




## BURLEIGH COUNTY WATER RESOURCE DISTRICT AGENDA

**Wednesday, June 9 at 8:00 am**

**Tom Baker Room, 221 N. 5<sup>th</sup> Street Bismarck**

**(See end of agenda for meeting attendance guidelines)**

8:00 a.m. - Call to Order

1. Roll Call (Reep, Detwiller, Beck, Landenberger, Palm)
2. **Approval of 05/12/2021 Minutes .....3-5**
3. **Amendments and Approval of Agenda**
4. Comments from Members of the Public: (For Items Not on the agenda)
5. McDowell Dam (Landenberger)
  - Facility Update
  - Grant Application for Kayak Launch
  - Bank Stabilization Project Update – Schedule 2021
    - USACE NWP Application – Status (Individual Permit Required)
    - NDDEQ Submittal with July 1 response date from EPA to the USACE
  - Contract Documents ..... 6-28
  - Public Notice of Permit Application ..... 29-36
6. Financial Reports (Detwiller)
  - **Balance Sheet 06/09/2021 .....37-38**
  - **P&L 06/09/2021 YTD ..... 39**
  - **2020 Audit Draft and Adjustment Letter ..... 40-69**
  - 04/29/2021 American Bank Center Securities Pledge ..... 70
7. Drainage Permits/Complaints/Issues: *Open (Palm)*
8. Drainage Permits/Complaints/Issues: *Closed (Palm)*
9. Projects:
  - Sibley Island (Beck)
    - Sibley Island Update Memorandum (6-2-2021) ..... 71-73
    - Hydrology/Hydraulics Report – Signed
    - Preliminary Engineering Report – Ongoing
    - Letter to SHIPO Section 106 – Draft ..... 74
    - Letter to USACE Section 408 Transmittal – Draft ..... 75-76
    - Apple Creek Floodplain Mapping
      - FEMA Draft Preliminary Mapping – NDSWC Response – Apple Creek meeting pending (City/County) – August 2021
      - Mapping Comments (Gunsch) – Under review
    - Public Comments
  - Fox Island (Landenberger) 
    - Seeding/Grass Status
  - Missouri Riverbank Stabilization (Detwiller)
    - GIS Web Mapping Completed –SWC easement data (data entry ongoing)
10. Other Old Business
  - Burleigh County WRD Assessment District Projects – Highway Dept O&M Agreements (pending)
  - Policy Manual – Next review phase in July
    - Drain Tile Permitting Policy ..... 77-96
  - iPads turnover

11. New Business:	
• Sovereign Land Permit Application No. S-2198.....	97-106
• <b>2022 Draft Budget (Rick/Dennis).....</b>	<b>107-111</b>
12. Correspondence or Document Information	
• Plats & SWMP's – Not included due to size...Available on request.	
• Temporary Water Permits Issued.....	112-118
13. <b>Approval of Bills: (pending) .....</b>	<b>119</b>
14. Detailed Bills .....	120-157
15. Next Meeting: July 13, 2021, 7:30 AM, Tom Baker Room (Note time change and change from Wednesday to Tuesday)	
16. Adjourn	

**Note: Bold Items Require Board Action**

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BCWRD Meeting Minutes  
May 12, 2021 – Tom Baker Room, City County Office Building  
Draft – not approved yet.

Agenda Items	Discussion	Board Action	Responsible Party(s)	Due Date
<b>Present:</b> Rod Beck; Rick Detwiller; James Landenberger; Dennis Reep; Cory Palm; Michael Gunsch, Houston Engineering, Inc.; Dave Bliss, Bliss Law Firm, LLC, Kathleen Jones, Burleigh County Commissioner and Wendy Egli, Fronteer Payroll Services <b>Others Present:</b> Dave Robinson (Bismarck Parks & Recreation), and Casey Einrem (Burleigh County Highway Dept) and Mitch Flanagan (Flood Plain Administrator) Chairman Reep called the meeting to order at 8:01 am. Roll call was taken noting all members present and a quorum was declared.				
	Discussion	Action Taken	Responsible Party(s)	Due Date
<b>Approval of 04/10/2021 Minutes:</b>	None noted.	<b>Mgr. Beck motion to approve 04/10/2021 minutes; Mgr. Landenberger second. Carried by unanimous voice vote</b>		
<b>Amendments and Approval of Agenda</b>	Chairman Reep had two new items to add to the agenda: the BNSF Bridge and water being withdrawn from Hay Creek.	<b>Mgr. Landenberger motion to approve agenda with changes; Mgr. Detwiller second. Carried by unanimous voice vote.</b>		
<b>Comments from Members of the Pubic</b>	None noted.			
<b>McDowell Dam</b>				
<b>Facility Update</b>	Attendance is up.			
<b>Grant Application for Kayak Launch</b>	Grant application is still in process. Hoping for an update at this at the next meeting.			
<b>Bank Stabilization Project Update</b>	This is currently on hold. Houston Engineering is currently working on this with the Department of Water Quality and hoping to have a start to this project in June.			
<b>Financial Reports</b>				
<b>Balance Sheet</b>	No discussion.	<b>Mgr. Detwiller motion to approve balance sheet; Mgr. Palm second. Carried by unanimous voice vote.</b>		
<b>Profit &amp; Loss</b>	Discussion regarding Rescue Act Funding. There is money available for water projects, sewer and broadband. Commissioner Jones is currently reviewing this and should have more clarification next month.	<b>Mgr. Detwiller motion to approve profit &amp; loss; Mgr. Beck second. Carried by unanimous voice vote.</b>		
<b>Drainage Permits/Complaints/Issues: Open</b>	None noted.			
<b>Drainage Permits/Complaints/Issues: Closed</b>	Complaint passed down (Tim Wetch v. Allen & Joann Blotsky). This was a non-jurisdictional complaint so information was purely just being passed down.			
<b>Projects</b>				

Agenda Items	Discussion	Board Action	Responsible Party(s)	Due Date
<b>Sibley Island</b>	The Hydrology/Hydraulics report is ready to be stamped and signed. A letter was submitted to Laura Horner outlining the concerns. Draft preliminary maps are available to share with the public. Michael Gunsch is currently working on setting up a public meeting regarding mapping at Apple Creek. Once the preliminary maps are completed a public informational meeting will be held for all residents. Meeting will likely be in August or sometime towards the end of summer. The Sibley Island information will be later. The State Water Commission has changed their policy related to funding. The next request for funding for Sibley Island will be for design only, not construction.			
<b>Fox Island</b>	Mgr. Palm is stating there is not any germination and we should probably look at having weeds sprayed. Michael Gunsch will have Travis check this out. Tankers are available to go down and water if needed and authorized. Mgr. Palm and Michael Gunsch to discuss after the meeting. Funding for watering would come out of O&M. O&M has been finalized and posted to the website.			
<b>Missouri Riverbank Stabilization</b>	Three emails have been received by Houston Engineering with three easement documents attached.			
<b>Other Old Business</b>				
<b>Burleigh County WRD Assessment District Projects</b>	Burleigh County WRD project is still pending. Casey Einrem will be sending over what they have.			
<b>Burnt Creek Policy Manual</b>	Burnt Creek O&M manual has been posted to the website.			
<b>Missouri River Correctional Center O&amp;M Manual</b>	Missouri River Correctional Center O&M manual has been posted to the website			
<b>Policy Manual</b>	None noted.			
<b>New Business</b>				
<b>Legislative Update</b>	The legislative session has concluded. HB 1353 has passed which will change the structure; however, this likely will not affect the board much. Overall, funding for water was very good. Additional funds are available for water commissions.			
<b>Drain Tile Permit Process</b>	HB 1437 was passed which revised the permitting and notification process for drain tile systems. Chairman Reep would like the BCWRD to be prepared to be involved in drain tile permits. There is a high turn around – 3 business days to assure the application is complete and 30 days to act on it. A	<b>Mgr. Palm motion to set application fee to \$500; Mgr. Landenberger second. Carried by unanimous roll call vote.</b>		



Agenda Items	Discussion	Board Action	Responsible Party(s)	Due Date
	plan must be in place to ensure that the BCWRD is ready to deal with this. A database will need to be maintained for smaller projects. The application fee is capped at \$500. At the next board meeting they would like to have a formal action item to set the process and set the application fee. Mgr. Palm recommends that we set the application fee at \$500. The policy committee will look at the current policy and update based upon the new information.			
<b>Summer WRD Meeting and Tours</b>	Current meeting will be in person in Grand Forks on July 13 – 15. Tentatively move the July board meeting to July 13 <sup>th</sup> at 7:30 AM.			
<b>NDIRF Notice of Annual Meeting</b>	None noted.			
<b>BNSF Bridge Hay Creek</b>	Commissioner Jones has been working with BNSF regarding a new bridge. The cost of maintaining the old bridge is 50 – 80 million dollars. The railroad plans to build a 2 lane bridge. Commissioner Jones will forward comment sheet to all once it is received. The coast guard is hoping to make a decision by September 1. If no one takes ownership of the old bridge it will be torn down.			
<b>Hay Creek – Personal Use of Water</b>	Chairman Reep received a call from the City of Bismarck. Residents have been using water from Hay Creek for personal use. The board has no authority on water rights.			
<b>Correspondence or Document Information</b>	None noted.			
<b>Approval of Bills</b>	ESRI Renewal is an annual from 07.31.2021 and 07.31.2022 in the amount of \$500 is to maintain the data for Missouri River Bank stabilization.	<b>Mgr. Detwiller motion to approve bills in the amount of \$32,217.06; Mgr. Palm second. Carried by unanimous roll call vote.</b>		
<b>Next Meeting</b>	Mgr. Landenberger will not be in attendance but will be calling in. If using Zoom, Dakota Access requires two attendees. The county is currently replacing the phone system with BEK. Michael Gunsch received a phone call about some concern that erosion is occurring by John Dwyer's place. This may need to be discussed next month.			06/09/2021

With no further business the meeting adjourned at 9:11 a.m.

Wendy Egli, BCWRD Admin. Secretary

**McDowell Dam Bank Stabilization 2021 Project  
BISMARCK, NORTH DAKOTA**



- E. The Bidder hereby proposes to undertake and complete the work embraced in these improvements in accordance with said plans, specifications, and contract documents and at the following schedule of rates and prices:

McDowell Dam Bank Stabilization 2021 Project				
Description	Unit	Quantity	Unit Price	Amount
Contract Bond	LSUM	1	1,500 <sup>00</sup>	1,500 <sup>00</sup>
Mobilization	LSUM	1	6,500 <sup>00</sup>	6,500 <sup>00</sup>
Clearing and Grubbing	LSUM	1	500 <sup>00</sup>	500 <sup>00</sup>
15" CMP Culvert	LF	40	30 <sup>00</sup>	1,200 <sup>00</sup>
Imported Fill	CY	26	25 <sup>00</sup>	650 <sup>00</sup>
Trees – Furnish Only	EA	101	153.75	15,528.75
Tree Gator – Furnish Only	EA	101	20 <sup>00</sup>	2,020 <sup>00</sup>
Riprap – Type M	TON	500	70.00	35,000 <sup>00</sup>
Geotextile Fabric – Type RR	SY	640	2.25	1,440 <sup>00</sup>
Trail Closure Barricades and Safety Fence	LS	1	1,200 <sup>00</sup>	1,200 <sup>00</sup>
Seeding Class VI	ACRE	0.26	5,800 <sup>00</sup>	1,508 <sup>00</sup>
Total Base Bid =				67,046.75
Alternate Bid Items				
Riprap – Type M	TON	158	70.00	11,060 <sup>00</sup>
Geotextile Fabric – Type RR	SY	223	2.25	501.75
Total Base Bid Plus Alternates =				78,608.50

F. The Bidder hereby certifies:

1. That this bid is genuine and is not made in the interest of or on behalf of any undisclosed person, firm or corporation and is not submitted in conformity with any agreement or rules of any groups, associations, or organizations.
2. That he has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid.
3. That he has not solicited or induced any person, firm or corporation to refrain from bidding.
4. That he has not sought by collusion or otherwise to obtained for himself any advantage over any other bidder or over the **Owner**.
5. All work performed under this contract shall be by the company or firm to which the contract is awarded and no portion shall be awarded to a subcontractor unless authorized in writing by the **Owner**.
6. He has received addenda:

No.	Dated	Initial
<u>1</u>	<u>3-31-21</u>	<u>DB</u>
<u>      </u>	<u>      </u>	<u>      </u>
<u>      </u>	<u>      </u>	<u>      </u>

G. The following documents are attached and made a condition of this bid: Copy of North Dakota Contractor's License or Certificate of Renewal.

H. The **Contractor** shall be required to submit the entire Project Manual with the proposal attached.

I. The **Contractor** shall indicate the type of organization by placing an "X" in the correct designation.

Individual        Partnership        Corporation X

J. The **Contractor** shall fill in the following information regarding their North Dakota Contractor's License:

License Class A

License Number 30303

Date Issued/Renewed Feb. 12, 2021

K. The **Contractor** shall sign and supply all the following information:

Firm Name Bohlman Trenching Service, Inc

Signature [Signature] David Bohlman

Title of Signee President

Official Address P.O. Box 238, Thompson ND 58278

Phone No. (Office) 701 599-2360

FORM OF AGREEMENT

CONTRACTING PARTIES:

OWNER: Burleigh County Water Resource District  
P.O. Box 1255  
Bismarck, ND 58502-1255

PROJECT: McDowell Dam Bank Stabilization 2021 Project  
Bismarck, ND

THIS AGREEMENT made this 30 day of April, 2021, by and between the Burleigh County Water Resource District, hereinafter called the OWNER, and Bohlman Trenching Service, Inc. hereinafter called the CONTRACTOR.

WITNESSETH: That for and in consideration of the payments and agreements hereinafter mentioned:

1. The CONTRACTOR will commence and complete all work indicated in Contract Documents as may be modified in accordance with Contract Documents.
2. The CONTRACTOR will furnish all of the materials, supplies, tools, equipment, labor and other services necessary for the construction and the completion of the PROJECT described herein.
3. The CONTRACTOR will commence the work required by the CONTRACT DOCUMENTS within 10 calendar days after the date of the NOTICE TO PROCEED, and will substantially complete the same not later than July 16, 2021. Project Completion and final site restoration work will be completed no later than July 30, 2021.
4. The CONTRACTOR agrees to perform all of the WORK described in CONTRACT DOCUMENTS and comply with the terms therein for the sums shown on the BID Schedule, a copy of which is attached and made part of this Agreement.



5. The term "CONTRACT DOCUMENTS" means and includes the following:
- a. Information to BIDDERS
  - b. Completed BID, copy attached hereto
  - c. BID BOND
  - d. NOTICE OF AWARD
  - e. General Conditions of the CONTRACT
  - f. Performance BOND (North Dakota)
  - g. Payment BOND (North Dakota)
  - h. This Agreement
  - i. Certificates of Insurance
  - j. Power of Attorney
  - k. Contractor's License
  - l. N.D. Sales/Use Tax Clearance
  - m. N.D. Workers Compensation Certificate of Premium Payment
  - n. NOTICE TO PROCEED
  - o. CHANGE ORDERS
  - p. DRAWINGS prepared by Houston Engineering Inc. numbered as follows and dated March, 2021.

<u>Sheet No.</u>	<u>Title</u>
No. 1	Cover Sheet
No. 2	Symbols, Abbreviations, Notes and Quantities
No. 3	Site Map
No. 4	Culvert Installation
No. 5	Trail Relocation
No. 6	Bank Stabilization
No. 7	Culvert Replacement
No. 8	Plant Schedule Overview
No. 9 – 11	Plant Schedule

- q. PROJECT MANUAL prepared by Houston Engineering Inc, dated March, 2021.
  - r. ADDENDA:
    - No. \_\_\_\_\_, dated \_\_\_\_\_, 20\_\_
    - No. \_\_\_\_\_, dated \_\_\_\_\_, 20\_\_
    - No. \_\_\_\_\_, dated \_\_\_\_\_, 20\_\_
6. The ENGINEER for this project shall be Houston Engineering acting through its duly qualified representatives or properly designated qualified successors acting on behalf of the OWNER.

7. The OWNER will pay the CONTRACTOR in the manner and at such times as set forth in the GENERAL CONDITIONS, and related Sections, such amounts and in a manner required by the CONTRACT DOCUMENTS in accordance with the attached BID SCHEDULES.
8. This Agreement shall be binding upon all parties hereto and their respective heirs, executors, administrators, successors and assigns.
9. Retainage shall be as stipulated in Chapter 40-22-37 NDCC as amended.
10. The CONTRACTOR shall pay to the OWNER liquidated damages as specified in the City of Bismarck Construction Specifications for Municipal Public Works Improvements, March 2021 in Section 106-2.

McDowell Dam Bank Stabilization 2021 Project  
BISMARCK, NORTH DAKOTA



IN WITNESS WHEREOF, the parties hereto have executed, or caused to be executed by their duly authorized officials, this Agreement in three copies, each of which shall be deemed an original on the date first above written.

OWNER:




By: Dennis Reep, Chairman  
Burleigh County Water Resource District

ATTEST:

Mary Bohlman  
Name Mary Bohlman  
Title Secretary

CONTRACTOR:

Bohlman Trenching Service, Inc.

By: David Bohlman   
Name

President  
Title

P.O. Box 278 Thompson, ND 58578  
Address



**Performance Bond****CONTRACTOR:***(Name, legal status and address)***Bohlman Trenching Service, Inc.****1372 7th Ave NE****Thompson, ND 58278-0238****OWNER:***(Name, legal status and address)***Burleigh County Water Resource District****PO Box 1255****Bismarck, ND 58502****CONSTRUCTION CONTRACT**Date: **April 30, 2021**Amount: **\$78,608.50**Description: **McDowell Dam Bank Stabilization 2021 Project***(Name and location)* **[Place Riprap on Eroded Bank]  
Bismarck, ND****BOND**Date: **April 30, 2021***(Not earlier than Construction Contract Date)*Amount: **\$78,608.50**

Modifications to this Bond:

☒ None☐ See Section 16**CONTRACTOR AS PRINCIPAL**

Company:

*(Corporate Seal)***Bohlman Trenching Service, Inc.**Signature: Name **DAVID BOHLMAN**  
and Title: **PRES.***(Any additional signatures appear on the last page of this Performance Bond.)***SURETY**

Company:

*(Corporate Seal)***Endurance American Insurance Company**Signature: Name **Jack Anderson, Attorney-In-Fact**  
and Title:

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

This document combines two separate bonds, a Performance Bond and a Payment Bond, into one form. This is not a single combined Performance and Payment Bond.

*(FOR INFORMATION ONLY— Name, address and telephone)*AGENT ~~XXXXXXXX~~**ACORA Surety & Insurance Services, LLC****PO BOX 506****Montevideo, MN 56265****Ph: 320-269-8546****OWNER'S REPRESENTATIVE:***(Architect, Engineer or other party:)***Houston Engineering, Inc.****3712 Lockport St****Bismarck, ND 58502**

By arrangement with the American Institute of Architects, the National Association of Surety Bond Producers (NASBP) ([www.nasbp.org](http://www.nasbp.org)) makes this form document available to its members, affiliates, and associates in Microsoft Word format for use in the regular course of surety business. NASBP vouches that the original text of this document conforms exactly to the text in AIA Document A312-2010, Performance Bond and Payment Bond. Subsequent modifications may be made to the original text of this document by users, so careful review of its wording and consultation with an attorney are encouraged before its completion, execution or acceptance.

§ 1 The Contractor and Surety, jointly and severally, bind themselves, their heirs, executors, administrators, successors and assigns to the Owner for the performance of the Construction Contract, which is incorporated herein by reference.

§ 2 If the Contractor performs the Construction Contract, the Surety and the Contractor shall have no obligation under this Bond, except when applicable to participate in a conference as provided in Section 3.

§ 3 If there is no Owner Default under the Construction Contract, the Surety's obligation under this Bond shall arise after

- .1 the Owner first provides notice to the Contractor and the Surety that the Owner is considering declaring a Contractor Default. Such notice shall indicate whether the Owner is requesting a conference among the Owner, Contractor and Surety to discuss the Contractor's performance. If the Owner does not request a conference, the Surety may, within five (5) business days after receipt of the Owner's notice, request such a conference. If the Surety timely requests a conference, the Owner shall attend. Unless the Owner agrees otherwise, any conference requested under this Section 3.1 shall be held within ten (10) business days of the Surety's receipt of the Owner's notice. If the Owner, the Contractor and the Surety agree, the Contractor shall be allowed a reasonable time to perform the Construction Contract, but such an agreement shall not waive the Owner's right, if any, subsequently to declare a Contractor Default;
- .2 the Owner declares a Contractor Default, terminates the Construction Contract and notifies the Surety; and
- .3 the Owner has agreed to pay the Balance of the Contract Price in accordance with the terms of the Construction Contract to the Surety or to a contractor selected to perform the Construction Contract.

§ 4 Failure on the part of the Owner to comply with the notice requirement in Section 3.1 shall not constitute a failure to comply with a condition precedent to the Surety's obligations, or release the Surety from its obligations, except to the extent the Surety demonstrates actual prejudice.

§ 5 When the Owner has satisfied the conditions of Section 3, the Surety shall promptly and at the Surety's expense take one of the following actions:

§ 5.1 Arrange for the Contractor, with the consent of the Owner, to perform and complete the Construction Contract;

§ 5.2 Undertake to perform and complete the Construction Contract itself, through its agents or independent contractors;

§ 5.3 Obtain bids or negotiated proposals from qualified contractors acceptable to the Owner for a contract for performance and completion of the Construction Contract, arrange for a contract to be prepared for execution by the Owner and a contractor selected with the Owner's concurrence, to be secured with performance and payment bonds executed by a qualified surety equivalent to the bonds issued on the Construction Contract, and pay to the Owner the amount of damages as described in Section 7 in excess of the Balance of the Contract Price incurred by the Owner as a result of the Contractor Default; or

§ 5.4 Waive its right to perform and complete, arrange for completion, or obtain a new contractor and with reasonable promptness under the circumstances:

- .1 After investigation, determine the amount for which it may be liable to the Owner and, as soon as practicable after the amount is determined, make payment to the Owner; or
- .2 Deny liability in whole or in part and notify the Owner, citing the reasons for denial.

§ 6 If the Surety does not proceed as provided in Section 5 with reasonable promptness, the Surety shall be deemed to be in default on this Bond seven days after receipt of an additional written notice from the Owner to the Surety demanding that the Surety perform its obligations under this Bond, and the Owner shall be entitled to enforce any remedy available to the Owner. If the Surety proceeds as provided in Section 5.4, and the Owner refuses the payment or the Surety has denied liability, in whole or in part, without further notice the Owner shall be entitled to enforce any remedy available to the Owner.



§ 7 If the Surety elects to act under Section 5.1, 5.2 or 5.3, then the responsibilities of the Surety to the Owner shall not be greater than those of the Contractor under the Construction Contract, and the responsibilities of the Owner to the Surety shall not be greater than those of the Owner under the Construction Contract. Subject to the commitment by the Owner to pay the Balance of the Contract Price, the Surety is obligated, without duplication, for

- .1 the responsibilities of the Contractor for correction of defective work and completion of the Construction Contract;
- .2 additional legal, design professional and delay costs resulting from the Contractor's Default, and resulting from the actions or failure to act of the Surety under Section 5; and
- .3 liquidated damages, or if no liquidated damages are specified in the Construction Contract, actual damages caused by delayed performance or non-performance of the Contractor.

§ 8 If the Surety elects to act under Section 5.1, 5.3 or 5.4, the Surety's liability is limited to the amount of this Bond.

§ 9 The Surety shall not be liable to the Owner or others for obligations of the Contractor that are unrelated to the Construction Contract, and the Balance of the Contract Price shall not be reduced or set off on account of any such unrelated obligations. No right of action shall accrue on this Bond to any person or entity other than the Owner or its heirs, executors, administrators, successors and assigns.

§ 10 The Surety hereby waives notice of any change, including changes of time, to the Construction Contract or to related subcontracts, purchase orders and other obligations.

§ 11 Any proceeding, legal or equitable, under this Bond may be instituted in any court of competent jurisdiction in the location in which the work or part of the work is located and shall be instituted within two years after a declaration of Contractor Default or within two years after the Contractor ceased working or within two years after the Surety refuses or fails to perform its obligations under this Bond, whichever occurs first. If the provisions of this Paragraph are void or prohibited by law, the minimum period of limitation available to sureties as a defense in the jurisdiction of the suit shall be applicable.

§ 12 Notice to the Surety, the Owner or the Contractor shall be mailed or delivered to the address shown on the page on which their signature appears.

§ 13 When this Bond has been furnished to comply with a statutory or other legal requirement in the location where the construction was to be performed, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

#### § 14 Definitions

§ 14.1 **Balance of the Contract Price.** The total amount payable by the Owner to the Contractor under the Construction Contract after all proper adjustments have been made, including allowance to the Contractor of any amounts received or to be received by the Owner in settlement of insurance or other claims for damages to which the Contractor is entitled, reduced by all valid and proper payments made to or on behalf of the Contractor under the Construction Contract.

§ 14.2 **Construction Contract.** The agreement between the Owner and Contractor identified on the cover page, including all Contract Documents and changes made to the agreement and the Contract Documents.

§ 14.3 **Contractor Default.** Failure of the Contractor, which has not been remedied or waived, to perform or otherwise to comply with a material term of the Construction Contract.

§ 14.4 **Owner Default.** Failure of the Owner, which has not been remedied or waived, to pay the Contractor as required under the Construction Contract or to perform and complete or comply with the other material terms of the Construction Contract.

§ 14.5 **Contract Documents.** All the documents that comprise the agreement between the Owner and Contractor.

§ 15 If this Bond is issued for an agreement between a Contractor and subcontractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.

By arrangement with the American Institute of Architects, the National Association of Surety Bond Producers (NASBP) ([www.nasbp.org](http://www.nasbp.org)) makes this form document available to its members, affiliates, and associates in Microsoft Word format for use in the regular course of surety business. NASBP vouches that the original text of this document conforms exactly to the text in AIA Document A312-2010, Performance Bond and Payment Bond. Subsequent modifications may be made to the original text of this document by users, so careful review of its wording and consultation with an attorney are encouraged before its completion, execution or acceptance.



§ 16 Modifications to this bond are as follows:

*(Space is provided below for additional signatures of added parties, other than those appearing on the cover page.)*

**CONTRACTOR AS PRINCIPAL**

**SURETY**

Company:

*(Corporate Seal)*

Company:

*(Corporate Seal)*

Signature: N/A

Name and Title:

Address:

Signature: N/A

Name and Title:

Address:



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**Payment Bond****CONTRACTOR:***(Name, legal status and address)*

**Bohlman Trenching Service, Inc.**  
**1372 7th Ave NE**  
**Thompson, ND 58278-0238**

**OWNER:***(Name, legal status and address)*

**Burleigh County Water Resource District**  
**PO Box 1255**  
**Bismarck, ND 58502**

**SURETY:***(Name, legal status and principal place of business)*

**Endurance American Insurance Company**  
**4 Manhattanville Road**  
**Purchase, NY 10577**

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

This document combines two separate bonds, a Performance Bond and a Payment Bond, into one form. This is not a single combined Performance and Payment Bond.

**CONSTRUCTION CONTRACT**Date: **April 30, 2021**Amount: **\$78,608.50**


Description: **McDowell Dam Bank Stabilization 2021 Project**  
*(Name and location)* **[Place Riprap on Eroded Bank]**  
**Bismarck, ND**

**BOND**Date: **April 30, 2021***(Not earlier than Construction Contract Date)*Amount: **\$78,608.50**

Modifications to this Bond:

☒ None☐ See Section 18**CONTRACTOR AS PRINCIPAL**


Company: *(Corporate Seal)*  
**Bohlman Trenching Service, Inc.**

Signature: 

Name and Title:

*(Any additional signatures appear on the last page of this Payment Bond.)***SURETY**

Company: *(Corporate Seal)*  
**Endurance American Insurance Company**

Signature: Name **Jack Anderson, Attorney-In-Fact**

and Title:

*(FOR INFORMATION ONLY — Name, address and telephone)*AGENT ~~XXXXXXXXXX~~

**ACORA Surety & Insurance Services, LLC**  
**PO BOX 506**  
**Montevideo, MN 56265**  
**Ph: 320-269-8546**

**OWNER'S REPRESENTATIVE:**

*(Architect, Engineer or other party.)*  
**Houston Engineering, Inc.**

**3712 Lockport St**  
**Bismarck, ND 58502**



By arrangement with the American Institute of Architects, the National Association of Surety Bond Producers (NASBP) ([www.nasbp.org](http://www.nasbp.org)) makes this form document available to its members, affiliates, and associates in Microsoft Word format for use in the regular course of surety business. NASBP vouches that the original text of this document conforms exactly to the text in AIA Document A312-2010, Performance Bond and Payment Bond. Subsequent modifications may be made to the original text of this document by users, so careful review of its wording and consultation with an attorney are encouraged before its completion, execution or acceptance.



§ 1 The Contractor and Surety, jointly and severally, bind themselves, their heirs, executors, administrators, successors and assigns to the Owner to pay for labor, materials and equipment furnished for use in the performance of the Construction Contract, which is incorporated herein by reference, subject to the following terms.

§ 2 If the Contractor promptly makes payment of all sums due to Claimants, and defends, indemnifies and holds harmless the Owner from claims, demands, liens or suits by any person or entity seeking payment for labor, materials or equipment furnished for use in the performance of the Construction Contract, then the Surety and the Contractor shall have no obligation under this Bond.

§ 3 If there is no Owner Default under the Construction Contract, the Surety's obligation to the Owner under this Bond shall arise after the Owner has promptly notified the Contractor and the Surety (at the address described in Section 13) of claims, demands, liens or suits against the Owner or the Owner's property by any person or entity seeking payment for labor, materials or equipment furnished for use in the performance of the Construction Contract and tendered defense of such claims, demands, liens or suits to the Contractor and the Surety.

§ 4 When the Owner has satisfied the conditions in Section 3, the Surety shall promptly and at the Surety's expense defend, indemnify and hold harmless the Owner against a duly tendered claim, demand, lien or suit.

§ 5 The Surety's obligations to a Claimant under this Bond shall arise after the following:

§ 5.1 Claimants, who do not have a direct contract with the Contractor,

- .1 have furnished a written notice of non-payment to the Contractor, stating with substantial accuracy the amount claimed and the name of the party to whom the materials were, or equipment was, furnished or supplied or for whom the labor was done or performed, within ninety (90) days after having last performed labor or last furnished materials or equipment included in the Claim; and
- .2 have sent a Claim to the Surety (at the address described in Section 13).

§ 5.2 Claimants, who are employed by or have a direct contract with the Contractor, have sent a Claim to the Surety (at the address described in Section 13).

§ 6 If a notice of non-payment required by Section 5.1.1 is given by the Owner to the Contractor, that is sufficient to satisfy a Claimant's obligation to furnish a written notice of non-payment under Section 5.1.1.

§ 7 When a Claimant has satisfied the conditions of Sections 5.1 or 5.2, whichever is applicable, the Surety shall promptly and at the Surety's expense take the following actions:

§ 7.1 Send an answer to the Claimant, with a copy to the Owner, within sixty (60) days after receipt of the Claim, stating the amounts that are undisputed and the basis for challenging any amounts that are disputed; and

§ 7.2 Pay or arrange for payment of any undisputed amounts.

§ 7.3 The Surety's failure to discharge its obligations under Section 7.1 or Section 7.2 shall not be deemed to constitute a waiver of defenses the Surety or Contractor may have or acquire as to a Claim, except as to undisputed amounts for which the Surety and Claimant have reached agreement. If, however, the Surety fails to discharge its obligations under Section 7.1 or Section 7.2, the Surety shall indemnify the Claimant for the reasonable attorney's fees the Claimant incurs thereafter to recover any sums found to be due and owing to the Claimant.

§ 8 The Surety's total obligation shall not exceed the amount of this Bond, plus the amount of reasonable attorney's fees provided under Section 7.3, and the amount of this Bond shall be credited for any payments made in good faith by the Surety.

§ 9 Amounts owed by the Owner to the Contractor under the Construction Contract shall be used for the performance of the Construction Contract and to satisfy claims, if any, under any construction performance bond. By the Contractor furnishing and the Owner accepting this Bond, they agree that all funds earned by the Contractor in the performance of the Construction Contract are dedicated to satisfy obligations of the Contractor and Surety under this Bond, subject to the Owner's priority to use the funds for the completion of the work.

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§ 10 The Surety shall not be liable to the Owner, Claimants or others for obligations of the Contractor that are unrelated to the Construction Contract. The Owner shall not be liable for the payment of any costs or expenses of any Claimant under this Bond, and shall have under this Bond no obligation to make payments to, or give notice on behalf of, Claimants or otherwise have any obligations to Claimants under this Bond.

§ 11 The Surety hereby waives notice of any change, including changes of time, to the Construction Contract or to related subcontracts, purchase orders and other obligations.

§ 12 No suit or action shall be commenced by a Claimant under this Bond other than in a court of competent jurisdiction in the state in which the project that is the subject of the Construction Contract is located or after the expiration of one year from the date (1) on which the Claimant sent a Claim to the Surety pursuant to Section 5.1.2 or 5.2, or (2) on which the last labor or service was performed by anyone or the last materials or equipment were furnished by anyone under the Construction Contract, whichever of (1) or (2) first occurs. If the provisions of this Paragraph are void or prohibited by law, the minimum period of limitation available to sureties as a defense in the jurisdiction of the suit shall be applicable.

§ 13 Notice and Claims to the Surety, the Owner or the Contractor shall be mailed or delivered to the address shown on the page on which their signature appears. Actual receipt of notice or Claims, however accomplished, shall be sufficient compliance as of the date received.

§ 14 When this Bond has been furnished to comply with a statutory or other legal requirement in the location where the construction was to be performed, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

§ 15 Upon request by any person or entity appearing to be a potential beneficiary of this Bond, the Contractor and Owner shall promptly furnish a copy of this Bond or shall permit a copy to be made.

#### § 16 Definitions

§ 16.1 **Claim.** A written statement by the Claimant including at a minimum:

- .1 the name of the Claimant;
- .2 the name of the person for whom the labor was done, or materials or equipment furnished;
- .3 a copy of the agreement or purchase order pursuant to which labor, materials or equipment was furnished for use in the performance of the Construction Contract;
- .4 a brief description of the labor, materials or equipment furnished;
- .5 the date on which the Claimant last performed labor or last furnished materials or equipment for use in the performance of the Construction Contract;
- .6 the total amount earned by the Claimant for labor, materials or equipment furnished as of the date of the Claim;
- .7 the total amount of previous payments received by the Claimant; and
- .8 the total amount due and unpaid to the Claimant for labor, materials or equipment furnished as of the date of the Claim.

§ 16.2 **Claimant.** An individual or entity having a direct contract with the Contractor or with a subcontractor of the Contractor to furnish labor, materials or equipment for use in the performance of the Construction Contract. The term Claimant also includes any individual or entity that has rightfully asserted a claim under an applicable mechanic's lien or similar statute against the real property upon which the Project is located. The intent of this Bond shall be to include without limitation in the terms "labor, materials or equipment" that part of water, gas, power, light, heat, oil, gasoline, telephone service or rental equipment used in the Construction Contract, architectural and engineering services required for performance of the work of the Contractor and the Contractor's subcontractors, and all other items for which a mechanic's lien may be asserted in the jurisdiction where the labor, materials or equipment were furnished.

§ 16.3 **Construction Contract.** The agreement between the Owner and Contractor identified on the cover page, including all Contract Documents and all changes made to the agreement and the Contract Documents.

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§ 16.4 **Owner Default.** Failure of the Owner, which has not been remedied or waived, to pay the Contractor as required under the Construction Contract or to perform and complete or comply with the other material terms of the Construction Contract.

§ 16.5 **Contract Documents.** All the documents that comprise the agreement between the Owner and Contractor.

§ 17 If this Bond is issued for an agreement between a Contractor and subcontractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.

§ 18 Modifications to this bond are as follows:

*(Space is provided below for additional signatures of added parties, other than those appearing on the cover page.)*

**CONTRACTOR AS PRINCIPAL**

**SURETY**

Company:

*(Corporate Seal)*

Company:

*(Corporate Seal)*

Signature: N/A

Name and Title:

Address:

Signature: N/A

Name and Title:

Address:



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## ACKNOWLEDGMENT OF PRINCIPAL (Individual)

State of \_\_\_\_\_ }  
County of \_\_\_\_\_ }

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_, before me personally comes \_\_\_\_\_, to me known and known to me to be the person who is described in and executed the foregoing instrument, and acknowledges to me that he/she executed the same.

\_\_\_\_\_  
Notary Public

## ACKNOWLEDGMENT OF PRINCIPAL (Partnership)

State of \_\_\_\_\_ }  
County of \_\_\_\_\_ }

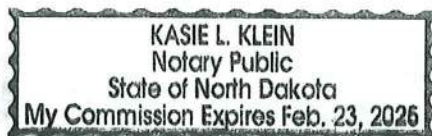
On this \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_, before me personally come(s) \_\_\_\_\_, a member of the co-partnership of \_\_\_\_\_, to me known and known to me to be the person who is described in and executed the foregoing instrument, and acknowledges to me that he/she executed the same as the act and deed of the said co-partnership.

\_\_\_\_\_  
Notary Public

## ACKNOWLEDGMENT OF PRINCIPAL (Corporation/LLC)

State of North Dakota }  
County of Grand Forks }

On this 5 day of May, in the year 2021, before me personally come(s) David Bohlman, to me known, who being duly sworn, deposes and says that he/she resides in the City of Hatton that he/she is the President of the Bohlman Trenching Services Inc, the corporation described in and which executed the foregoing instrument, and that he/she signed his/her name thereto by like order.



Kasie L. Klein  
Notary Public

**SOMPO INTERNATIONAL****INSURANCE**

9760

**POWER OF ATTORNEY**

KNOW ALL BY THESE PRESENTS, that **Endurance Assurance Corporation**, a Delaware corporation, **Endurance American Insurance Company**, a Delaware corporation, **Lexon Insurance Company**, a Texas corporation, and/or **Bond Safeguard Insurance Company**, a South Dakota corporation, each, a "Company" and collectively, "**Sompo International**," do hereby constitute and appoint: **Jack Anderson, Ronald Kaihori, Rita Jorgenson** as true and lawful Attorney(s)-in-Fact to make, execute, seal, and deliver for, and on its behalf as surety or co-surety, bonds and undertakings given for any and all purposes, also to execute and deliver on its behalf as aforesaid renewals, extensions, agreements, waivers, consents or stipulations relating to such bonds or undertakings provided, however, that no single bond or undertaking so made, executed and delivered shall obligate the Company for any portion of the penal sum thereof in excess of the sum of **Twenty Million Dollars (\$20,000,000.00)**.

Such bonds and undertakings for said purposes, when duly executed by said attorney(s)-in-fact, shall be binding upon the Company as fully and to the same extent as if signed by the President of the Company under its corporate seal attested by its Corporate Secretary.

This appointment is made under and by authority of certain resolutions adopted by the sole shareholder of each Company by unanimous written consent effective the 15<sup>th</sup> day of June, 2019, a copy of which appears below under the heading entitled "Certificate".

This Power of Attorney is signed and sealed by facsimile under and by authority of the following resolution adopted by the sole shareholder of each Company by unanimous written consent effective the 15<sup>th</sup> day of June, 2019 and said resolution has not since been revoked, amended or repealed:

RESOLVED, that the signature of an individual named above and the seal of the Company may be affixed to any such power of attorney or any certificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile signature or seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached.

IN WITNESS WHEREOF, each Company has caused this instrument to be signed by the following officers, and its corporate seal to be affixed this 15<sup>th</sup> day of June, 2019.

**Endurance Assurance Corporation**

By: *Richard M Appel*  
Richard Appel, SVP & Senior Counsel

**Endurance American Insurance Company**

By: *Richard M Appel*  
Richard Appel, SVP & Senior Counsel

**Lexon Insurance Company**

By: *Richard M Appel*  
Richard Appel, SVP & Senior Counsel

**Bond Safeguard Insurance Company**

By: *Richard M Appel*  
Richard Appel, SVP & Senior Counsel

**ACKNOWLEDGEMENT**

On this 15<sup>th</sup> day of June, 2019, before me, personally came the above signatories known to me, who being duly sworn, did depose and say that he/she is an officer of each of the Companies; and that he executed said instrument on behalf of each Company by authority of his office under the by-laws of each Company.

By: *Amy Taylor*  
Amy Taylor, Notary Public - My Commission Expires 5/9/23

**CERTIFICATE**

I, the undersigned Officer of each Company, DO HEREBY CERTIFY that:

1. That the original power of attorney of which the foregoing is a copy was duly executed on behalf of each Company and has not since been revoked, amended or modified; that the undersigned has compared the foregoing copy thereof with the original power of attorney, and that the same is a true and correct copy of the original power of attorney and of the whole thereof;
2. The following are resolutions which were adopted by the sole shareholder of each Company by unanimous written consent effective June 15, 2019 and said resolutions have not since been revoked, amended or modified:

"RESOLVED, that each of the individuals named below is authorized to make, execute, seal and deliver for and on behalf of the Company any and all bonds, undertakings or obligations in surety or co-surety with others: **RICHARD M. APPEL, BRIAN J. BEGGS, CHRISTOPHER DONELAN, SHARON L. SIMS, CHRISTOPHER L. SPARRO, MARIANNE L. WILBERT**

; and be it further

RESOLVED, that each of the individuals named above is authorized to appoint attorneys-in-fact for the purpose of making, executing, sealing and delivering bonds, undertakings or obligations in surety or co-surety for and on behalf of the Company."

3. The undersigned further certifies that the above resolutions are true and correct copies of the resolutions as so recorded and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal this 30th day of April, 20 21.

By: *Daniel S. Lune*  
Daniel S. Lune, Secretary

**NOTICE: U. S. TREASURY DEPARTMENT'S OFFICE OF FOREIGN ASSETS CONTROL (OFAC)**

No coverage is provided by this Notice nor can it be construed to replace any provisions of any surety bond or other surety coverage provided. This Notice provides information concerning possible impact on your surety coverage due to directives issued by OFAC. Please read this Notice carefully.

The Office of Foreign Assets Control (OFAC) administers and enforces sanctions policy, based on Presidential declarations of "national emergency". OFAC has identified and listed numerous foreign agents, front organizations, terrorists, terrorist organizations, and narcotics traffickers as "Specially Designated Nationals and Blocked Persons". This list can be located on the United States Treasury's website - <https://www.treasury.gov/resource-center/sanctions/SDN-List>.

In accordance with OFAC regulations, if it is determined that you or any other person or entity claiming the benefits of any coverage has violated U.S. sanctions law or is a Specially Designated National and Blocked Person, as identified by OFAC, any coverage will be considered a blocked or frozen contract and all provisions of any coverage provided are immediately subject to OFAC. When a surety bond or other form of surety coverage is considered to be such a blocked or frozen contract, no payments nor premium refunds may be made without authorization from OFAC. Other limitations on the premiums and payments may also apply.

Any reproductions are void.

Surety Claims Submission: [LexonClaimAdministration@sompo-intl.com](mailto:LexonClaimAdministration@sompo-intl.com)

Telephone: 615-553-9500 Mailing Address: Sompo International; 12890 Lebanon Road; Mount Juliet, TN 37122-2870

## ACKNOWLEDGEMENT OF SURETY

STATE OF MINNESOTA

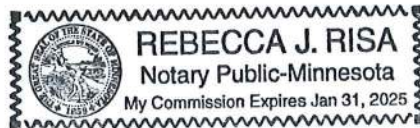
COUNTY OF CHIPPEWA

On this 30th day of April, 2021, before me, a Notary Public within and for said County, personally appeared **Jack Anderson** to me personally known, who being by me duly sworn he/she did say that he/she is the attorney-in-fact of **Endurance American Insurance Company**, the corporation named in the foregoing instrument, and the seal affixed to said instrument is the corporation seal of said corporation, and sealed on behalf of said corporation by authority of its Board of Directors and said **Jack Anderson** acknowledged said instrument to be the free act and deed of said corporation.

*Rebecca J. Risa*

**NOTARY PUBLIC**

My Commission Expires 1/31/2025





STATE OF NORTH DAKOTA  
OFFICE OF STATE TAX COMMISSIONER  
RYAN RAUSCHENBERGER, COMMISSIONER

October 30, 2020

Ref: L0226471680

Acct: 0735371-CCT-005

BOHLMAN TRENCHING SERVICE INC  
PO BOX 238  
THOMPSON ND 58278-0238

(083) 

**North Dakota Contractor's Tax Clearance – Expires December 31, 2021.**

As of the date of this letter, the North Dakota Office of State Tax Commissioner's records show that the above-named taxpayer does not owe any North Dakota income, sales, use, or gross receipts taxes. This tax clearance does not release the taxpayer from paying any additional income, sales, use, or gross receipts tax that may become due as the result of an audit.

A copy of this Contractor's Tax Clearance may be required to be filed with the North Dakota Secretary of State for contractor licensing purposes. If you enter into a contract with a state or local governmental agency or board, a copy of this Tax Clearance must be provided to that entity.

***This is the only copy of the North Dakota Tax Clearance that will be issued and should be retained in your files. It is recommended that you make multiple copies of this document.***

Stephen Horgan  
Supervisor, Tax Registration

***Please Note: If You Are No Longer Doing Business In North Dakota***, indicate in the space below the date you ceased operations in this state, sign and date, ***make a copy for your records***, and return this document to our office.

Date Operations Ceased  
In North Dakota

Signature

Date



BOHLTRE-01

BHICKEY

## CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

5/7/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Vaaler Insurance Inc PO Box 12848 Grand Forks, ND 58208-2848		<b>CONTACT NAME:</b> PHONE (A/C, No, Ext): (701) 775-3131 E-MAIL ADDRESS: vaalergf@vaaler.com FAX (A/C, No): (701) 775-4020		
<b>INSURED</b> Bohlman Trenching Service Inc Dave Bohlman PO Box 238 Thompson, ND 58278		<b>INSURER(S) AFFORDING COVERAGE</b>		<b>NAIC #</b>
		INSURER A : United Fire & Casualty Company		13021
		INSURER B :		
		INSURER C :		
		INSURER D :		
		INSURER E :		
		INSURER F :		

## COVERAGES

## CERTIFICATE NUMBER:

## REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	X		60360929	6/2/2020	6/2/2021	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 250,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY			60360929	6/2/2020	6/2/2021	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 0			60360929	6/2/2020	6/2/2021	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		Y / N N / A				PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	Empl Liab/Stop Gap			60360929	6/2/2020	6/2/2021	See limits below

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

North Dakota Employers Liability (Stop Gap) limits - \$1,000,000 bodily injury by accident/\$1,000,000 bodily injury by disease/\$1,000,000 bodily injury by disease.

Project: McDowell Dam Bank Stabilization 2021 Project. Certificate Holder (Burleigh County Water Resource District) and Engineer (Houston Engineering, 3712 Lockport St, Bismarck ND 58503) are Additional Insureds. See attached forms: CG7085 - Additional Insured-Owners, Lessees or Contractors-Schedule Person or Organization and CG7141 - Additional Insured-Engineers, Architects or Surveyors Not Engaged by the Named Insured.

## CERTIFICATE HOLDER

## CANCELLATION

Burleigh County Water Resource District  
PO Box 1255  
Bismarck, ND 58502

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

## ADDITIONAL INSURED - OWNERS, LESSEES OR CONTRACTORS- SCHEDULED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

### SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s)	Location(s) Of Covered Operations
Information required to complete this Schedule, if not shown above, will be shown on the Declarations.	

**A. Section II – Who Is An Insured** is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to your liability for "bodily injury", "property damage" or "personal and advertising injury" which may be imputed to that person(s) or organization(s) directly arising out of:

1. Your acts or omissions; or
  2. The acts or omissions of those acting on your behalf;
- in the performance of your ongoing operations for the additional insured(s) at the location(s) designated above.  
However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and
2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

A person's or organization's status as an insured under this endorsement ends when your operations for that insured at that location are completed.

**B. With respect to the insurance afforded to these additional insureds, the following additional exclusions apply:**

This insurance does not apply to "bodily injury" or "property damage" occurring after:

All work, including materials, parts or equipment furnished in connection with such work, on the project (other than service, maintenance or repairs) to be performed by or on behalf of the additional insured(s) at the location of the covered operations has been completed; or

2. That portion of "your work" out of which the injury or damage arises has been put to its intended use by any person or organization other than another contractor or subcontractor engaged in performing operations for a principal as a part of the same project.

**C. With respect to the insurance afforded to these additional insureds, the following is added to Section III – Limits Of Insurance:**

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or
  2. Available under the applicable Limits of Insurance shown in the Declarations;
- whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.



THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

## ADDITIONAL INSURED-ENGINEERS, ARCHITECTS OR SURVEYORS NOT ENGAGED BY THE NAMED INSURED

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

### SCHEDULE

Name of Additional Insured Engineers, Architects or Surveyors Not Engaged By The Named Insured:
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

**A. Section II - Who Is An Insured** is amended to include as an additional insured any architects, engineers or surveyors shown in the Schedule, but only with respect to liability for "bodily injury" or "property damage" or "personal and advertising injury" which may be imputed to that architect, engineer or surveyor directly arising out of:

1. Your acts or omissions; or
  2. Your acts or omissions of those acting on your behalf;
- in the performance of your ongoing operations performed by you or on your behalf.

Such architects, engineers or surveyors, while not engaged by you, are contractually required to be added as an additional insured to your policy.

However, the insurance afforded to such additional insured:

1. Only applies to the extent permitted by law; and
2. Will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

A person's or organization's status as an insured under this endorsement ends when your operations for that insured at that location are completed.

**B.** With respect to the insurance afforded to these additional insureds, the following additional exclusion applies:

This insurance does not apply to "bodily injury", "property damage" or "personal and advertising injury" arising out of the rendering of or failure to render any professional services, including:

1. The preparing, approving, or failing to prepare or approve, maps, drawings, opinions, reports, surveys, change orders, designs or specifications; or
2. Supervisory, inspection or engineering services.

This exclusion applies even if the claims against any insured allege negligence or other wrongdoing in the supervision, hiring, employment, training or monitoring of others by that insured, if the "occurrence" which caused the "bodily injury" or "property damage", or the offense which caused the "personal and advertising injury", involved the rendering of or the failure to render any professional services.

**C.** With respect to the insurance afforded to these additional insureds, the following is added to **Section III - Limits Of Insurance**:

The most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or
2. Available under the applicable Limits of Insurance shown in the Declarations;

whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.





North Dakota Workforce  
Safety & Insurance

Bryan Klipfel  
Director

March 11, 2021

David Bohlman  
Bohlman Trenching Service Inc  
PO Box 238  
Thompson ND 58278-0238

Account Information      Employer account number: 1275063  
Issue date: 03/10/2021  
Expiration date: 12/14/2021

## Certificate of Payment

### Reason For Notice

Workforce Safety & Insurance (WSI) certifies Bohlman Trenching Service Inc has North Dakota workers' compensation coverage from 10/01/2020 to 09/30/2021. Employees of Bohlman Trenching Service Inc are entitled to apply for WSI benefits.

### Required Action

Employers must post this Certificate of Payment in a conspicuous manner at the workplace. A penalty of \$250 may apply for failure to comply with this requirement. See North Dakota Century Code § 65-04-04.

### Additional Information

Coverage under this certificate extends to employers for their North Dakota exposure. Limited coverage may be extended for temporary and/or incidental exposure outside of North Dakota.

WSI may revoke the Certificate of Payment for failure to make required premium payments.

### For More Information

Contact customer service at 800-777-5033 or 701-328-3800 with questions.

Class	Classification Description
3630	Auto Repair-Body Shops-Mech
6042H	Gravel Hauling
6221	Excavating
6301	Sewer-Water-Gas-Oil-Pipeline Const

Sincerely,

*Barry Schumacher*

Barry Schumacher  
Chief of Employer Services

PL5



US ARMY CORPS OF ENGINEERS  
North Dakota Regulatory Office  
3319 University Drive  
Bismarck North Dakota 58504-7565

Hasler

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US POSTAGE

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## PUBLIC NOTICE

DENNIS REEP  
BURLEIGH COUNTY WRD  
PO BOX 1255  
BISMARCK ND 58502

**Request to Postmasters:** Please post this notice in a conspicuous place until the expiration date specified at the top of page one.

**Notice to Editors:** This notice is provided for your use in developing news stories only. No payment for publication will be provided.



# Public Notice

U.S. ARMY CORPS OF ENGINEERS

BUILDING STRONG®

**Subject: Public Notice of Permit Application**

**Action ID: NWO-1986-09168-BIS**

**Comments Period: May 19 – June 9, 2021**

**SUBJECT:** The U.S. Army Corps of Engineers, Omaha District, (Corps) is evaluating a permit application for a 300-350 linear foot bank stabilization project at McDowell Dam Recreation area, which would result in a total length of shoreline stabilized by the applicant to exceed the parameters of a nationwide permit. This notice is to inform interested parties of the proposed activity and to solicit comments. This notice may also be viewed at the Corps web site at <http://www.nwo.usace.army.mil/Missions/RegulatoryProgram/NorthDakota/PublicNotices.aspx>

**AUTHORITY:** This application is being evaluated under Section 404 of the Clean Water Act for the discharge of dredged or fill material in waters of the United States.

**APPLICANT:** Burleigh County Water Resource District  
Attn: Dennis Reep, Chairman  
PO Box 1255  
Bismarck, North Dakota 58502

**LOCATION:** The project would take place on the eastern shoreline of the impoundment of a tributary to Apple Creek created by McDowell Dam. The McDowell Dam Recreation Area is located east of Bismarck in Section 27, Township 139 North, Range 79 West, Latitude 46.830319° North, Longitude -100.635535° West, Burleigh County, North Dakota.

**PROJECT DESCRIPTION:** The applicant is proposing to stabilize between 300 and 350 linear feet of shoreline to check erosion threatening an established pedestrian trail. Approximately 418 cubic yards of material is proposed to be utilized to complete the project with about one-third or 140 cubic yards being placed below the ordinary high water mark. Budgetary constraints may reduce the totals, but the proposal represents the maximum amount likely to be discharged. The attached drawings provide additional project details.

## **ADDITIONAL INFORMATION:**

**Environmental Setting.** The impoundment created by McDowell Dam covers approximately 56 acres and includes 3.2 miles of shoreline. Average water depth is 12.3 feet and maximum depth is 39.6 feet. Bluegill and largemouth bass are abundant, and North Dakota Game and Fish Department releases catchable-sized trout each spring. The McDowell Dam Recreation Area is a 271-acre, day-use-only park owned by the applicant and managed by Bismarck Parks and Recreation District. The park features a 2.45-mile nature trail encircling the water, picnic shelters, horseshoe pits, concession area, playground and restrooms. In addition, it offers water-based recreation with a large swimming beach, boat

**U.S. ARMY CORPS OF ENGINEERS – Omaha District**

North Dakota Regulatory Office, 3319 University Drive, Bismarck, North Dakota 58504-7565

<http://www.nwo.usace.army.mil/Missions/Regulatory-Program/North-Dakota/>



ramp, several fishing docks and small watercraft rentals. Visit the parks website for additional information: <https://www.bisparks.org/facilities/mcdowell-dam-recreation-area/>

**Alternatives.** Due to the trail's proximity to the property line, additional land rights would have to be obtained to move the trail away from the eroding bank. The applicant has reached out to the adjacent landowner, who is not interested in that option. No alternative stabilization designs have been provided as the consultant anticipated the project to be permitted under a nationwide permit. As stated above, cumulative impacts caused evaluation to be elevated to a standard permit. Additional information concerning project alternatives may be available from the applicant or their consultant, Houston Engineering, Bismarck. Other alternatives may develop during the review process for this permit application. All reasonable project alternatives, in particular those which may be less damaging to the aquatic environment, will be considered.

**Mitigation.** The Corps requires that applicants consider and use all reasonable and practical measures to avoid and minimize impacts to aquatic resources. If the applicant is unable to avoid or minimize all impacts, the Corps may require compensatory mitigation. No mitigation has been proposed.

**OTHER GOVERNMENTAL AUTHORIZATIONS:** Water quality certification or a waiver, as required under Section 401 of the Clean Water Act from the North Dakota Department of Environmental Quality is required for this project. The applicant has submitted a pre-filing meeting request and is waiting the required 30 days until submitting the certification request.

**HISTORIC PROPERTIES:** The Corps preliminary determination is that the project would have No Potential to Cause Effect as all work would occur on the eroding bankline. However, the final determination will be made after receiving comments in response to this public notice. The Corps will initiate consultation with the State Historic Preservation Officer under Section 106 of the National Historic Preservation Act, as appropriate.

**ENDANGERED SPECIES:** The project would not affect any Federally-listed threatened or endangered species or their critical habitat that are protected by the Endangered Species Act.

The above determinations are based on information provided by the applicant and our preliminary review.

**EVALUATION FACTORS:** The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the described activity, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the described activity will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of

**U.S. ARMY CORPS OF ENGINEERS – Omaha District**

North Dakota Regulatory Office, 3319 University Drive, Bismarck, North Dakota 58504-7565  
<http://www.nwo.usace.army.mil/Missions/Regulatory-Program/North-Dakota/>

the people. The activity's impact on the public interest will include application of the Section 404(b)(1) guidelines promulgated by the Administrator, Environmental Protection Agency (40 CFR Part 230).

The Corps is soliciting comments from the public, Federal, State, and local agencies and officials, Indian tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

**SUBMITTING COMMENTS:** Written comments, referencing Public Notice NWO-1986-09168-BIS must be submitted to the office listed below on or before June 9, 2021.

Toni R. Erhardt, Senior Project Manager  
US Army Corps of Engineers, Omaha District  
North Dakota Regulatory Office  
3319 University Drive  
Bismarck, North Dakota 58504  
Email: [CENWO-OD-RND@usace.army.mil](mailto:CENWO-OD-RND@usace.army.mil)

The Corps is particularly interested in receiving comments related to the proposal's probable impacts on the affected aquatic environment and the secondary and cumulative effects. Anyone may request, in writing, that a public hearing be held to consider this application. Requests shall specifically state, with particularity, the reason(s) for holding a public hearing. If the Corps determines that the information received in response to this notice is inadequate for thorough evaluation, a public hearing may be warranted. If a public hearing is warranted, interested parties will be notified of the time, date, and location. Please note that all comment letters received are subject to release to the public through the Freedom of Information Act. If you have questions or need additional information please contact the applicant or the Corps' project manager Toni R. Erhardt at (701) 255-0015, extension 2003 or by email at [Toni.R.Erhardt@usace.army.mil](mailto:Toni.R.Erhardt@usace.army.mil).

Attachments: 4 drawings



# CONSTRUCTION PLANS FOR BURLEIGH COUNTY WATER RESOURCE DISTRICT MCDOWELL DAM BANK STABILIZATION 2021

BISMARCK, ND  
MARCH 2021

## GOVERNING STANDARDS:

MANUAL FOR UNIFORM TRAFFIC CONTROL DEVICES (MUTCD), 2009 EDITION. THIS SPECIFICATION INCLUDES THE SHAPES, COLORS, AND FONTS USED IN ROAD MARKINGS AND SIGNS. ALL TRAFFIC CONTROL DEVICES MUST CONFORM TO THESE STANDARDS.

## GOVERNING SPECIFICATIONS:

CONSTRUCTION SPECIFICATIONS FOR MUNICIPAL PUBLIC WORKS IMPROVEMENTS, ADOPTED BY THE CITY OF MANDAN, NORTH DAKOTA, SHALL APPLY TO ALL STANDARD DRAWINGS CURRENTLY IN EFFECT AND OTHER CONTRACT PROVISIONS SUBMITTED HEREIN.

## UTILITY NOTE:

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION, AS-BUILT MAPS AS PROVIDED BY MUNICIPALITIES OR UTILITY COMPANIES, AND/OR EXISTING DRAWINGS. THERE IS NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN INDICATE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. NOR IS THERE A GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES. THE CONTRACTOR AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MAY RESULT FROM THEIR FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UTILITIES.

## ENGINEER'S CERTIFICATE

I, TRAVIS G. JOHNSON, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THE CONSTRUCTION PLANS FOR THE MCDOWELL DAM BANK STABILIZATION 2021, BISMARCK, ND WERE PREPARED UNDER MY SUPERVISION AND ARE COMPLETE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATE:

TRAVIS G. JOHNSON, PE  
REGISTERED PROFESSIONAL ENGINEER  
NORTH DAKOTA REGISTRATION NO. PE-5746

This document was originally

issued and sealed by

TRAVIS G. JOHNSON

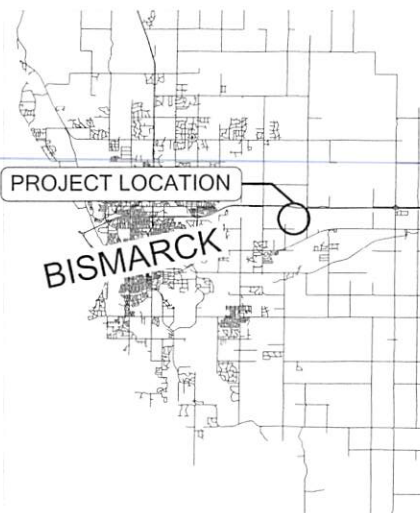
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VICINITY MAP

## SHEET INDEX

11 PAGES

1. COVER SHEET
2. ABBREVIATIONS, LEGEND, NOTES & QUANTITIES
3. SITE MAP
4. CULVERT INSTALLATION
5. TRAIL RELOCATION
6. BANK STABILIZATION
7. CULVERT REPLACEMENT
8. PLANT SCHEDULE OVERVIEW
- 9-11. PLANT SCHEDULE



LOCATION MAP

PREPARED BY:



BISMARCK, NORTH DAKOTA

HEI PROJECT NO. 1032-0105

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## LEGEND

	EXISTING	NEW
WATER MAIN	— W —	— W —
SANITARY SEWER MAIN	— SS —	— SS —
SANITARY SEWER FORCE	— SSF —	— SSF —
STORM SEWER MAIN	— STS —	— STS —
STORM HOLE	—	●
SANITARY MANHOLE	—	●
STORM MANHOLE	—	●
UTILITY MANHOLE	—	●
CLEANOUT	—	●
FIRE HYDRANT	—	●
GATE VALVE	—	●
CURBSTOP	—	●
WELL	—	●
UTILITY POLE	—	●
W / GUY WIRE	—	—
LIGHT POLE	—	—
TELEPHONE RISER	—	—
ELECTRICAL PLUG IN	—	—
AC UNIT	—	—
ELECTRICAL BOX	—	—
ELECTRIC METER	—	—
GAS METER	—	—
TRANSFORMER	—	—
OVERHEAD POWER	— OHP —	—
UNDERGROUND ELECTRIC	— UGE —	—
UNDERGROUND TELEPHONE	— UGT —	—
UNDERGROUND FIBER OPTIC	— FO —	—
CABLE TV	— CTV —	—
GAS MAIN	— GAS —	—
CONIFEROUS TREE	—	—
DECIDUOUS TREE	—	—
SHRUB	—	—
HEDGE	—	—
SGN	—	—
GUARD POST	—	—
FENCE	— X —	— X —
BARB WIRE FENCE	— X —	— X —
CHAIN LINK FENCE	— X —	— X —
STEEL FENCE	— X —	— X —
VINYL FENCE	— X —	— X —
WOOD FENCE	— X —	— X —
RAILROAD TRACKS	—	—
SPOT ELEVATION	—	—
STANDARD CURB & GUTTER	—	—
MOUNTABLE CURB & GUTTER	—	—
CURB & INVERTED GUTTER	—	—
BUILDING	—	—
NEW ASPHALT	—	—
NEW CONCRETE	—	—
THICKENED EDGE SIDEWALK	—	—
RIGHT OF WAY LINE	—	—
DIRECTION OF DRAINAGE	—	—
IRON MONUMENT FOUND	—	—
IRON MONUMENT SET	—	—
CHISELED MARK ON CONCRETE	—	—
PK NAIL	—	—
SOIL BORING	—	—

## ESTIMATED QUANTITIES

Item No.	Description	Unit	Quantity
1	CONTRACT BOND	LSUM	1
2	WORKMAN	LSUM	1
3	CLEARING AND GRUBBING	LSUM	1
4	18" CLIP CURB/FT	LF	40
5	IMPORTED FILL	CV	28
6	TREES - TURBISH ONLY	EA	101
7	TREE GATOR - FURBISH ONLY	EA	101
8	RIPRAP-TYPE M	TON	220
9	GEOTEXTILE FABRIC TYPE RR	SY	640
10	TRAIL CLOSURE BARRICADE & SAFETY FENCE	LSUM	1
11	SEEDING CLASS VI	AC	0.26
	SPED INVOICING CONSTRUCTION WORK		
in-kind	Stud Bldg to Move Tool	HR	40
in-kind	Stud Bldg Operator	HR	40
in-kind	General Laborer	HR	100
12	RIPRAP-TYPE M	TON	158
13	GEOTEXTILE FABRIC TYPE RR	SY	223

## BASIS OF ESTIMATE

RIPRAP 357 23 CY \* 1.4 TONS/CY = 500 TONS

## CONSTRUCTION NOTES

- CONSTRUCTION STAKING WILL BE SUPPLIED BY THE OWNER. THE CONTRACTOR SHALL PROTECT AND PRESERVE ALL SURVEY STAKES AND MONUMENTS. STAKES OR MONUMENTS DAMAGED BY THE CONTRACTOR SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE BY A REGISTERED SURVEYOR.
- THIS PROJECT SHALL BE COVERED UNDER A STATE OF NORTH DAKOTA, NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) STORMWATER DISCHARGE PERMIT. THE CONTRACTOR WILL BE THE ORIGINATOR AND SIGNER OF THIS PERMIT AND BE RESPONSIBLE FOR CONTROLLING EROSION AND SEDIMENT RUNOFF FROM THE PROJECT. THE CONTRACTOR SHALL SUBMIT A STORM WATER POLLUTION PREVENTION PLAN (SWPPP) TO THE ENGINEER FOR REVIEW PRIOR TO COMMENCING ANY WORK ON THE PROJECT SITE.
- CONTRACTOR SHALL PLACE EROSION CONTROL AS REQUIRED BY NPDES PERMIT AND AS DIRECTED BY THE ENGINEER.
- THE CONTRACTOR SHALL NOTIFY SURVEYOR 72 HOURS IN ADVANCE FOR ANY SURVEY STAKING REQUESTS.
- THE CONTRACTOR SHALL KEEP ALL STOCKPILES AND CONSTRUCTION EQUIPMENT WITHIN THE DESIGNATED CONSTRUCTION LIMITS VIA TEMPORARY CONSTRUCTION EASEMENT. CONTRACTOR SHALL BECOME FAMILIAR WITH AND SHALL ABIDE BY THE TERMS OF THE EASEMENT WITH FULL COOPERATION GIVEN TO THE LANDOWNER. CONTRACTOR SHALL NOTIFY THE ENGINEER OF ANY AGREEMENT WITH ADJACENT LANDOWNERS ASSOCIATED WITH CONSTRUCTION ACTIVITIES.
- THE CONTRACTOR IS COMPLETELY RESPONSIBLE FOR ALL PROJECT SITE SAFETY.
- ALL BENCHMARKS ARE NAVD 88.
- ALL PERMITS SHALL BE OBTAINED BY THE CONTRACTOR.
- GRADE AND SHAPE AS NECESSARY USING ON SITE MATERIAL. SOIL MUST BE FREE FROM MASSES OF ORGANIC MATTER, STICKS, BRANCHES, ROOTS, AND OTHER DEBRIS, INCLUDING HAZARDOUS AND REGULATED SOLID WASTES.
- IN-KIND CONTRIBUTION TRAIL WORK AND TREE PLACEMENT WILL BE DONE BY OTHERS IN CONJUNCTION WITH THE CONTRACTOR PERFORMED WORK.

## SITE PLAN CONSTRUCTION NOTES

- ALL CONSTRUCTION MUST CONFORM TO THE MOST RECENT EDITION OF THE CITY OF BISMARCK CONSTRUCTION SPECIFICATIONS FOR MUNICIPAL PUBLIC WORKS IMPROVEMENTS AS WELL AS STATE COUNTY AND FEDERAL REQUIREMENTS.
- ALL PERMITS NECESSARY FOR THE WORK OF THE CIVIL PLANS SHALL BE PAID AND OBTAINED BY THE CONTRACTOR.

## GRADING CONSTRUCTION NOTES

- THE CONTRACTOR SHALL PERFORM CLEARING AND GRUBBING.
- UNSATISFACTORY MATERIALS AS DESCRIBED IN THE CITY SPECIFICATIONS SHALL BE REMOVED FROM THE SITE.
- PROPOSED CONTOURS SHOWN ARE TO FINAL GRADE (TOP OF TOPSOIL).

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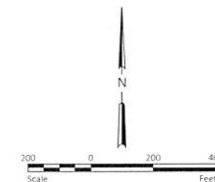
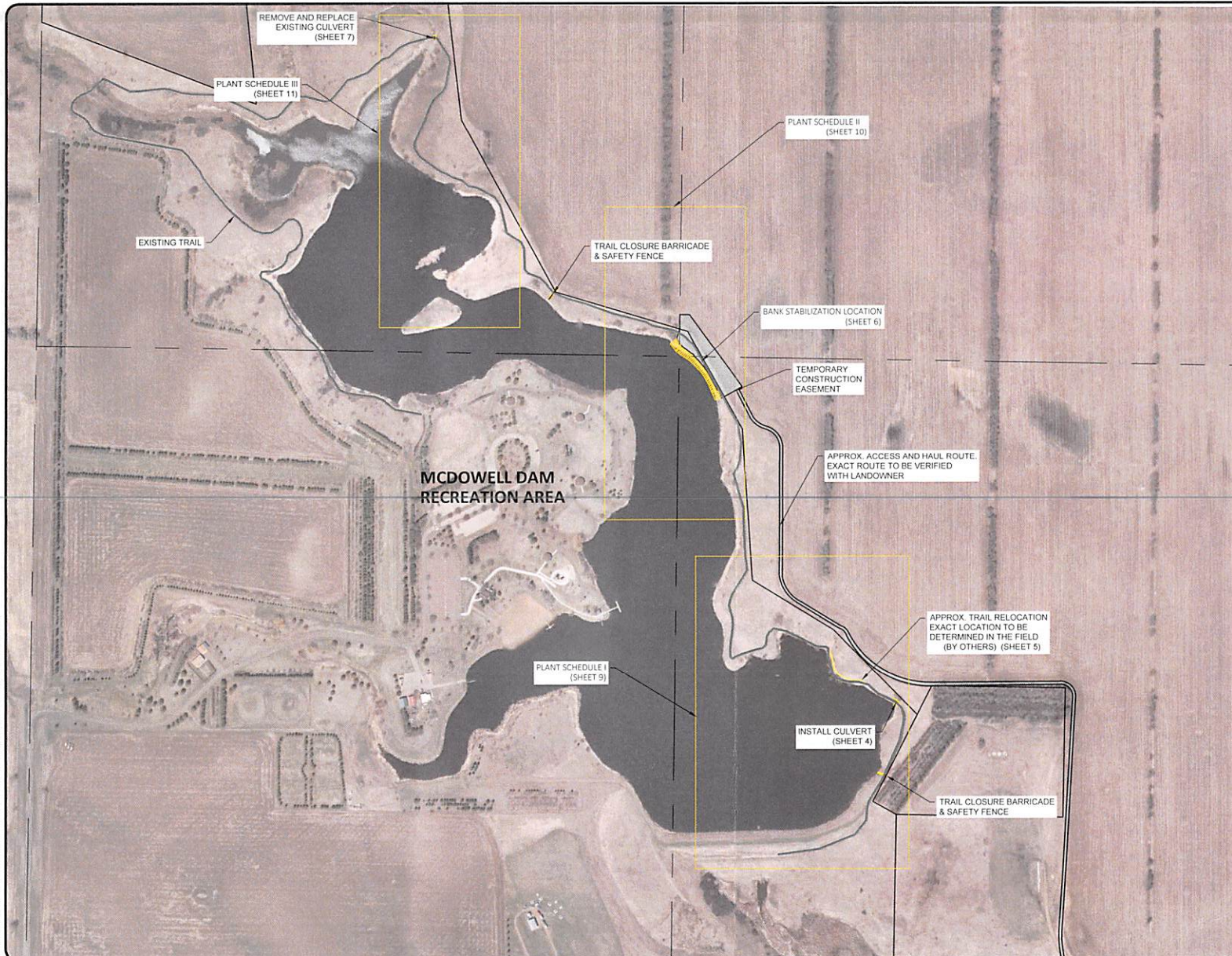
MCDOWELL DAM BANK STABILIZATION 2021  
 BURLEIGH COUNTY WATER RESOURCE DISTRICT  
 BISMARCK, ND

NOTES, QUANTITIES, LEGEND  
 PROJECT NO. 1032-0105

SHEET  
**2**



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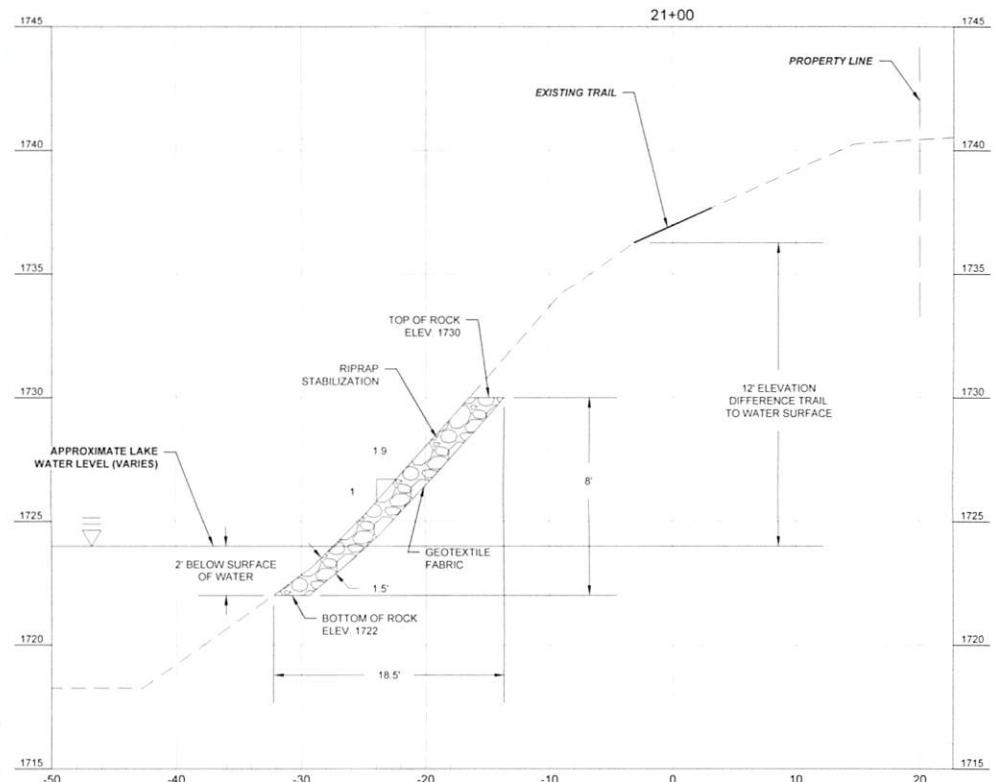
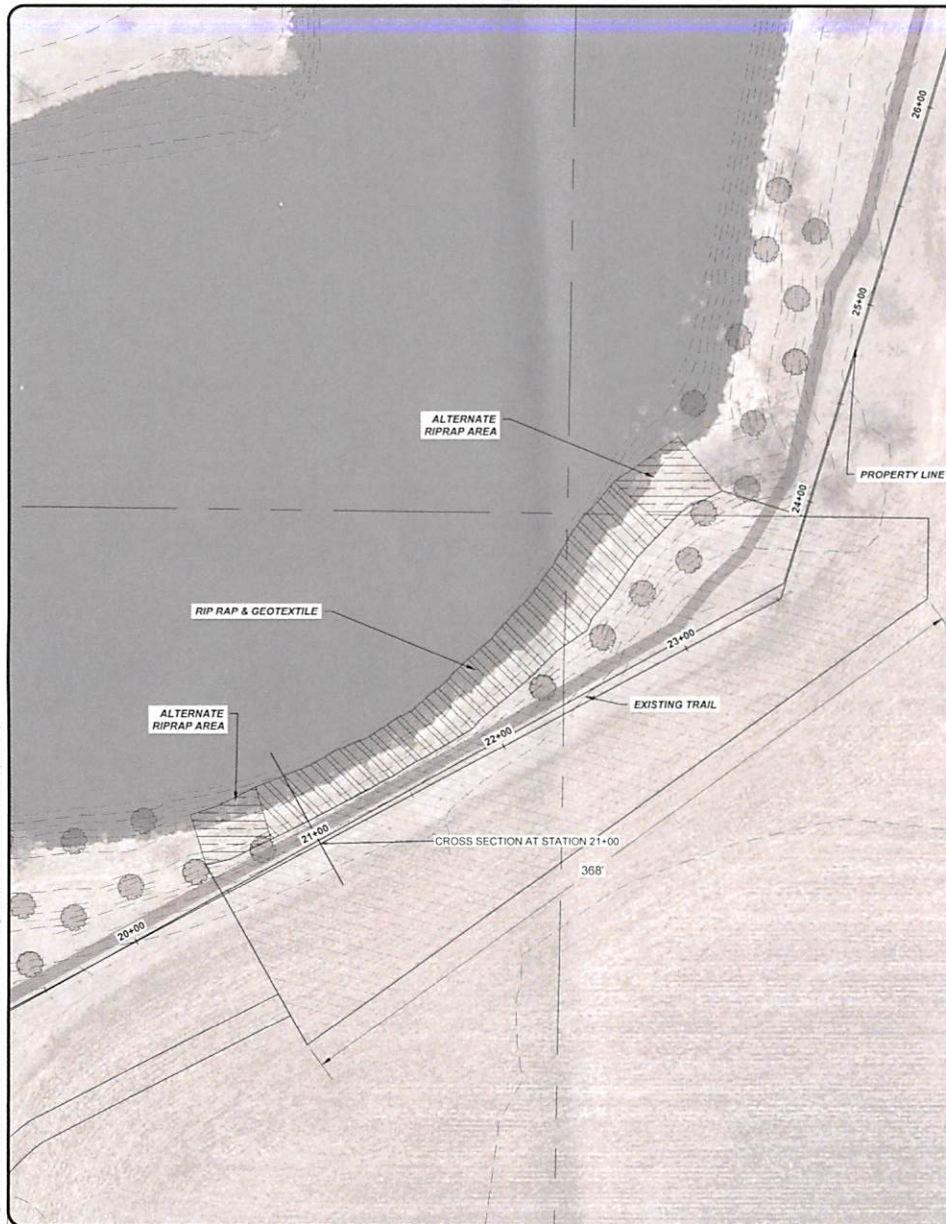
MCDOWELL DAM BANK STABILIZATION 2021  
 BURLEIGH COUNTY WATER RESOURCE DISTRICT  
 BISMARCK, ND

SITE MAP  
 PROJECT NO. 1032-0105

SHEET  
 3



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**LEGEND:**

- PRIMARY RIPRAP & GEOTEXTILE
- ALTERNATE RIPRAP & GEOTEXTILE
- TEMPORARY CONSTRUCTION EASEMENT
- CONSTRUCTION HAUL ROUTE

- NOTE:**
1. DIMENSIONS MAY VARY. DIMENSIONS SHOWN ARE AT STATION 21+00 AND ARE FOR REFERENCE.
  2. ASSUME TYPICAL GEOTEXTILE FABRIC ON THE GROUND WIDTH OF 24'.

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MCDOWELL DAM BANK STABILIZATION 2021  
 BURLEIGH COUNTY WATER RESOURCE DISTRICT  
 BISMARCK, ND

BANK STABILIZATION  
 PROJECT NO. 1032-0105

SHEET  
**6**

HEI NO: 1032-0105



## Burleigh County Water Resource District (BCWRD)

06/04/21

## Balance Sheet

Accrual Basis

As of June 9, 2021

	Jun 9, 21
<b>ASSETS</b>	
Current Assets	
Checking/Savings	
American Bank Center Checking	1,110,935.41
Designated Reserve Funds	
Aero Club Rent	13.00
Apple Valley	19,000.00
Apple Valley Spec. Assessment	12,626.81
Brookfield Estates	2,377.34
Burnt Creek	115,000.00
Emergency Fund	265,037.13
Hay Creek Watershed	100,000.00
McDowell Dam (Buffer Zone)	80,000.00
McDowell Dam Capital Improvemen	60,000.00
McDowell Dam Fresh Water Intake	410,000.00
McDowell Rent	10,609.00
Missouri River Bank Stabilizati	124,906.33
Sibley Island	500,000.00
Designated Reserve Funds - Other	262.64
Total Designated Reserve Funds	1,699,832.25
Total Checking/Savings	2,810,767.66
Other Current Assets	
11010 · Taxes Receivable	9,875.67
Total Other Current Assets	9,875.67
Total Current Assets	2,820,643.33
Fixed Assets	
15005 · Land	112,481.50
15010 · Infrastructure	6,679,991.93
15015 · Land Improvements	1,810,033.62
15020 · Buildings	187,659.68
15025 · Office Furniture & Equipment	162,206.58
15051 · Acc Depr - Infrastructure	-230,788.13
15052 · Acc Depr - Land Improvements	-989,289.34
15053 · Acc Depr - Building	-151,017.71
15054 · Acc Depr - Office Furn & Equip	-114,986.82
Total Fixed Assets	7,466,291.31
<b>TOTAL ASSETS</b>	<b>10,286,934.64</b>
<b>LIABILITIES &amp; EQUITY</b>	
Liabilities	
Current Liabilities	
Other Current Liabilities	
24000 · Payroll Liabilities	624.91
Total Other Current Liabilities	624.91
Total Current Liabilities	624.91
Long Term Liabilities	
23200 · Rehab Apple Valley Waste Water	160,000.00
237 · Burnt Creek Floodway	280,000.00
23800 · Missouri River Correctional Cen	310,000.00
23900 · Fox Island Improvement	1,340,000.00
25000 · Bond Discount	-26,477.50
Total Long Term Liabilities	2,063,522.50
Total Liabilities	2,064,147.41
Equity	
32000 · Retained Earnings	7,403,068.52

Burleigh County Water Resource District (BCWRD)  
**Balance Sheet**  
As of June 9, 2021

	Jun 9, 21
Net Income	819,718.71
Total Equity	8,222,787.23
TOTAL LIABILITIES & EQUITY	10,286,934.64

Burleigh County Water Resource District (BCWRD)  
Profit & Loss by Class  
January 1 through June 9, 2021

	TOTAL	- General	Apple Valley	Burnt Creek Floodway	Burnt Creek Watershed	Fox Island	McDowell Dam	Missouri River Gen.	MRCC	Sibley Island	TOTAL
Income											
31110 · Real Estate Tax	762,571.42	762,571.42	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	762,571.42
31810 · In Lieu of Tax	399.49	399.49	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	399.49
34220 · Operating Grants	8,356.73	0.00	0.00	0.00	0.00	0.00	8,356.73	0.00	0.00	0.00	8,356.73
36110 · Interest	96.01	96.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	96.01
36210 · McDowell Dam Recreation Income	1,003.39	0.00	0.00	0.00	0.00	0.00	1,003.39	0.00	0.00	0.00	1,003.39
36215 · McDowell Dam Land Lease	500.00	0.00	0.00	0.00	0.00	0.00	500.00	0.00	0.00	0.00	500.00
43610 · State Aid Distribution	10,769.92	10,769.92	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10,769.92
43810 · Reimbursements	232,385.94	2,371.26	0.00	141,532.74	0.00	25,246.62	0.00	18,856.50	6,761.07	37,617.75	232,385.94
46910 · Misc Revenue	1,448.00	1,423.00	0.00	0.00	0.00	0.00	25.00	0.00	0.00	0.00	1,448.00
Total Income	1,017,530.90	777,631.10	0.00	141,532.74	0.00	25,246.62	9,885.12	18,856.50	6,761.07	37,617.75	1,017,530.90
Gross Profit	1,017,530.90	777,631.10	0.00	141,532.74	0.00	25,246.62	9,885.12	18,856.50	6,761.07	37,617.75	1,017,530.90
Expense											
111 · Payroll Expenses	9,648.00	9,648.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9,648.00
111A · Payroll Taxes	775.39	775.39	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	775.39
113 · Accounting & Contract Services	11,565.00	11,565.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	11,565.00
312 · Legal Fees	5,032.13	5,032.13	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	5,032.13
315 · Engineering Administration	10,641.00	10,641.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10,641.00
376 · Dues & Publications	2,600.00	2,600.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2,600.00
411 · Office Expense	1,093.20	1,093.20	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,093.20
50913 · Interest Expense	16,596.62	0.00	2,000.00	3,900.00	0.00	6,509.12	0.00	0.00	4,187.50	0.00	16,596.62
905 · McDowell Dam-Capital Improvemen	25,475.31	0.00	0.00	0.00	0.00	0.00	25,475.31	0.00	0.00	0.00	25,475.31
910 · Projects											
Administration	60,220.85	0.00	400.00	530.00	0.00	450.00	58,310.85	0.00	530.00	0.00	60,220.85
Engineering	12,410.25	2,285.75	0.00	0.00	0.00	0.00	9,664.50	460.00	0.00	0.00	12,410.25
Legal Fees	1,965.00	183.40	0.00	131.00	655.00	209.60	0.00	0.00	0.00	786.00	1,965.00
O&M	2,763.74	0.00	0.00	2,763.74	0.00	0.00	0.00	0.00	0.00	0.00	2,763.74
Total 910 · Projects	77,359.84	2,469.15	400.00	3,424.74	655.00	659.60	67,975.35	460.00	530.00	786.00	77,359.84
937 · Design/Special Assessment	34,129.70	0.00	0.00	0.00	0.00	8,760.00	0.00	14,918.00	0.00	10,451.70	34,129.70
940 · Operations & Maintenances											
940A · Burnt Creek Watershed	543.75	0.00	0.00	543.75	0.00	0.00	0.00	0.00	0.00	0.00	543.75
940 · Operations & Maintenances - Other	695.25	0.00	0.00	695.25	0.00	0.00	0.00	0.00	0.00	0.00	695.25
Total 940 · Operations & Maintenances	1,239.00	0.00	0.00	1,239.00	0.00	0.00	0.00	0.00	0.00	0.00	1,239.00
941 · Stream Gages	1,657.00	1,657.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,657.00
Total Expense	197,812.19	45,480.87	2,400.00	8,563.74	655.00	15,928.72	93,450.66	15,378.00	4,717.50	11,237.70	197,812.19
Net Income	819,718.71	732,150.23	-2,400.00	132,969.00	-655.00	9,317.90	-83,565.54	3,478.50	2,043.57	26,380.05	819,718.71



# NORTH DAKOTA OFFICE OF THE STATE AUDITOR

State Auditor Joshua C. Gallion

## Burleigh County Water Resource District

Bismarck, North Dakota

Audit Report for the Year Ended December 31, 2020

Client Code: PS8010



Photo credit: North Dakota Tourism

# BURLEIGH COUNTY WATER RESOURCE DISTRICT

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## BURLEIGH COUNTY WATER RESOURCE DISTRICT

District Officials and Audit Personnel

December 31, 2020

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### DISTRICT OFFICIALS

Dennis Reep  
Rodney Beck  
Rick Detwiller  
James Landenberg, PE  
Cory Palm

Chairman  
Vice Chairman  
Secretary/Treasurer  
Manager  
Manager

Wendy Egli  
David Bliss  
Michael Gunsch, PE

Secretary  
Attorney  
Engineer

### AUDIT PERSONNEL

Heath Erickson, CPA  
Michael Schmitcke, CPA

Audit Manager  
Audit In-Charge



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## INDEPENDENT AUDITOR'S REPORT

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Board of Commissioners  
Burleigh County Water Resource District  
Bismarck, North Dakota

### Report on the Financial Statements

We have audited the accompanying financial statements of the governmental activities and the major fund of the Burleigh County Water Resource District, Bismarck, North Dakota, as of and for the year ended December 31, 2020, and the related notes to the financial statements, which collectively comprise the Burleigh County Water Resource District's basic financial statements as listed in the table of contents.

### Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

### Auditor's Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

### Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and the major fund of the Burleigh County Water Resource District, Bismarck, North Dakota, as of December 31, 2020, and the respective changes in financial position, and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.



***Emphasis of Matter***

As discussed in Note 2 to the financial statements, the 2018 financial statements have been restated to correct a misstatement. Our opinion is not modified with respect to this matter.

***Other Matters***

***Required Supplementary Information***

Accounting principles generally accepted in the United States of America require that the *budgetary comparison schedules* and *notes to the required supplementary information* as listed in the table of contents be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Management has omitted the *management's discussion and analysis* that accounting principles generally accepted in the United States of America require to be presented to supplement the basic financial statements. Such missing information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. Our opinion on the basic financial statements is not affected by this missing information

***Other Reporting Required by Government Auditing Standards***

In accordance with *Government Auditing Standards*, we have also issued our report dated REPORT DATE on our consideration of Burleigh County Water Resource District's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering Burleigh County Water Resource District's internal control over financial reporting and compliance.

Joshua C. Gallion  
State Auditor

Bismarck, North Dakota  
REPORT DATE

**BURLEIGH COUNTY WATER RESOURCE DISTRICT**

## Statement of Net Position

December 31, 2020

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	<u>Governmental Activities</u>
<b>ASSETS</b>	
Cash and Cash Equivalents	\$ 2,133,447
Intergovernmental Receivable	10,816
Taxes Receivable	9,876
Special Assessments Receivable	1,413,758
Capital Assets, Net	<u>7,466,292</u>
Total Assets	<u>\$ 11,034,189</u>
<b>LIABILITIES</b>	
Accounts Payable	\$ 38,167
Salaries Payable	672
Long-Term Liabilities	
Due Within One Year	
Long-Term Debt	123,451
Due After One Year	
Long-Term Debt	<u>2,055,072</u>
Total Liabilities	<u>\$ 2,217,362</u>
<b>NET POSITION</b>	
Net Investment in Capital Assets	\$ 6,701,527
Restricted	
Conservation of Natural Resources	<u>2,115,300</u>
Total Net Position	<u><u>\$ 8,816,827</u></u>

The notes to the financial statements are an integral part of this statement.

**BURLEIGH COUNTY WATER RESOURCE DISTRICT**

## Statement of Activities

For the Year Ended December 31, 2020

Functions/Programs	Expenses	Program Revenues		Net (Expense) Revenue and Changes in Net Position
		Operating Grants and Contributions	Capital Grants and Contributions	
<b>Governmental Activities</b>				<b>Governmental Activities</b>
Conservation of Natural Resources	\$ 675,320	\$ 1,476,370	\$ -	\$ 801,050
Interest on Long-Term Debt	30,802	-	-	(30,802)
Total Governmental Activities	<u>\$ 706,122</u>	<u>\$ 1,476,370</u>	<u>\$ -</u>	<u>\$ 770,248</u>
<b>General Revenues</b>				
Taxes				\$ 910,855
Non-restricted Grants and Contributions				38,187
Interest Earnings				129
Miscellaneous Revenues				<u>39,208</u>
Total General Revenues				<u>\$ 988,379</u>
Change in Net Position				<u>\$ 1,758,627</u>
Net Position - January 1				<u>\$ 6,964,671</u>
Prior Period Adjustment				<u>93,529</u>
Net Position - January 1, as restated				<u>\$ 7,058,200</u>
Net Position - December 31				<u><u>\$ 8,816,827</u></u>

The notes to the financial statements are an integral part of this statement.

**BURLEIGH COUNTY WATER RESOURCE DISTRICT**

Balance Sheet – Governmental Funds

December 31, 2020

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	General Fund
<b>ASSETS</b>	
Cash and Cash Equivalents	\$ 2,133,447
Intergovernmental Receivable	10,816
Taxes Receivable	9,876
Special Assessments Receivable	<u>1,413,758</u>
 Total Assets	 <u><u>\$ 3,567,897</u></u>
 <b>LIABILITIES, DEFERRED INFLOWS OF RESOURCES AND FUND BALANCES</b>	
Liabilities	
Accounts Payable	\$ 38,167
Salaries Payable	<u>672</u>
 Total Liabilities	 <u><u>\$ 38,839</u></u>
 Deferred Inflows of Resources:	
Taxes Receivable	\$ 9,876
Special Assessments Receivable	<u>1,413,758</u>
 Total Deferred Inflows of Resources	 <u><u>\$ 1,423,634</u></u>
 Total Liabilities and Deferred Inflows of Resources	 <u><u>\$ 1,462,473</u></u>
 Fund Balances	
Restricted	
Conservation of Natural Resources	<u>\$ 2,105,424</u>
 Total Liabilities, Deferred Inflows of Resources, and Fund Balances	 <u><u>\$ 3,567,897</u></u>

The notes to the financial statements are an integral part of this statement.

## BURLEIGH COUNTY WATER RESOURCE DISTRICT

### Reconciliation of the Balance Sheet – Governmental Funds to the Statement of Net Position

December 31, 2020

---

**Total Fund Balances for Governmental Funds** \$ 2,105,424

Total *net position* reported for governmental activities in the statement of net position is different because:

Capital assets used in governmental activities are not financial resources and are not reported in the governmental funds. 7,466,292

Certain receivables will be collected after year-end, but are not available soon enough to pay for the current period's expenditures and therefore are reported as deferred revenues in the funds.

Property Taxes Receivable	\$ 9,876	
Special Assessments Receivable	<u>1,413,758</u>	1,423,634

Long-term liabilities applicable to the Water District's governmental activities are not due and payable in the current period and accordingly are not reported as fund liabilities. All liabilities, both current and long-term, are reported in the statement of net position.

Long-Term Debt	<u>(2,178,523)</u>
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**Total Net Position of Governmental Activities** \$ 8,816,827

The notes to the financial statements are an integral part of this statement.

**BURLEIGH COUNTY WATER RESOURCE DISTRICT**

## Statement of Revenues, Expenditures and Changes in Fund Balances – Governmental Funds

For the Year Ended December 31, 2020

	General Fund
<b>Revenues</b>	
Taxes	\$ 912,274
Intergovernmental	100,799
Interest Income	129
Miscellaneous	39,208
Total Revenues	<u>\$ 1,052,410</u>
<b>Expenditures</b>	
Current	
Payroll	\$ 21,521
Management Services	35,273
McDowell Dam - Capital Improvements	20,178
Projects	747,032
Design/Special Assessment	78,796
Drainage Complaints	7,303
Legal Fees	21,784
Engineering Administration	15,652
Miscellaneous	24,177
Debt Service	
Principal	50,000
Interest	20,887
Total Expenditures	<u>\$ 1,042,603</u>
Excess (Deficiency) of Revenues Over Expenditures	<u>\$ 9,807</u>
<b>Other Financing Sources (Uses):</b>	
Bond Proceeds	\$ 1,415,000
Less: Discounts	(17,687)
Less: Issuance Costs	(9,250)
Total Other Financing Sources and Uses	<u>\$ 1,388,063</u>
Net Change in Fund Balances	<u>\$ 1,397,870</u>
Fund Balance - January 1	<u>\$ 707,554</u>
Fund Balance - December 31	<u><u>\$ 2,105,424</u></u>

The notes to the financial statements are an integral part of this statement.

## BURLEIGH COUNTY WATER RESOURCE DISTRICT

Reconciliation of the Statement of Revenues, Expenditures and Changes in Fund Balances – Governmental Funds  
to the Statement of Activities  
For the Year Ended December 31, 2020

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### Net Change in Fund Balances - Total Governmental Funds

\$ 1,397,870

The change in net position reported for governmental activities in the statement of activities is different because:

Governmental funds report capital outlays as expenditures. However, in the statement of activities, the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense.

Capital Outlay	\$ 349,028	
Depreciation Expense	(125,681)	223,347

The proceeds of debt issuances are reported as other financing sources in governmental funds and contribute to change in fund balance. In the statement of net position, issuing debt increases long-term liabilities and does not affect the statement of activities. Repayment of debt principal is an expenditure in the governmental funds, but the repayment reduces long-term liabilities in the statement of net position.

Repayment of Debt	\$ 50,000	
Issuance of Debt	(1,415,000)	
Bond Discount Addition	17,687	(1,347,313)

Bond discounts are amortized over the life of the bond as interest expense using the straight-line method.

(665)

Some expenses reported in the statement of activities do not require the use of current financial resources and are not reported as expenditures in governmental funds.

Net Decrease in Retainage Payable		73,049
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Some revenues reported on the statement of activities are not reported as revenues in the governmental funds since they do not represent available resources to pay current expenditures.

Net Decrease in Taxes Receivable	\$ (1,419)	
Net Increase in Special Assessments Receivable	1,413,758	1,412,339.00

### Change in Net Position of Governmental Activities

\$ 1,758,627

The notes to the financial statements are an integral part of this statement.



## BURLEIGH COUNTY WATER RESOURCE DISTRICT

Notes to the Financial Statements  
For the Year Ended December 31, 2020

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### NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The financial statements of the Burleigh County Water Resource District ("District") have been prepared in conformity with accounting principles generally accepted in the United States of America (GAAP) as applicable to governments. The Governmental Accounting Standards Board (GASB) is the accepted setting body for establishing governmental accounting and financial reporting principles. The more significant of the District's accounting policies are described below.

#### Financial Reporting Entity

The accompanying financial statements present the activities of the Burleigh County Water Resource District. The District has considered all potential component units for which the District is financially accountable and other organizations for which the nature and significance of their relationships with the District are such that exclusion would cause the District's financial statements to be misleading or incomplete. The Governmental Accounting Standards Board has set forth criteria to be considered in determining financial accountability. These criteria include appointing a voting majority of an organization's governing body and (1) the ability of the District to impose its will on that organization or (2) the potential for the organization to provide specific financial benefits to, or impose specific financial burdens on the District.

Based on these criteria, there are no component units within the Burleigh County Water Resource District as a reporting entity.

#### Basis of Presentation

*Government-wide statements.* The statement of net position and the statement of activities display information about the primary government. These statements include the financial activities of the overall government, except for fiduciary activities. Eliminations have been made to minimize the double-counting of internal activities. Governmental activities generally are financed through taxes, intergovernmental revenues, service charges, and other non-exchange transactions.

The statement of activities presents a comparison between direct expenses and program revenues for each function of the District's governmental activities. Direct expenses are those that are specifically associated with a program or function and, therefore, are clearly identifiable to a particular function. Program revenues include (a) fees and charges paid by the recipients of goods or services offered by the programs and (b) grants and contributions that are restricted to meeting the operational or capital requirements of a particular program. Revenues that are not classified as program revenues, including all taxes, interest, and non-restricted grants and contributions, are presented as general revenues.

*Fund Financial Statements.* The fund financial statements provide information about the District's fund. Separate statements are provided for the governmental fund. The emphasis of fund financial statements is on the major governmental fund.

The District reports the following major governmental fund:

*General Fund:* This is the District's primary operating fund. It accounts for all financial resources of the general government.

## **Measurement Focus / Basis of Accounting**

**Government-wide Financial Statements:** The government-wide financial statements are reported using the economic resources measurement focus. The government-wide financial statements are reported using the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded at the time liabilities are incurred, regardless of when the related cash flows take place. Non-exchange transactions, in which the District gives (or receives) value without directly receiving (or giving) equal value in exchange, include property taxes, grants, entitlements, and donations. On an accrual basis, revenue from property taxes is recognized in the fiscal year for which the taxes are levied. Revenue from grants, entitlements, and donations is recognized in the fiscal year in which all eligibility requirements have been satisfied.

**Governmental Fund Financial Statements:** The governmental fund is reported using the current financial resources measurement focus and the modified accrual basis of accounting. Under this method, revenues are recognized when measurable and available. The District considers all revenues reported in the governmental funds to be available if the revenues are collected within sixty days after year-end. All revenues are considered to be susceptible to accrual. Expenditures are recorded when the related fund liability is incurred, except for principal and interest on long-term debt, and claims and judgments, which are recognized as expenditures to the extent they have matured. Capital asset acquisitions are reported as expenditures in governmental funds. Proceeds of long-term debt and acquisitions under capital leases are reported as other financing sources.

Under the terms of grant agreements, the District funds certain programs by a combination of specific cost-reimbursement grants and general revenues. Thus, when program expenses are incurred, there is both restricted and unrestricted net position available to finance the program. It is the District's policy to first apply cost-reimbursement grant resources to such programs, and then by general revenues.

When both restricted and unrestricted resources are available for use, it is the District's policy to use restricted resources first, then unrestricted resources as they are needed.

## **Cash**

Cash consists of amounts in demand deposits and money market accounts.

## **Capital Assets**

Capital assets include property, plant, and equipment. Assets are reported in the governmental activities column in the government-wide financial statements. Capital assets are defined by the government as assets with an initial, individual cost of more than \$5,000. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at acquisition value at the date of donation. The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend asset lives are not capitalized. Interest incurred during the construction phase of capital assets is not capitalized.

Capital assets are depreciated using the straight-line method over the following estimated useful lives:

<u>Assets</u>	<u>Years</u>
Buildings	50
Equipment	10
Land & Land Improvements	INDEFINITE
Infrastructure	10 - 50
Vehicles	5
Office Equipment	3
Major Projects	50

## **Long-Term Obligations**

In the government-wide financial statements, long-term debt and other long-term obligations are reported as liabilities in the governmental activities statement of net position.

In the fund financial statements, the face amount of the debt is reported as other financing sources. When applicable, premiums received on debt issuances are reported as other financing sources while discounts on debt issuances are reported as other financing uses. Issuance costs are reported as debt service expenditures. Issuance costs are reported as debt service expenditures.

## **Fund Balance Classifications**

It is the policy of the District to spend restricted resources first, followed by unrestricted resources. It is also the policy of the Board to spend unrestricted resources of funds in the following order: committed, assigned and then unassigned.

*Restricted Fund Balances.* Restricted fund balances are shown by primary function on the balance sheet. Restricted fund balances are restricted by tax levies (enabling legislation) and by outside 3rd parties (state and federal governments for various grants & reimbursements).

*Committed* – These amounts can only be used for specific purposes pursuant to constraints imposed by formal resolutions or ordinances of the board of commissioners-the District's highest level of decision-making authority. Those committed amounts cannot be used for any other purpose unless the board of commissioners removes the specified use by taking the same type of action imposing the commitment. This classification also includes contractual obligations to the extent that existing resources in the fund have been specifically committed for use in satisfying those contractual requirements.

*Assigned* – This classification reflects the amounts constrained by the District's "intent" to be used for specific purposes but are neither restricted nor committed.

*Unassigned* – This fund balance is the residual classification for the General Fund. It is also used to report negative fund balances in other governmental funds.

## **Net Position**

When both restricted and unrestricted resources are available for use, it is the District's policy to use restricted resources first, then unrestricted resources as they are needed.

Net investment in capital assets is reported for capital assets less accumulated depreciation, as well as net of any related debt to purchase or finance the capital assets. These assets are not available for future spending.

Restrictions of net position in the statement of net position are due to restricted tax levies and restricted federal & state grants/reimbursements.

## **NOTE 2 PRIOR PERIOD ADJUSTMENT**

Net position of the District as of January 1, 2020 has been restated for net capital asset adjustments as shown below. The results of the adjustment increased the beginning net position of the District.

	<b>Amounts</b>
Beginning Net Position, as Previously Reported	\$ 6,964,671
Prior Period Adjustments	
Capital Assets, Net	93,529
Net Position January 1, as Restated	<u>\$ 7,058,200</u>

## **NOTE 3 EXCESS OF EXPENDITURES OVER APPROPRIATIONS**

The District's expenditures exceeded appropriations by \$21,333 as of December 31, 2020.

## **NOTE 4 DEPOSITS**

### **Custodial Credit Risk**

Custodial credit risk is the risk associated with the failure of a depository institution, such that in the event of a depository financial institution's failure, the District would not be able to recover the deposits or collateralized securities that in the possession of the outside parties. The District does not have a formal policy regarding deposits that limits the amount it may invest in any one issuer.

In accordance with North Dakota Statutes, deposits must either be deposited with the Bank of North Dakota or in other financial institution situated and doing business within the state. Deposits, other than with the Bank of North Dakota, must be fully insured or bonded. In lieu of a bond, a financial institution may provide a pledge of securities equal to 110% of the deposits not covered by insurance or bonds.

Authorized collateral includes bills, notes, or bonds issued by the United States government, its agencies or instrumentalities, all bonds and notes guaranteed by the United States government, federal land bank bonds, bonds, notes, warrants, certificates of indebtedness, insured certificates of deposit, shares of investment companies registered under the Investment Companies Act of 1940, and all other forms of securities issued by the State of North Dakota, its boards, agencies or instrumentalities or by any county, city, township, school district, park district, or other political subdivision of the state of North Dakota. Whether payable from special revenues or supported by the full faith and credit of the issuing body and bonds issued by another state of the United States or such other securities approved by the banking board.

At year ended December 31, 2020, the District's carrying amount of deposits totaled \$2,133,447, and the bank balances totaled \$2,136,347. Of the bank balances, \$500,000 was covered by Federal Depository Insurance. The remaining bank balances were collateralized with securities held by the pledging financial institution's agent in the government's name.

## **NOTE 5 PROPERTY TAXES**

Property taxes are levied as of January 1. The property taxes attach as an enforceable lien on property on January 1. The tax levy may be paid in two installments: the first installment includes one-half of the real estate taxes and all the special assessments; the second installment is the balance of the real estate taxes. The first installment is due by March 1 and the second installment is due by October 15. A 5% discount is allowed if all taxes and special assessments are paid by February 15. After the due dates, the bill becomes delinquent and penalties are assessed.

## NOTE 6 RISK MANAGEMENT

The District is exposed to various risks of loss relating to torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters.

In 1986, state agencies and political subdivisions of the state of North Dakota joined together to form the North Dakota Insurance Reserve Fund (NDRF), a public entity risk pool currently operating as a common risk management and insurance program for the state and over 2,000 political subdivisions. The District pays an annual premium to NDRF for liability coverage. The coverage by NDRF is limited to losses of \$2,000,000.

The District also participates in the North Dakota Fire and Tornado Fund and the State Bonding Fund. The District pays an annual premium to the Fire and Tornado Fund to cover property damage to buildings and personal property. Replacement cost coverage is provided by estimating replacement cost in consultation with the Fire and Tornado Fund. The Fire and Tornado Fund is reinsured by a third-party insurance carrier for losses in excess of two million dollars per occurrence during a 12-month period. The State Bonding Fund currently provides the District with blanket fidelity bond coverage in the amount of \$1,222,704 for its employees. The State Bonding Fund does not currently charge any premium for this coverage.

## NOTE 7 CAPITAL ASSETS

The following is a summary of changes in capital assets for the year ended December 31, 2020:

	Balance January 1 Restated	Increases	Decreases	Transfers	Balance December 31
Capital assets not being depreciated					
Land	\$ 112,482	\$ -	\$ -	\$ -	\$ 112,482
Construction in Progress	4,740,771	331,030	-	(5,071,801)	-
<b>Total Capital Assets, Not Being Depreciated</b>	<b>\$ 4,853,253</b>	<b>\$ 331,030</b>	<b>\$ -</b>	<b>\$ (5,071,801)</b>	<b>\$ 112,482</b>
Capital assets, being depreciated					
Infrastructure	\$ 1,608,191	\$ -	\$ -	\$ 5,071,801	\$ 6,679,992
Land Improvements	1,810,033	-	-	-	1,810,033.00
Building	187,660	-	-	-	187,660.00
Office Furniture & Equip.	144,209	17,998	-	-	162,207.00
<b>Total Capital Assets, Being Depreciated</b>	<b>\$ 3,750,093</b>	<b>\$ 17,998</b>	<b>\$ -</b>	<b>\$ 5,071,801</b>	<b>\$ 8,839,892</b>
Less accumulated depreciation					
Infrastructure	\$ 171,772.00	\$ 59,016	\$ -	\$ -	\$ 230,788
Land Improvements	931,566	57,723	-	-	989,289.00
Building	149,594	1,424	-	-	151,018.00
Office Furniture & Equip.	107,469	7,518	-	-	114,987.00
<b>Total Accumulated Depreciation</b>	<b>\$ 1,360,401</b>	<b>\$ 125,681</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 1,486,082</b>
<b>Total Capital Assets Being Depreciated, Net</b>	<b>\$ 2,389,692</b>	<b>\$ (107,683)</b>	<b>\$ -</b>	<b>\$ 5,071,801</b>	<b>\$ 7,353,810</b>
<b>Total Capital Assets, Net</b>	<b>\$ 7,242,945</b>	<b>\$ 223,347</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 7,466,292</b>

Depreciation expense of \$125,681 was charged to conservation of natural resources.

## NOTE 8 LONG-TERM LIABILITIES

During the year ended December 31, 2020 the following changes occurred in liabilities reported in the Statement of Net Position:

	Balance January 1	Increases	Decreases	Balance December 31	Due Within One Year
<b>Long Term Debt</b>					
Loans Payable	\$ 170,000	\$ -	\$ 10,000	\$ 160,000	\$ 10,000
Bonds Payable	670,000	1,415,000	40,000	2,045,000	115,000
Bond Discount	(9,455)	(17,687)	665	(26,477)	(1,549)
<b>Total Long Term Debt</b>	<b>\$ 830,545</b>	<b>\$ 1,397,313</b>	<b>\$ 50,665</b>	<b>\$ 2,178,523</b>	<b>\$ 123,451</b>

Debt Service requirement on long-term debt at December 31, 2020 are as follows:

Year Ending December 31	Loans Payable		Bonds Payable		Bond Discount
	Principal	Interest	Principal	Interest	
2021	\$ 10,000	\$ 4,000	\$ 115,000	\$ 30,649	\$ 1,549
2022	10,000	3,750	105,000	31,480	1,549
2023	10,000	3,500	105,000	30,230	1,549
2024	10,000	3,250	110,000	28,930	1,549
2025	15,000	3,000	110,000	27,580	1,549
2026 - 2030	75,000	9,375	575,000	110,963	7,747
2031 - 2035	30,000	1,125	535,000	59,273	6,563
2036 - 2040	-	-	390,000	18,315	4,422
<b>Total</b>	<b>\$ 160,000</b>	<b>\$ 28,000</b>	<b>\$ 2,045,000</b>	<b>\$ 337,420</b>	<b>\$ 26,477</b>

## NOTE 9 TAX ABATEMENTS

Burleigh County and political subdivisions within the County can negotiate property tax abatement agreements with individuals and various commercial entities/businesses. Burleigh County and the political subdivisions within have the following types of tax abatement agreements with various individuals and commercial entities at December 31, 2020.

The District will state individually the parties whom received a benefit of the reduction in taxes of 20% or greater when compared to the total reduction of taxes for all tax abatement programs.

### Charitable Organization

Under NDCC §57-02-08(8), buildings belonging to institutions of public charity, including public hospitals and nursing homes licensed pursuant to NDCC §23-16-01 under the control of religious or charitable institutions, used wholly or in part for public charity, together with the land actually occupied by such institutions not leased or otherwise used with a view to profit is exempt.

Under this program, there was a total reduction in property taxes of \$36,680, which was due to agreements with other local governments.

**BURLEIGH COUNTY WATER RESOURCE DISTRICT**

Budgetary Comparison Schedule – General Fund

For the Year Ended December 31, 2020

	Original Budget	Final Budget	Actual	Favorable/ (Unfavorable) Variance with Final Budget
<b>Revenues</b>				
Taxes	\$ 755,000	\$ 755,000	\$ 912,274	\$ 157,274
Intergovernmental	54,000	54,000	100,799	46,799
Interest Income	100	100	129	29
Miscellaneous	11,800	11,800	39,208	27,408
<b>Total Revenues</b>	<b>\$ 820,900</b>	<b>\$ 820,900</b>	<b>\$ 1,052,410</b>	<b>\$ 231,510</b>
<b>Expenditures</b>				
Current				
Payroll	\$ 33,000	\$ 33,000	\$ 21,521	\$ 11,479
Management Services	25,000	25,000	35,273	(10,273)
McDowell Dam	299,025	299,025	-	299,025
McDowell Dam - Capital Improvements	145,000	145,000	20,178	124,822
Projects	106,075	315,695	747,032	(431,337)
Design/Special Assessment	-	-	78,796	(78,796)
Drainage Complaints	70,000	70,000	7,303	62,697
Legal Fees	24,000	24,000	21,784	2,216
Engineering Administration	20,000	20,000	15,652	4,348
Miscellaneous	98,800	98,800	24,177	74,623
Debt Service				
Principal	-	-	50,000	(50,000)
Interest	-	-	20,887	(20,887)
<b>Total Expenditures</b>	<b>\$ 820,900</b>	<b>\$ 1,030,520</b>	<b>\$ 1,042,603</b>	<b>\$ (12,083)</b>
<b>Excess (Deficiency) of Revenues Over Expenditures</b>	<b>\$ -</b>	<b>\$ (209,620)</b>	<b>\$ 9,807</b>	<b>\$ 219,427</b>
<b>Other Financing Sources (Uses):</b>				
Bond Proceeds	\$ -	\$ -	\$ 1,415,000	\$ 1,415,000
Less: Bond Discount	-	-	(17,687)	(17,687)
Less: Bond Issuance Costs	-	-	(9,250)	(9,250)
<b>Total Other Financing Sources and Uses</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 1,388,063</b>	<b>\$ 1,388,063</b>
<b>Net Changes in Fund Balances</b>	<b>\$ -</b>	<b>\$ (209,620)</b>	<b>\$ 1,397,870</b>	<b>\$ 1,607,490</b>
<b>Fund Balance - January 1</b>	<b>\$ 707,554</b>	<b>\$ 707,554</b>	<b>\$ 707,554</b>	<b>\$ -</b>
<b>Fund Balance - December 31</b>	<b>\$ 707,554</b>	<b>\$ 497,934</b>	<b>\$ 2,105,424</b>	<b>\$ 1,607,490</b>

The accompanying required supplementary information notes are an integral part of this schedule.



## BURLEIGH COUNTY WATER RESOURCE DISTRICT

Notes to the Required Supplementary Information

For the Year Ended December 31, 2020

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### NOTE 1 STEWARDSHIP, COMPLIANCE AND ACCOUNTABILITY

#### Budgetary Information

- The District's board adopts an annual budget on a basis consistent with accounting principles generally accepted in the United States for the general fund.
- The budget includes proposed expenditures and means of financing them.
- The water resource district, on or before the October meeting shall determine the amount of taxes that shall be levied for district purposes and shall levy all such taxes in specific amounts. NDCC 11-23-05
- Each budget is controlled by the operations coordinator at the revenue and expenditure function/object level.
- The current budget, except for property taxes, may be amended during the year for any revenues and appropriations not anticipated at the time the budget was prepared. NDCC 57-15-31.1
- All appropriations lapse at year-end.

### NOTE 2 LEGAL COMPLIANCE – BUDGETS

The District Board of Commissioners amended the budget for the year ended December 31, 2020 as follows:

Fund	EXPENDITURES		
	Original Budget	Amendment	Amended Budget
General Fund	\$ 820,900	\$ 209,620	\$ 1,030,520



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**REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON  
COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS  
PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS**

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Independent Auditor's Report

Board of Commissioners  
Burleigh County Water Resource District  
Bismarck, North Dakota

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities and the major fund of Burleigh County Water Resource District as of and for the year ended December 31, 2020, and the related notes to the financial statements, which collectively comprise Burleigh County Water Resource District's basic financial statements, and have issued our report thereon dated REPORT DATE.

**Internal Control Over Financial Reporting**

In planning and performing our audit of the financial statements, we considered Burleigh County Water Resource District's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of Burleigh County Water Resource District's internal control. Accordingly, we do not express an opinion on the effectiveness of Burleigh County Water Resource District's internal control.

Our consideration of internal control was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that have not been identified. However, as described in the accompanying *schedule of audit findings*, we did identify certain deficiencies in internal control that we consider to be material weaknesses.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected, on a timely basis. We consider the deficiencies described in the accompanying *schedule of audit findings* as item 2020-001 to be a material weaknesses.

**Compliance and Other Matters**

As part of obtaining reasonable assurance about whether Burleigh County Water Resource District's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

## BURLEIGH COUNTY WATER RESOURCE DISTRICT

Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with *Government Auditing Standards* - Continued

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### Burleigh County Water Resource District's Response to Findings

Burleigh County Water Resource District's response to the findings identified in our audit is described in the accompanying *schedule of audit findings*. Burleigh County Water Resource District's response was not subjected to the auditing procedures applied in the audit of the financial statements and, accordingly, we express no opinion on it.

### Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Joshua C. Gallion  
State Auditor

Bismarck, North Dakota  
REPORT DATE

## BURLEIGH COUNTY WATER RESOURCE DISTRICT

Summary of Auditor's Results

For the Year Ended December 31, 2020

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### Financial Statements

Type of Report Issued:

Governmental Activities

Major Funds

Unmodified

Unmodified

### Internal control over financial reporting

Material weaknesses identified?

  X   Yes        None Noted

Significant deficiencies identified not considered to be material weaknesses?

       Yes   X   None Noted

Noncompliance material to financial statements noted?

       Yes   X   None Noted

DRAFT REPORT

## **BURLEIGH COUNTY WATER RESOURCE DISTRICT**

Schedule of Audit Findings

For the Year Ended December 31, 2020

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### **2020-001 LACK OF SEGREGATION OF DUTIES – MATERIAL WEAKNESS**

#### **Condition**

Burleigh County Water Resource District has limited personnel responsible for most accounting functions. A lack of segregation of duties exists as limited personnel are responsible to collect and deposit monies, issue checks, send checks to vendors, record receipts disbursement in journals, maintain the general ledger, create credit memos, and perform bank reconciliations.

#### **Criteria**

Proper internal control surrounding the custody of assets, the recording of transactions, reconciling bank accounts and preparation of financial statements dictates there should be sufficient accounting personnel, so duties of employees are properly segregated. The segregation of duties would provide better control over the assets of the WRD.

#### **Cause**

The Burleigh County Water Resource District has no full-time staff. They outsource their secretarial and bookkeeping duties to Personalized Management Services Inc. Personalized Management Services has limited staff which makes segregating duties difficult.

#### **Effect**

Limited segregation of duties exposes the District to risk of loss of assets, potential liabilities, and damage to the reputation, whether due to error or fraud.

#### **Prior Recommendation**

Yes.

#### **Recommendation**

To mitigate the risk associated with this lack of segregation of duties, we recommend the following:

- Financial statements, credit memos, and payroll registers should be reviewed, analyzed, and spot-checked by a responsible official.
- Where possible, segregate the functions of approval, posting, custody of assets, and reconciliation as they relate to any amounts which impact the financial statements.

#### **Burleigh County Water Resource District's Response**

Agree. The Burleigh County Water Resource District agrees and will segregate duties as it becomes feasible.





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## GOVERNANCE COMMUNICATION

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Board of Commissioners  
Burleigh County Water Resource District  
Bismarck, North Dakota

We have audited the financial statements of the governmental activities and the major fund of Burleigh County Water Resource District, North Dakota, for the year ended December 31, 2020 which collectively comprise Burleigh County Water Resource District's basic financial statements, and have issued our report thereon dated REPORT DATE. Professional standards require that we provide you with the following information related to our audit.

### **Our Responsibility Under Auditing Standards Generally Accepted in The United States of America, Government Auditing Standards and by the Uniform Guidance**

As stated in our engagement letter dated March 10, 2021, our responsibility, as described by professional standards, is to plan and perform our audit to obtain reasonable, but not absolute, assurance about whether the basic financial statements are free of material misstatement. Because of the concept of reasonable assurance and because we did not perform a detailed examination of all transactions, there is a risk that material errors, or fraud may exist and not be detected by us.

In planning and performing our audit, we considered Burleigh County Water Resource District's internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the basic financial statements and not to provide an opinion on internal control over financial reporting.

As part of obtaining reasonable assurance about whether Burleigh County Water Resource District's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit.

### **Significant Accounting Policies/Qualitative Aspects of Accounting Practices**

Management is responsible for the selection and use of appropriate accounting policies. In accordance with the terms of our engagement letter, we will advise management about the appropriateness of accounting policies and their application. The significant accounting policies used by Burleigh County Water Resource District are described in Note 1 to the financial statements. Application of existing policies was not changed during the year ended December 31, 2020. We noted no transactions entered into by the governmental unit during the year for which there is a lack of authoritative guidance or consensus. There are no significant transactions that have been recognized in the financial statements in a different period than when the transaction occurred.

Accounting estimates are an integral part of the financial statements presented by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimate affecting the financial statements is useful lives of capital assets.

### Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are trivial, and report them to the appropriate level of management. Management has corrected all such misstatements. The schedule below lists all misstatements detected as a result of audit procedures that were corrected by management.

<b>Audit Adjustments</b>	<b>Client Provided Adjustments</b>		<b>Audit Adjustments</b>		<b>Total Adjustment</b>	
	<b>Debit</b>	<b>Credit</b>	<b>Debit</b>	<b>Credit</b>	<b>Debit</b>	<b>Credit</b>
To Restate Beginning Balance						
Capital Assets - PPA	-	-	93,529	-	93,529	-
Expenditures - PPA	-	-	-	93,529	-	93,529

### Disagreements with Management

For purposes of this letter, professional standards define a disagreement with management as a matter, whether or not resolved to our satisfaction, concerning a financial accounting, or reporting matter that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

### Management Representations

We have requested certain representations from management that are included in the management representation letter dated REPORT DATE.

### Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the District's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

### Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

### Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the governmental unit's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

This information is intended solely for the use of the Board of Commissioners and management of Burleigh County Water Resource District, and is not intended to be, and should not be, used for any other purpose. We would be happy to meet with you and any member of your staff to discuss any of the items in this letter in more detail if you so desire.

Thank you and the employees of Burleigh County Water Resource District for the courteous and friendly assistance we received during the course of our audit. It is a pleasure for us to be able to serve Burleigh County Water Resource District.

Joshua C. Gallion

State Auditor

Bismarck, North Dakota  
REPORT DATE

DRAFT REPORT



Office of the  
State Auditor

NORTH DAKOTA STATE AUDITOR  
JOSHUA C. GALLION

**NORTH DAKOTA STATE AUDITOR'S OFFICE**

600 E. Boulevard Ave. Dept. 117 | Bismarck, North Dakota 58505

STATE AUDITOR  
Joshua C. Gallion



PHONE  
(701) 239-7250

STATE OF NORTH DAKOTA  
**OFFICE OF THE STATE AUDITOR**  
FARGO BRANCH OFFICE  
1655 43RD STREET SOUTH, SUITE 203  
FARGO, ND 58103

I agree to the following adjustments to the financial statements, represented in the GASB Crosswalk and Aggregation of Errors Schedule.

**GASB Crosswalk** – This represents allocation and reclassification of revenues and expenditures by function to get from the Modified Accrual Statements (Balance Sheet and Income Statement) to the Government Wide Statements (Statement of Net Position and Statement of Activities) and the allocation of changes of various assets and liabilities.

**Aggregation of Errors Schedule** – This represents all errors found during the course of the audit. These errors are evaluated against performance materiality to determine whether they need to be accrued to the financial statements. Errors can include, but not limited to, accounts receivable, intergovernmental receivables, accounts payable, salaries payable, contracts payable, adjustments to capital assets, and adjustments to long term debt.

\_\_\_\_\_  
Certifying Official

\_\_\_\_\_  
Date

# BURLEIGH COUNTY WATER RESOURCE DISTRICT

Adjustments for the Statement of Activities  
For the Year Ended December 31, 2020

	Mod. Accrual Fund Statement Expenditures	Depreciation Expense	Capital Asset Additions	Capital Asset Deletion	Change in Interest Pay.	Retainage Payable	Bond Issuance Cost	Bond Discount Amortization	Debt Principal Elimination	Statement of Activities Expenses
<b>Governmental Activities</b>										
<b>Expenditures/Expenses</b>										
Conservation of Natural Resources	971,716	125,681	(349,028)			(73,049)				675,320
Capital Outlay	-		-							-
Debt Principal	50,000								(50,000)	-
Interest & Fiscal Charges	20,887				-		9,250	665		30,802
Special Item: Impairment of CIP	-									-
<b>Total Governmental Activities</b>	<b>1,042,603</b>	<b>-</b>	<b>125,681</b>	<b>(349,028)</b>	<b>-</b>	<b>(73,049)</b>		<b>665</b>	<b>(50,000)</b>	<b>706,122</b>

	MAB Govt. Funds	Change in Taxes Receivable	Eliminate Transfers	Audit Reclasses	Capital Asset Impairment	Charges for Services	Program Revenues Oper. Grants/ Contributions	Capital Grants/ Contributions	General Revenues	Statement of Activities Revenues
<b>Revenues</b>										
<b>Fund-Based MAB Statement</b>										
Property Taxes	912,274			(912,274)						-
Intergovernmental	100,799			(100,799)						-
Interest Income	129			(129)						-
Miscellaneous	39,208			(39,208)						-
<b>Total MAB Revenues</b>	<b>1,052,410</b>									-
<b>Statement of Activities - Functional</b>										
Conservation of Natural Resources						1,476,370		-		1,476,370
<b>General Revenues - Stmt. of Activities</b>										
Taxes (general & special purposes)		(1,419)							912,274	910,855
Non-restricted Grants and Contributions									38,187	38,187
Interest Income									129	129
Miscellaneous Income									39,208	39,208
<b>Other Financing Sources (Uses)</b>										
Bond Proceeds	1,415,000	(1,415,000)								-
Bond Discount	(17,687)	17,687								-
Bond Issuance Cost	(9,250)	9,250								-
<b>Total Revenues/Other Sources</b>	<b>2,440,473</b>	<b>(1,389,482)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1,476,370</b>	<b>-</b>	<b>-</b>	<b>989,798</b>	<b>2,464,749</b>

<b>Special Item</b>										
Loss on Impairment of Construction in Progress					-					-
<b>Net Increase in Fund Balances -----&gt;</b>	<b>1,397,870</b>								<b>Change in Net Position----&gt;</b>	<b>1,758,627</b>
									<b>Difference----&gt;</b>	<b>-</b>

	Beginning	PPA	Ending	Net Change Adjustment
Cash/Intergovt. Receivable/Payables	707,554		2,105,424	1,397,870
Capital Assets	8,603,346	93,529	8,952,374	349,028
Less: Accumulated Depreciation	(1,360,401)		(1,486,082)	(125,681)
Loans Payable	(170,000)		(160,000)	10,000
Bonds Payable	(670,000)		(2,045,000)	(1,375,000)
Bond Discount	9,455		26,477	17,022
Retainage Payable	(73,049)		-	73,049
Taxes Receivable	11,295		9,876	(1,419)
Special Assessments Receivable	-		1,413,758	1,413,758
<b>Net Position</b>	<b>7,058,200</b>	<b>93,529</b>	<b>8,816,827</b>	<b>1,758,627</b>



**BURLEIGH COUNTY WATER RESOURCE DISTRICT**

Aggregation of Errors  
For the Year Ended December 31, 2020

K - Known Error  
L - Likely Error  
P - Pass Error  
B - Book Error

**Government Wide**

Prior Period Adjustment	B	93,529	
Net Position - January 1			<u>\$ 6,964,671</u>
Prior Period Adjustment			<u>93,529</u>
Net Position - January 1, as restated			<u>\$ 7,058,200</u>



April 29, 2021

Burleigh County Water Resource District  
Greg Larson  
1720 Burnt Boat Drive, Suite 205  
Bismarck, ND 58503

Greg:

This letter is to certify that at a meeting of the American Bank Center Board of Directors on April 28, 2021 the pledge of securities to the Burleigh County Water Resource District was approved.

The approval of the pledged securities will be reflected in the April 28, 2021 minutes of the Board of Directors. The following information was reviewed as of March 31, 2021.

Deposits	\$2,996,938
Required Pledges	\$2,746,632
Par Value Pledged	\$2,870,000
Market Value as of March	\$2,985,981

The "Required Pledges" above has been adjusted to reflect an additional \$250,000 of FDIC coverage for interest bearing demand accounts. If you have any questions, please contact me at 483-3241.

Sincerely,

Rhonda Maher  
Finance Support  
American Bank Center  
140 1<sup>st</sup> Avenue West  
Dickinson, ND 58601  
701-483-3241

[rmaher@weareamerican.com](mailto:rmaher@weareamerican.com)

**Bismarck, ND**  
320 North 4th Street, 58501  
325 West Arbor Avenue, 58504  
1101 East Interstate Avenue, 58503  
1190 West Turnpike, 58501

**Dickinson, ND**  
140 1st Avenue West, 58601  
1151 3rd Avenue West, 58601

**Killdeer, ND**  
P.O. Box 489, 58640  
150 Central Avenue North, 58640

**New England, ND**  
P.O. Box 337, 58647  
6 9th Street East, 58647

**Minot, ND**  
2201 15th Street SW, 58701

[weareamerican.com](http://weareamerican.com)

## **SIBLEY ISLAND FLOOD CONTROL PROJECT STATUS UPDATE MEMORANDUM**

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**To:** Rod Beck, Manager  
**From:** Michael H. Gunsch, PE, CFM, Senior Project Manager  
**Date:** June 4, 2021  
**Project:** HEI No. 6025-0014

Work on the Sibley Island Flood Control Project Preliminary Engineering Report (PER) has been on hold due to the pending establishment of a break-out floodway on Apple Creek. This floodway is being defined as part of an updated Burleigh County Flood Insurance Study and FEMA Risk Map Program. This new floodway affects a number of residences in the Apple Creek floodplain and crosses the originally proposed alignment for the Sibley Island Flood Control Project. Subsequently, new revised alignments were evaluated for viability and cost. The revised floodway mapping is not included in this memorandum.

While two new alignments were considered, it was recognized that there are properties that were within the originally intended protection area that would no longer be protected. These landowners will be notified during the next project public informational meeting. The three alignments considered in the PER are illustrated on **Figure One**. **Alternative One** is the original alignment, which is no longer viable due to the floodway designation. **Alternative Two** is a township roadway alignment suggested by the Burleigh County Highway Department (BCHD). **Alternative Three** is a natural high ground alignment that provides a lower cost project that also protects properties that the township roadway alignment does not.

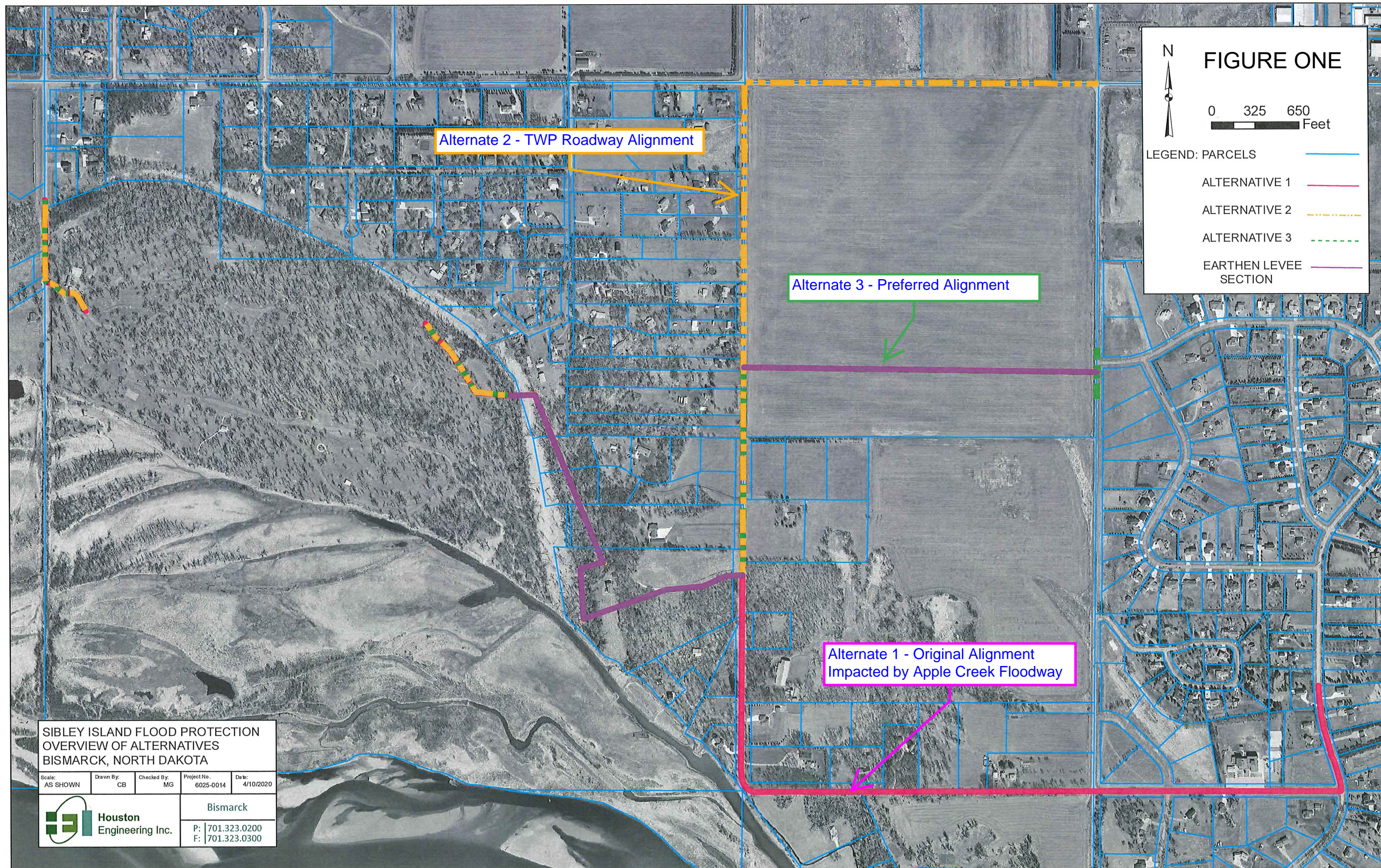
Preliminary Opinions of Probable Cost (OPC) were developed for each alternative but are not presented here, as there are multiple factors still under consideration. The least expensive alignment with considerable savings is **Alternative Three**. This alternative requires the use of only small segments of township roadway on South 12<sup>th</sup> Street and Sibley Drive, as well as acquisition of an easement or ownership across private property. We will still need to contact with the landowner to open discussions regarding the option for this location.

As the project costs are being considered, one element to resolve is the special assessment district boundary. The Burleigh County Highway Department initially committed to contributing to the township roadway grade raises, however under **Alternative Three** those grade raises are now limited. Subsequently, their level of participation is likely to be reconsidered. In addition, the PER budget initially assigned to the BCHD consultant to revise the grade raise options is now required to complete the additional design services by the Burleigh County WRD. This includes additional geotechnical exploration on the preferred alignment.

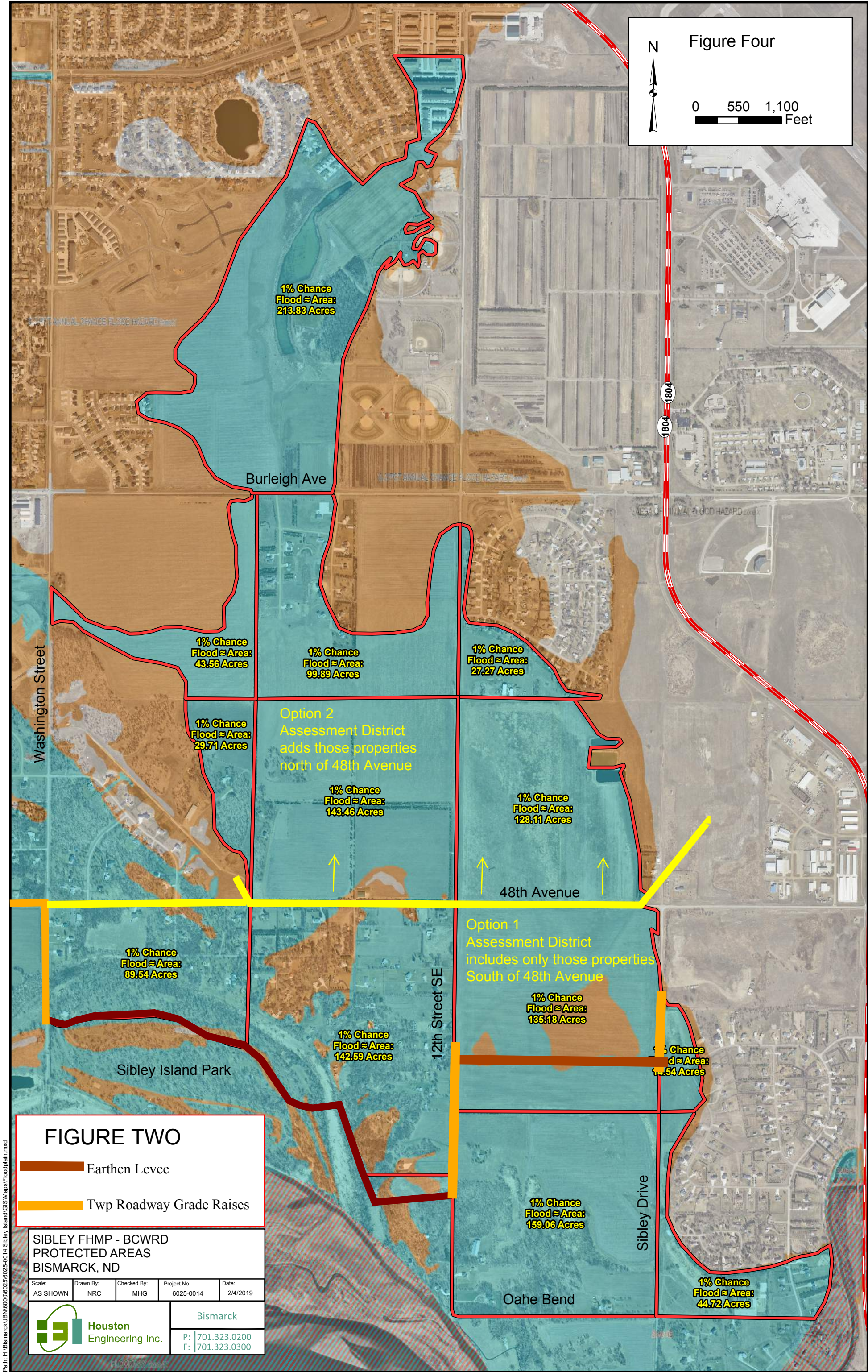
Two potential special assessment district boundaries are under consideration to fund the project. **Option One** is based on the original northern boundary at 48<sup>th</sup> Avenue SE, using the revised southern limit created via the **Alternative Three** alignment. The 48<sup>th</sup> Avenue SE boundary was the line of protection established during the 2011 flood event. The BCHD agreed in principle to pay for the township grade raises as they facilitated the 2011 protection level, therefore properties north of this line would not be included in the special assessment district. **Option Two** would assess all properties protected by the Sibley Island Flood Control Project, including those north of 48<sup>th</sup> Avenue SE. The exception being those parcels already located within the Missouri River Correctional Center's special assessment district. These two districts are illustrated on **Figure Two**.

The work on the PER continues along the lines noted above. Project information will be transmitted to the USACE related to the geotechnical exploration, river hydraulic evaluation, hydrology update and a request for SHIPO review, for the Sibley Island Flood Control Project.

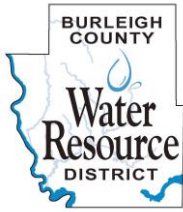












# **Burleigh County Water Resource District**

**PO Box 1255**

**Bismarck, North Dakota 58502-1255**

**(701) 354-1501**

**[www.bcwrld.org](http://www.bcwrld.org)**

June 12, 2021

Bill Peterson, Director  
North Dakota State Historic Preservation Office  
612 East Boulevard Avenue  
Bismarck, North Dakota 58505

**Re: Sibley Island Flood Control Project – Section 106 Review Request**

Dear Mr. Peterson:

The Burleigh County Water Resource District is seeking to implement the Sibley Island Flood Control Project. As the project involves the placement of an earthen levee on property owned by the United States Army Corps of Engineers (a.k.a., Sibley Island Park) Section 408 approval will be required and potentially a Section 404 permit, though the latter remains to be determined.

As part of our Preliminary Engineering Report, the BCWRD is requesting a Section 106 office review for historical/archeological concerns regarding the two potential alignments illustrated the attached drawing. This review is being requested to identify if further reviews are necessary as part of final design. Enclosed is a map illustrating the two alternative alignments currently under consideration for which we are requesting a review.

Please contact me if you have any questions.

Respectfully,

Rod Beck, Manager

enclosure

C: Bud Kuhn, Senior Realty Specialist USACE  
USACE Section 408 Manager  
John Paczkowski, ND Interim State Engineer  
Marcus Hall, PE, Burleigh County Engineer  
Randy Bina, Bismarck Parks and Recreation District  
BCWRD Mangers

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## **Current Board Members:**

Dennis Reep, Chairman 595-2142    Rodney Beck, Vice Chairman 220-5313  
Rick Detwiller, Secretary/Treasurer 223-8782    James Landenberger, Manager 426-6439    Cory Palm, Manager 516-4660

Page 74 of 157  
BCWRD June 2021



June 11, 2021

Reece Nelson  
Natural Resource Specialist  
Natural Resource Management Section  
US Army Corps of Engineers  
Omaha District Office  
1616 Capitol Ave, Omaha NE 68102

Dear Mr. Reece:

**Re:    *Sibley Island Flood Control Project***  
***Section 408 Compliance Documentation***

This letter transmits to the United States Army Corps of Engineers (USACE) the following documents, as part of the overall Section 408 permit compliance process for the Sibley Island Flood Control Project (Project), which is partially located on USACE property. This information will also be included as an appendix to the Preliminary Engineering Report.

1. Geotechnical Evaluation – Braun Intertec □ date □
2. Hydraulics Impacts – Houston Engineering (BCWRD) □ June 9, 2021 □
3. Hydrology Update – Houston Engineering (NDSWC/FEMA) □ Pending Release □
4. State Historic Preservation Office (SHPO) □ June 9, 2021 □

The geotechnical evaluation was completed under an approved USACE permit, to evaluate the soils in the location of a proposed earthen levee. This primarily focused on an existing earthen embankment across the old river oxbow east of the Sibley Island Park. This embankment is located partly on USACE property and partially on private property. The exploration results are included in the enclosed report prepared by Braun Intertec. This report provides data that will be used to design the flood control levee through this area. Additional soils exploration will likely be required during final design.

The hydraulic impacts associated with Project implementation were evaluated using the effective Flood Insurance (FIS) HEC-RAS Model, as noted in the attached Hydraulic Impacts Report. The findings and conclusions indicate there are no measurable issues related to changes in water surface elevations associated with the Project. Therefore, there are also no adverse impacts to other federally constructed projects, (e.g., the Lower Heart River Flood Control Project, Mandan, North Dakota).

During an initial meeting, the USACE questioned if there were any recent updates to the Missouri River hydrology in this reach. The North Dakota State Water Commission, working with FEMA, is presently updating the flood insurance rate maps for Burleigh County. As part of that process, the Missouri River hydrology was extensively evaluated and updated. The new flow frequencies are provided in the enclosed report that has undergone FEMA review.

The Burleigh County Water Resource District is continuing to evaluate project alternatives and will be completing a Preliminary Engineering Report, after which a public information hearing will be held. It is anticipated, as part of the Section 408 (e.g., NEPA) process, the various agencies will be notified and invited to attend this meeting. A later public hearing will be held with those to be included in the special assessment district whose properties are protected and benefited from Project construction.

The Burleigh County Water Resource District recently sent the enclosed request to SHPO for a preliminary review of the proposed alignments regarding Section 106 clearance. If there is anything documented in this review, more in-depth investigation would be required as part of final design.

If there are any questions regarding these documents, please advise.

Respectfully,

Michael H, Gunsch, PE CFM

enclosures

C: Bud Kuhn, Senior Realty Specialist USACE  
Walter Fairbanks, USACE  
John Paczkowski, ND Interim State Engineer  
Marcus Hall, PE, Burleigh County Engineer  
Randy Bina, Bismarck Parks and Recreation District  
BCWRD Mangers

**Application to Install a Subsurface Water Management System No. 2021-01 for John T. Farmer in the Northwest Quarter of Section 33 in Tillable Township**

The Board next reviewed an *Application to Install a Subsurface Water Management System No. 2021-01* dated June 1, 2021, filed with the Board by Applicant John T. Farmer on June 4, 2021. Further, Applicant was required to submit a complete Application, including a completed and signed State permit Application; County tax roll evidence regarding ownership of the property Applicant intends to tile; a detailed project design map (an exempt record under North Dakota law); a detailed downstream flow map; and County tax roll evidence regarding property ownership up to one mile downstream of each project outlet, or up to the nearest assessment drain, natural watercourse, slough, or lake, whichever comes first. The Board's staff confirmed the Application was complete on June 8, 2021 **[SMF Note: WRDs must notify Applicants if an Application is incomplete "within three business days after the day the [WRD] receives the Application"; if an Application is incomplete, but the WRD fails to notify the Applicant within three business days, the Application is legally "complete" regardless of what may be missing].** By law, Applicant was required to submit the Board's permit fee (the Board will refund any dollars not used for purposes of processing the Application) before the Board may approve the Application; the Board confirmed Applicant submitted the fee. Since Applicant submitted all required items, the Board may consider and approve the Application. **[SMF Note: WRDs must consider and approve all "complete" Applications within 30 days of the date of filing; if a WRD fails to approve an Application within 30 days, the Application is automatically approved without any conditions.]**

Under the Application, Applicant seeks to install a 160-acre drain tile system in the Northwest Quarter of Section 33 in Tillable Township, Corn County, North Dakota. The project will include a single pump outlet located on the west boundary of the Northwest Quarter; the pump will discharge into the east road ditch along 10th Avenue SE; the discharge will travel south in the east road ditch, along the west boundary of the Southwest Quarter of the Northwest Quarter of Section 33; at the southwest corner of the Northwest Quarter of Section 33, the discharge will flow east and south, under 10th Avenue, to the northeast corner of the Southeast Quarter of Section 32; from there, the discharge will flow south in the west road ditch along 10th Avenue, along the east boundary of the Southeast Quarter of Section 32; at the southeast corner of the Southeast Quarter, the discharge will flow into the north road ditch along the County Line Road/2nd Street SE and will flow west along the south boundary of the Southeast Quarter of Section 32. **[SMF Note: Detailed flow descriptions, in addition to accurate downstream flow maps from Applicants, are important for WRDs to protect themselves, as well as Applicants and their projects; if another party were to file a drainage complaint against a project years later, a detailed flow description in the minutes and Notice of Decision will allow a WRD to easily determine if the Applicant installed the system approved by the WRD, in which case the WRD could easily dismiss the drainage complaint.]**

**[Include a discussion here regarding the Board's investigation or review of the proposed project, or the Board's engineer's review, including discussion regarding potential impacts, existence of rural water lines, concerns of downstream parties or road authorities, detailed analysis regarding legal assessment drains and benefits to the tiled property, etc. Remember, WRD decisions are subject to appeal by any aggrieved parties; your minutes**

SMF Sample Minutes - HB 1437

**should provide a factual and legal basis for each decision you make, including the conditions you attach to any permit.]**

According to the County tax roll information supplied by Applicant, John and Elaine Farmer own the Northwest Quarter of Section 33 in Tillable Township. With regard to downstream properties, Ted and Linda Neighbor own the Southeast Quarter of Section 32. The tax rolls do not indicate if the County owns its highway right of way or if the County relies on the statutory 33-foot easement.

Manager Johnson moved, and Manager Smith seconded the motion, to approve *Application to Install a Subsurface Water Management System No. 2021-01* dated June 1, 2021, for John T. Farmer in the Northwest Quarter of Section 33 in Tillable Township, and to authorize the Secretary-Treasurer to sign SUBSURFACE WATER MANAGEMENT PERMIT NO. 2021-01, subject to the following conditions:

**[SMF Note: The following conditions are the only conditions WRDs can attach to permits under Section 61-32-03.1(4); do not attach all of them to each permit! Only attach those that apply and be certain your WRD has a valid rationale for each condition.]**

- 1) that Applicant set and install any drain tile pump at least 25 feet from the top of the back slope of Corn County Drain #1, with a pipe buried from the pump to Drain #1;
- 2) that Applicant install and maintain erosion protection at any and all outlets into Corn County Drain #1;
- 3) that Applicant install and maintain erosion protection or other ditch stabilization materials at any and all outlets into Tillable Township's road right of way/Corn County's highway right of way/NDDOT's highway right of way;
- 4) that Applicant install and maintain erosion protection at any and all outlets into Soybean Lake/Soybean Slough/Soybean River/the natural watercourse in the Northwest Quarter of Section 33;
- 5) that Applicant re-establish any areas disturbed installing or maintaining Applicant's tile system, including re-seeding any Corn County Drain #1 right of way disturbed;
- 6) that Applicant will not install Applicant's tile system within 20 feet, on either side, of any rural water lines Corn Rural Water District has in the Northwest Quarter of Section 33 in Tillable Township under any blanket easements, or otherwise beyond the Water District's existing easement;
- 7) that Applicant must turn off any pump outlets and otherwise close all outlets during "critical flood periods," as determined by the Corn County Water Resource District;

8) that Applicant must install and maintain a control structure at the gravity outlet, and must close the outlet during “critical flood periods,” as determined by the Corn County Water Resource District **[SMF Note: WRDs should utilize and attach this condition sparingly, and only if an investigation prior to permit approval reveals the gravity outlet could somehow damage property or infrastructure; include detailed discussion in the minutes regarding the investigation and potential damages];**

9) that Applicant must apply for an amendment to SUBSURFACE WATER MANAGEMENT PERMIT NO. 2021-01 in advance of any proposed alterations to outlet locations, the addition of any outlets, or improvements or modifications to the tile system that could increase the capacity or drainage area of the tile system;

10) **[SMF Note: If the project will introduce new drainage into the watershed area of an assessment drain, and only if the tiled property is not already in the assessment district for that particular drain, this condition allows a WRD to add the parcel to the assessment district without conducting a lengthy and expensive reassessment process]** that the Board will include the Northwest Quarter of Section 33 of Tillable Township in the Corn County Drain #1 assessment district at 50% benefit **[SMF Note: WRDs must conduct detailed analyses of the benefits tiled property will receive from a legal assessment drain, and include all relevant analysis and materials in and attached to your minutes];** and

11) that Applicant remove silt or vegetation, or repair erosion or scour damages *directly* caused by Applicant’s tile system, but only up to one mile downstream from **[describe specific outlet, if more than one]** the project outlet - **OR** - but only up to the discharge into Corn County Drain #1 - **OR** - but only up to the discharge into Soybean Lake/Soybean Slough/Soybean River/the natural watercourse in the Northwest Quarter of Section 33.

Upon roll call vote, the motion carried unanimously.

With regard to condition #11, Applicant’s obligations to remove silt or vegetation, or to repair erosion or scour damages, will only arise upon submission of substantial evidence to the Board by a downstream landowner or road authority that Applicant’s tile system *directly* caused accumulation of silt or vegetation, erosion, or scouring. **[SMF Note: HB 1437 is clear that condition #11 above places the burden of proof on the complaining party, and that party must submit “substantial evidence” that the tile system “directly” caused the silt or cattail growth, erosion, or scouring; a downstream party simply submitting a complaint is not “substantial evidence.” If a downstream party or road authority submits “substantial evidence” the project “directly” caused damages, the WRD may consider conducting some type of hearing, or at least inviting all parties to a meeting to discuss the matter, before enforcing this condition. The Board should then issue a written notice to all parties regarding the Board’s final decision.]**

Under Section 61-32-03.1, the District cannot attach any additional conditions to Applicant's permit. However, for Applicant's protection, and to ensure protection of Applicant's tile system, the District will recommend that Applicant consider complying with the following:

- 1) that Applicant obtain easements from the owners of the Northwest Quarter of Section 33 **[if not owned by Applicant]** to install, construct, and maintain Applicant's tile system;
- 2) that Applicant obtain a pipeline easement from the owners the Southwest Quarter of Section 33 to install, construct, and maintain a buried pipeline;
- 3) that Applicant obtain written permission from the Tillable Township Board of Township Supervisors/Corn County Highway Department/NDDOT to discharge into, or otherwise utilize, any of its township road/highway ditches; to install, operate, and maintain buried pipe in any of its township road/highway ditches; or to bore through its township road/highway; and
- 4) that Applicant obtain all other necessary and requisite licenses, permits, registrations, and/or approvals from all applicable federal, state, county, and municipal governments, and any other applicable governmental entities.

The Board will provide copies of the Board's NOTICE OF DECISION, SUBSURFACE WATER MANAGEMENT PERMIT NO. 2021-01, and Applicant's downstream flow map to the State Engineer's Office, Ted and Linda Neighbor, NDDOT, Corn Rural Water District, and the Corn County Highway Department; the Board will send the parties copies by first-class mail, attested by an affidavit of mailing, all as required under Section 61-32-03.1(6). Applicant's detailed project design map is an exempt record, and the Board will not provide copies to any third parties.



**CORN COUNTY WATER RESOURCE DISTRICT  
RESOLUTION OF POLICY  
REGARDING TILE DRAINAGE APPLICATION FEES**

WHEREAS, the Corn County Water Resource District (the “District”) is a North Dakota water resource district and political subdivision under Chapters 61-16 and 61-16.1 of the North Dakota Century Code.

WHEREAS, the District supports tile drainage as a method of maximizing production potential for ag producers in Corn County.

WHEREAS, in accordance with Section 61-32-03.1 of the North Dakota Century Code, the District must process, consider, investigate, and approve each tile drainage application submitted to the District, also known as an “APPLICATION TO INSTALL A SUBSURFACE WATER MANAGEMENT SYSTEM,” under Section 61-32-03.1 of the North Dakota Century Code.

WHEREAS, tile permit applications require the District to conduct certain reviews and investigations before the District can make final decisions, including determinations of land ownership, potential impacts of the system to legal drains or other infrastructure, and other considerations, all in accordance with Section 61-32-03.1.

WHEREAS, the tile application review criteria are technical and legal in nature, and require compliance with specific legal procedures that typically require the District to confer with engineering and legal consultants to ensure proper review and consideration.

WHEREAS, the District’s general fund budget is comprised of those dollars generated by a maximum mill levy, as limited by applicable North Dakota law, and the District must utilize its general fund to finance and fund all of its operations, with the exception of assessment projects.

WHEREAS, the District must pay for the costs required to properly consider, investigate, and process all surface and subsurface drainage permit applications with the District’s limited general fund dollars, and utilizing general fund dollars for processing permits severely limits the District’s ability to construct, operate, maintain, and improve other projects and water infrastructure that could benefit all residents of Corn County.

WHEREAS, in light of the financial burden on the District’s general fund as a result of the District’s obligation to review, consider, investigate, and process all tile drainage permit applications in Corn County in accordance with North Dakota law, the District has concluded adoption of a formal policy regarding the expenses associated with all tile drainage applications is necessary.

WHEREAS, during the 2021 Legislative Session, the North Dakota Legislature enacted HB 1437 to amend Section 61-32-03.1, and to modify the tile permitting process; one of the provisions of HB 1437 affords the District the ability to charge tile permit fees up to a maximum of \$500 per application.

NOW THEREFORE, BE IT RESOLVED that this RESOLUTION OF POLICY represents the District's official policy regarding tile permit application fees for purposes of reviewing, considering, investigating, and processing all tile drainage permit applications submitted to the District under Section 61-32-03.1.

BE IT FURTHER RESOLVED that the District will comply with its obligations to properly review, consider, investigate, and process all tile drainage permit applications in accordance with Section 61-32-03.1 of the North Dakota Century Code to ensure orderly and legal tile drainage in Corn County.

BE IT FURTHER RESOLVED that, in an effort to maintain sufficient dollars in its general fund to construct, operate, maintain, and improve other projects and water infrastructure for the benefit of all residents of Corn County, implementation and administration of a tile drainage permit fee policy is necessary.

BE IT FURTHER RESOLVED that, from the date of the District's approval of this RESOLUTION, the District's permit fee for each APPLICATION TO INSTALL A SUBSURFACE WATER MANAGEMENT SYSTEM is \$500 per application, due at the time the District receives the application.

BE IT FURTHER RESOLVED that if the District's costs incurred in the course of considering, investigating, and processing any application are less than the \$500 permit fee, the District will refund the remaining funds to the applicant.

BE IT FURTHER RESOLVED that this RESOLUTION OF POLICY supersedes any of the District's previous policies or practices regarding tile permit fees.

(Signatures appear on the following page.)

Date Approved: May 21, 2021

CORN COUNTY WATER  
RESOURCE DISTRICT

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Joe Chairman, Chair

ATTEST:

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Jennifer Treasurer  
Secretary-Treasurer

**CORN COUNTY WATER RESOURCE DISTRICT**  
**In the Matter of APPLICATION TO INSTALL A SUBSURFACE WATER MANAGEMENT SYSTEM**  
**No. 2021-01**  
**Dated June 1, 2021**  
**Applicant: John T. Farmer**

STATE OF NORTH DAKOTA     )  
  ) ss.  
COUNTY OF CASS                     )

**AFFIDAVIT OF SERVICE**  
**BY FIRST-CLASS MAIL**  
**AND E-MAIL**

Sean M. Fredricks, attorney for the Corn County Water Resource District, being first duly sworn and being of legal age, deposes and says that on the \_\_\_\_ day of June, 2021, he served the following by first-class mail:

**NOTICE OF DECISION OF CORN COUNTY WATER RESOURCE DISTRICT**  
**REGARDING APPLICATION TO INSTALL A SUBSURFACE WATER MANAGEMENT**  
**SYSTEM No. 2021-01**  
**Dated June 1, 2021**  
**John T. Farmer, Applicant**

upon the following parties, by placing a true and correct copy in envelopes addressed as follows:

John T. Farmer  
123 Nice Road  
Corn City, ND 58000

Ted and Linda Neighbor  
456 Agreeable Avenue  
Corn City, ND 58000

Eric Engineer  
Corn County Engineer  
789 Main Avenue West  
Bean City, ND 58000

Troy Gilbertson  
North Dakota Department  
of Transportation  
503 - 38th Street South  
Fargo, ND 58103

Corn Rural Water District  
789 Rural Road  
Rural, ND 58000

and deposited the same, with postage prepaid, in the United States mail at West Fargo, North Dakota, and sent a true and correct copy thereof by e-mail to **Chance Nolan** at the Office of the State Engineer at the following e-mail address: **swcregpermits@nd.gov**.

SMF Sample Affidavit of Service - HB 1437

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Sean M. Fredricks

Subscribed and sworn to before me this \_\_\_\_\_ day of June, 2021.

---

Notary Public, Cass County, ND

(SEAL)

June 24, 2021

**VIA FIRST-CLASS MAIL**

John T. Farmer  
123 Nice Road  
Nice, ND 58051

RE: John T. Farmer  
-- APPLICATION TO INSTALL A SUBSURFACE WATER MANAGEMENT  
SYSTEM NO. 2021-01  
Corn County Water Resource District -- NOTICE OF DECISION

Greetings:

This letter is to inform you of the Corn County Water Resource District's (the "District") decision regarding APPLICATION TO INSTALL A SUBSURFACE WATER MANAGEMENT SYSTEM NO. 2021-01 dated June 1, 2021. Under the Application, Applicant seeks to install a 160-acre drain tile system in the Northwest Quarter of Section 33 in Tillable Township, Corn County, North Dakota. The project will include a single pump outlet located on the west boundary of the Northwest Quarter; the pump will discharge into the east road ditch along 10th Avenue SE; the discharge will travel south in the east road ditch, along the west boundary of the Southwest Quarter of the Northwest Quarter of Section 33; at the southwest corner of the Northwest Quarter of Section 33, the discharge will flow east and south, under 10th Avenue, to the northeast corner of the Southeast Quarter of Section 32; from there, the discharge will flow south in the west road ditch along 10th Avenue, along the east boundary of the Southeast Quarter of Section 32; at the southeast corner of the Southeast Quarter, the discharge will flow into the north road ditch along the County Line Road/2nd Street SE and will flow west along the south boundary of the Southeast Quarter of Section 32.

According to the County tax roll information supplied by Applicant, John and Elaine Farmer own the Northwest Quarter of Section 33 in Tillable Township. With regard to downstream properties, Ted and Linda Neighbor own the Southeast Quarter of Section 32. The tax rolls do not indicate if the County owns its highway right of way or if the County relies on the statutory 33-foot easement.

**[Consider including a paragraph regarding the Board's, or the Board's engineer's, review of the project, potential downstream concerns, assessment drain considerations, etc.]**

SMF Sample NOTICE OF DECISION - HB 1437



At its meeting on June 20, 2021, the District approved APPLICATION TO INSTALL A SUBSURFACE WATER MANAGEMENT SYSTEM NO. 2021-01, dated June 1, 2021, and approved SUBSURFACE WATER MANAGEMENT PERMIT NO. 2021-01, regarding a proposed tile system in the Northwest Quarter of Section 33 in Tillable Township, subject to the following conditions:

- 1) that Applicant set and install any drain tile pump at least 25 feet from the top of the back slope of Corn County Drain #1, with a pipe buried from the pump to Drain #1;
- 2) that Applicant install and maintain erosion protection at any and all outlets into Corn County Drain #1;
- 3) that Applicant install and maintain erosion protection or other ditch stabilization materials at any and all outlets into Tillable Township's road right of way/Corn County's highway right of way/NDDOT's highway right of way;
- 4) that Applicant install and maintain erosion protection at any and all outlets into Soybean Lake/Soybean Slough/Soybean River/the natural watercourse in the Northwest Quarter of Section 33;
- 5) that Applicant re-establish any areas disturbed installing or maintaining Applicant's tile system, including re-seeding any Corn County Drain #1 right of way disturbed;
- 6) that Applicant will not install Applicant's tile system within 20 feet, on either side, of any rural water lines Corn Rural Water District has in the Northwest Quarter of Section 33 in Tillable Township under any blanket easements, or otherwise beyond the Water District's existing easement;
- 7) that Applicant must turn off any pump outlets and otherwise close all outlets during "critical flood periods," as determined by the Corn County Water Resource District;
- 8) that Applicant must install and maintain a control structure at the gravity outlet, and must close the outlet during "critical flood periods," as determined by the Corn County Water Resource District;
- 9) that Applicant must apply for an amendment to SUBSURFACE WATER MANAGEMENT PERMIT NO. 2021-01 in advance of any proposed alterations to outlet locations, the addition of any outlets, or improvements or modifications to the tile system that could increase the capacity or drainage area of the tile system;

SMF Sample NOTICE OF DECISION - HB 1437

10) that the Board will include the Northwest Quarter of Section 33 of Tillable Township in the Corn County Drain #1 assessment district at 50% benefit; and

11) that Applicant remove silt or vegetation, or repair erosion or scour damages *directly* caused by Applicant's tile system, but only up to one mile downstream from **[describe specific outlet, if more than one]** the project outlet - **OR** - but only up to the discharge into Corn County Drain #1 - **OR** - but only up to the discharge into Soybean Lake/Soybean Slough/Soybean River/the natural watercourse in the Northwest Quarter of Section 33.

Your permit will not become effective until you satisfy the conditions identified in this NOTICE OF DECISION. Further, please note that if, at any time, you fail to comply with the conditions above, your permit will no longer be valid.

With regard to condition #11, Applicant's obligations to remove silt or vegetation, or to repair erosion or scour damages, will only arise upon submission of substantial evidence to the Corn County Water Resource District by a downstream landowner or road authority that Applicant's tile system *directly* caused accumulation of silt or vegetation, erosion, or scouring.

Under Section 61-32-03.1, the District cannot attach any additional conditions to Applicant's permit. However, for Applicant's protection, and to ensure protection of Applicant's tile system, the District recommends that Applicant consider complying with the following:

- 1) that Applicant obtain easements from the owners of the Northwest Quarter of Section 33 to install, construct, and maintain Applicant's tile system;
- 2) that Applicant obtain a pipeline easement from the owners the Southwest Quarter of Section 33 to install, construct, and maintain a buried pipeline;
- 3) that Applicant obtain written permission from the Tillable Township Board of Township Supervisors/Corn County Highway Department/NDDOT to discharge into, or otherwise utilize, any of its township road/highway ditches; to install, operate, and maintain buried pipe in any of its township road/highway ditches; or to bore through its township road/highway; and
- 4) that Applicant obtain all other necessary and requisite licenses, permits, registrations, and/or approvals from all applicable federal, state, county, and municipal governments, and any other applicable governmental entities.

John T. Farmer  
June 24, 2021  
Page 4

Please note any aggrieved party may appeal a decision of the Corn County Water Resource District to District Court in accordance with N.D. Cent. Code §§ 61-16.1-54 and 28-34-01.

Sincerely,

OHNSTAD TWICHELL, P.C.

Sean M. Fredricks

Enc. (SUBSURFACE WATER MANAGEMENT PERMIT NO. 2021-01 and downstream flow map)

cc: Chance Nolan -- North Dakota State Engineer's Office  
Ted and Linda Neighbor  
Eric Engineer, Corn County Engineer  
Troy Gilbertson -- North Dakota Department of Transportation  
Corn Rural Water District

SMF Sample NOTICE OF DECISION - HB 1437



**SUBSURFACE WATER MANAGEMENT PERMIT**  
**ACCORDING TO NORTH DAKOTA CENTURY CODE § 61-32-03.1**  
OFFICE OF THE STATE ENGINEER  
REGULATORY DIVISION  
SFN 61243 (5/2021)

Number

(OSE USE ONLY)

Number

(WRD USE ONLY)

Issuing Water Resource District (WRD) In Which System Is Located				
Permittee Name				
Address		City	State	ZIP Code
Telephone Number		Cell Phone Number		
Email Address				
Location Of Land To Be Tiled				
1/4	Section	Township	Range	County
1/4	Section	Township	Range	County
1/4	Section	Township	Range	County
1/4	Section	Township	Range	County
Outlet Information				
1/4	Section	Township	Range	County
1/4	Section	Township	Range	County
Type Of System Outlet (check all that apply) <input type="checkbox"/> Gravity - No Control Structure <input type="checkbox"/> Gravity - With Control Structure <input type="checkbox"/> Pump				
Where Does The Outlet Discharge (check all that apply)				
<input type="checkbox"/> Road Ditch <input type="checkbox"/> Assessment Drain <input type="checkbox"/> Natural Waterway/Watercourse				
<input type="checkbox"/> Private Drain <input type="checkbox"/> Pond, Slough, Or Lake <input type="checkbox"/> Other (Explain) _____				
Other Information				
Total Land Area To Be Tiled (Acres)				
Drainage Coefficient Of The System (inches/day)			Does The System's Design Include Surface Intakes	
<input type="checkbox"/> 1/4 <input type="checkbox"/> 3/8 <input type="checkbox"/> 1/2 <input type="checkbox"/> Other _____			<input type="checkbox"/> Yes (quantity) _____ <input type="checkbox"/> No	
Who Is Installing The System?				
<input type="checkbox"/> Self <input type="checkbox"/> Contractor _____				
Who Owns The Land Where The System Will Be Located?				
<input type="checkbox"/> Applicant <input type="checkbox"/> Other (please explain) _____				

This Permit Approval Requires (WRD Check All That Apply To This Permit Approval)
<input type="checkbox"/> Pump(s) And Control Structure(s) Set-Back Distance From Assessment Drain Backslopes (Minimum 25 Feet Set-Back Unless Noted Otherwise)
<input type="checkbox"/> Installation And Maintenance Of Proper Erosion Control At All Outlets
<input type="checkbox"/> Re-Establishment Of Disturbed Areas To Previous Conditions
<input type="checkbox"/> Minimum Set-Back Distance From Rural Water Supply Lines
<input type="checkbox"/> Installation Of Control Structure(s) At Project Outlet(s)
<input type="checkbox"/> Outlet Control Must Be Shut Off During Critical Flooding Periods
<input type="checkbox"/> Permit Amendment(s) If Project Is Changed Beyond Original Approval
<input type="checkbox"/> Assessment Or Reassessment Considerations
<input type="checkbox"/> Removal Of Silt And Vegetation, Or Repair Erosion And Scour Damages Directly Caused By The System (See Notice of Decision for Detailed Explanation)
WRD Notification Method For Closure Of Tile Outlet Control Structure (if applicable, check all that apply)
<input type="checkbox"/> Direct Notification From WRD
<input type="checkbox"/> WRD Website _____
<input type="checkbox"/> USGS Gage Or NWS Flood-Stage Trigger
<input type="checkbox"/> Other (explain)

This Permit Is Approved	
WRD Signature (authorized WRD representative)	Date

**WRD NOTICE (North Dakota Century Code § 61-32-03.1(6))**

Upon approval of a permit, the district shall forward notice of the approved permit and the downstream flow map to the State Engineer and to each landowner who owns property within one mile [1.61 kilometers] downstream of each project outlet according to the tax rolls of the county in which the property is located, unless the distance to the nearest assessment drain, natural watercourse, slough, or lake is less than one mile [1.61 kilometers] downstream of the proposed outlet, in which case the district shall provide notice to landowners with property between the outlet and the nearest assessment drain, natural watercourse, slough, or lake. The district shall send copies of the notice by first-class mail, attested by an affidavit of mailing. The district does not need to provide copies of the permit application under this subsection.

**EXEMPT RECORDS (North Dakota Century Code § 61-32-03.1(3)(d))**

Detailed project design drawings submitted as part of a complete application may not be provided with the notice of an approved permit.

See Attached Notice For More Detail On This Permit Approval.

Additional Sheets May Be Attached If Necessary.



**APPLICATION TO INSTALL A SUBSURFACE WATER MANAGEMENT SYSTEM**  
OFFICE OF THE STATE ENGINEER  
REGULATORY DIVISION  
SFN 61244 (5/2021)

This application must be submitted to the Water Resource District (WRD) in which the system is located (please visit [http://www.swc.nd.gov/info\\_edu/water\\_links/nd\\_resource\\_boards](http://www.swc.nd.gov/info_edu/water_links/nd_resource_boards) for contact information).

Failure to complete the application and provide all necessary information may delay or impede approval of this application. The WRD will review this application and notify the applicant of incomplete information within three business days after the application is received.

Location Of Land To Be Tiled				
1/4	Section	Township	Range	County
1/4	Section	Township	Range	County
1/4	Section	Township	Range	County
1/4	Section	Township	Range	County
Outlet Information				
1/4	Section	Township	Range	County
1/4	Section	Township	Range	County
Type Of System Outlet (check all that apply) <input type="checkbox"/> Gravity - No Control Structure <input type="checkbox"/> Gravity - With Control Structure <input type="checkbox"/> Pump				
Where Does The Outlet Discharge (check all that apply) <input type="checkbox"/> Road Ditch <input type="checkbox"/> Assessment Drain <input type="checkbox"/> Natural Waterway/Watercourse <input type="checkbox"/> Private Drain <input type="checkbox"/> Pond, Slough, Or Lake <input type="checkbox"/> Other (Explain) _____				
Other Information				
WRD In Which System Is Located				
Total Land Area To Be Tiled (Acres)				
Drainage Coefficient Of The System (inches/day) <input type="checkbox"/> 1/4 <input type="checkbox"/> 3/8 <input type="checkbox"/> 1/2 <input type="checkbox"/> Other _____			Does The System's Design Include Surface Intakes <input type="checkbox"/> Yes (quantity) _____ <input type="checkbox"/> No	
Who Is Installing The System? <input type="checkbox"/> Self <input type="checkbox"/> Contractor _____				
Who Owns The Land Where The System Will Be Located? <input type="checkbox"/> Applicant <input type="checkbox"/> Other (please explain) _____				

(continued on page 2)

Complete Application

As Required Under North Dakota Century Code § 61-32-03.1, The Following Information Is Required To Consider This Application Complete.

All Boxes Must Be Checked And The Necessary Information Must Be Submitted With The Application For The Application To Be Considered Complete.

<input type="checkbox"/> Application Fee (Payable To The WRD)
<input type="checkbox"/> Landownership Evidence <i>Evidence Of Ownership For Each Parcel To Be Tiled According To The Tax Rolls Of The County In Which The Parcel Is Located</i>
<input type="checkbox"/> Project Design - A Project Design Includes:
<input type="checkbox"/> A Detailed Drawing Depicting The System's Location Overlain On An Aerial Photograph
<input type="checkbox"/> Legal Description (¼, Section, Township, Range Or Relevant Block And Lot Number)
<input type="checkbox"/> Approximate Project Footprint
<input type="checkbox"/> Tile-Mains Sizes And Locations
<input type="checkbox"/> Any Laterals To The Tile-Main Sizes And Locations
<input type="checkbox"/> Surface Inlet Sizes And Locations
<input type="checkbox"/> Outlet Sizes, Locations, And Types
<input type="checkbox"/> Flow Direction Map (Must Be Included On A Seperate Map) <i>A Detailed Map Or Depiction Of The Flow Direction From Each Outlet Location For One Mile [1.61kilometers] Downstream Which Includes The Location Of The Downstream Parcels By Legal Description Identifying Either The Relevant Quarter, Section, Township, And Range Or The Relevant Block And Lot Number</i>
<input type="checkbox"/> Evidence Of Ownership for Each Parcel Within One Mile Downstream <i>Evidence Of Ownership For Each Parcel Within One Mile [1.61kilometers] Downstream Of Each Project Outlet According To The Tax Rolls For The County In Which The Parcel Is Located, Unless The Distance To The Nearest Assessment Drain, Natural Watercourse, Slough, Or Lake Is Less Than One Mile [1.61kilometers] Downstream Of A Proposed Outlet, In Which Case The Applicant Shall Provide Evidence Of Ownership For Each Parcel Between The Outlet And The Nearest Assessment Drain, Natural Watercourse, Slough, Or Lake.</i>

(continued on page 3)



Applicant Certification			
Applicant Name			
Address	City	State	ZIP Code
Telephone Number	Cell Phone Number		
Email Address			

I, the undersigned, am applying for a permit as required under North Dakota Century Code (N.D.C.C.) § 61-32-03.1. I understand the following:

- That My Application Must Be Complete To Be Timely Processed;
- That My Project Is Accurately Described And Depicted In This Application As I Intend To Construct It;
- That I Must Comply With N.D.C.C. § 61-32-03.1 And Must Adhere To Any Conditions Required By The Water Resource District As Part Of An Approved Permit For This Application; And
- That There Are Other Regulatory Considerations Outside Of This Permit Process, Including:
  - Road Authority Permissions Or Approvals;
  - Rural Water Line Set Backs;
  - Utility Locates;
- Other Local, State, And Federal Permits Or Permissions, If Required.

My Signature Below Acknowledges That I Have Read And Agree To The Statements Above.	
Applicant Signature	Date

COMPLETE APPLICATION CERTIFICATION (FOR WRD USE ONLY)	
WRD Permit Number	Application Received Date
WRD Completeness Certification - WRD Signature Below Signifies That The Application Was Found Complete	
Name	Date



**NOTIFICATION TO INSTALL SUBSURFACE WATER MANAGEMENT SYSTEM**  
OFFICE OF THE STATE ENGINEER  
REGULATORY DIVISION  
SFN 61990 (5/2021)

**ONLY FOR SYSTEMS LESS THAN 80 ACRES**

**This Form Serves As A Notification Required Under North Dakota Century Code § 61-32-03.2 To Notify Your Water Resource District (WRD) Prior To Installation Of A Subsurface Water Management System Less Than 80 Acres.**

**Alternatively, The Information In This Form May Also Be Provided To The WRD Via Phone Or Email.**

**Systems 80 Acres Or More Require A Permit And Require A Separate Application Titled "Application To Install A Subsurface Water Management System - SFN 61244," Which Is Located On The State Water Commission's Website Or Available From Your WRD.**

**Number**

(WRD USE ONLY)

Location Of Land To Be Tiled				
1/4	Section	Township	Range	County
1/4	Section	Township	Range	County
1/4	Section	Township	Range	County
1/4	Section	Township	Range	County
Outlet Information				
1/4	Section	Township	Range	County
1/4	Section	Township	Range	County
Type Of System Outlet <input type="checkbox"/> Gravity - No Control Structure <input type="checkbox"/> Gravity - With Control Structure <input type="checkbox"/> Pump				
Flow Direction From Each Outlet (check all that apply) <input type="checkbox"/> North <input type="checkbox"/> South <input type="checkbox"/> East <input type="checkbox"/> West				
Total Land Area To Be Tiled (Acres)		WRD In Which System Is Located		
Contact Information				
Notification Provided By (print name or organization)				
Address		City	State	ZIP Code
Telephone Number		Cell Phone Number		
Email Address				

WRD Receipt Information (FOR WRD USE ONLY)	
WRD Signature	Received Date

## NOTIFICATION TO INSTALL SUBSURFACE WATER MANAGEMENT SYSTEM

### Additional Information For Project Owner

- Your Project Must Comply With The Provisions of N.D.C.C. § 61-32-03.2, which states:
  - A person required to notify the water resource district shall install the subsurface water management system such that:
    - Pump and control structures at pump outlets are installed no closer than twenty-five feet [7.62 meters] from the top of the back slope of an assessment drain;
    - Proper erosion controls are installed and maintained at all outlets; and
    - Pumps and control structures at project outlets are closed or turned off during critical flood periods.
- There Are Other Regulatory Considerations Outside Of This Notification, Including:
  - Road Authority Permissions Or Approvals;
  - Assessment Drain Set Backs;
  - Rural Water Line Set Backs;
  - Utility Locates;
  - Other Local, State, And Federal Permits Or Permissions, If Required.



# AUTHORIZATION TO CONSTRUCT A PROJECT WITHIN SOVEREIGN LANDS OF NORTH DAKOTA

OFFICE OF THE STATE ENGINEER  
REGULATORY DIVISION  
SFN 61408 (10/2019)

No. S **2198**

(OSE USE ONLY)

Project Number **1625**

This application must be submitted to the North Dakota Office of the State Engineer by mail to 900 E Boulevard Ave, Dept. 770, Bismarck, ND 58505-0850, by fax to (701) 328-3696, or by email to [sovereignlands@nd.gov](mailto:sovereignlands@nd.gov). To be complete, this application must include the additional information listed in the instructions on page 3.

If you need any assistance, please contact the Regulatory Division at (701) 328-2752.

\*\*\*\* Additional Sheets May Be Attached If Necessary. \*\*\*\*

Project Will Be Located In Which Water Resource District?

*Burleigh County*

## LOCATION DESCRIPTION TO THE NEAREST 40-ACRE TRACT

¼ <i>SE</i>	¼	Section <i>33</i>	Township <i>140</i>	Range <i>81</i>
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Is This Application For Modification Of An Existing Project?

☐ Yes ☒ No

If So, What Year Was Project Constructed?

By Whom?

Proposed Project Involves

☐ Bank Stabilization

☐ Pipeline Crossing

☐ Temporary Water Intake

☐ Boat Ramp

☐ Recreation

☐ Perennial Water Intake

☐ Bridge Construction

☐ Utility Line Crossing

☐ Permanent Water Intake Structure

☐ Fish And Wildlife

☐ Vegetation Control

☐ Dredge, Volume \_\_\_\_\_

☐ Geotechnical Work

☐ Water Outfall

☐ Fill, Volume \_\_\_\_\_

☐ Levee/Dike Or Dam

☐ Waste Lagoon

☒ Other, Explain

*Boat Dock*

If Proposed Project Involves A Standard Dock (see Supplemental Measurements Sheet For Standard Docks)

Standard Dock Dimension Shape

A <i>4 ft</i>	B <i>15 ft</i>	C <i>25 ft</i>	D <i>32 ft</i>
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About Water Body

Water Body On Which Project Will Be Located

*Missouri River, approximate river mile 1321.5*

Purpose

*Personal use.*

Project Description

*Floating T-shaped steel boat dock anchored above the OHWM. A Goulds Centrifugal water pump will be attached to dock. Water would be used for yard and lawn irrigation. Dock would be removed each fall.*

Contractor (if known)

*self*

Anticipated Construction Start Date

*Spring 2021*

Completion Date

## APPLICANT'S CERTIFICATION

I, the undersigned, am applying for authorization as required under North Dakota Century Code (N.D.C.C.) ch. 61-33 from the Office of the State Engineer. I understand that I must comply with N.D.C.C. ch. 61-33 and North Dakota Administrative Code ch. 89-10-01, and that I must adhere to any conditions required by the State Engineer. I acknowledge that my project is accurately described and depicted in this application as I intend to construct it. My signature below acknowledges that I have read and agree to these statements.

### PROJECT OWNER

Name of Project Owner <i>Stacy L. Tschider</i>			
Address <i>8606 Island Road</i>	City <i>Bismarck</i>	State <i>ND</i>	ZIP Code <i>58503</i>
Home Telephone Number <i>701-222-2290</i>	Cell Number <i>701-226-4243</i>		
Email Address <i>S.tschider@rainbowenergy.com</i>			
Signature of Project Owner or Applicant <i>[Signature]</i>			Date <i>5/13/21</i>

### IF DIFFERENT FROM PROJECT OWNER

Name of Applicant			
Address	City	State	ZIP Code
Home Telephone Number	Cell Number		
Email Address			

Signature of Project Owner or Applicant	Date
---	------

## **INSTRUCTIONS FOR COMPLETING AN AUTHORIZATION TO CONSTRUCT A PROJECT WITHIN SOVEREIGN LANDS OF NORTH DAKOTA UNDER NORTH DAKOTA ADMINISTRATIVE CODE § 89-10-01-04**

A person seeking to construct a project within Sovereign Lands of North Dakota requires authorization from the State Engineer before construction or operation of the project. "Sovereign Lands" means those areas, including the beds and islands, lying within the ordinary high water mark of navigable lake and streams.<sup>1</sup> (N.D.C.C. § 61-33-01). The "ordinary high water mark" is that line on navigable waters below which the action of the water prevents the growth of vegetation, or to restrict its growth to predominantly wetland species.

To be complete, the application must include all information listed below:

1. A completed "Application to Construct a Project within Sovereign Lands of North Dakota" form.
2. A detailed map or drawing of the projects location on an aerial photo.
  - i. Size of map must be 8 ½ by 11 inches,
  - ii. Map shall have a north arrow and approximate scale, and
  - iii. Map shall indicate the proposed work on the drawing.
3. If applying for the installation of a standard dock in which the total length of the dock over the surface of the water does exceed twenty-five feet on a river and fifty feet on a lake, please include measurements requested on "Supplemental Measurements Sheet for Standard Docks".
4. If applying for the installation of a standard dock in which the total length of the dock over the surface of the water does not exceed twenty-five feet AND is located on the Missouri River between the Oliver and Morton County line and Lake Oahe wildlife management area, the project only requires registration with the State Engineer. Please complete the "Registration for Placement of a Dock Under 25 Feet-Long on Specified Waters" form (SFN 61441).
5. If applying for the installation or modification (including change in transported liquid) of a pipeline which transports crude oil, natural gas liquids, or any other hazardous liquid, as determined by the State Engineer, the Applicant must first conduct a scour analysis specific to the proposed crossing for project design purposes.<sup>2</sup>
6. If applying for the installation of riprap or other bank stabilizations, please include a cross sectional drawing of the proposed work which includes the existing and proposed grade and the present location of the water surface.

### **Further Sovereign Land Permit Guidance:**

1. A permit would be required if any portion of the project would occur within, under, or over a navigable water of North Dakota.
2. A permit would be required if any portion of the project would occur below the ordinary high water mark.
3. The permit applicant is responsible for obtaining any other local, state, or federal permits or permissions that may be necessary prior to construction of a project on Sovereign Land.
4. There is no fee administered for a Sovereign Land Permit.
5. Please allow at least 90 days for Sovereign Land Permit processing.
6. Please notify the Office of the State Engineer of project completion at [sovereignlands@nd.gov](mailto:sovereignlands@nd.gov).
7. Unless specified, there is no expiration date on an obtained Sovereign Land Permit.

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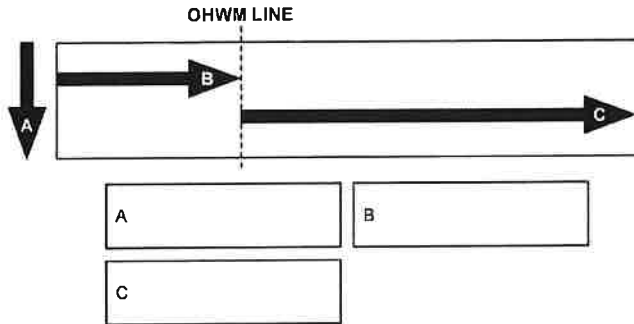
<sup>1</sup> North Dakota's Navigable Waters as of 2018: Missouri River, James River, Sheyenne River, Pembina River, Mouse River, Red River of the North, Bois De Sioux, Knife River, Heart River, Cannonball River, Yellowstone River, Devils Lake, Lake Metigoshe, Painted Woods Lake, Sweetwater Lake, Upper Des Lacs Lake, and Long Lake(Bottineau County). List subject to change.

<sup>2</sup> The minimum depth-of-burial for pipelines transporting crude oil, natural gas liquids, or any other hazardous liquid as determined by the state engineer must be total calculated scour plus four feet from the bed of the river to top-of-pipe for pipelines crossing the state's navigable rivers. (N.D.C.C. ch.61-63).

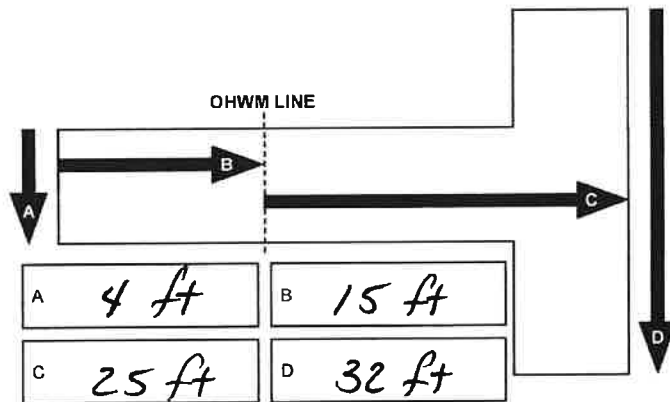
## SUPPLEMENTAL MEASUREMENT SHEET FOR STANDARD DOCKS

OHWM = Ordinary High Water Mark

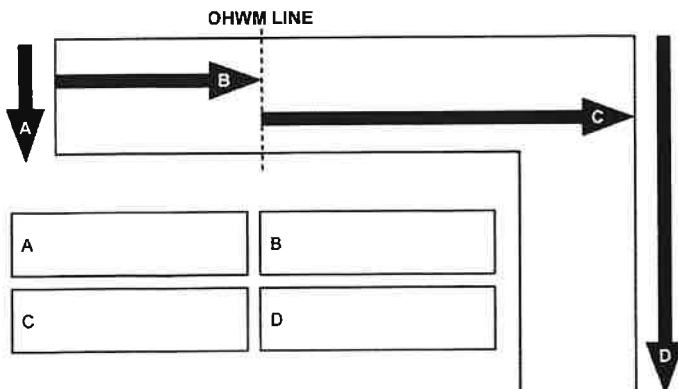
### 1. STRAIGHT DOCK DIMENSIONS (feet)



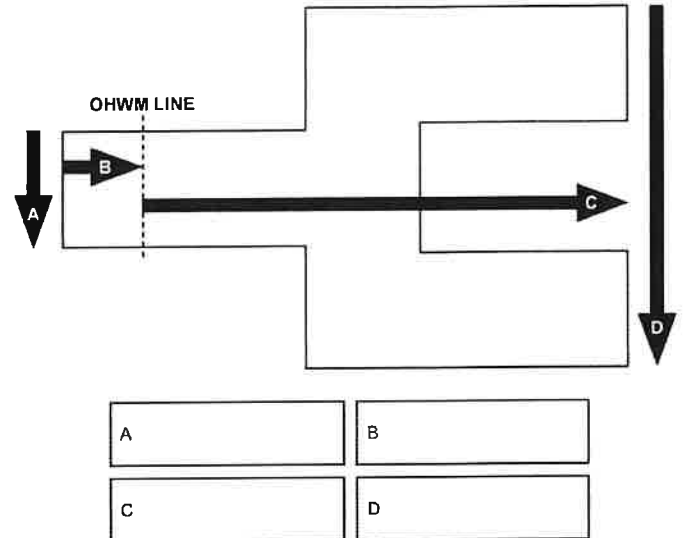
### 2. T-SHAPE DOCK DIMENSIONS (feet)



### 3. L-SHAPE DOCK DIMENSIONS (feet)



### 4. Y-SHAPE DOCK DIMENSIONS (feet)



### 5. OTHER DOCK SIZE AND DIMENSIONS (feet)

DRAW IMAGE HERE ALONG WITH OHWM LINE

A	B
C	D



### STANDARD DOCK CONDITIONS

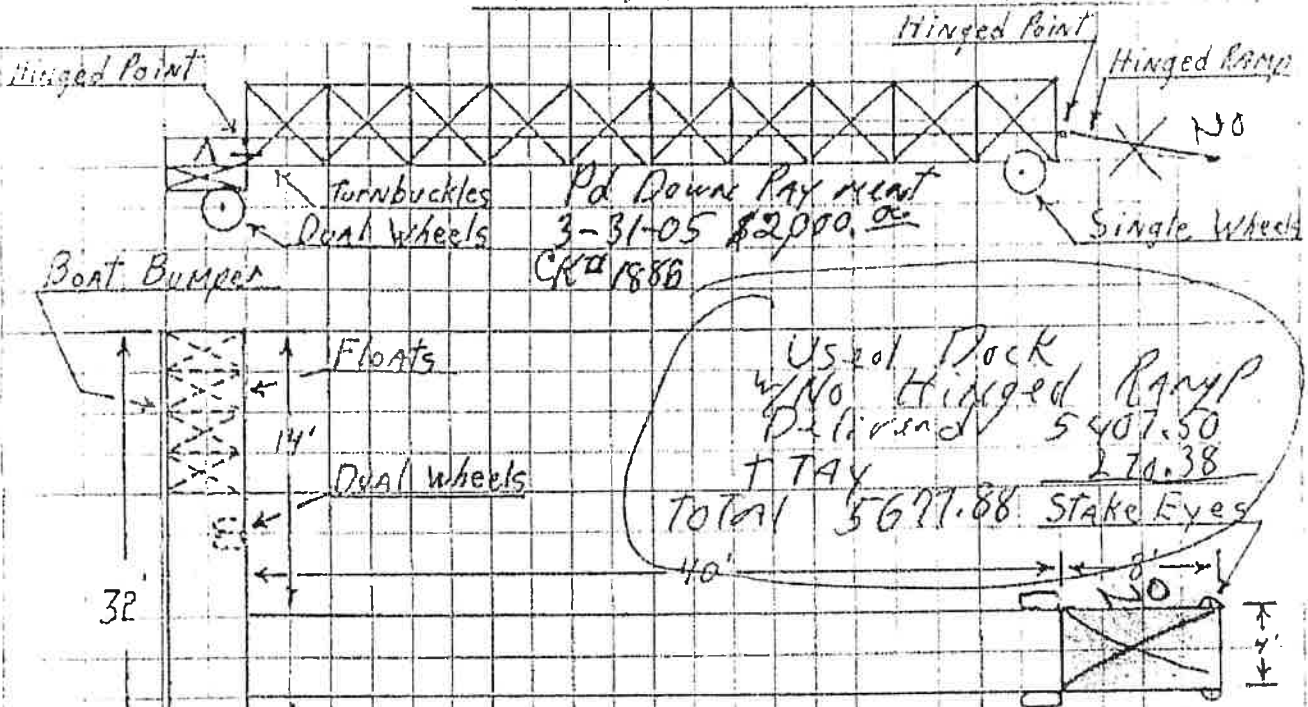
*The following standard conditions will be included on all docks requiring a sovereign land permit.*

1. Total length of the dock over the surface of the water **does** exceed twenty-five feet on a river and fifty feet on a lake. Please include measurements requested on "Supplemental Measurement Sheet for Standard Docks";
2. The dock is owned and operated by the riparian owner or the riparian owner's lessee for the riparian owners or lessee's personal use;
3. The dock is used only for embarkation, debarkation, moorage of boats, water intakes, or recreation;
4. There is no unreasonable interference with navigation or access to an adjacent riparian land owners property,
5. The dock is connected to a point above the ordinary high watermark by a boardwalk that does not exceed twenty-five (7.6 meters) in length, and is removed from below the ordinary high watermark each fall, and
6. Upon abandonment, the grantee restores the bank as closely as practicable to its original condition.

# ZACHMEIER

MFG.  
Boat Docks - Gangplank - Stairs - Fish Houses

Leo Zachmeier  
Tony Wald  
6650 Willow Road NE • Mandan, ND 58041  
(701) 663-8194



125' - 3/8 Galv. Cable	.90 @	112.50
6 - 3/8 Cable Clamps	2.50 @	15.00
3 - Screw Anchors	13.00 @	39.00
1 - Bank Roller		203.00
1 - Set Turnbuckles & Bracing		86.00
48' - Boat Bumper Combo	11.55 @	554.40
8 - 2'X4'X16" Floats	128.00 @	1024.00
8 - Foam Filled Tires	33.00 @	198.00
1 - Set No/Adj Single Wheels w/Plastic Tires	99.00 @	99.00
1 - Set No/Adj Dual Wheels w/Plastic Tires		209.00
1 - 4'X8' Hinged Ramp No/Handrails w/Floor Plate Decking		355.00
32' - Dock Sec. No/Handrails w/Floor Plate Decking	41.00 @	1312.00
40' - Gangplank Sec. w/2 Handrails & Floor Plate Decking	45.00 @	1800.00
Set-up		320.00

Total 6,356.90  
Steel Price Increase 8-17-04 1.50 Per Sq ft. 480.00  
Total \$6,836.90  
Delivery 85.78 Island Rd Bis 150.00  
Total \$6,996.90  
TAX 349.85  
Total \$7,346.75

Used  
Terry's Gangplank is 30' Long Instead of 40'

Quote Good for 60 Days - Prices Subject to Change

North  
↑





Bismarck, ND

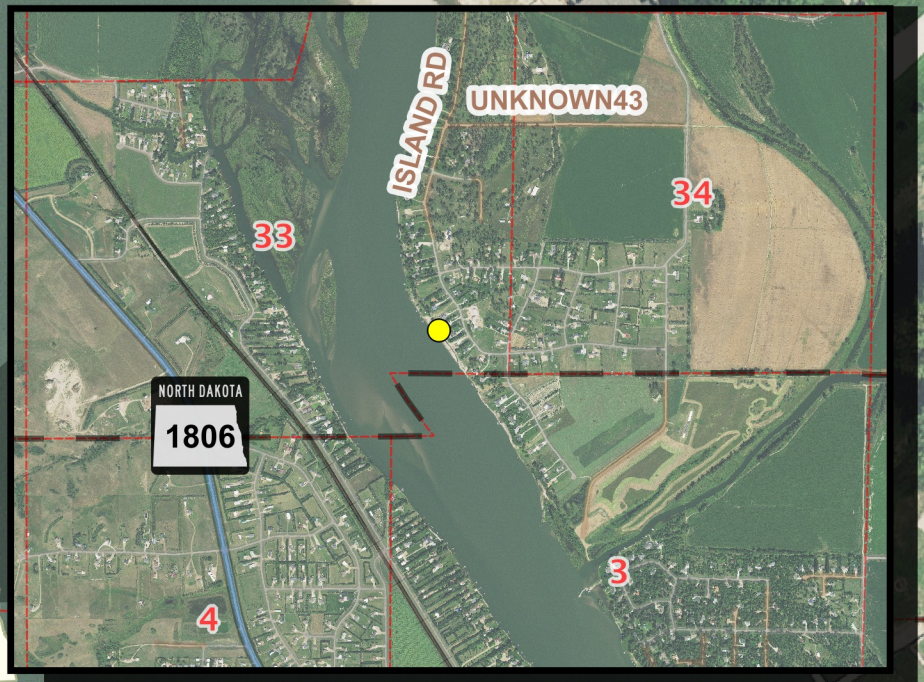


Project Location

Missouri River

2019 Aerial Photo

Project Location



Date: 3/24/2020  
Prepared by: CWN

Sovereign Lands Permit Application No. S-2198  
Stacy L. Tschider  
Boat Dock

SE 1/4 of Section 33, T140N, R81W, Burleigh County



May 13, 2021

**SOLICITATION OF VIEWS**

**RE: Authorization to Construct a Project within Sovereign Lands of North Dakota, Bottineau County,  
Applicant, Application No. S-2198**

Mr. Stacy Tschider, Bismarck, North Dakota (Applicant) filed a Sovereign Land Permit Application with the State Engineer to place a private boat dock proximate to his riparian lot on the Missouri River (Project). The Project would be located in the SE ¼ of Section 33, Township 140 North, Range 81 West, Burleigh County.

The Project would involve the annual placement of a floating T-shaped steel boat dock on the left bank of the Missouri River. The dock would be 4 feet wide, 25 feet long with a 32-foot long "T," and a 15-foot gang plank. The dock would be anchored above the ordinary high water mark of the Missouri River and removed from the river each fall before ice-up.

Projects which lie either partially or wholly below the ordinary high watermark of navigable streams or waters may require authorization from the State Engineer prior to construction or operation. At the discretion of the State Engineer, a public meeting may be held on the project for the purpose of gathering information. The State Engineer will consider riparian owner's rights, recreation, navigation, aesthetics, erosion, wildlife, water quality, maintenance of existing water flows, alternative uses, and the environment in determining whether to grant the authorization.

To ensure that all environmental, economic and social factors are considered in the evaluation of this application, your views and comments are solicited. It is requested that any comments or information be forwarded within **30** days of the date of this mailing to the State Engineer, at 900 East Boulevard Avenue, Bismarck, North Dakota. If no reply is received within the **30** days, it will be assumed that your agency has no comment on this project.

Sincerely,



Gerald R. Heiser  
Sovereign Land Manager  
GRH:/1625

Enclosures: Sovereign Land Permit Application  
Project Location Map

## Solicitation of Views

Page 2

December 1, 2020

cc: Mike Humann, North Dakota Department of Trust Lands  
Kathy Duttonhefner, North Dakota Parks and Recreation Department  
Greg Link, North Dakota Game and Fish Department  
Peter Wax, North Dakota Department of Environmental Quality  
U.S. Fish and Wildlife Service, Bismarck  
State Historical Society of North Dakota  
Burleigh County Water Resources District  
U.S. Army Corps Engineers, Bismarck

Burleigh County Water Resource District **SUBMITTED** Budget 2022

		2017 Budget	2018 Budget	2019 Budget	2020 Budget	2021 Budget	2022 Budget	
		Proposed	Proposed	Proposed	Proposed	Proposed	Proposed	
Income								
O 31110 · Real Estate Tax	\$	709,500.00	\$ 750,000.00	\$ 750,000.00	\$ 889,100.00	\$ 756,675.00	\$ 800,850.00	Mil Value - 540,000 x 1.5 - discounted 5%
O 31810 · In Lieu of Tax	\$	5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 1,000.00	\$ 6,000.00	
O 33610 · State Aid Distribution	\$	50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 60,000.00	\$ 50,000.00	\$ 36,000.00	
O 36110 · Interest	\$	100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 2,000.00	\$ 100.00	
O 33620 - Homestead Credit	\$	4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 5,000.00	\$ 6,000.00	
O 36210 - McDowell Dam Rec. Income	\$	8,000.00	\$ 8,000.00	\$ 14,000.00	\$ 20,000.00	\$ 25,000.00	\$ 35,000.00	
O 36215 - McDowell Dam Lease	\$	2,800.00	\$ 2,800.00	\$ 2,975.00	\$ 3,000.00	\$ 3,000.00	\$ 3,500.00	Need new lease
O 46910 · Misc Revenue	\$	1,500.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 4,000.00	\$ 500.00	
Total Income		\$780,900.00	\$820,900.00	\$827,075.00	\$982,200.00	\$846,675.00	\$887,950.00	
Expense								
O 111 · Payroll Expenses	\$	30,000.00	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	\$ 26,000.00	\$ 24,000.00	
O 111A · Payroll Taxes	\$	3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 4,000.00	\$ 2,400.00	
O 112 · Management Services Other	\$	18,000.00	\$ 20,000.00	\$ 20,000.00	\$ 25,000.00	\$ 25,000.00	\$ -	
O 113 - Management/Accounting service	\$	3,000.00	\$ 5,000.00	\$ 5,000.00	\$ 7,000.00	\$ 28,000.00	\$ 32,000.00	Combined acct 113 & 115; net budget adjustment of (14,000)
O 114 - Audit State	\$	6,000.00	\$ 6,000.00	\$ 6,000.00	\$ 6,000.00	\$ 5,000.00	\$ 7,500.00	Assume Audit fee will be lower - Brady Martz prepared financials
<del>115 - Contract Services</del>					<del>\$ 25,000.00</del>			See line 113
O 312 · Legal Fees	\$	18,000.00	\$ 24,000.00	\$ 24,000.00	\$ 24,000.00	\$ 24,000.00	\$ 24,000.00	
O 315 · Engineering Administration	\$	18,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 18,000.00	\$ 18,000.00	
O 328 · Liability Insurance	\$	2,700.00	\$ 2,700.00	\$ 2,700.00	\$ 6,000.00	\$ 4,100.00	\$ 4,800.00	
O 335 · Building Rent	\$	2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 1,500.00	\$ 1,625.00	\$ 300.00	
O 341 · Travel	\$	1,600.00	\$ 1,600.00	\$ 1,600.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	
O 376 · Dues & Publications	\$	4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 2,500.00	\$ 3,500.00	\$ 3,500.00	
O 411 · Office Supplies	\$	2,500.00	\$ 4,000.00	\$ 3,500.00	\$ 4,000.00	\$ 3,500.00	\$ 4,000.00	Potential device upgrades needed
O 904 · McDowell Dam (BPRD)	\$	234,375.00	\$ 219,025.00	\$ 219,025.00	\$ 223,000.00	\$ 220,000.00	\$ 255,000.00	
O 904 · McDowell Dam (Buffer Zone)	\$	80,000.00	\$ 80,000.00	\$ 80,000.00	\$ 30,000.00	\$ 30,000.00	\$ -	Secure easements
O 905 · McDowell Dam-Capital Improve	\$	10,000.00	\$ 45,000.00	\$ 45,000.00	\$ 45,000.00	\$ 55,000.00	\$ 75,000.00	Road re-surfacing
905a. Fresh Water Intake			\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 90,000.00	\$ 100,000.00	
O 910-L Hay Creek	\$	188,025.00	\$ 20,000.00	\$ 26,175.00	\$ -	\$ -	\$ 20,000.00	Reminder: Roll up from 2017-2019 budgeted funds is
910-Sibley Island			\$ 86,075.00	\$ 86,075.00	\$ -	\$ -	\$ 50,950.00	
910N Hay Creek/Arizona Drive				\$ 17,500.00	\$ -	\$ -	\$ -	
910 - Projects					\$ 150,000.00	\$ 95,000.00		Sibley Island Preliminary Engineering
O 911 · Misc	\$	2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	
O 920 · Continuing Education	\$	2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 1,500.00	\$ 2,500.00	
O 932 · City/County Watershed Planning	\$	20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 5,000.00	\$ 5,000.00	\$ -	
O 933 · Missouri River General Services	\$	25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 14,500.00	USGS Study Efforts
934 - Missouri River Bank Stabilization					\$ 153,200.00	\$ 100,000.00	\$ 200,000.00	
O 940A - Burnt Creek Watershed	\$	5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ -	Project Followup / Old Channel/
O 941 Stream Gages (Burleigh County)	\$	3,200.00	\$ 3,500.00	\$ 6,000.00	\$ 6,000.00	\$ 6,000.00	\$ 6,000.00	Added - BCWRD Now holds this USGS Agreement since 2016
O 960 Drainage Complaints (16)	\$	70,000.00	\$ 70,000.00	\$ 50,000.00	\$ 60,000.00	\$ 57,950.00	\$ 20,000.00	Various (projected)
O 970 Storm Water Management Plans	\$	20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 10,000.00	\$ 20,000.00	Various (projected)
Total Expense	\$	780,900.00	\$ 820,900.00	\$ 827,075.00	\$ 982,200.00	\$ 846,675.00	\$ 887,950.00	
NET	\$	-	\$ -	\$ -	\$ -	\$0.00	\$0.00	Net adjustments required to balance budget



TO BURLEIGH COUNTY TAX ENTITIES:

May 21, 2021

In 2017 the North Dakota Legislature made significant changes to budget deadlines and notice requirements for all local governments. **ALL local governments** are required to file a preliminary budget with the County Auditor's Office **by August 10<sup>th</sup>**. This includes county, city, park district, school district, township, fire, ambulance, and soil conservation districts. The reason for the new deadline is to allow the county time to prepare and mail an *Estimated Tax Statement* by August 31<sup>st</sup>.

If you fail to submit a preliminary budget by August 10<sup>th</sup>, you will be limited to levying the same dollars as levied in the previous year.

If your tax levy is **less than \$100,000**, you need to publish the notice of your budget hearing in your official newspaper. If your tax levy is **greater than \$100,000\*\*\***, you must conduct a budget hearing and provide to the Auditor's Office, the date, time, and location of your budget hearing. The budget hearing date cannot be any earlier than September 7<sup>th</sup>, nor later than October 7<sup>th</sup>.

\*\*\*Apple Creek, Gibbs, Hay Creek, Burnt Creek, and Lincoln Townships

**Cities, City Park Districts, School Districts, Fire Districts, and Soil Conservation:** Once you have held your final budget hearing and your board has approved the 2021 budget, you must file your final budget with the county auditor **no later than October 10<sup>th</sup>**. Remember the tax levy for the final budget cannot be greater than your preliminary budget. *If no budget is submitted, you will not receive tax levy dollars.*

**Dates to remember:**

- August 10 – Deadline for submitting your preliminary budget to the county auditor – if you don't file a preliminary budget with the county auditor by that date, you will be limited in the amount of your levy to what was levied in the previous year.
- August 10 – Deadline for providing the date, time, and place of your final budget hearing to the county auditor.
- August 31 – Deadline for county auditor to send out the estimated tax statements
- September 7 – First date to hold final budget hearing if you will levy over \$100,000 in taxes
- October 7 – Last date to hold final budget hearing if you will levy over \$100,000 in taxes.
- October 10 – Last date to approve and file final budget with county auditor.

Should you have any questions, please feel free to contact County Finance Director Robin Grenz.

Sincerely,

Leo Vetter  
Burleigh County Auditor/Treasurer

## **BURLEIGH COUNTY 2022 BUDGET CALENDAR**

May 19<sup>th</sup>, 2021 – Budget worksheets sent to each department.

DEVELOP BUDGET PLAN AND MEET WITH THE COMMISSIONER  
THAT HOLDS YOUR PORTFOLIO

June 7<sup>th</sup>, 2021 – Budget requests are due in the Auditor's Office.

June 22<sup>nd</sup> - 24<sup>th</sup>, 2021 – Budget Committee Meetings (specific date, time, and location to follow)

\*\*\*NOTE – THESE MEETINGS WILL BE PUBLIC HEARINGS

July 21<sup>st</sup> – 22<sup>nd</sup>, 2021 – Budget Hearing Meetings – The commission will adopt/approve preliminary budget

August 10<sup>th</sup>, 2021 – date for all entities (including cities, parks, school, fire, and soil) to have preliminary budgets turned in.

August 31<sup>st</sup>, 2021 – Estimated tax notices to be mailed out to each owner with a total estimated property tax of at least \$100. (Includes notice of final budget hearings for all local political subdivisions with a total estimated tax levy greater than \$100,000)

September 15<sup>th</sup>, 2021 – Commission approves final budget – final budget cannot be greater than the preliminary budget.

### **\*\*\*Budget committee suggestions**

#### ***IMPORTANT!***

Per Commissioner Jones, please provide a 3 to 5 year plan to present at the budget committee hearings.

- This does not need to be very formal. A dialogue of expenses and/or changes you foresee coming up in the next 3 to 5 years will suffice. The idea is to be able to plan ahead for larger expenditures to avoid peaks and valleys from year to year.

Salary and fringe benefit line items will be calculated by the Finance Director.

- Please review the spreadsheets provided for accuracy of employee's grade and step.
  - o There are multiple scenarios presented per possible salary structure changes.
- If requesting any additional FTE's, please contact Finance Director Grenz

All other line items – I understand that some line item descriptions do not fit the expenses they are used for. If you would like any adjustments to the line item descriptions or to add or delete any line items, please contact Finance Director Grenz to determine if the request is feasible.

Please be prepared to provide background (historical or physical) information to the budget committee for all line items.



# NORTH DAKOTA

## State Fire and Tornado Fund

Administered by the North Dakota Insurance Reserve Fund.

May 21, 2021

BURLEIGH COUNTY WATER RESOURCE DISTRICT  
WENDY EGLI  
PO BOX 1255  
BISMARCK, ND 58502

Re: North Dakota State Fire and Tornado Fund Renewal

Greetings,

Your North Dakota Fire and Tornado Fund (NDFT) renewal for the July 1, 2021-June 30, 2022, policy year will be processed in the coming weeks. Here is an update regarding the NDIRF's administration of the NDFT and the changes that will occur upon renewal.

When the NDIRF began administering the NDFT in 2019, we committed to a three-year plan to improve NDFT operations and enhance coverage and service. We are happy to report that two years into this transition, we are ahead of schedule.

Here are some highlights to illustrate that success:

- Nearly all NDFT political subdivision members have partnered with a local agent for service of their NDFT policy, allowing for local expertise to enhance their NDFT experience.
- Administrative expenses for the NDFT have been cut by over \$200,000 per year as a result of the NDIRF's efficient operation of the Fund.
- NDIRF staff and local agents have worked with NDFT members to increase coverage limits or add structures not previously covered. Through May 1, 2021, the NDFT total insured value has grown by over \$2 billion, saving NDFT members and North Dakota taxpayers from catastrophic out-of-pocket losses due to inadequate coverage limits or uncovered property.
- The NDFT coverage for the upcoming 2021-2022 coverage period has been enhanced to include an option for a per occurrence deductible for wind and hail claims, rather than a per building deductible for wind and hail claims, increased coverage for water and sewer backup, improved equipment breakdown coverage, and an option to purchase additional debris removal coverage. **To obtain more information about these**

**enhancements, including a quote, please contact your local agent or our Underwriting Department at NDFT@NDIRF.com.**

While there are many successes involving the NDFT over the past couple of years, the NDFT is also facing a significant challenge.

The NDFT purchases reinsurance to protect it from catastrophic financial losses. Unfortunately, the national property reinsurance marketplace has reduced coverage and increased pricing significantly over the past three years. In 2018, the NDFT paid approximately \$2.9 million per year for a reinsurance policy that provided coverage for losses exceeding \$1 million. Incredibly, the NDFT now pays over \$3.9 million per year for a reinsurance policy that provides coverage for losses exceeding \$2 million. In summary, the NDFT pays over \$1 million more per year for less coverage than in 2018.

Due to the dramatic increase in reinsurance costs, the NDIRF has recommended a 14% NDFT rate increase. The North Dakota Insurance Department agreed to the increase. **Therefore, your entity's NDFT renewal pricing will increase by approximately 14% for the July 1, 2021, renewal.**

This rate increase is due to rising reinsurance costs. NDIRF staff are constantly reevaluating ways to reduce administrative and reinsurance expenses, and we will continue that process moving forward in an attempt to soften any future changes to the national reinsurance marketplace.

Thank you for membership in the North Dakota Fire and Tornado Fund. The NDIRF staff looks forward to working with you to build on the past success of the NDFT. Please contact us with any questions or concerns you may have as we continue to look for ways to improve your NDFT experience.

Sincerely,



Brennan Quintus  
Chief Executive Officer  
North Dakota Insurance Reserve Fund

CC: North Dakota Local Agents

**State of North Dakota  
Temporary Water Permit  
SWC Project No. 1400A**

In response to an application for a temporary water permit dated 4/22/21 as received in this office 4/22/21, authority is hereby granted to:

Knife River - North Central  
3303 Rock Island Place  
Bismarck, ND 58504

Contact Person: Chris Kautz

Telephone: (701) 319-1386

**A Temporary Water Permit as follows:**

**Source:** East Branch Apple Creek

**Point of Diversion:** SE1/4 SE1/4 Sec. 23 Twp. 140 Rng. 077

**Nature of Use:** Washing Aggregates

**Total Quantity of Water:** 350.000 Acre-Feet

**Maximum Withdrawal Rate:** 1,500.0 gpm

**Period of authorized usage:** 5/18/21 through 12/31/21

This temporary water permit does not authorize the construction of any dam or crossing. Future water use from this source for this purpose may require a conditional water permit. Temporary water permits are not a water right, are non-transferrable, cannot be modified, and water must only be used for the specified nature of use. This temporary water permit is granted subject to water use by senior appropriators. Withdrawals authorized by this temporary water permit must cease upon order of the State Engineer. Noncompliance with permit conditions may result in possible civil or criminal penalties. Development of a water project with a temporary water permit is at the permitholder's risk.

**Conditions**

1. The State Engineer may impose minimum flow restrictions.
2. The permitholder must not cause streamflow to cease.
3. Sufficient water for downstream superior water rights must flow past the point of diversion while water is being withdrawn under this water permit.

Dated: 5/14/21

cc: Burleigh WRD

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John Paczkowski, P.E.  
Interim State Engineer  
ND State Water Commission  
900 East Boulevard  
Bismarck, ND 58505



Christopher D. Bader  
Director, Water Appropriations Division



**State of North Dakota  
Temporary Water Permit  
SWC Project No. 1400A**

4. A weather-protected copy of this temporary water permit must be present and on display at the equipment withdrawing water at all times.
5. An in-line, continuous recording, totalizing water flow meter must be installed on the pump discharge line to measure the water quantity pumped from the water source. The water flow meter must:
  - a. Be certified by the manufacturer to record between 98 to 102 percent of the actual water volume passing the water flow meter when installed according to the manufacturer's instructions.
  - b. Have a display that is readable at all times, whether the system is operating or not.
  - c. Have a totalizer that meets the following criteria:
    - i. Is continuously updated to read directly only in acre-feet, acre-inches, gallons, cubic feet, or barrels (42 U.S. gallons),
    - ii. Has sufficient capacity, without cycling past zero more than once each year, to record the water quantity diverted in any one calendar year,
    - iii. Has a dial or counter that can be timed with a stopwatch over not more than a 10-minute period to accurately determine the flow rate under normal operating conditions, and
    - iv. Has a nonvolatile memory if the meter is equipped with an electronic totalizer.
  - d. Be installed according to manufacturer's specifications and must be properly maintained according to manufacturer's recommendations including proper winterization such as removal during the winter.
  - e. Be available for inspection by the Office of the State Engineer.
6. The permitholder must complete every enclosed Annual Water Use Report, even if no water is withdrawn based on the following:
  - a. For temporary water permits that are inclusive to one (1) calendar year:
    - i. One (1) Annual Water Use Report must be submitted to the Office of the State Engineer within thirty (30) days after the expiration date of the permit.
  - b. For temporary water permits that span two (2) calendar years:
    - i. The first Annual Water Use Report must be submitted to the Office of the State Engineer within thirty (30) days after the close of the first calendar year, which must report the total water withdrawn in the first calendar year, and
    - ii. The second Annual Water Use Report must be submitted to the Office of the State Engineer within thirty (30) days after the expiration date of the permit, which must report the total water withdrawn in the second calendar year.

Dated: 5/14/21

cc: Burleigh WRD

---

John Paczkowski, P.E.  
Interim State Engineer  
ND State Water Commission  
900 East Boulevard  
Bismarck, ND 58505



Christopher D. Bader  
Director, Water Appropriations Division

**State of North Dakota  
Temporary Water Permit  
SWC Project No. 1400A**

7. Any works associated with this temporary water permit are subject to inspection at any time by representatives of the Office of the State Engineer. Refusal to allow inspection is grounds for temporary water permit cancellation.
8. Failure to comply with any order of the State Engineer may result in temporary water permit forfeiture.

Dated: 5/14/21

cc: Burleigh WRD

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John Paczkowski, P.E.  
Interim State Engineer  
ND State Water Commission  
900 East Boulevard  
Bismarck, ND 58505



Christopher D. Bader  
Director, Water Appropriations Division

**State of North Dakota  
Temporary Water Permit  
SWC Project No. 1400A**

In response to an application for a temporary water permit dated 4/29/21 as received in this office 4/29/21, authority is hereby granted to:

Strata Corporation  
1600 N 48TH ST

GRAND FORKS, ND 58203

Contact Person: Jesse Johansen

Telephone: (701) 741-5003

**A Temporary Water Permit as follows:**

**Source:** Excavated Pit Area Utilizing a Closed Sy

**Point of Diversion:** NE1/4 NW1/4 Sec. 31 Twp. 140 Rng. 077

**Nature of Use:** Washing Aggregates

**Total Quantity of Water:** 92.000 Acre-Feet

**Maximum Withdrawal Rate:** 600.0 gpm

**Period of authorized usage:** 5/24/21 through 11/1/21

This temporary water permit does not authorize the construction of any dam or crossing. Future water use from this source for this purpose may require a conditional water permit. Temporary water permits are not a water right, are non-transferrable, cannot be modified, and water must only be used for the specified nature of use. This temporary water permit is granted subject to water use by senior appropriators. Withdrawals authorized by this temporary water permit must cease upon order of the State Engineer. Noncompliance with permit conditions may result in possible civil or criminal penalties. Development of a water project with a temporary water permit is at the permitholder's risk.

**Conditions**

1. A well must not be constructed on the property described in the permit.
2. A weather-protected copy of the temporary water permit must be present and on display at the gravel operation at all times.

Dated: 5/24/21

cc: Burleigh WRD

\_\_\_\_\_  
John A. Paczkowski, P.E.  
Interim State Engineer  
ND State Water Commission  
900 East Boulevard  
Bismarck, ND 58505



Christopher D. Bader  
Director, Water Appropriations Division

**State of North Dakota  
Temporary Water Permit  
SWC Project No. 1400A**

3. An in-line, continuous recording, totalizing water flowmeter must be installed on the pump discharge line to measure the water quantity pumped from the water source. The water flowmeter must:
  - I. Be certified by the manufacturer to record between 98 to 102 percent of the actual water volume passing the water flowmeter when installed according to the manufacturer's instructions.
  - II. Have a display that is readable at all times, whether the system is operating or not.
  - III. Have a totalizer that meets the following criteria:
    - a. Is continuously updated to read directly only in acre-feet, acre-inches, gallons, cubic feet, or barrels (42 U.S. gallons),
    - b. Has sufficient capacity, without cycling past zero more than once each year, to record the water quantity diverted in any one calendar year,
    - c. Has a dial or counter that can be timed with a stopwatch over not more than a 10-minute period to accurately determine the flow rate under normal operating conditions, and
    - d. Has a nonvolatile memory if the meter is equipped with an electronic totalizer.
  - IV. Be installed according to manufacturer's specifications and must be properly maintained according to manufacturer's recommendations including proper winterization such as removal during the winter.
  - V. Be available for inspection by the Office of the State Engineer.
4. Water must only be used for the specific purpose of washing aggregates.
5. A report of water pumped must be submitted to the State Engineer's Office by January 31<sup>st</sup>, 2022, on the form provided.
6. Failure to comply with a State Engineer's order may result in water permit forfeiture.

Dated: 5/24/21

cc: Burleigh WRD

\_\_\_\_\_  
John A. Paczkowski, P.E.  
Interim State Engineer  
ND State Water Commission  
900 East Boulevard  
Bismarck, ND 58505



Christopher D. Bader  
Director, Water Appropriations Division

**State of North Dakota  
Temporary Water Permit  
SWC Project No. 1400A**

In response to an application for a temporary water permit dated 5/3/21 as received in this office 5/3/21, authority is hereby granted to:

Central Specialties, Inc.  
6325 County Road 87 SW  
Alexandria, MN 56308

Contact Person: Shane Carlberg

Telephone: (320) 491-6634

**A Temporary Water Permit as follows:**

**Source:** Apple Creek

**Point of Diversion:** NE1/4 Sec. 35 Twp. 139 Rng. 079

**Nature of Use:** Road Construction

**Total Quantity of Water:** 10.000 Acre-Feet

**Maximum Withdrawal Rate:** 300.0 gpm

**Period of authorized usage:** 5/26/21 through 12/31/21

This temporary water permit does not authorize the construction of any dam or crossing. Future water use from this source for this purpose may require a conditional water permit. Temporary water permits are not a water right, are non-transferrable, cannot be modified, and water must only be used for the specified nature of use. This temporary water permit is granted subject to water use by senior appropriators. Withdrawals authorized by this temporary water permit must cease upon order of the State Engineer. Noncompliance with permit conditions may result in possible civil or criminal penalties. Development of a water project with a temporary water permit is at the permitholder's risk.

**Conditions**

1. Water must be withdrawn from the right of way.
2. The State Engineer may impose minimum flow restrictions.
3. The permitholder must not cause streamflow to cease.

Dated: 5/24/21

cc: Burleigh WRD

---

John Paczkowski, P.E.  
Interim State Engineer  
ND State Water Commission  
900 East Boulevard  
Bismarck, ND 58505



Christopher D. Bader  
Director, Water Appropriations Division

**State of North Dakota  
Temporary Water Permit  
SWC Project No. 1400A**

4. Sufficient water for downstream superior water rights must flow past the point of diversion while water is being withdrawn under this water permit.
5. A weather-protected copy of this temporary water permit must be present and on display at the equipment withdrawing water at all times.
6. The permitholder must complete every enclosed Annual Water Use Report, even if no water is withdrawn based on the following:
  - a. For temporary water permits that are inclusive to one (1) calendar year:
    - i. One (1) Annual Water Use Report must be submitted to the Office of the State Engineer within thirty (30) days after the expiration date of the permit.
  - b. For temporary water permits that span two (2) calendar years:
    - i. The first Annual Water Use Report must be submitted to the Office of the State Engineer within thirty (30) days after the close of the first calendar year, which must report the total water withdrawn in the first calendar year, and
    - ii. The second Annual Water Use Report must be submitted to the Office of the State Engineer within thirty (30) days after the expiration date of the permit, which must report the total water withdrawn in the second calendar year.
7. Any works associated with this temporary water permit are subject to inspection at any time by representatives of the Office of the State Engineer. Refusal to allow inspection is grounds for temporary water permit cancellation.
8. Failure to comply with any order of the State Engineer may result in temporary water permit forfeiture.

Dated: 5/24/21

cc: Burleigh WRD

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John Paczkowski, P.E.  
Interim State Engineer  
ND State Water Commission  
900 East Boulevard  
Bismarck, ND 58505



Christopher D. Bader  
Director, Water Appropriations Division



## June 2021 Bills

Name	Project	Invoice	Amount
Bismarck Parks & Rec	Mcdowell Dam	2764	\$ 12,276.10
Bliss Law Firm	General	214	\$ 1,000.00
Fronteer Payroll Services	May Admin	1855	\$ 1,950.00
Fronteer Payroll Services	Postage	1838	\$ 58.99
Houston Engineering	McDowell Dam Bank Stabilization	54122	\$ 1,694.50
Houston Engineering	Admistration	54123	\$ 1,149.00
Houston Engineering	Sibley Island Flood Control	54124	\$ 3,898.00
Houston Engineering	Fox Island Flood Control	54125	\$ 552.25
Houston Engineering	Missouri River Revetments	54126	\$ 12,527.50
	Total		\$ 35,106.34



**BISMARCK PARKS AND  
RECREATION DISTRICT**  
Est. 1927

400 E Front Ave  
Bismarck, ND 58504-5641  
Phone: 701.222.6455

**INVOICE**

**BILLED TO:**  
Burleigh County Water Resource District  
Wendy Egli  
PO Box 1255  
Bismarck, ND 58502-1255

DATE: 6/3/2021  
INVOICE #: 02764  
DUE DATE: 7/3/2021  
TOTAL DUE: 12,276.10

CUSTOMER ACCOUNT # : 1017

ITEM DESCRIPTION	UNITS	PRICE	AMOUNT
McDowell Dam Reimbursement-May 2021	1.00		12,276.10
<b>TOTAL THIS INVOICE</b>			12,276.10

Please include account number with your payment.

For questions, contact Julie Fornshell 701.222.6455

**REMIT TO:**

Bismarck Parks and Recreation District  
400 E Front Ave  
Bismarck ND 58504-5641

Please remit bottom portion of invoice with your payment.  
Thank you!

CUSTOMER ACCOUNT # : 1017  
DATE: 6/3/2021  
INVOICE #: 02764  
DUE DATE: 7/3/2021  
TOTAL DUE: 12,276.10

**BURLEIGH COUNTY WATER RESOURCE DISTRICT  
McDowell Dam Monthly Billing**

**Bismarck Parks & Recreation District  
400 E. Front Ave  
Bismarck, ND 58504**

**For The Month Ended May 31, 2021**

**Date Submitted: 6/2/2021**

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Salaries & Wages	\$ 5,584.19
Employer Payroll Taxes	427.19
Employee Pension & Health/Life/ Disability Benefits	2,084.47
Property & Liability Insurance	-
Operating Expenses	1,725.03
Capital Improvement Expenses	-
<b>Total Expenses</b>	<b>\$ 9,820.88</b>
<b>Administrative Fee</b>	
(25% of Operating Expenses)	\$ 2,455.22
(5% of Capital Improvement Expenses)	-
<b>Total Amount Requested</b>	<b>\$ 12,276.10</b>

  
Prepared By

\_\_\_\_\_  
Board Member

  
Title

# McDowell Dam Monthly Billing

## May-21

### Salaries & Wages

Salaries - Full time	\$ 3,904.12	
Wages - Part time	1,680.07	
Wages - Part time (Overtime)	-	
Total Salaries & Wages		\$ 5,584.19

### Employer Payroll Taxes

Social Security/Medicare	427.19	
Unemployment- ND Job Service	-	
Total Employer Payroll Taxes		427.19

### Employee Benefits

Pension	406.03	
Health, Life, & Disability Insurance	1,678.44	
Total Employee Benefits		2,084.47

### Property & Liability Insurance

General Liability	-	
Multi Coverage	-	
Auto Liability	-	
Total Property & Liability Insurance		-

### Operating Expenses

Sanitary Systems	-	
Janitorial Supplies	-	
Miscellaneous Supplies	82.34	
Fuel	164.19	
Repairs & Replacement	974.12	
Uniforms	-	
Tools & Small Equip Less \$500	-	
Misc. Charges, Permits, and Licences	-	
Credit Card Fees	-	
	1,220.65	

### Utilities

Natural Gas	-	
Electricity	337.76	
Garbage Removal	-	
Water	-	
Telephone	166.62	
Total Utilities	504.38	

Total Operating Expenses 1,725.03

### Capital Improvements

Building and Building Remodeling	-	
Capital Equipment	-	
Capital Outlay	-	
Total Capital Improvements		-

Total Expenses

\$ 9,820.88  
BCWRD June 2021



Bismarck Parks and Recreation District

Detail Report  
Account Detail  
Date Range: 05/01/2021 - 05/31/2021

Account	Name		Beginning Balance	Total Activity	Ending Balance
Fund: 01 - GENERAL FUND					
01.12.000.510100	FULL-TIME SALARIES		15,806.00	3,904.12	19,710.12
Post Date	Packet Number	Source Transaction	Pmt Number	Description	Vendor
05/07/2021	PYPKT00953	PYPKT00953 - 2021-05		ROBINSON, DAVID H.:000415 - McDow	
05/21/2021	PYPKT00959	PYPKT00959 - 2021-05		ROBINSON, DAVID H.:000415 - McDow	
01.12.000.510200	PART-TIME SALARIES		2.68	1,680.07	1,682.75
Post Date	Packet Number	Source Transaction	Pmt Number	Description	Vendor
05/21/2021	PYPKT00960	PYPKT00960 - 2021-05		JOHNSON, SETH M.:000217 - Operation	
05/21/2021	PYPKT00960	PYPKT00960 - 2021-05		OSHANYK, JAMES L.:000366 - Operation	
05/21/2021	PYPKT00960	PYPKT00960 - 2021-05		SCHUMACHER, DUANE D:002233 - Ope	
05/21/2021	PYPKT00960	PYPKT00960 - 2021-05		EBY, THERRON L.:001915 - Operations/	
01.12.000.530140	MISCELLANEOUS SUPPLIES		329.14	82.34	411.48
Post Date	Packet Number	Source Transaction	Pmt Number	Description	Vendor
05/10/2021	APPKT02080	5738194	DFT0000976	HOOKS FOR PEG BOARD	0948 - US BANK - ONE CARD
				Purchased From Vendor: 0785 - RUNNINGS SUPPLY INC	
05/10/2021	APPKT02080	C57966/8	DFT0000976	PEG HOOKS, PAINT	0948 - US BANK - ONE CARD
				Purchased From Vendor: 0562 - MAC'S HARDWARE	
05/25/2021	APPKT02079	059470 00 00	205204	DOG BAG DISPENSERS - MCDOWELL DA	0254 - D & E SUPPLY COMPANY
01.12.000.531300	FUEL				
Post Date	Packet Number	Source Transaction	Pmt Number	Description	Vendor
05/25/2021	APPKT02079	FLTS-2021-00000005	205202	FUEL USAGE APRIL 21 - MCDOWELL DA	0209 - CITY OF BISMARCK
Beginning Balance			15,806.00	3,904.12	19,710.12
Amount			1,952.06	1,952.06	17,758.06
Running Balance			1,952.06		19,710.12
Amount			1,680.07		1,682.75
Running Balance					411.48
Amount			7.56		336.70
Running Balance					361.94
Amount			25.24		411.48
Running Balance					490.86
Amount			164.19		490.86
Running Balance					490.86





Detail Report

Account

01.12.000.550100

Name

HEALTH INSURANCE - Continued

Post Date

Packet Number

Source Transaction

Pmt Number

Description

Vendor

Grand Totals:

Beginning Balance: 27,291.97

Total Activity: 8,987.66

Ending Balance: 36,279.63

Date Range: 05/01/2021 - 05/31/2021

Beginning Balance

6,713.76

Total Activity

8,392.20

Ending Balance

8,392.20

Amount

Running Balance

# Fund Summary

Fund	Beginning Balance	Total Activity	Ending Balance
01 - GENERAL FUND	27,291.97	8,987.66	36,279.63
Grand Total:	27,291.97	8,987.66	36,279.63

Acme Tools - Bismarck  
3840 E Rosser Ave  
BISMARCK, ND 58501--331  
Store Phone# 701-258-1267

Customer: 31346  
BISMARCK PARKS & RECREATION  
400 E FRONT AVE  
BISMARCK, ND 58504-5641



701 South Washington  
Bismarck, ND 58504  
701-223-9582

Date: 4/19/21 Time: 16:55 Ticket Number: 17042735-000 Salesperson: Anthony Fri

Customer PO: card

Description	Amount
B AND C EAGLE (5M) 3/4 In. 1	16.99
9018A 1.00 @ 16.99	
Subtotal	16.99
Tax *MULTI*	.00
Total	16.99

Payment Summary:

Date : 4/19/21

Visa

\*\*\*\*\*6485 16.99

Chip Ind: CONTACT  
AID: A0000000031010  
App LBL: VISA CREDIT  
TVR: 0080001000  
TSI: E800  
IAD: 06011203600002  
ARC: 06011203600002  
CMV: SIGNATURE  
MODE: ISSUER

Total Paid 16.99

Total Items Sold : 1.00

Thanks for shopping at  
Acme Tools

Visit us at [www.acmetools.com](http://www.acmetools.com)

Store Hours:

Monday - Friday: 7:00 am - 5:30 pm  
Saturday: 8:00 am - 5:30 pm

PROD ID	QTY	UM	PRICE	TOTAL
HOOKS SCREW IN LADDER				
1720130	2	EA	1.290	2.58 n
SUPER HOOK PEGBD. POWER DRILL				
1721647	2	EA	2.490	4.98 n
SUBTOTAL				7.56
Tax				0.00
TOTAL				7.56
Visa				7.56

xxxxxxxxxx6485 (Approved)  
ROBINSON/DAVID

04/22/21 12:46:50 016 66870312016

1610111 BISMARCK PARKS & RECREATION

ATB: \*ALL NEED A PO

GOV: 1610111

PO NUMBER: mcdowell dam

INVOICE #: 5738194 WSID: RSIWS1280

ADC6A294-25D8-4EF0-9563-964D5B66F0E5

3734LJ 4.1.21.210 TILL ID: 04

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Mac's-Bismarck  
900 26th Street S  
Bismarck, ND 58504

PAGE NO 1

PHONE: (701) 221-0654

CUST NO: 700850	JOB NO: 000	PURCHASE ORDER:	REFERENCE:	TERMS: BLUETARP	CLERK: CW6239	DATE / TIME: 4/5/21 10:14
--------------------	----------------	-----------------	------------	--------------------	------------------	------------------------------

DUE DATE: 5/10/21 TERMINAL: 1811

SOLD TO:  
BISMARCK PARK & RECREATION  
400 E. FRONT AVE.

SHIP TO:  
ROBINSON/DAVID

BISMARCK ND 58504

701-222-6464

TAX: 108 BISMARCK 1.5 ND 5 CO.

**INVOICE: C57966/8**

LINE	SHIPPED	ORDERED	UM	SKU	DESCRIPTION	SUGG	UNITS	PRICE/ PER	EXTENSION
1	2	2	EA	1262046	18777 LD PEGHOOK MULTI TOOL HOLD		2	3.99 /EA	7.98 N
2	1	1	EA	1338205	14446 1/4X6IN PEG HOOK STEEL		1	5.99 /EA	5.99 N
3	1	1	EA	1326174	18613 PEGBOARD PLIER HOLDER		1	3.49 /EA	3.49 N
4	1	1	EA	1048956	PAINT ANTI-RUST HI GLOSS OIL ENA		1	4.99 /EA	4.99 N
5	1	1	EA	1262057	18422 2IN DBL PEGHOOKS 2C		1	2.79 /EA	2.79 N

\*\* PAID IN FULL \*\*

25.24

TAXABLE	0.00
NON-TAXABLE	25.24
SUBTOTAL	25.24



BANKCARD PAYMENT  
BKCRD# XXXXXXXXXXXX6485

25.24

TAX AMOUNT	0.00
<b>TOTAL</b>	<b>25.24</b>

TOT WT: 0.00  
MID: \*\*\*6749

APP: 008262

XR: 257966

X

Mail Blue Tarp payments to:  
Blue Tarp Financial, Inc.  
PO Box 1055299  
Atlanta, GA 30358-5529  
Page 128 of 157  
ACW518-5525

**PURCHASE ORDER**  
**BISMARCK PARKS AND RECREATION DISTRICT**  
 400 East Front Avenue • Bismarck, ND 58504  
 Phone: (701) 222-6455 • Fax (701) 221-6838

No. 57640

ND Tax Exempt Number: E-4674  
 Federal ID Number: 45-0409352

Name D+E Supply

Vendor 254

Address \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Date 5-18-21

Notes \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Acct #	Project Number	Cost
01.15.000.530140		
Description		
Dog bag dispensers - Sibley (4)		198 <sup>16</sup>
Acct #		
01.12.000.530140		
Description		
Dog bag dispensers - McDowell		49 <sup>54</sup>
Acct #		
01.04.000.530140		
Description		
Dog bag dispensers - Park ops		247 <sup>70</sup>
Acct #		
Description		
Acct #		
Description		
Acct #		
Description		
Acct #		
Description		
Acct #		
Description		

Employee's Signature R. Thach

Total 495<sup>40</sup>

Manager's Signature Tony Schmitt

Approved By MJ

**ORIGINAL**

**D&E Supply**  
 COMPANY  
 P.O. Box 2633  
 Bismarck, ND 58502-2633

# INVOICE

Phone 701-255-4755  
 Fax 701-258-2925



13:57 05/18/21 TC

Page 1/1

Invoice #  
**059470 00 00**

BR/WHSE USER  
 01/01 TC

S City of Bismarck Parks & Rec  
 O T 400 E Front Ave  
 L O Bismarck ND 58504  
 D

S Maintenance Shop  
 H T 605 Arbor Avenue  
 I O Bismarck ND 58504  
 P

Tel 701-222-6455 Fax 701-221-6838

Tel 701-222-6464 Attn BONNIE LAHR

ORDER DATE	CUSTOMER NUMBER	CUSTOMER P/O NUMBER	TERMS CODE	TAX CODE	SHIP VIA	SALES PERSON	JOB ID/NAME
05/18/21	0001235		net 30	032/0.000%	Our Truck	Tristan Crawford	

LN#	Q-ORD	Q-SHP	Q-B/O	PRODUCT	UOM	UNIT-PRICE	DISC%	EXTENSION	T
1)	10	10	0	ZW-Z400 Dispenser, D400, Doggie Bags	EA	49.54		\$495.40	N

Order Total 495.40

TOT: 10 10 0

Received in Good Condition:

X: \_\_\_\_\_

Ship Date 05/18/21 Loc  
 Volume \_\_\_\_\_ Picked by TC  
 Weight \_\_\_\_\_  
 Pieces \_\_\_\_\_ Packed by \_\_\_\_\_  
 Pallet \_\_\_\_\_  
 Pkgs \_\_\_\_\_ Checked by \_\_\_\_\_  
 Ctns \_\_\_\_\_  
 Lnth \_\_\_\_\_ Loaded by \_\_\_\_\_



# INVOICE

City of Bismarck  
PO Box 5503  
Bismarck, ND 58506  
(701) 355-1615

DATE: 04/30/2021  
DUE DATE: 05/31/2021  
CUSTOMER NO: 509  
INVOICE NO: FLTS-2021-00000005  
DEPARTMENT: 660 Public Works Service Operations

PARKS & RECREATION  
400 E FRONT AVE  
BISMARCK, ND 58504-5641

Billing Inquiries:  
Public Works  
(701)355-1700

Description	Quantity	Unit Price	Total Price
Sale of Fuel-Hwys/Streets	1	\$1,090.5100	\$1,090.51
Sale of Unleaded Fuel-Hwy/St	1	\$3,525.0700	\$3,525.07

Invoice Total: \$4,615.58  
Prepaid Amount: -\$0.00

Balance Due: \$4,615.58

Park Ops      Sibley      McDowell      Burleigh      AWC  
 3,753.19      326.14      164.19      246.75      125.31 = 4615.58

tear here

# City of Bismarck, Public Works

## Simple Invoice By Account For Driver

Date Range From: 4/1/2021 12:00:00 AM To: 4/30/2021 11:59:59 PM

Driver	Driver Name	Vehicle	# of Trans	Avg Price	Total Quantity	Total Amount
Account: 1099		PARKS & REC , MICHAEL JOB, GREG SMITH,				
Product 01	Unleaded					
2522000000001464	PARKS/ DAN S.		2	\$2.436	62.850	\$153.08
2522000000001668	PARKS/ BRAD P. // TOM O.		1	\$2.410	26.040	\$62.76
2522000000002024	PARKS/ RICH H.		3	\$2.426	86.670	\$210.27
2522000000002077	PARKS (AQUATICS CENTER)		2	\$2.435	51.470	\$125.31
2522000000002140	PARKS/ TIM N.		5	\$2.392	99.580	\$238.22
2522000000002179	PARKS/ LYNN M.		3	\$2.408	43.170	\$103.94
2522000000002202	PARKS // DAVE MAYER		1	\$2.380	26.520	\$63.12
2522000000002720	PARKS /// ADAM KELLER		1	\$2.380	20.610	\$49.05
2522000000002722	PARKS /// MERKEL RILEY		1	\$2.380	24.030	\$57.19
2522000000002723	PARKS // STEVE P.		4	\$2.417	84.500	\$204.23
2522000000003135	PARKS / BRAD VOLK		1	\$2.490	50.500	\$125.75
2522000000003157	PARKS / MARTHA		1	\$2.380	22.480	\$53.50
2522000000003214	PARKS / CAPITAL RACQUET		2	\$2.403	32.010	\$76.92
2522000000003245	PARKS // CORY LANG		2	\$2.454	34.000	\$83.45
2522000000003256	BALES, COLIN		2	\$2.380	50.630	\$120.50
2522000000003275	PARKS / JACE CARROLL		2	\$2.429	39.370	\$95.63
2522000000003277	PARKS/ MIKE ROTH		2	\$2.348	57.500	\$135.04
2522000000003278	PARKS//MILLER, RYAN		3	\$2.390	71.910	\$171.86
2522000000003414	PARKS / ROD K.		2	\$2.395	52.880	\$126.66
2522000000003425	PARKS / JOEY LAFAVE		2	\$2.395	55.260	\$132.36
2522000000003598	PARKS /// SHOP		1	\$2.410	26.850	\$64.71
2522000000003602	PARKS /// INVALID		1	\$2.490	18.500	\$46.07
2522000000003604	PARKS /// ROBINSON		2	\$2.451	67.000	\$164.19
2522000000003729	PARKS / TONY SCHMITT		3	\$2.426	71.160	\$172.66
2522000000003760	PARKS //// STEVE G		6	\$2.406	102.560	\$246.75
2522000000003787	PARKS ///// HAADEM ,		3	\$2.421	75.510	\$182.78
2522000000003827	PARKS / BOSCH JAMIE		3	\$2.418	67.930	\$164.25
2522000000003836	PARKS / MATZKE, BRAD		1	\$2.380	25.350	\$60.33
2522000000003842	PARKS //// HEUPEL , GARTH		1	\$2.320	14.880	\$34.52
Totals for Product:				\$2.412	1461.720	\$3,525.07
Product 05	Diesel					
2522000000002720	PARKS /// ADAM KELLER		1	\$2.620	55.570	\$145.59
2522000000002723	PARKS // STEVE P.		1	\$2.740	65.540	\$179.58
2522000000003072	PARKS // TROY FINK		8	\$2.740	225.710	\$618.45
2522000000003135	PARKS / BRAD VOLK		1	\$2.740	53.610	\$146.89
Totals for Product:				\$2.723	400.430	\$1,090.51
Totals for Account:				\$2.479	1862.150	\$4,615.58



LOWE'S HOME CENTERS, LLC  
1401 W CENTURY AVE  
BISMARCK, ND 58503 (701) 934-9000

- SALE -

SALES#: S2533SA3 3578039 TRANS#: 2415408 04-14-21

639138 4-4-8 TREATED #2 GRADE SQ	102.54	<i>Lumber</i>
6 @ 17.09		
489328 2-2-8 #1 TREATED #1 GRADE	63.68	<i>Peel Facing Hinge</i>
16 @ 3.98		
153521 RB 4-FTX50-FT 2-INX4-IN14	48.98	
308971 2.5-IN ZN NARR HNG 2-CT(+)	16.68	
6 @ 2.78		

SUBTOTAL: 231.88  
TOTAL TAX: 0.00  
INVOICE 02053 TOTAL: 231.88  
VISA: 231.88

VISA:XXXXXXXXXX6485 AMOUNT:231.88 AUTHCD:013340

CHIP REFID:253302017852 04/14/21 10:49:20

APL: VISA CREDIT TVR: 0080008000

AID: A0000000031010 TSI: E800

STORE: 2533 TERMINAL: 02 04/14/21 10:50:24

# OF ITEMS PURCHASED: 29

EXCLUDES FEES, SERVICES AND SPECIAL ORDER ITEMS



THANK YOU FOR SHOPPING LOWE'S.

FOR DETAILS ON OUR RETURN POLICY, VISIT

LOWES.COM/RETURNS

A WRITTEN COPY OF THE RETURN POLICY IS AVAILABLE

AT OUR CUSTOMER SERVICE DESK

STORE MANAGER: NICOLE PAKIZ

LOWE'S PRICE MATCH GUARANTEE

FOR MORE DETAILS, VISIT LOWES.COM/PRICEMATCH



LOWE'S HOME CENTERS, LLC  
1401 W CENTURY AVE  
BISMARCK, ND 58503 (701) 934-9000

- SALE -

SALES#: S2533EEZ 3709780 TRANS#: 8996027 04-09-21

803994 UT 180-DEG 2-HD PAR WHT (	55.96
2 @ 27.98	
<i>Motion lights</i>	
SUBTOTAL:	55.96
TAX:	0.00
INVOICE 08193 TOTAL:	55.96
VISA:	55.96

VISA:XXXXXXXXXX6485 AMOUNT:55.96 AUTHCD: 089821

CHIP REFID:253308007537 04/09/21 14:20:02

CUSTOMER CODE: mcdowal

APL: VISA CREDIT TVR: 0080008000

AID: A0000000031010 TSI: E800

STORE: 2533 TERMINAL: 08 04/09/21 14:20:27

# OF ITEMS PURCHASED: 2

EXCLUDES FEES, SERVICES AND SPECIAL ORDER ITEMS



THANK YOU FOR SHOPPING LOWE'S.

FOR DETAILS ON OUR RETURN POLICY, VISIT

LOWES.COM/RETURNS

A WRITTEN COPY OF THE RETURN POLICY IS AVAILABLE

AT OUR CUSTOMER SERVICE DESK

STORE MANAGER: NICOLE PAKIZ

LOWE'S PRICE MATCH GUARANTEE

FOR MORE DETAILS, VISIT LOWES.COM/PRICEMATCH

\*\*\*\*\*

*	SHARE YOUR FEEDBACK!	*
*	ENTER FOR A CHANCE TO BE	*
*	ONE OF FIVE \$500 WINNERS DRAWN MONTHLY!	*
*	ENTRE EN EL SORTEO MENSUAL	*

Give us feedback @ survey.walmart.com  
Thank you! ID #:7999893H64U

**Walmart**

Light B-165  
701-223-3066 Mgr:TIM  
2717 ROCK ISLAND PL  
BISMARCK ND 58504  
STN 01534 0PM 007808 IEN 90 TR# 00201  
AV LED PAR3 007874233199 9.88 0  
AV LED PAR3 007874233199 9.88 0  
6 TRAY 009826282177  
5 AT 1 FOR 1.47 7.35 0

Paint tray  
SUBTOTAL 27.11  
TOTAL 27.11  
VISA TEND 27.11

VISA CREDIT \*\*\*\*\* 6485 I 2

APPROVAL # 012797

REF # 109090233976

TRANS ID - 581098050045035

VALIDATION - N7AK

PAYMENT SERVICE - E

P.O. # 0

AID A0000000031010

AAC 2591015058342756

TERMINAL # SC011052

04/08/21 18:38:12

CHANGE DUE 0.00

# ITEMS SOLD 7

ICH 3255 5205 1207 3393 1348



Low Prices You Can Trust. Every Day.

04/08/21 18:30:19

\*\*\*CUSTOMER COPY\*\*\*



LOVE'S HOME CENTERS, LLC

1401 W CENTURY AVE

BISMARCK, ND 58503 (701) 934-9000

- SALE -

SALES#: S2533TQ2 3075370 TRANS#: 2042794 03-29-21

539186 9-IN SINDRO CAULK GUN 3.98

464526 4-4-10 TREATED #2 GRADE T 49.78

2 @ 24.89

SUBTOTAL: 53.76

TOTAL TAX: 0.00

INVOICE 02085 TOTAL: 53.76

VISA: 53.76

VISA:XXXXXXXXXX6485 AMOUNT:53.76 AUTHCD:092882

CHIP REFID:253302014538 03/29/21 13:32:44

CUSTOMER CODE: 0

APL: VISA CREDIT TVR: 0080008000

AID: A0000000031010 TSI: E800

STORE: 2533 TERMINAL: 02 03/29/21 13:33:38

# OF ITEMS PURCHASED: 3

EXCLUDES FEES, SERVICES AND SPECIAL ORDER ITEMS



THANK YOU FOR SHOPPING LOWE'S.

FOR DETAILS ON OUR RETURN POLICY, VISIT

LOWES.COM/RETURNS

A WRITTEN COPY OF THE RETURN POLICY IS AVAILABLE

AT OUR CUSTOMER SERVICE DESK

STORE MANAGER: NICOLE PAKIZ



# FARM & HOME SUPPLY, INC.

1406 E. Main Ave. - Box 873  
Bismarck, North Dakota 58502-0873  
Phone (701) 258-3436  
Locally Owned



701 South Washington  
Bismarck, ND 58504  
701-223-9582

Customer's Order No. _____		Date <u>4-8-21</u> 20__	
Name <u>Bismarck Parks &amp; Rec</u>			
Address _____			
<u>Visa 1225</u>			
SOLD BY <u>7</u>	CASH	C.O.D.	CHARGE
ON ACCT.	MDSE. RETD.	PAID OUT	
QUAN.	DESCRIPTION	PRICE	AMOUNT
<u>10</u>	<u>Cable clamp</u>	<u>99</u>	<u>9.90</u>
<u>15</u>	<u>ft cable</u>	<u>59</u>	<u>8.85</u>
			<u>18.75</u>
SALE AMOUNT		\$18.75	
CUST. CODE			
TAX AMOUNT			
MODE			
ENTRY METHOD			
APPROVAL CODE			
INVOICE			
BATCH #			
SEQ #			
AID			
CHIP CARD			
CARD #			
VISA SALE			
VISA CREDIT			
A0000000031010			
44			
547			
44			
059666			
Chip Read			
Issuer			
Tax Amount			
Cust Code			
1753560			
Received By			
TAX			
TOTAL			

PROD ID	QTY UM	PRICE	TOTAL
GALVANIZED CABLE	5/16" 7X19		
4460086	50 FT	0.990	49.50 n
SUBTOTAL			49.50
Tax			0.00
TOTAL			49.50
Visa			49.50

xxxxxxxxxx6485 (Approved)  
ROBINSON/DAVID

04/08/21 12:03:56 016 66730250016  
1610111 BISMARCK PARKS & RECREATION  
ATB: \*ALL NEED A PO  
GOV: 1610111  
PO NUMBER: mcdowell  
INVOICE #: 5726096 WSID: RSIWS1280  
AC8C8E3D-9998-4E59-B573-29EF8959246C  
3734LJ 4.1.21.210 TILL ID: 04

Thanks for choosing Runnings!

Earn rewards for every purchase.  
Apply for the NEW Runnings Mastercard®





# Picking Ticket

COD

Picking Ticket #



89101461

Page

1 of 1

**Ship From : 70262**

Praxair Distribution Inc  
PRAXAIR PKG BISMARCK ND HS  
820 E FRONT AVE  
BISMARCK ND 58504-5647  
701-223-8255

**Ship To : 71842777 CU Cust # : G718J**  
BISMARCK PARKS & RECREATION  
400 E FRONT AVE  
BISMARCK ND 58504

Caller Name : DAVID  
Caller Phone # :

**Order # : 40000965** ORD TYPE : ZO  
Shipment # :  
Order Date : 4/8/2021 Promise Date : 4/8/2021  
Order Processed By : Johnny Brown, JDB  
Phone # :  
Ship Via : Customer Pick Up  
Route# : Z00  
Carrier Name :  
Rev Brn : 70262 4/8/2021 01:16PM EST

**Sold To: 71842777**

BISMARCK PARKS & RECREATION  
400 E FRONT AVE  
BISMARCK ND 58504

PO # : MC DOWEL DAM  
Release # :  
Phone # : 701-222-6455

Customer #



71842777

Card

Order #



40000965

QTY SHIP	UM	H M	ID NUMBER	DESCRIPTION & HAZARD CLASS	LINE NO	ITEM NO/ CUST.ITEM NO	QTY ORDER	QTY BKORD	CYLINDERS SHIP	RET	TAX Y/N	VOL/ WT	UNIT AMOUNT	EXTENDED AMOUNT
1	CYL X		UN1072	OXYGEN, COMPRESSED, 2.2, (5.1)	1.000	OX S	1	0	1	1	Y	154 CF	36.39	36.39
				OXYGEN S								88.70 LB		
1	CYL X		UN1001	ACETYLENE, DISSOLVED, 2.1	2.001	AC WS	1		1	1	Y	130 CF	0.5449	70.84
				ACETYLENE WS								76.80 LB		
				VOLUME										
EA				HAZARDOUS MATERIAL CHARGE	3.000	UZZZHMD3	1	0			Y	NA	15.95	15.95
												1.00 EA		

Card: Visa 6485 043966 Amount 123.18 Payment Date 4/8/2021 12:16:03  
Card Entry: Pin: N Sign: Y Credit VISA CREDIT  
AID: A0000000031010 TVR: 0000008000 TSI: E800 ARC: 00 MID: 30990 TID: 70262\_CT2

EMERGENCY RESPONSE TELEPHONE NUMBER:  
CALL CHEMTREC 1-800-424-9300

WARNING: Transporting flammable gases and/or hazardous materials in an enclosed van, automobile or automobile trunk is very dangerous because it can cause a fire or explosion resulting in serious injury or death. Read cylinder label warnings, Safety Data Sheets (SDSs) and/or safety booklet P-3499.

PLACARDS OFFERED ☐ ACCEPTED ☐ REJECTED

This is to certify that the above named materials are properly classified, described, packaged, marked, labeled, and are in proper condition for transportation according to the applicable regulations of the Department of Transportation.

Sub Total	USD 123.18
Tax ( % )	
Total Sales	USD 123.18

Authorized Signature Johnny Brown, JDB

Received by \_\_\_\_\_



INVOICE

**Kirkwood ICE Hardware**

PAGE NO 1

4321 OTTAWA ST.  
BISMARCK, ND 58503-6176  
(701) 751-0529

"Bismarck's Real Hardware Stores"

RECEIPT REQ WITHIN 30 DAYS! NO REFUNDS  
ON USED, OPENED, OR CLEARANCE ITEMS.

CITY OF BISMARCK PARKS & REC.  
400 E FRONT AVE

BISMARCK ND 58504  
(701) 222-6455  
ROBINSON/DAVID

CUST # 143150  
TERMS: NET EOM  
P.O. # MCDOWEL  
REF. # PO # MCDOWEL

INV # 602801  
DATE : 4/15/21  
CLERK: ALISON  
TERM # 552  
TIME : 6:29  
\*\*\*\*\*  
\* INVOICE \*  
\*\*\*\*\*

QUANTITY	UM	ITEM	DESCRIPTION	SUGGESTED PRICE	PRICE / PER	EXTENSION
----------	----	------	-------------	-----------------	-------------	-----------

1	EA	1110147	D&S TONED OIL STAIN NATURAL Gal	46.99	46.99 /EA	46.99 N
---	----	---------	---------------------------------	-------	-----------	---------

MID:\*\*\*5550

\*\* PAID IN FULL \*\*

APP:062738

BANKCARD PAYMENT  
BKCRD#XXXXXXXXXXXX6485

XR:202801  
46.99 TAXABLE  
NON-TAXABLE  
SUB-TOTAL  
TAX AMOUNT  
TOTAL INVOICE

0.00  
46.99  
46.99  
0.00  
46.99

X

*mm mm*

RECEIVED RV

**PURCHASE ORDER**  
**BISMARCK PARKS AND RECREATION DISTRICT**  
 400 East Front Avenue • Bismarck, ND 58504  
 Phone: (701) 222-6455 • Fax (701) 221-6838

No. 83495

ND Tax Exempt Number: E-4674  
 Federal ID Number: 45-0409352

Name ND Surplus Property

Vendor 668

Address \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Date 4/26/21

Notes 2" water pump metal recycling bin  
 \_\_\_\_\_  
 \_\_\_\_\_

		Project Number	Cost
Acct #	01.12.000.531400		
Description	pump + recycling		\$ 350.00
Acct #			
Description			
Acct #			
Description			
Acct #			
Description			
Acct #			
Description			
Acct #			
Description			
Acct #			
Description			
Acct #			
Description			
Acct #			
Description			
		Total	350.00

Employee's Signature [Signature]

Manager's Signature [Signature]

Approved By [Signature]



## NORTH DAKOTA SURPLUS PROPERTY

Warehouse: 1278 Hemlock Street

Mail To: 600 E Boulevard Ave - Dept 15

Bismarck ND 58505-0608

A Division of the Office of Management & Budget/Central Services Division

[www.nd.gov/omb/surplus](http://www.nd.gov/omb/surplus)

Office: 701-328-9665

Warehouse: 701-328-9666

Fax: 701-328-9669

Email: [surplus@nd.gov](mailto:surplus@nd.gov)

Page 1

Document Number: 146944 / 24968  
BISMARCK PARKS AND RECREATION  
DAVID ROBINSON  
400 EAST FRONT AVENUE

Number: BIS0012

04/01/2021

BISMARCK, NORTH DAKOTA 58504  
Phone: (701) 222-6455  
Remarks:

Inventory Number	Description of Property	Qty Unit	Cost	Handling Charge
38-021-0093-55-001	PUMP UNIT,CENTRIFUGAL W57KFP02180002	1	50.00	50.00
38-021-0148-53-002	SEE ATTACHMENT - MISC ITEMS 89056510250268	1	300.00	300.00

NDSASP Rep: RANDY

*Damp \$ + 6*

Total 350.00  
Amount Applied 0.00  
Total Due: 350.00

By signing and submitting this lower tier proposal, the prospective lower tier participant, as defined in 41 CFR 105-68, certifies to the best of its knowledge and belief that it and its principals are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency and where the prospective lower tier participant is unable to certify to any of the above, such prospective participant shall attach an explanation to this proposal.

### THIS IS YOUR STATEMENT

#### Remit To

North Dakota Surplus Property  
600 E Boulevard Ave - Dept. 15  
Bismarck, ND 58505-0608

As the authorized agent of the above donee, I accept the property listed above and commit the donee to comply with the terms and conditions printed on the other side of this document.

Signature

Page 139 of 157  
BCWRD June 2021

Date



**CAPITAL ELECTRIC**  
COOPERATIVE  
A Touchstone Energy Cooperative

4111 State Street  
PO Box 730  
Bismarck, ND 58503  
Office: (701) 223-1513  
Payments: (877) 853-5928  
www.capitalelec.com

Statement Date  
Account Number  
Due Date

05/06/2021  
868002  
05/21/2021

**Billing Summary**

Previous Balance \$166.18  
Payment(s) Received \$-166.18  
Balance Forward \$0.00  
Charges \$147.76  
Amount Due **\$147.76**

11973 1 AV 0.398  
BIS CITY PARK DISTRICT  
PARK & REC  
400 E FRONT AVE  
BISMARCK ND 58504-5641

5 11973  
C-31

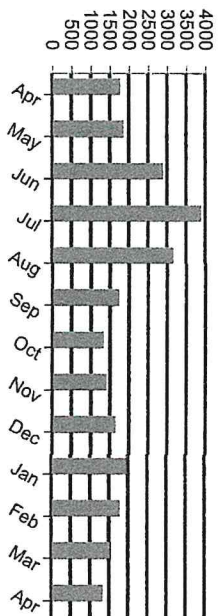


Service Address: SEC 27 MCDOWELL REC AREA

Meter #	Rate Description	From	To	Days	Previous	Present	Mult.	kWh
78904864	RURAL SMALL COMM UNDER 10KW	04/01/2021	05/01/2021	30	876	909	40	1320

**Detail of Charges**

Monthly Base Charge	\$25.00
Usage Charge 1320 kWh @ \$0.093	\$122.76
<b>Current Charges</b>	<b>\$147.76</b>



PERIOD ENDING	APR 2020	APR 2021
Avg Daily Temp	42	44
Avg Daily kWh	59	44



**CAPITAL ELECTRIC**  
C O O P E R A T I V E  
A Touchstone Energy® Cooperative

4111 State Street  
PO Box 730  
Bismarck, ND 58503  
Office: (701) 223-1513  
Payments: (877) 853-5928  
www.capitalelec.com

Statement Date  
Account Number  
Due Date

05/06/2021  
868001  
05/21/2021

### Billing Summary

Previous Balance	\$189.87
Payment(s) Received	\$-189.87
Balance Forward	\$0.00
Charges	\$165.00
<b>Amount Due</b>	<b>\$165.00</b>

Thank You!

11972 1 AV 0.398  
BIS CITY PARK DISTRICT  
PARK & REC  
400 E FRONT AVE  
BISMARCK ND 58504-5641

5 11972  
C-31

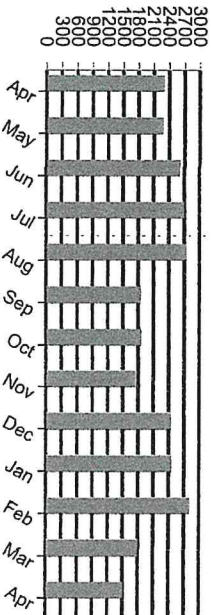


Service Address: SEC 27SW MCDOWELL HOUSE

Meter #	Rate Description	From	To	Days	Previous	Present	Mult.	kWh
86861804	RURAL SMALL COMM UNDER 10KW	04/01/2021	05/01/2021	30	26088	27594	1	1506

### Detail of Charges

Monthly Base Charge		\$25.00
Usage Charge	1500 kWh @ \$0.093	\$139.50
	6 kWh @ \$0.084	\$0.50
<b>Current Charges</b>		<b>\$165.00</b>



PERIOD ENDING	APR 2020	APR 2021
Avg Daily Temp	42	44
Avg Daily kWh	77	50



**CAPITAL ELECTRIC**  
C O O P E R A T I V E  
A Touchstone Energy® Cooperative Member

4111 State Street  
PO Box 730  
Bismarck, ND 58503  
Office: (701) 223-1513  
Payments: (877) 853-5928  
www.capitalelec.com

Statement Date  
Account Number  
Due Date

05/06/2021  
868029  
05/21/2021

### Billing Summary

Previous Balance	\$25.00
Payment(s) Received	\$-25.00
Balance Forward	\$0.00
Charges	\$25.00
<b>Amount Due</b>	<b>\$25.00</b>

Thank You!

11989 1 AV 0.398  
BIS CITY PARK DISTRICT  
PARK & REC  
400 E FRONT AVE  
BISMARCK ND 58504-5641

5 11989  
C-31

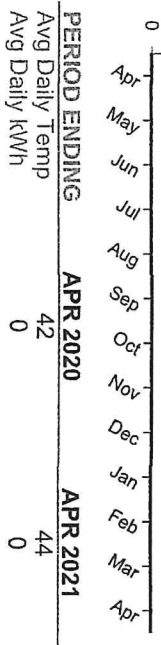


Service Address: 1951 NE 93RD ST

Meter #	Rate Description	From	To	Days	Previous	Present	Mult.	kWh
68821700	RURAL SMALL COMM UNDER 10kW	04/01/2021	05/01/2021	30	5570	5570	1	0

### Detail of Charges

Monthly Base Charge \$25.00  
Current Charges \$25.00







200 EAST BROADWAY  
PO BOX 230  
STEELE, ND 58482  
1.888.475.2361

Telephone No.: (701)223-7016

ACCOUNT NO: 1205800

**BILL AT A GLANCE 04/01/2021**  
BISMARCK PARKS & REC

BALANCE FROM LAST BILLING 166.62  
Payments Received 03-02 166.62CR  
Previous Balance Due .00

**SUMMARY BY SERVICE TYPE**

BUSINESS LINE METERED 64.00  
TELEPHONE SERVICES 2.06  
MANDATED FEES 4.06  
INTERNET SERVICES 96.50  
INTERNET SERVICES .00

**CURRENT BILLING AMOUNT 166.62**

**Credit Card Payment -- Do Not Pay 166.62**



UNIFIED BUSINESS COMMUNICATIONS

- VOICE
- VIDEO
- CHAT
- SHARE



**701.255.2032 | bek.coop**

Please return lower portion with your payment...retain upper portion for your records.  
Please do not attach payment to the stub.

Previous Bill	Payment/Adj	Current Billing	Total Due
\$166.62	\$166.62CR	\$166.62	\$166.62

**MESSAGE CENTER**

Billing Inquiries Call: 1(888)475-2361

Payments received after 03-31 have not been applied to this statement.

To pay by credit card using BEK's Pay-by-Phone System, please call 1-844-252-5273 toll-free. Have your credit card and BEK account number ready.

The CURRENT AMOUNT of your BEK payment is due by the 20th day of each month. If you have an unpaid balance, it will be applied to your next statement plus a \$30 late fee. PAST DUE accounts are subject to disconnection on APRIL 20, 2021 unless payment or arrangements have been made prior. If your services are disconnected for nonpayment, you will be required to pay all past due balances including reconnect charges.

Payment of this invoice constitutes acceptance of the Terms and Conditions of BEK Communications services. These Terms and Conditions should be reviewed periodically as they will change from time to time and can be found at [www.bek.coop](http://www.bek.coop) or by request at 1-888-475-2361.

Federal Universal Service Charge (FUSC): In a recent order, the Federal Communications Commission (FCC) changed the FUSC factor from 31.8% to 33.4% effective April 1, 2021. The purpose of this charge is to help keep rates affordable for all customers, regardless of where they live in the U.S. as well as to assist schools, libraries and rural healthcare providers obtain leading edge telecommunications services. This current rate of 33.4% of specific regulatory and tariff fees is set by the FCC and is subject to change upon their discretion.

All BEK offices will be closed Friday, April 2nd, 2021, in observance of Good Friday.

(Continued on subsequent pages)



200 EAST BROADWAY  
PO BOX 230  
STEELE, ND 58482  
1.888.475.2361

☐ Check for Address Change

Payment Due	Total Due
Invoiced	\$166.62
Enter Amount Paid	
Credit Card	

04/01/2021 000000

BISMARCK PARKS & REC  
ACCOUNT NO: 1205800  
Telephone No.: (701)223-7016

5441 1 AV 0.398  
BISMARCK PARKS & REC  
MCDOWELL DAM  
400 E FRONT AVE  
BISMARCK ND 58504-5641

5 5441  
C-17

**BEK COMMUNICATIONS COOPERATIVE**  
200 EAST BROADWAY  
PO BOX 230  
STEELE ND 58482-0230



Bliss Law Firm, LLC  
400 East Broadway, Suite 308  
Bismarck, ND 58501

Burleigh County Water Resource District  
PO Box 1255  
Bismarck, ND 58502-1255

May 27, 2021

Invoice #214

Professional Services

	<u>Hrs/Rate</u>	<u>Amount</u>
5/12/2021 (312) Prepare for Board meeting; attend Board meeting		1,000.00
For professional services rendered	0.00	\$1,000.00
Previous balance		\$2,048.51
Accounts receivable transactions		
5/17/2021 Payment - Thank You. Check No. 1941		(\$2,048.51)
Total payments and adjustments		(\$2,048.51)
Balance due		<u>\$1,000.00</u>

Payment in full must be made within 30 days of the date of this bill. Past due amounts will incur an additional 1.5% monthly fee.



Fronteer Payroll Services Inc  
4007 State Street, Ste 20 P.O. Box 1315  
Bismarck, ND 58502-

Date: May 31, 2021  
Invoice #: 0000001855  
Terms: Net

Burleigh Co. Water Resource District

Bismarck, ND

**Total Due: \$1,950.00**

---

Detach And Return With Payment

---

Fronteer Payroll Services Inc 4007 State Street, Ste 20 P.O. Box 1315, Bismarck, ND 58502-

---

Description	Amount	Total
Monthly Admin Fee - Per Agreement	\$1,950.00	\$1,950.00
<b>Total:</b>		<b>\$1,950.00</b>

Thank you for your business!



Fronteer Payroll Services Inc  
4007 State Street, Ste 20 P.O. Box 1315  
Bismarck, ND 58502-

Date: April 30, 2021  
Invoice #: 0000001838  
Terms: Net

Burleigh Co. Water Resource District

Bismarck, ND

**Total Due: \$58.99**

---

Detach And Return With Payment

---

Fronteer Payroll Services Inc 4007 State Street, Ste 20 P.O. Box 1315, Bismarck, ND 58502-

---

Description	Amount	Total
April Presort Charges	\$58.99	\$58.99
<b>Total:</b>		<b>\$58.99</b>

Thank you for your business!

**INVOICE****HoustonEngineering Inc.****Remit to:**1401 21<sup>st</sup> Ave N, Fargo, ND 58102

Phone: 701.237.5065

Fed Tax ID: 45-0314557

Interest of 1%/month applied to past due invoices

Burleigh County (ND) Water Resource District  
PO Box 1255  
Bismarck, ND 58502-1255

June 4, 2021

Invoice No: 0054122

Due Date: July 4, 2021

Project R001032-0105 McDowell Dam Bank Stabilization 2021

**Professional Services through May 29, 2021**

Phase 001 Design/Environmental/Permitting

**Professional Personnel**

	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>	
Sr Project Manager	1.50	215.00	322.50	
Project Manager	6.50	196.00	1,274.00	
Totals	8.00		1,596.50	
<b>Total Labor</b>				<b>1,596.50</b>
		<b>Total this Phase</b>		<b>\$1,596.50</b>

Phase 002 Construction Management Services

**Professional Personnel**

	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>	
Project Manager	.50	196.00	98.00	
Totals	.50		98.00	
<b>Total Labor</b>				<b>98.00</b>
		<b>Total this Phase</b>		<b>\$98.00</b>
		<b>Total this Invoice</b>		<b>\$1,694.50</b>



## Project Status and Invoice Description

3712 Lockport Street  
Bismarck, ND 58503  
Phone: 701-323-0200  
Fax: 701-323-0300

---

<b>HEI Project No.:</b>	<b>1032-0105: McDowell Dam Bank Stabilization</b>
<b>BCWRD Account No.</b>	<b>905</b>
<b>Project Name:</b>	<b>McDowell Dam Recreation Area – ND Heritage Fund Grant Application</b>

---

**Billing Period:** *April 25, 2021 through May 29, 2021*

Professional engineering and surveying services related to the application for a Heritage Fund Grant Application to protect the McDowell Dam Trail System including, but not limited to the following:

- Submit USACE Nationwide Permit Application
  - Individual Permit required additional information provided
- Discussions with the USACE and NDDEQ related to EPA review for permit
- Update and revise USACE permit application and provide narrative and responses
- Notice to Bohlman Construction regarding permit status and time revision
- Contractor communications and coordination

**Comments:**

- Securing the USACE individual permit remains. This requires extra work to provide information to the NDDEQ related to water quality impacts.
- Construction start date remains to be determined, after permit is secured
- Timeline provided in the Outdoor Heritage Fund Grant is through October, which provides for the added construction timeline.

**See accompanying invoice and cost summary for personnel cost breakdown.**

**Total Invoice                      \$ 1,694.50**



**INVOICE****HoustonEngineering Inc.****Remit to:**1401 21<sup>st</sup> Ave N, Fargo, ND 58102

Phone: 701.237.5065

Fed Tax ID: 45-0314557

Interest of 1%/month applied to past due invoices

Burleigh County (ND) Water Resource District  
PO Box 1255  
Bismarck, ND 58502-1255

June 4, 2021

Invoice No: 0054123

Due Date: July 4, 2021

Project R084241-0000 BCWRD - General Engineering Services

**Email Invoices: BCWRD@midco.net & rdetwillerbcwrd@gmail.com**

BCWRD Project No.: 315 - Engineering Administration

See attached Project Status Report and Invoice Description.

**Professional Services from April 25, 2021 to May 29, 2021**

Phase 000 Burleigh Co. WRD - General

Monthly Lump Sum Amount

Fee 1,000.00

**Total this Phase \$1,000.00**

Phase 007 General Services - Hourly

**Professional Personnel**

	Hours	Rate	Amount
Sr Project Manager	.50	215.00	107.50
Administrative Assistant	.50	83.00	41.50
Totals	1.00		149.00
<b>Total Labor</b>			<b>149.00</b>

**Total this Phase \$149.00****Total this Invoice \$1,149.00**



## Project Status and Invoice Description

3712 Lockport Street  
Bismarck, ND 58503  
Phone: 701-323-0200  
Fax: 701-323-0300

---

<b>HEI Project No.:</b>	<b>4241-0000: BCWRD General Services</b>
<b>BCWRD Account No.</b>	<b>315 – Engineering Administration</b>
<b>Project Name:</b>	<b>General Engineering Services</b>

---

**Billing Period:** *April 25, 2021 through May 29, 2021*

Professional engineering administrative services related to routine monthly activities and issues addressed at the request and direction of the BCWRD during this billing period, including time associated with, but not limited to the following:

- **May Meeting**
- Meeting preparation and discussion
- Review of minutes and agenda updates
- Various BCWRD issues, contacts, and calls
- Additional services related to audit questions and responses

**Comments:**

- This invoice is for Board meeting related time along with limited small contact and coordination items that are not project related. In accordance with Board direction, all costs associated with drainage complaints, stormwater plan review, and other project related activities are invoiced to assigned project numbers.
- Additional services are related to providing project information for the auditor, which was outside the typical monthly duties and budgeted amount.

<b>General Services</b>	<b>\$ 1,000.00</b>
<b><u>Additional Services Project Accounting</u></b>	<b><u>\$ 149.00</u></b>
<b>Total</b>	<b>\$ 1,149.00</b>

**INVOICE****HoustonEngineering Inc.****Remit to:**1401 21<sup>st</sup> Ave N, Fargo, ND 58102

Phone: 701.237.5065

Fed Tax ID: 45-0314557

Interest of 1%/month applied to past due invoices

Burleigh County (ND) Water Resource District  
 PO Box 1255  
 Bismarck, ND 58502-1255

June 4, 2021

Invoice No: 0054124

Due Date: July 4, 2021

Project R126025-0014 Sibley Island Flood Control Project FHMP

Work Order #18

See attached Project Status Report and Invoice Description.

**Professional Services from March 21, 2021 to May 29, 2021**

Phase 104 Hydraulic Analysis and Report

**Professional Personnel**

	Hours	Rate	Amount	
Sr Project Manager	1.75	215.00	376.25	
Totals	1.75		376.25	
<b>Total Labor</b>				<b>376.25</b>
<b>Total this Phase</b>				<b>\$376.25</b>

Phase 105 Regulatory Compliance

**Professional Personnel**

	Hours	Rate	Amount	
Sr Project Manager	2.00	215.00	430.00	
Totals	2.00		430.00	
<b>Total Labor</b>				<b>430.00</b>
<b>Total this Phase</b>				<b>\$430.00</b>

Phase 106 Easement Considerations

**Professional Personnel**

	Hours	Rate	Amount	
Sr Project Manager	.25	215.00	53.75	
Totals	.25		53.75	
<b>Total Labor</b>				<b>53.75</b>
<b>Total this Phase</b>				<b>\$53.75</b>

Phase 107 Public Informational Meeting

**Professional Personnel**

	Hours	Rate	Amount	
Project Manager	15.50	196.00	3,038.00	
Totals	15.50		3,038.00	
<b>Total Labor</b>				<b>3,038.00</b>

Project	R126025-0014	Sibley Island FHMP	Invoice	0054124
			<b>Total this Phase</b>	<b>\$3,038.00</b>
			<b>Total this Invoice</b>	<b>\$3,898.00</b>



## Project Status and Invoice Description

3712 Lockport Street  
Bismarck, ND 58503  
Phone: 701-323-0200  
Fax: 701-323-0300

---

<b>HEI Project No.:</b>	<b>6025-0014</b>
<b>BCWRD Account No.</b>	<b>937 – Special Assessment Projects</b>
<b>Project Name:</b>	<b>Sibley Island Flood Control</b>

---

**Billing Period:** *March 21, 2021 through May 29, 2021*

Professional engineering and surveying services related to the activities associated with the Sibley Island Flood Control Project and Specific Authorization #28.

### Tasks Completed:

#### Phase 104 – Hydraulic Analysis and Report

- Review report for finalization and signatures, project status memo update

#### Phase 105 – Regulatory Compliance

- Draft letter to the USACE to transmit data for Section 408 permitting
- Draft letter to SHPO to secure permit review of alignments

#### Phase 106 - Easement Considerations

- Map provided to BPRD for levee alignment and park impact question

#### Phase 107 – Public Informational Meeting

- Setting up report sections to address alignment changes and documents for appendices

### Comments and Issues:

- The Apple Creek flood insurance mapping impacted project alignment along the Township roadways and the properties within the special assessment district. The draft preliminary floodplain/floodway maps were provided to community officials for review. The 60-day comment period to FEMA/NDSWC has expired. *A separate public informational meeting is recommended to provide the revised mapping information to the residents in this area.*
- The project realignment has resulted in increased costs to complete the preliminary design and engineering report, as the previously anticipated township roadway work has been reduced by the preferred alternative using an earthen levee option. This shifts the scope of services from the BCHD to the BCWRD for the revised design features. Therefore, the BCWRD budget will need to increase to accommodate that change. These costs may be offset in part by eliminating the Apple Creek modeling, but the extent remains undetermined. This does not influence the State Water Commission Cost Share submittal only who pays for these services.
- Revisiting the scope of services is required to set the next step in the design process.

### Invoice Summary

Phase 104 – Hydraulic Analysis and Report	\$ 376.25
Phase 105 – Regulatory Compliance	\$ 430.00
Phase 106 – Easement Considerations	\$ 53.75
Phase 107 – Pubic Informational Meeting	\$ 3,038.00
<b>Total Invoice</b>	<b>\$ 3,898.00</b>

**See accompanying invoice for personnel cost breakdown.**

**INVOICE****HoustonEngineering Inc.****Remit to:**1401 21<sup>st</sup> Ave N, Fargo, ND 58102

Phone: 701.237.5065

Fed Tax ID: 45-0314557

Interest of 1%/month applied to past due invoices

Burleigh County (ND) Water Resource District  
PO Box 1255  
Bismarck, ND 58502-1255

June 4, 2021

Invoice No: 0054125

Due Date: July 4, 2021

Project R006025-0027 Fox Island Flood Control - O&amp;M

BCWRD Account No.: 937 - Special Assessment Projects

See attached Project Status Report and Invoice Description.

**Professional Services from April 25, 2021 to May 29, 2021**

Phase 002 2020 O &amp; M Services

**Professional Personnel**

	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>	
Project Manager	2.50	196.00	490.00	
Administrative Assistant	.75	83.00	62.25	
Totals	3.25		552.25	
<b>Total Labor</b>				<b>552.25</b>
		<b>Total this Phase</b>		<b>\$552.25</b>
		<b>Total this Invoice</b>		<b>\$552.25</b>





HoustonEngineering Inc.

## Project Status and Invoice Description

3712 Lockport Street  
Bismarck, ND 58503  
Phone: 701-323-0200  
Fax: 701-323-0300

---

<b>HEI Project No.:</b>	<b>6025-0027</b>
<b>BCWRD Account No.</b>	<b>937 – Special Assessment Projects</b>
<b>Project Name:</b>	<b>Fox Island Flood Control – O&amp;M Services</b>

---

**Billing Period:** *April 25, 2021 through May 29, 2021*

Professional engineering services associated with the completion of the Operation and Maintenance manual for the Fox Island Flood Control Project, including the various appendices and associated project documents.

**Tasks Completed:**

- Site evaluation of grass conditions, and consideration of watering and weed control.
- Provide seeding review for Board manager.

**Comments and Issues:**

- The O&M Manual has been completed and posted to the BCWRD web site and distributed to the list of holders digitally and one printed copy to Burleigh County Emergency Management.
- The need to water the areas seeded last fall continues to be monitored to determine if this is necessary or not based on rainfall and site conditions. Recent limited rains were helpful, but the heat is likely to create concerns.

<u>Phase (002) 2019 O&amp;M Services</u>	<u>\$ 552.25</u>
<b>Total Invoice</b>	<b>\$ 552.25</b>

**See accompanying invoice for personnel cost breakdown.**

# INVOICE



**HoustonEngineering Inc.**

**Remit to:**

1401 21<sup>st</sup> Ave N, Fargo, ND 58102

Phone: 701.237.5065

Fed Tax ID: 45-0314557

Interest of 1%/month applied to past due invoices

Burleigh County (ND) Water Resource District  
PO Box 1255  
Bismarck, ND 58502-1255

June 4, 2021

Invoice No: 0054126

Due Date: July 4, 2021

Project R006025-0028 Missouri River Revetments GIS

See attached Project Status Report and Invoice Description.

**Professional Services from February 21, 2021 to May 29, 2021**

Phase 001 Records Research

**Professional Personnel**

	Hours	Rate	Amount
Engineer I	71.25	129.00	9,191.25
Totals	71.25		9,191.25
<b>Total Labor</b>			<b>9,191.25</b>
<b>Total this Phase</b>			<b>\$9,191.25</b>

Phase 002 GIS Development

**Professional Personnel**

	Hours	Rate	Amount
Engineer I	17.00	129.00	2,193.00
Project Mgr - Land Surveying	1.00	175.00	175.00
Sr Technician	5.50	129.00	709.50
Technician II	.50	116.00	58.00
Totals	24.00		3,135.50
<b>Total Labor</b>			<b>3,135.50</b>
<b>Total this Phase</b>			<b>\$3,135.50</b>

Phase 003 Deliverables and Demonstration

**Professional Personnel**

	Hours	Rate	Amount
Sr Project Manager	.25	215.00	53.75
Project Manager	.75	196.00	147.00
Totals	1.00		200.75
<b>Total Labor</b>			<b>200.75</b>
<b>Total this Phase</b>			<b>\$200.75</b>
<b>Total this Invoice</b>			<b>\$12,527.50</b>



## Project Status and Invoice Description

3712 Lockport Street  
Bismarck, ND 58503  
Phone: 701-323-0200  
Fax: 701-323-0300

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<b>HEI Project No.:</b>	<b>6025-0028</b>
<b>BCWRD Account No.</b>	<b>937</b>
<b>Project Name:</b>	<b>Missouri Riverbank Stabilization</b>

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**Billing Period:**        *February 21, 2021 through May 29, 2021*

Professional engineering and surveying services related to Missouri Riverbank Stabilization GIS documentation for federal revetments installed under the Garrison-Oahe and Section 32 Programs.

### Tasks Completed:

#### *Bank Stabilization Agreements and Easements*

- Continued communications with Sovereign Lands Coordinator (SLC) on easements
- Additional easement and deeds were provided by the SLC
- The number of easements and documents were greater than anticipated.
- Many easements had several iterations that needed to be evaluated to determine which were to be included to remove duplicates
- The records have been entered in the system, however the GIS work and adjustments are yet to be finalized.

### Comments and Issues

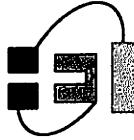
- State Sovereign Lands Coordinator contacted regarding easement records, which have now been provided.
- Missouri River Joint Water Resource Board is interested in this information and how this might be applied to other areas.
- **The expense to complete this work have exceeded the original budget, however the amount of work to complete this effort and test the data entry remains to be determined, but should be limited.**

Records Research	\$ 9,191.25
GIS Development	\$ 3,135.50
<u>Deliverables and Demonstration</u>	<u>\$ 200.75</u>
<b>Total Invoice</b>	<b>\$ 12,527.50</b>

**See accompanying invoice for personnel cost breakdown.**

# MEMO

(Recommendation)



HoustonEngineering Inc.

To: Cory Palm

From: Travis G. Johnson, P.E.

Date: 6/8/2021

Subject: Fox Island Seeding Observations and  
Recommendations

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We have conducted a review of the grass cover on the Fox Island Flood Control Project. While visiting the site we reviewed areas that had been previously identified as problem areas to see whether the problem still existed, how well the grass is coming in, and what areas are still in need of attention. During the review, we specifically noted three areas of interest and after some discussion of our observations and possible remedies, we agreed on the following recommendations.

The first area of note was at approximately Station 10+00 to 10+50 on the Boutrous property located at 3420 Gallatin Drive. The roadside and ditch at this location was noted to have significant weed growth. It is recommended that we spray for weeds at this location and then water to aid grass growth as once the weeds are gone, the grass will be very thin.

The second and third locations are adjacent to each other and have the same recommendation. At the west and east inside bends of the intersection of Gallatin Drive and Far West Drive at Station 32+50. At the Mark Knoll property at 3309 Gallatin Drive and the Quintin Fender property at 2100 Far West Drive it was observed that the soil was very poor with very weak grass growth. The recommendation at these two locations is to bring in some topsoil and spread approximately two inches on the road sideslope to supplement the existing topsoil and then reseed these areas. I estimate that approximately 20 to 25 cubic yards should be sufficient to cover both of these areas with two inches of topsoil. If the effort is being done, more may be brought in to ensure that adequate quantity is available. Once that is completed, the landowner will be requested to water the areas to aid in establishment of grass.

We recommend contacting the respective landowners to inform them of our intended work, confirm their desire to have the work performed and to inform them that that after the work is done, they would be asked to water the affected areas to support the growth of the new grass. Proper maintenance and watering will significantly improve the results. But, if the landowner does not maintain these areas, then there may not be sufficient benefit to justify the work. The landowner would be notified that if they are willing to contribute sufficient maintenance to establish the grass, that the BCWRD is willing to contribute the work recommended herein.