNTY COURTHOUSE**

1. ATTENDANCES

PRESENT: Clifford Issendorf, Chair
Wayne Drangsholt, Treasurer (via video conference) – left at 10:14 a.m.
Paxton Engelhard, Manager
Mitch Opdahl, Vice Chair

IN ATTENDANCE: Jennifer Malloy, Administrator/Engineer
Kale Van Bruggen, Secretary/Counsel (via video conference)
Stacy Lorenz, Chad Strand Agency, P.C. – left at 9:05 a.m.

APOLOGIES: 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 November 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 Engelhard

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 9:05 a.m.

4.2 Delinquent Special Assessments Report Administrator Jennifer Malloy (Apex Engineering) presented a report from the County Auditor on the amount of delinquent special assessments by assessment drain from 2023 and 2024. Delinquent special assessments for 2023 and 2024 are as follows:

<i>Drain</i>	<i>Levy Dist. County Indicator</i>	<i>2023</i>	<i>2024</i>	<i>Total</i>
Baumann Extension	1.1	\$183.57	\$1,824.33	\$2,007.90
Haas Coulee	1.11	\$1,133.51	\$170.24	\$1,303.75
Overgaard Lateral Ext.	1.16		\$533.50	\$533.50
Russell	1.0		\$1,218.69	\$1,218.69
Scandia Scotia	1.12		\$354.17	\$354.17
Tacoma Bitz	1.15		\$146.41	\$146.41
White Spur	1.07		\$6.01	\$6.01
Totals		\$1,317.08	\$4,253.35	\$5,570.43

5. CONFIRMATION OF MINUTES The Board reviewed the draft minutes from October 20, 2025.

Moved Manager Opdahl/Seconded Manager Engelhard

That the minutes of the regular Board meeting held on October 20, 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 Haas Coulee Drain Engineer Jennifer Malloy (Apex Engineering) reported that after the last Board meeting, she inspected approximately 3 miles of crossings as requested by Mr. Williams and the culverts were clean. Malloy reported that photos of the inspection were sent to Mr. Williams and the Board. The consensus of the Board was to remove the Richard Williams Maintenance Request from future agendas.

Malloy reported on challenges finding a contractor to mow Haas Coulee Drain and other assessment drains. The Board discussed publishing a request for interested parties in the newspaper this spring. Managers will ask local contacts for interest in the work.

6.1.1 Stead Drain Phase II Engineer Jennifer Malloy (Apex Engineering) presented Construction Plans stamped November 11, 2025 for the Stead Drain Phase II project and the corresponding Addendum No. 1 dated November 12, 2025. The plans are Addendum 1 to the stamped plans dated April 8, 2025. The Board reviewed and discussed the construction plans and addendum.

Moved Manager Opdahl/Seconded Manager Engelhard

That the Construction Plans for Stead Drain Phase II dated November 11, 2025 (Project #24.137.0037) Addendum #1 be approved and that Apex Engineering be authorized to solicit quotes for the construction of the Stead Drain Phase II project.

Carried.

- 6.1.2 Haas Coulee Phase V** Engineer Jennifer Malloy (Apex Engineering) reported that Mikkelsen Aggregates, LLC will move to the Haas Coulee Phase V project mid-week this week if the weather cooperates.
- 6.1.3 Haas Coulee Improvement (2025-1)** No updates.
- 6.2 Kane Tacoma Drain** Engineer Jennifer Malloy (Apex Engineering) reported that after Chair Issendorf and her met with Mikkelsen Aggregates, LLC after the last Board meeting, Mikkelsen had completed installation of the waterman control gates. Chair Issendorf inspected the gates and provided Malloy with pictures from the inspection.
- 6.3 LaPorte Coulee Drain** Engineer Jennifer Malloy (Apex Engineering) presented final construction plans stamped November 12, 2025 for the LaPorte Coulee Assessment Drain project. The Board reviewed and discussed the construction plans.

The construction plans require an easement from Linda & Gene Kersten; Mac & Jerilyn Marie Kersten; Elizabeth & Chad Tofteland; Karla & Terrence Eissinger; and Erin & Kendall Sorum. The easement includes a temporary easement for one time rehabilitation of the emergency spillway downstream of the earthen dam and a permanent easement for the assessment drain from the confluence of the emergency spillway and the LaPorte Coulee watercourse, downstream along the watercourse to the boundary of the Kersten Property that is proposed to be opened at initial construction and in the future as the LaPorte Coulee Assessment Drain.

Moved Manager Engelhard/Seconded Manager Opdahl

That the Final Construction Plans for LaPorte Coulee Assessment Drain stamped and dated November 13, 2025 (Project #24.137.0070) and the draft Easement 01 for the LaPorte Coulee Assessment Drain be approved; that Rinke Noonan Law Firm be authorized to present Easement 01 to Grantors for approval; and that Apex Engineering be authorized to solicit quotes for the construction of the LaPorte Coulee Assessment Drain project.

Carried.

- 6.4 South Landa Drain** Engineer Jennifer Malloy (Apex Engineering) reported that she discussed the additional dirt work needed in the North Half (N1/2) of Section 33, Scandia Township with the contractor and is waiting for a response.
- 6.5 Stone Creek Drain**
- 6.5.1 Lateral B** Engineer Jennifer Malloy (Apex Engineering) reported that the drain reconstruction by Farden Construction contracted by Apex Engineering is being constructed now.
- 6.6 Stone Creek Drain Lateral (Elysian)** Chair Issendorf reported that Dean Milbrath contacted him questioning the spoil piles left by Mikkelsen Aggregates, LLC adjacent to the assessment drain. Chair Issendorf and Engineer Malloy (Apex Engineering) will follow up about the spreading and leveling plan with Mikkelsen Aggregates, LLC and Malloy will inspect after the meeting.
- 6.7 White Spur Drain** Engineer Jennifer Malloy (Apex Engineering) presented construction plans stamped November 14, 2025 for the White Spur Assessment Drain reroute project approved on April 17, 2023. Attorney Van Bruggen reminded the Board that the Resolution of Necessity approving the reroute project was adopted April 17, 2023, was not appealed, and is final. That Resolution ordered construction, future operation, management, and maintenance of the reroute; authorized Apex Engineering to proceed with preparing the final plans and specifications for approval by the Board; authorized Rinke Noonan Law Firm to negotiate and acquire all rights-of-way needed for the construction plans; authorized Apex Engineering to proceed with soliciting or advertising for bids for construction; and authorized costs to be paid

DRAFT/UNOFFICIAL MEETING MINUTES

from White Spur Drain operation & maintenance funds or borrowed funds leveraged through operation & maintenance fund assessments. The Board reviewed and discussed the construction plans. The construction plans require easements from the following properties:

Easement 01	NE4 Sec. 14 (PIN 34-0000-12260-000)	Matthew & Heather Kersten
Easement 02	SE4 Sec. 14 (PIN 34-0000-12049-000)	Daniel L. Bullinger
Easement 03	S2SW4 Sec. 13	Rodney & Faye Kersten LE c/o Stuart Kersten
Easement 04	S2SE4 Sec .13 (PIN 34-0000-12048-000)	Jeff and Nancy Boettcher Family LLLP

Moved Manager Opdahl/Seconded Manager Engelhard

That the Construction Plans for White Spur Drain Section 13 & 14 Improvements dated November 14, 2025 (Project #24.137.0029) shall be approved.

Carried.

- 6.8 Brandt Drain** Chair Issendorf reported that he has not heard anything from Stone Creek Township (Township 160 North, Range 78 West) since the last meeting regarding the Township proposal to add highway culverts that would direct unassessed land into the Brandt Drain between Section 4 & 5. Engineer Jennifer Malloy (Apex Engineering) is looking at the change in watershed and benefits. Newly benefited lands would need to be added to the assessment drain.

- 7. OPEN MIC** No members of the public were present for the open mic portion of the meeting.

- 8. OLD BUSINESS** None.

9. NEW BUSINESS

- 9.1 2027 Legislative Issues: Public Roadway Crossings (Drain Tile & Stream Crossings)** – Attorney Kale Van Bruggen (Rinke Noonan Law Firm) reported on work by the ND Water Resource District Association and agricultural groups to address public roadway crossing for natural watercourses and waterways (stream crossings), assessment drains, and private drain tile. As language is developed, Van Bruggen will share it with the Board for review and feedback. The Board discussed issues working with NDDOT on the Haas Coulee Assessment Drain improvement project.

10. ITEMS FOR DISCUSSION & INFORMATION

10.1 Staff Reports

- 10.1.1 Engineer/Administrator** Administrator Jennifer Malloy (Apex Engineering) reported on a request for a map of Bottineau County assessment drains for the legislatively directed study on the economic benefits of drainage and irrigation.

- 10.1.2 Attorney Report** Attorney Kale Van Bruggen (Rinke Noonan Law Firm) reported on the Annual Joint North Dakota Water Convention. Chair Issendorf is attending.

10.2 Managers' Updates

- 10.2.1 Bottineau County Irrigation** Chair Issendorf reported on the release of the ND Statewide Irrigation Feasibility Study Final Report (January 2025). Attorney Kale Van Bruggen (Rinke Noonan Law Firm) reported on the canals from the Missouri River promised during the Garrison Diversion dealings that later, were abandoned due to feasibility concerns. The Final Report states that there is ground in Bottineau County suitable for irrigation, but the water source would be aquifers.

Wayne Drangsholt left the meeting at 10:14 a.m.

10.2.2 Souris River Joint Board Chair Issendorf reported on the operations of the Souris River Joint Board.

11. CLOSE OF MEETING Having completed all business on the noticed agenda, the Chair declared the meeting adjourned at 10:19 a.m.

Minutes approved by the Board on December 15, 2025.

Clifford Issendorf, Chair

Kale R. Van Bruggen, Secretary

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