

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

1. ATTENDANCES

PRESENT: Wally Brandjord, Vice Chair
Clifford Issendorf, Chair
Mitch Opdahl, Manager
IN ATTENDANCE: Thomas Demke, Administrator/Engineer
Kale Van Bruggen, Secretary/Counsel – via video conference
APOLOGIES: Wayne Drangsholt, Treasurer
Mark Glinz, Manager

2. COMMENCEMENT The meeting was called to order at 9:07 a.m.

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

4. 2024 BUDGET HEARING Thomas Demke (Apex Engineering) reviewed the proposed Annual Budget for the Year Ending 2024. Total disbursements/appropriates estimated for the year 2024 are \$262,500 with a levy in 2024 of \$140,189.13. The Chair opened the floor for comments from the public. No members of the public were present. The Chair declared the public comment portion of the Budget Hearing closed.

Moved Manager Opdahl/Seconded Manager Brandjord
That the Annual Budget for the Year Ending 2024 for the Bottineau County Water Resource District be approved as presented.
Carried.

5. CONFIRMATION OF MINUTES

Moved Manager Brandjord /Seconded Manager Opdahl
That the minutes of the regular Board meeting held on August 21, 2023, be approved as presented.
Carried.

6. APPROVAL OF FINANCIAL REPORT/APPROPRIATIONS

6.1 Financial Report & Proposed Appropriations Lorenz presented the financial report for September 2023 and proposed appropriations. The report and proposed appropriations were reviewed and discussed by the Board.

Moved Manager Opdahl/Seconded Manager Brandjord
That the financial reports be taken and confirmed as presented and that the monthly bills due be paid 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. Special discussion was held on the following items:

7.1 Haas Coulee Thomas Demke (Apex Engineering) reported that Enbridge Pipeline has removed the pipeline crossing at Section 10-162-80.

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- 7.2 Haas Coulee Phase IV Repair** Thomas Demke (Apex Engineering) reported that Mikkelsen Aggregate is completing the site survey and waiting for crops to be removed in order to complete cleaning out authorized portions of drain.
- 7.3 Kane Tacoma Drain** Thomas Demke (Apex Engineering) reported that the total cost of the cleaning out the assessment drain and replacing the culvert by Mikkelsen Aggregate after the survey has increased from \$67,095 to \$110,530.

Moved Manager Brandjord/Seconded Manager Opdahl

That Mikkelsen Aggregate be authorized to complete the cleaning out of the Kane Tacoma Drain for \$110,530.

Carried.

- 7.4 LaPorte Coulee Drain** Chairman Issendorf reported that landowners in the vicinity of the LaPorte Coulee are working with Apex Engineering and the District's counsel to put together a petition for an assessment drain up to the Refuge.
- 7.5 Scandia-Scotia Drain** Manager Brandjord reported he is continuing to work with Apex Engineering on cleaning out and repairing alternatives for the assessment drain. Thomas Demke (Apex Engineering) reported that Apex Engineering will have recommended construction plans prepared for the Board by the October meeting.
- 7.6 South Landa Drain** Kale Van Bruggen (Rinke Noonan, Ltd.) reported to the Board on the status of easement acquisition. Van Bruggen reported that thus far, informal negotiations have exceeded sixty days on 9 easements (Easements 04, 09, 12, 14, 24, 25, 26, 27, and 28) and those negotiations have failed. The Board discussed alternatives for further informal negotiations to formal negotiations.

Moved Manager Opdahl/Seconded Manager Brandjord

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 Easement 14 and that Chair Issendorf be delegated authority to select and contract with an appraiser to produce an appraisal for just compensation.

Carried.

Thomas Demke (Apex Engineering) reported that he, Jennifer Malloy, and Kayla Block-Torgerson from Apex Engineering, Kale Van Bruggen (Rinke Noonan, Ltd.) and Chair Issendorf will set up a phone conference with Toni Erhardt (Army Corps) to discuss the Section 404 Clean Water Act permit.

8. OLD BUSINESS

- 8.1 Oak Creek Water Resource District Boundary Correction** No updates.

9. NEW BUSINESS

- 9.1 Commodore and Water Wheel Award Nomination Form** Chair Issendorf reported on the Commodore and Water Wheel award nomination form from the ND Water Resource District Association.

10. OPEN MIC

No members of the public present.

- 11. CLOSE OF MEETING** Having completed all business on the noticed agenda, Chair Issendorf declared the meeting adjourned at 10:41 a.m.

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Minutes approved by the Board on October 16, 2023.

Clifford Issendorf, Chair

Kale R. Van Bruggen, Secretary

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