



BURLEIGH COUNTY WATER RESOURCE DISTRICT AGENDA

Tuesday, February 10th, 2015

Tom Baker Meeting Room – City County Building

8 a.m. - Call to Order

1. Roll Call (Fleck, Weixel, Reep, Larson, Detwiller)
2. Approval of Minutes of (1-13-15).....3-8
3. McDowell Dam
 - Low Level Drawdown -- work on hold until Spring (Mike)
 - Water Permit Applications approval update requested -- (Mike)
 - NRCS Dam Assessment of McDowell - (Dennis)
 - Discussion of land purchase buffer with owner (Gordon)
 - Park District Agreement addendum (Gordon/Dave)
 - Strategic Plan Update – Memo (Gordon)
 - Insurance
 - Aero Club – Mona
4. County Engineer Items
 - MRCC Resolution
 - Resolution No. 2 – Approval of Engineer’s Report (signed copy – informational)9
 - Meeting with MRCC – Department of Corrections
 - Pending Legislative Process (funding and relocation report)
 - Missouri River Day Use Park (Legislative action pending)
 - Public Informational Meeting (Mike/Craig)
 - Public Hearing – Tentative for March/April
 - Country Creek Maintenance District - Update
 - Ash/Ward Coulee – Missouri River (no updates – City contract extension)
5. Comments from Members of the Public
6. Financial Reports
 - End of January Financial Data10-11
 - Securities Pledge 12
7. Approval of Bills – Amount \$30,769.89.....13
8. Drainage Complaints/Issues
 - Eldin Spier/UTTC – Update
 - James Leuwer - UTTC (Contact and Ownership Map) – Complaint form pending
9. Projects
 - Hogue Island (FM #39) 14
 - **Draft Advertisement, Date and reserve amounts (Craig/Dave)**.....15-18
 - Establish and record deed restrictions (Dave)
 - Survey Certificates – with Bank Stabilization easement noted19-22
 - Burnt Creek Flood Control Project (FM #7)
 - **Advertisement Dates – Opening March 3rd**.....23-24
 - Low level channel (Old Burnt Creek) capacity concerns
 - Draft notice to landowners
 - Landowner Easement Letters (mail and contact)
 - Missouri River Snagging & Clearing (all Board members invited)
 - Hydraulic Analysis–USGS Report March 5th Meeting

- Apple Creek Industrial Park
 - Awaiting receipt of Bond – landowners have discussed with Art Mariner
 - Storm Water Management Plan (KLJ – February 2014)
 - Apple Creek Drainage Permit #4465– Bismarck Airport Authority
 - Update on meeting with KLJ – two phases (see email)
 - Findings Summary, recommendations and proposed conditions
 - **Permit approval with conditions**

10. Storm Water Management

11. Break

12. Other Old Business

- Board Member Portfolio Assignments 2015 (information only)
- Removal of items in storage room – Status of documents unknown?
- Policy Manual – Preliminary Draft Update (Michael, Dave, Mona)
 - Board Member Assignments – ongoing development (budget)
- Burleigh Multi-Hazard Mitigation Project Summaries (Michael).....25-30
- Missouri River Easement Documentation and Mapping of Hogue Island (Michael)

13. New Business

- **Bliss & Stebbins Contract Renewal31-33**
- **ND Department of Health Notice – Apple Valley Lagoon – Facility contact change34-36**
- **ND Department of Health General Permit – Burnt Creek37-38**

14. Correspondence or Document Information

- Notice of Application on Petition for Ground Water Sources (Menards)39
- Plats & SWMP – Emailed (Comments on Plats)40
 - Reuters Addition – Resubmitted City Plat
 - Imperial Valley Subdivision SWMP
 - Heritage Park Annexation
 - Heritage Park Final Plat
 - Heritage Ridge Annexation
 - Heritage Ridge Final Plat
 - Imperial Valley First Replat
 - Metro Industrial Park 3rd
 - University of Mary

15. Detailed Bills41

16. Next Meeting: Tuesday, March 10th

17. Adjourn

Note: Bold Items Require Board Action

BCWRD Meeting Minutes
January 13, 2015 – City County Building
Draft – Not approved yet

Agenda Items	Discussion	Board Action	Responsible Party	Due Date
<p>Present: Terry Fleck, Gordon Weixel, Dennis Reep, Greg Larson, Rick Detwiler, Dave Bliss, Bliss & Stebbins Law Firm, Craig Odenbach, Houston Engineering, Inc.; and Mona Livdahl, Personalized Management Services, Inc.</p> <p>Others Present: Commissioner Kathleen Jones, Burleigh County Commissioners; Greg Smith, Bismarck Parks & Recreation District; Ray Ziegler, City of Bismarck and James Leuwer.</p> <p>Call to order: Called to order at 8:00 a.m. noting a quorum was present.</p>				
12-9-14 Minutes		Dennis moved to approve the minutes from 12-9-14, Gordon seconded. Motion Carried.	N/A	N/A
Election of Officers:				
	Chairman	Dennis moved to nominate Terry Fleck as Chairman, Gordon seconded. Motion Carried.		
	Vice Chairman	Gordon nominated Dennis as Vice Chairman, Rick seconded. Motion Carried.		
	Secretary/Treasurer	Dennis nominated Gordon as Secretary/Treasurer, Greg seconded. Motion Carried.		
Reappointment of Administrative Secretary, Engineer and Legal Counsel				
	Admin. Secretary: Mona noted they have a new rate change.	Gordon moved to reappoint Personalized Management Services, Inc. as Administrative Secretary. Greg seconded. Motion Carried.		
	Engineer: Michael noted new rate change attached.	Dennis moved to reappoint Houston Engineering Inc. Rick seconded. Motion Carried.		
	Legal: Dave noted he will bring the new contract with increase next meeting as generally their	Greg moved to reappoint Bliss & Stebbins Law Firm, Dennis seconded. Motion Carried.		

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Agenda Items	Discussion	Board Action	Responsible Party	Due Date
	renewal had been in July. Consensus to have all 3 support staff groups renew in January.			
RFP		Discussed going out of RFP's for engineering, Dennis and Michael will work on this.	Dennis/Michael	
Portfolios	Portfolio assignments were completed.	Mona will complete and send out to the board.	Mona	
McDowell Dam				
Low Level drawdown	The materials have been ordered and they (Veit) are waiting until Spring to do the work.		Forrest, Gordon, Michael	Spring, 2015
Water Permit Application	Still on hold.	No action taken.		
NRCS Dam Assessment	Dennis reported he has been working with Craig O., HEL. Dennis also stated that Karen Goff, SWC had provided a lot of the data they needed.		HDR	May, 2015
Letter to landowner to discuss land purchase buffer.	Gordon reviewed noting that we would like to purchase land on the east side of the lake as a buffer zone. Discussion was held on hiring an appraisal. Consensus to wait on bringing the appraisal up in the letter.	Gordon moved to send the letter to the landowner regarding a possible purchase. Greg seconded. Motion carried.	Gordon	
Meeting with Parks & Rec.	Greg noted this will be brought to the Park Board and asked for an addendum to the agreement to take to the board members.	Gordon moved to approve the proposed agreement with the Bismarck Park board. Dennis seconded. Motion Carried.	Gordon/Dave	
Strategic Plan	Gordon noted we are looking to late summer to have the public meeting. Discussed having a	Tabled for now – leave on agenda.	Gordon, Michael & Craig	

Agenda Items	Discussion	Board Action	Responsible Party	Due Date
	May or September meeting.			
USDA Letter on Covered Commodities.	No action taken – forward to our tenant at McDowell Dam.	Forward information to Alvin Braun, tenant for the McDowell farm land.	Mona	
Insurance – Aero Club	Mona is working with Rod Matzke from the Aero Club on this.		Mona	
Comments from Members of the Public				
James Leuwer	Mr. Leuwer attended to address drainage on his property from UTTC. Michael reviewed noting the complaint filed by Eldin Spier in that area. Noted a plan was provided as a proposal but no implementation has been done.	Mail drainage complaint form to Mr. Leuwer.	Mona	1/20/15
Burleigh Multi-Hazard Mitigation Plan	Mary Senger was present and discussed the review that is done by FEMA every 5 years. Mary asked for our mitigation plans so they can do FEMA updates.	The board authorized Houston Engineering, Inc. to assist Mary in this process.		
County Engineer Items:				
MRCC Resolution No. 1	Informational only – approved at December Meeting.			
Resolution No. 2		Greg moved to approve Resolution 2, Dennis seconded. A roll call vote was taken. Motion carried unanimously.		
Discussion with MRCC re: requesting more monies.	Discussed the Missouri River Day Use Park, we are looking for a tentative public hearing in March.			
Country Creek Maintenance District	Documentation has been submitted and the project is complete.			
Ash/Ward Coulee	Nothing has happened yet, we are			

Agenda Items	Discussion	Board Action	Responsible Party	Due Date
	not sure where the City is at with this.			
Financial Report	December financials were reviewed no action taken.			
Bills:		Gordon moved to approve the bills in the amount of \$18,763.75. Dennis seconded. Motion Carried.		
Drainage Complaints				
Eldin Spier	Discussed the process for getting this complaint resolved. Noted it was filed in 2011.			
Projects:				
Hogue Island Sale of lots	Discussed the sale of lots and need for deed restrictions. We would place reserve prices on the lots. Greg noted it is a restricted deed that we need this as a term of sale and not in addition to the covenant.	Consensus to proceed on the auction and have the auction in March or April.	Michael/Rick	March/April
Burnt Creek				
Low level channel	This will occur in February			
Landowner letters and easements	Review in February		Michael	February
Re-advertise		Dennis moved to proceed in advertising for bids. Rick seconded. Motion carried.		
Missouri River Snagging	On hold. Katie will be here in February, we do not have a date set yet. May need to notice if more then 3 attend.			Feb 2015
ACIP	Michael updated noting that they are putting together information for the bond.			
Apple Creek	Based on Craig's review, we will			

Agenda Items	Discussion	Board Action	Responsible Party	Due Date
Drainage Permit	still need to meet with KLJ.			
Other Old Business				
Storage Room	Chairman Fleck noted that he spoke to Kevin Glatt and they have extended the time frame to remove items to June 1 st .	Michael, Mona and Dave will go through the storage room on January 22 nd .	Michael, Dave, Mona	1/22/15
Policy Manual	Michael updated on the draft noting various components can be assigned to various portfolio holders.		Michael	
New Business				
Missouri River Easement Documentation and Mapping	Michael reviewed noting the need to document where BCWRD's easements are and will start with Hogue Island after which time we can develop a Policy to give to Ray Ziegler.	Consensus to start with Hogue Island but to get somewhat of a cost estimate if we are to proceed further.	Michael	
Records request for State Auditor		Reviewed – the audit should be in March sometime. No firm date.		
Policy Matters	Michael reviewed noting Burleigh County had changed their flood plain ordinance, however the City of Bismarck has not yet.	Consensus to have HEI work with the County Commissioners, City Staff and commissioners as well as the legislators.	Michael	
Next Meeting:	February 10 th			

Meeting adjourned at 10:40 a.m.

Mona Livdahl

Mona Livdahl, BCWRD Admin. Secretary

Burleigh County Water Resource District Meeting

Members of the Public in Attendance Date: 1-13-15

[illegible]



Resolution No. 2

BURLEIGH COUNTY WATER RESOURCE DISTRICT
BURLEIGH COUNTY, NORTH DAKOTA

**RESOLUTION APPROVING ENGINEER'S REPORT, PLANS, SPECIFICATIONS
AND ESTIMATE OF COST AND DIRECTING THE ASSESSMENT OF THE COST
FOR THE
MISSOURI RIVER CORRECTIONAL CENTER FLOOD CONTROL PROJECT**

BE IT RESOLVED by the Burleigh County Water Resource District, Burleigh County, North Dakota, as follows:

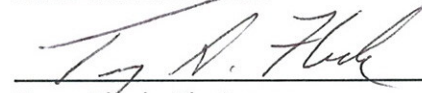
1. The engineer's report, profiles, plans, specifications and estimate of cost received by this Board for the proposed construction of the **Missouri River Correctional Center Flood Control Project (the "Project")** January 13, 2015, are hereby approved and the same shall be forthwith filed in the office of the Secretary.
2. The Board shall proceed with the assessment of the cost of the project and public hearing process in accordance with N.D.C.C. Section 61-16.1-21.

Dated this 13th day of January, 2015

ATTEST:


Secretary

BURLEIGH COUNTY WATER
RESOURCE DISTRICT


Terry Fleck, Chairman,
Burleigh County Water Resource District

The governing body of the political subdivision acted on the foregoing resolution on this 13th day of January, 2015 as follows:

Adoption moved by Larson Seconded by Reep.

Roll Call Vote (List Last Names)

"Aye" Reep, Larson, Weixel, Detwiller, Fleck

"Nay" N/A

Absent N/A

...and after vote the presiding officer declared the resolution adopted.

7:36 AM

02/03/15

Accrual Basis

Burleigh County Water Resource District (BCWRD)

Profit & Loss Budget vs. Actual

January 2015

	Jan 15	Budget	\$ Over Budget	% of Budget
Income				
31110 · Real Estate Tax	149,250.76	583,800.00	-434,549.24	25.6%
31810 · In Lieu of Tax	274.33	5,000.00	-4,725.67	5.5%
33610 · State Aid Distribution	0.00	50,000.00	-50,000.00	0.0%
33620 · Homestead Credit	0.00	4,000.00	-4,000.00	0.0%
33810 · Reimbursements				
33810-A · Missouri River Correctional	0.00	50,000.00	-50,000.00	0.0%
33810-C · Apple Valley Special Assessment	0.00	18,000.00	-18,000.00	0.0%
33810-E · Country Ridge/Creek	4,929.91	10,000.00	-5,070.09	49.3%
33810-F · Apple Creek Industrial Park	0.00	65,200.00	-65,200.00	0.0%
33810-G · Burnt Creek	0.00	108,000.00	-108,000.00	0.0%
33810 · Reimbursements - Other	0.00	50,000.00	-50,000.00	0.0%
Total 33810 · Reimbursements	4,929.91	301,200.00	-296,270.09	1.6%
34110 · Operations & Maintenance				
34110-b · Apple Valley Cooperative Lagoon	4,666.72			
34110-c · Burnt Creek Floodway O&M	6,538.74			
Total 34110 · Operations & Maintenance	11,205.46			
36110 · Interest	11.28	100.00	-88.72	11.3%
36210 · McDowell Dam Recreation Income	967.32	10,000.00	-9,032.68	9.7%
36215 · McDowell Dam Land Lease	0.00	2,700.00	-2,700.00	0.0%
36910 · Misc Revenue	0.00	2,700.00	-2,700.00	0.0%
Total Income	166,639.06	959,500.00	-792,860.94	17.4%
Gross Profit	166,639.06	959,500.00	-792,860.94	17.4%
Expense				
111 · Payroll Expenses	4,876.89	35,000.00	-30,123.11	13.9%
111A · Payroll Taxes	0.00	3,500.00	-3,500.00	0.0%
112 · Management Services				
113 · Accounting Services	0.00	3,000.00	-3,000.00	0.0%
112 · Management Services - Other	0.00	18,000.00	-18,000.00	0.0%
Total 112 · Management Services	0.00	21,000.00	-21,000.00	0.0%
114 · Audit	0.00	2,000.00	-2,000.00	0.0%
312 · Legal Fees	0.00	24,000.00	-24,000.00	0.0%
315 · Engineering Administration	0.00	24,000.00	-24,000.00	0.0%
328 · Liability Insurance	0.00	2,000.00	-2,000.00	0.0%
335 · Building Rent	0.00	2,000.00	-2,000.00	0.0%
341 · Travel	0.00	1,200.00	-1,200.00	0.0%
376 · Dues & Publications	0.00	2,500.00	-2,500.00	0.0%
411 · Office Supplies	0.00	2,500.00	-2,500.00	0.0%
904 · McDowell Dam	0.00	194,700.00	-194,700.00	0.0%
905 · McDowell Dam-Capital Improvemen	0.00	2,500.00	-2,500.00	0.0%
910 · Projects				
910D · MRCC	0.00	124,600.00	-124,600.00	0.0%
910G · Burnt Creek	0.00	400,000.00	-400,000.00	0.0%
Total 910 · Projects	0.00	524,600.00	-524,600.00	0.0%
911 · Misc	0.00	3,000.00	-3,000.00	0.0%
920 · Continuing Education	0.00	2,500.00	-2,500.00	0.0%
932 · City/County Watershed Planning	0.00	20,000.00	-20,000.00	0.0%
933 · Missouri River General Services	0.00	2,500.00	-2,500.00	0.0%
941 · Stream Gages				
941A · Apple Creek & Hay Creek	2,600.00			
Total 941 · Stream Gages	2,600.00			
960 · Drainage Complaints	0.00	70,000.00	-70,000.00	0.0%
970 · Storm Water Management Plans	0.00	20,000.00	-20,000.00	0.0%
Total Expense	7,476.89	959,500.00	-952,023.11	0.8%
Net Income	159,162.17	0.00	159,162.17	100.0%

Burleigh County Water Resource District (BCWRD)

Balance Sheet

As of January 31, 2015
Jan 31, 15

ASSETS

Current Assets

Checking/Savings

American Bank Center Checking 312,760.59

Designated Reserve Funds

Aero Club Rent 6.00

Apple Valley 19,000.00

Apple Valley Spec. Assessment 12,626.81

Brookfield Estates 2,377.34

Burnt Creek 115,000.00

Emergency Fund 95,037.13

Hogue Island 254,906.33

McDowell Rent 5,184.00

Designated Reserve Funds - Other 26.20

Total Designated Reserve Funds 504,163.81

Total Checking/Savings 816,924.40

Total Current Assets 816,924.40



January 29, 2015

Burleigh County Water Resource District
Kathleen Jones
1811 E Thayer Ave
Bismarck, ND 58501

Dear Kathleen:

This letter is to certify that at a meeting of the American Bank Center Board of Directors on January 28, 2015 the pledge of securities to the Burleigh County Water Resource District was approved.

The approval of the pledged securities will be reflected in the January 28, 2015 minutes of the Board of Directors. The following information was reviewed as of December 31, 2014.

Deposits	\$684,160
Required Pledges	\$477,576
Par Value Pledged	\$1,000,000
Market Value as of December	\$990,790

If you have any questions, please contact me at 483-3241.

Sincerely,

A handwritten signature in black ink, appearing to read "Rhonda Maher", with a long horizontal flourish extending to the right.

Rhonda Maher
Finance Support
American Bank Center
140 1st Avenue West
Dickinson, ND 58601
701-483-3241
rmaher@weareamerican.com

BCWRD Invoices
2-10-15

Name	Project	Invoice	Amount
Bismarck Parks & Rec	December Expense	3761	\$6,037.54
Bismarck Parks & Rec	December Admin Expense	3761	\$1,509.39
Bank of ND	Interest & Admin Fees (9-1-14 to 3-1-15)		\$3,300.00
Bank of ND	Interest 9-1-14 to 3-1-15		\$62.50
Friends of Lake Sakakawea	Dues	2015	\$100.00
City of Bismarck	January Rent	12	\$95.33
City of Bismarck	November building expense	151	\$27.31
USGS	Hay Creek gages - 2012 bill	90195955	\$2,600.00
City of Bismarck	December building expenses	178	\$36.90
City of Bismarck	IT billing October - December)	160	\$16.40
Bliss & Stebbins	January Billing	17419	\$1,150.98
Houston Engineering	McDowell Dam	23565	\$411.00
Houston Engineering	General	23566	\$2,000.00
Houston Engineering	Burnt Creek Floodway	23567	\$6,683.50
Houston Engineering	MRCC	23568	\$1,612.00
Houston Engineering	Hogue Island Site Restoration	23569	\$1,464.00
Houston Engineering	Missouri River bank stabilization	23570	\$774.00
Houston Engineering	Drain Permit Applications	23571	\$1,456.00
Personalized Management	Secretarial/Accounting/Supplies	5511	\$1,433.04
		TOTAL:	\$30,769.89





Burleigh County Water Resource District

City/County Office Building - 221 North 5th Street
Bismarck, North Dakota 58501-4028

Terms and Conditions for Sale of Auctioned Properties

1. GENERAL TERMS AND CONDITIONS

The Burleigh County Water Resource District ("Seller") will receive sealed bids for property it has acquired through voluntary acquisition. Bids shall be delivered either by mail or in person to: Bliss & Stebbins, LLC, 400 East Broadway Avenue, Suite 308, Bismarck, North Dakota 58502-4126 (701-223-5769) until 5 pm (CDT) the day before the bid, or they may be delivered in person at the time and place noted for the bid opening.

The sealed bids will be opened during a special meeting of the Burleigh County Water Resource District on March 10, 2015 at 10 am, held in the Tom Baker Meeting Room, City/County Building 221 North 5th Street, Bismarck, ND 58501. The top five Buyers will have an opportunity to increase their bids at that time.

Buyers will not be discriminated against based on sex, race, color, religion, or national origin.

2. PROPERTY RESTRICTIONS

Deed restrictions will not allow the construction of any structures on any of the four properties at any time. The Burleigh County Water Resource District also retains the right to construct a future flood control project across the properties. The properties are also subject to existing easements for maintenance of federally constructed bank stabilization measures. Local covenants may further restrict the use of the property. Copies of these deed restrictions and easements are attached to these Terms and Conditions as Appendix A.

3. DISCREPANCIES

Information presented on the Seller's website and printed and digital ads are for informational purposes only. Discrepancies, if any, are the Buyer's sole responsibility. The Buyer agrees to hold the Seller harmless for any damages as a result of discrepancies not resolved at the time of bidding.

4. AUCTION DETAILS

Auction details will be posted on the Burleigh County Water Resource District's website located at www.bcwrdd.org. Specific questions as to the sale may be directed to District Engineer Michael Gunsch (323-0200) or David Bliss, Bliss & Stebbins, LLC (223-5769).

5. **SUBMITTING A BID**

All bids shall be binding. The Buyer will be required to sign a bill of sale and must comply with the terms and conditions stated herein and those terms and conditions set forth in the bill of sale. Retractions of bids will not be allowed.

6. **INSURANCE AND RISK OF LOSS**

The Buyer is responsible for obtaining insurance on the property within 7 days of the date of the sale. Risk of loss or damage to the property will transfer from the Seller to the Buyer upon acceptance of the Buyer's bid. The Seller shall not be held responsible for any losses incurred by the Buyer once the auction is complete and the sale is finalized.

If flooding conditions occur and warrant emergency flood protection to be placed on the existing lot, the Seller reserves the right to construct emergency flood protection operations on the existing lot at any future date.

7. **AMENDMENTS, MODIFICATIONS OR WAIVERS**

No amendment, modification, or waiver of any condition, provision or term shall be valid or of any effect unless made in writing and signed by Buyer and Seller, or a duly authorized representative, and specifying with particularity the extent and nature of such amendment, modification or waiver. Any waiver by any party of any default of another party shall not effect or impair any right arising from any subsequent default. Except as expressly and specifically stated otherwise, nothing herein shall limit the remedies and rights of the parties.

8. **INDEMNITY AND HOLD HARMLESS**

The Buyer agrees to indemnify and hold the Seller, its directors, employees, attorneys and agents harmless from any and all claims, liabilities, losses, damages and expenses, including claims arising from death or personal injury and attorney's fees, that may arise directly or indirectly from the condition of the property or the Buyer's performance of these terms and conditions.

9. **BINDING EFFECT**

The terms herein and the bill of sale comprise the entire agreement and shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, personal representatives, successors and assigns.

10. **GOVERNING LAW**

This agreement shall be governed by the laws of the State of North Dakota.

Dated this 10th day of March, 2015

Burleigh County Water Resource District, A
political subdivision, State of North Dakota

By: /s/ Terry Fleck .
Terry Fleck, Its Chairman
(Seller)

STATE OF NORTH DAKOTA)
) ss
COUNTY OF BURLEIGH)

On this _____ day of March, 2015, before me, a notary public within and for said county and state, personally appeared Terry Fleck, Chairman, known to me to be the person described in and who executed the within and foregoing instrument, and severally acknowledged to me that he executed the same on behalf of the Burleigh County Water Resource District.

David R. Bliss, Notary Public
Burleigh County, North Dakota
My commission Expires: 10-16-13

The Buyer and/ or the Buyer's agent hereby agree to purchase the above-described property for the price and on the terms and conditions set forth in this agreement.

(Buyer)

STATE OF NORTH DAKOTA)
) ss
COUNTY OF BURLEIGH)

On this _____ day of March, 2015, before me, a notary public within and for said county and state, personally appeared _____, known to me to be the Buyer/Buyers described in and who executed the within foregoing instrument.

, Notary Public
Burleigh County, North Dakota
My Commission Expires:

Burleigh County Water Resource District

Hogue Island Property Auction

Notice of Public Sale

The Burleigh County Water Resource District will receive public bids for the sale of the following four properties located in the Riverside Subdivision on Hogue Island:

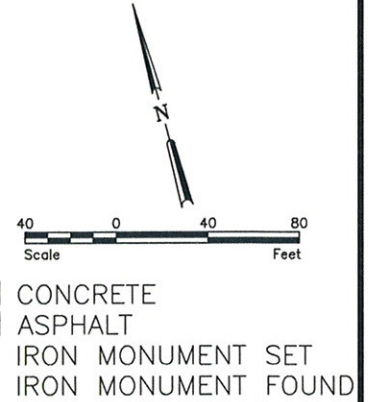
<u>Property Description</u>	<u>Acreage</u>	<u>Reserve Price</u>
Lot 1, Block 1	0.88 Acres	\$15,000
Lot 6 and N ½ of Lot 5 Block 1	1.50 Acres	\$25,000
Lot 7 and S ½ of Lot 8 Block 1	0.96 Acres	\$15,000
Lot 9 and N ½ of Lot 8 and S ½ Lot 10	1.58 acres	\$25,000

Additional information regarding these properties and the terms and conditions of sale are available at www.bcwrld.org. Bids will be opened March 10, 2015 at 10 am in the Tom Baker Meeting Room, City/County Building.

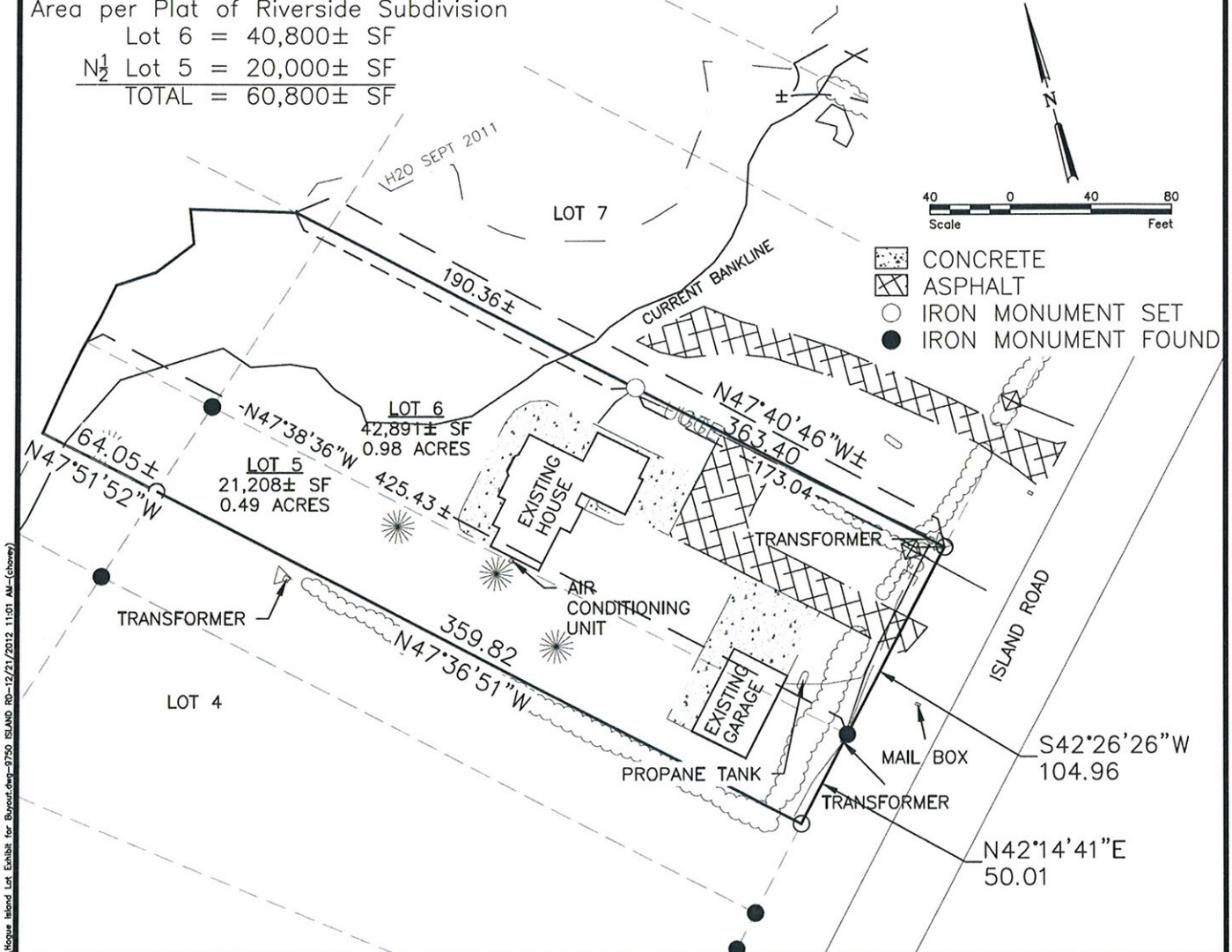
LOT EXHIBIT
FOR
9750 ISLAND ROAD
LOT 6 & THE NORTH 1/2 OF LOT 5, BLOCK 1
RIVERSIDE SUBDIVISION
BURLEIGH COUNTY, NORTH DAKOTA

Area per Plat of Riverside Subdivision

Lot 6 = 40,800± SF
 $\frac{N}{2}$ Lot 5 = 20,000± SF
 TOTAL = 60,800± SF



- CONCRETE
- ASPHALT
- IRON MONUMENT SET
- IRON MONUMENT FOUND



● LOT CORNERS SET WITH 5/8 INCH PIPE

LEGAL DESCRIPTION: THE NORTH 1/2 OF LOT 5, BLOCK 1, RIVERSIDE SUBDIVISION, BURLEIGH COUNTY, NORTH DAKOTA AS MEASURED PARALLEL WITH AND PERPENDICULAR TO THE NORTHERLY LINE OF SAID LOT 5; AND LOT 6, BLOCK 1, RIVERSIDE SUBDIVISION, BURLEIGH COUNTY, NORTH DAKOTA.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 64,099 SQUARE FEET, MORE OR LESS.

ALL BEARINGS AND DISTANCES ARE FIELD MEASURED.

I HERBY CERTIFY THAT THIS SURVEY, PLAN, AND OR REPORT WAS PREPARED UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NORTH DAKOTA.

THIS DOCUMENT WAS ORIGINALLY
ISSUED AND SEALED BY
STEVEN M. LANGLEIE
REGISTRATION NUMBER
PLS-5476

ON 12/20/2012 AND THE
ORIGINAL DOCUMENT IS STORED AT
HOUSTON ENGINEERING, INC.,
3712 LOCKPORT STREET,
BISMARCK, ND 58503

NAME _____

DATE _____

5476
REG NO

SURVEYOR



Bismarck

P: 701.323.0200
F: 701.323.0300

Drawn by
CCH

Checked by
SML

Date
12-21-12

Scale
AS SHOWN

RIVERSIDE SUBDIVISION
BCWRD
BURLEIGH COUNTY, NORTH DAKOTA
PROJECT NO. 6025-011

SHEET

1 of 1

T:\6025-011 Bismarck County Water Resource District\6025-011 Mogue Island Flood Control\CAD\Mogue Island Lot Exhibit for Boyout.dwg--9750 ISLAND RD--12/21/2012 11:01 AM--(cbowen)

Area per Plat of Riverside Subdivision

Lot 7	=	42,300±	SF
S ₂ Lot 8	=	20,000±	SF
<hr/>			
TOTAL	=	62,300±	SF



THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 43,416 SQUARE FEET, MORE OR LESS.
ALL BEARINGS AND DISTANCES ARE FIELD MEASURED.

ON 12/20/2012 AND THE
ORIGINAL DOCUMENT IS STORED AT
HOUSTON ENGINEERING, INC.,
3712 LOCKPORT STREET,
BISMARCK, ND 58503

5476
REG NO



Houston
Engineering Inc.

Date	12-21-12
Scale	AS SHOWN

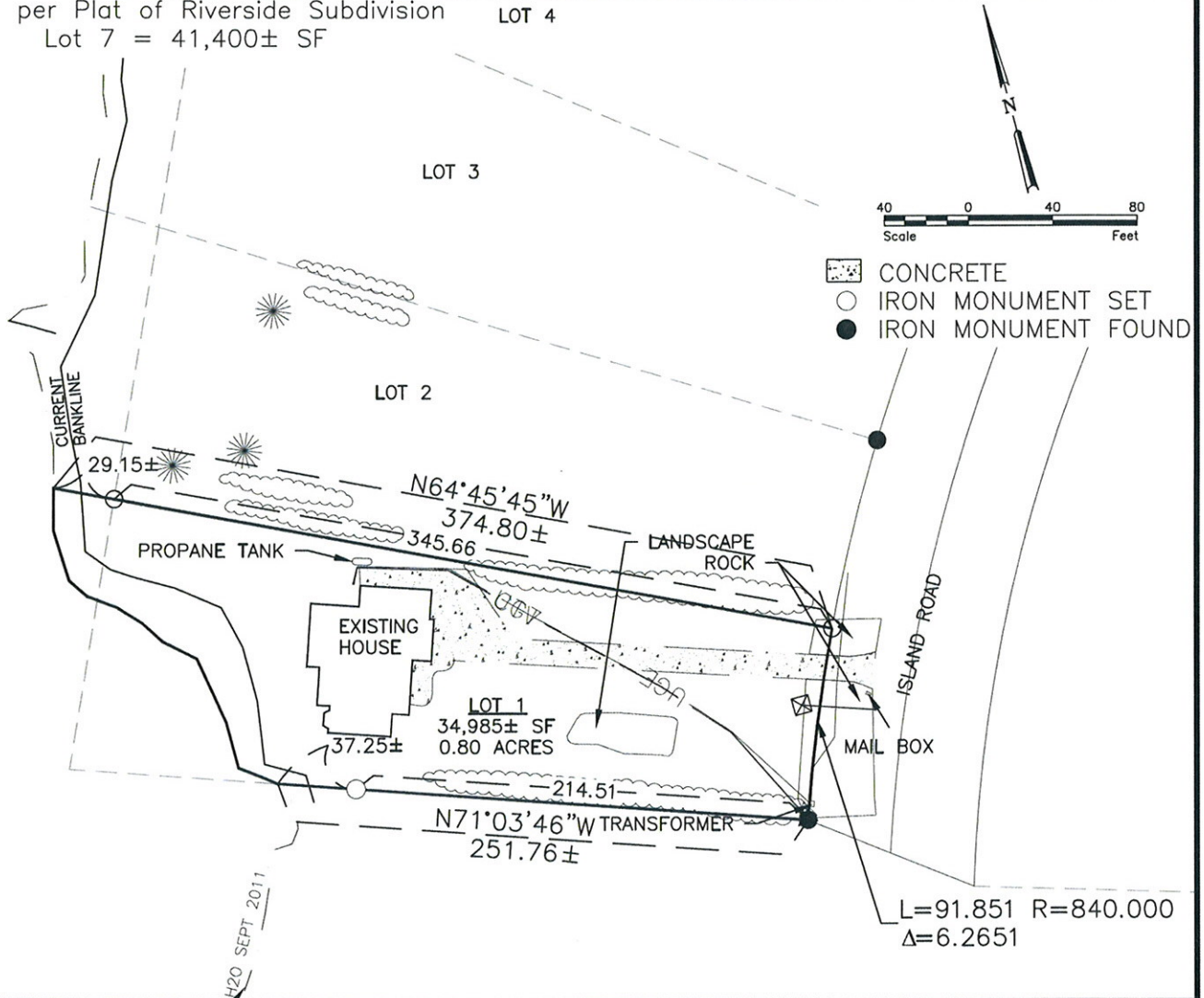
RIVERSIDE SUBDIVISION
BCWRD
BURLEIGH COUNTY, NORTH DAKOTA
PROJECT NO. 6025-011

SHEET
1 of 1

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LOT EXHIBIT
FOR
9700 ISLAND ROAD
LOT 1, BLOCK 1
RIVERSIDE SUBDIVISION
BURLEIGH COUNTY, NORTH DAKOTA

Area per Plat of Riverside Subdivision
Lot 7 = 41,400± SF



● LOT CORNERS SET WITH 5/8 INCH PIPE

LEGAL DESCRIPTION: LOT 1, BLOCK 1, RIVERSIDE SUBDIVISION, BURLEIGH COUNTY, NORTH DAKOTA.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 34,985 SQUARE FEET, MORE OR LESS.

ALL BEARINGS AND DISTANCES ARE FIELD MEASURED.

I HERBY CERTIFY THAT THIS SURVEY, PLAN, AND OR REPORT WAS PREPARED UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NORTH DAKOTA.

THIS DOCUMENT WAS ORIGINALLY
ISSUED AND SEALED BY
STEVEN M. LANGLEIE
REGISTRATION NUMBER
PLS-5476
ON 12/20/2012 AND THE
ORIGINAL DOCUMENT IS STORED AT
HOUSTON ENGINEERING, INC.,
3712 LOCKPORT STREET,
BISMARCK, ND 58503

NAME _____

DATE _____

5476
REG NO

SURVEYOR



**Houston
Engineering Inc.**

Bismarck

P: 701.323.0200
F: 701.323.0300

Drawn by
CCH

Date
12-21-12

Checked by
SML

Scale
AS SHOWN

RIVERSIDE SUBDIVISION
BCWRD
BURLEIGH COUNTY, NORTH DAKOTA
PROJECT NO. 6025-011

SHEET

1 of 1

NOTICE INVITING SEALED PROPOSALS (BIDS)

FOR THE CONSTRUCTION OF BURNT CREEK FLOOD CONTROL 2011 FLOOD DAMAGE RESTORATION PROJECT BURLEIGH COUNTY, NORTH DAKOTA

NOTICE IS HEREBY GIVEN that the Burleigh County Water Resource District, North Dakota, invites and will receive sealed proposals (bids) up to the hour of **11:00 a.m.**, local time, on the **3rd of March, 2015** for the furnishing of all transportation, labor, materials, tools, equipment, services, permits, utilities, and other items necessary to construct said work, in accordance with the drawings and contract documents. At said time, said proposals will be publicly opened and read aloud at the Bismarck office of Houston Engineering at the address below.

Bids can be mailed to: Houston Engineering, Inc.
Michael Gunsch, Project Manager
3712 Lockport Street
Bismarck, ND 58503

Bids shall conform to and be responsive to the Contract Documents for the work. The Contract Documents will be available on **February 9, 2015**. Copies of the Contract Documents will be on file and may be examined during normal office hours at Builders Exchange locations in Minot, Bismarck-Mandan, Fargo, and Grand Forks, North Dakota; and at the following locations:

Houston Engineering, Inc.
720 Western Avenue
Minot, ND 58701-3700
Telephone (701) 852-7931
Fax (701) 858-5655

Houston Engineering, Inc.
3712 Lockport Street
Bismarck, ND 58503-5535
Telephone (701) 323-0200
Fax (701) 323-0300

Houston Engineering, Inc.
1401 21st Avenue North
Fargo, ND 58102
Telephone (701) 237-5065
Fax (701) 237-5101

The scope of work consists of work items including but not limited to: Mobilization; Clearing & Grubbing; Muck Excavation; Bank Shaping and Stabilization; Remove and Reset Pipe; Import Clay Fill, Sluice Gate Installation; Topsoiling and Seedbed Prep; Seeding and Hydro Mulch; Fence Removal; Erosion Control; Silt Curtain (River Installation) and incidental items.

Copies of plans and specifications may be obtained following receipt of payment of **\$40.00 per set, non-refundable**, or a CD may be obtained with the documents in electronic (pdf) format following receipt of payment of **\$25 per set, nonrefundable**, from the following:

Houston Engineering, Inc.
3712 Lockport Street
Bismarck, ND 58503

Complete digital project bidding documents are available for download at www.questcdn.com. You may download digital plan documents for **\$25** by inputting **Quest project # _____** on the web site's Project Search page. Please contact QuestCDN.com at (952) 233-1632 or infor@questcdn.com for assistance in free membership registration, downloading, and working with this digital project information.

The Advertisement for Bids, Planholders List, Addendums, and Bid Results will be available at the following web site: <http://www.houstoneng.com/bid-info>

Each bid shall be submitted on a form furnished as part of the contract documents and must be accompanied by a separate envelope containing a Bidder's Bond with Acknowledgement of Surety in an amount not less than 5% of the full amount of the bid made payable to the order of or for the benefit of the Burleigh County Water Resource District. The bid bond shall be executed by the bidder as principal and by a surety company authorized to do business in the State of North Dakota, conditioned that if the principal's Bid be accepted and the contract awarded to the principal, within ten (10) days after Notice of Award, the Principal shall execute a contract in accordance with the terms of the bid and contractor's performance and payment bonds as required by law and the regulations and determinations of the Burleigh County Water Resource District. A bid submitted without this information properly enclosed in the bid bond envelope shall not be read nor considered and the envelope shall be resealed and bid returned to the bidder immediately. Each bid shall be sealed and delivered to Houston Engineering at the location designated in this notice for the opening of proposals at or before the time in this notice.

All Bidders shall hold a valid North Dakota Contractor's license of the proper class and shall enclose a copy of the license or Certificate of Renewal of the license in the same envelope as the Bidder's Bond.

Work shall be substantially complete no later than **July 17, 2015**, with final site restoration work completed no later than **July 31, 2015**.

The Burleigh County Water Resource District will award the contract to the lowest responsive and responsible Bidder. The Burleigh County Water Resource District reserves the right to reject any and all bids, and to waive any and all irregularity in any bid.

BY THE ORDER OF THE BURLEIGH COUNTY WATER RESOURCE DISTRICT, NORTH DAKOTA.

Dated: 8/12/14

/s/
Terry Fleck, Chairman

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Mona Livdahl

From: Michael Gunsch [mgunsch@houstoneng.com]
Sent: Saturday, January 24, 2015 7:18 PM
To: Mona Livdahl
Subject: FW: BCWRD Hazard Mitigation Project Sheets
Attachments: Apple Creek Industrial Park Levee.docx; Fox Island.docx; McDowell Dam Downstream Zoning.docx; MRCC.docx; Sibley Island.docx

Mona;

See attached... these can be included in the Feb book.
Thanks, task completed.

Michael Gunsch
Principal / Senior Project Manager
Houston Engineering, Inc.
3712 Lockport St, Bismarck, ND 58503
O 701.323.0200 | F 701.323.0300
www.houstoneng.com

This entire message (including all forwards and replies) and any attachments are for the sole use of the intended recipient(s) and may contain proprietary, confidential, trade secret, work-product, attorney-client or privileged information. Any unauthorized review, use, disclosure or distribution is prohibited and may be a violation of law. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message

From: Craig Odenbach
Sent: Wednesday, January 21, 2015 1:11 PM
To: Senger, Mary H.
Cc: Fleck Terry (tfleck@attitudedr.com) (tfleck@attitudedr.com); Michael Gunsch
Subject: RE: BCWRD Hazard Mitigation Project Sheets

It was a .zip folder, so maybe your firewall wouldn't allow it. Here they are individually.

Craig Odenbach, P.E., CFM
Civil Engineer
Houston Engineering, Inc.
O 701.323.0200 | F 701.323.0300

From: Senger, Mary H. [<mailto:msenger@nd.gov>]
Sent: Wednesday, January 21, 2015 12:05 PM
To: Craig Odenbach
Subject: RE: BCWRD Hazard Mitigation Project Sheets

The txt file is all I received.
Is it a large file?

Mary H. Senger, Emergency Manager
Burleigh County Emergency Management
221 N 5th St
Bismarck, ND 58501
Phone: 701.222.6727
msenger@nd.gov
<http://burleighco.com>

PROJECT NAME: Apple Creek Industrial Park Levee Assessment

PROBLEM: The existing Apple Creek Industrial Park Levee has been de-accredited by FEMA resulting in a significant hindrance to development within this subdivision.

RECOMMENDED ACTIONS: Complete an assessment of the current condition of the levee and identify actions required to certify the levee under the NFIP.

IDENTIFY THE LEAD AGENCY: Burleigh County Water Resource District

COSTS: \$150,000

FUNDING SOURCE: State Water Commission & Local Assessments

TIMEFRAME: WRD is waiting for landowners to provide petition and a bond for completing this assessment. Anticipated completion in 2015-2016.

PROGRESS: A scope of work and budget have been prepared. Local landowners have met to discuss the need to provide a bond for the local share of this assessment. The North Dakota State Water Commission has provided a cost share agreement to the WRD, and they have signed the agreement.

PROJECT NAME: Fox Island Flood Control

PROBLEM: Fox Island properties remain vulnerable to flooding from the Missouri River.

RECOMMENDED ACTIONS: Construct a levee which, combined with roadway grade raises, will provide flood control protection to the interior of Fox Island. This project was included in the Burleigh County comprehensive flood control plan developed after the 2011 flood event.

IDENTIFY THE LEAD AGENCY: Burleigh County Water Resource District

COSTS: \$3,145,000

FUNDING SOURCE: State Water Commission, Lincoln Township & Local Assessments

TIMEFRAME: Undetermined. Dependent on availability of road funds for cost share from Lincoln Township.

PROGRESS: The project has undergone various reconfigurations in response to evolving concerns and desires of local residents. Current preferred alternative will involve both the construction of a levee to be coordinated with roadway grade raises. A Preliminary Engineering Report has been prepared and the project can be taken to the voters for consideration once Lincoln Township has accrued sufficient funding.

PROJECT NAME:	McDowell Dam Downstream Re-Zoning
PROBLEM:	McDowell Dam was designed and constructed as a medium hazard dam. Downstream development could raise the hazard classification to 'high' which could necessitate extensive modifications and public expense in order to comply with heightened dam design standards.
RECOMMENDED ACTIONS:	One alternative would be to create a special zoning district downstream of the dam within the breach zone to prevent additional development within this zone and reduce the likelihood of the dam being reclassified as high hazard.
IDENTIFY THE LEAD AGENCY:	Burleigh County Water Resource District
COSTS:	Undetermined.
FUNDING SOURCE:	Burleigh County WRD
TIMEFRAME:	Undetermined. The State Water Commission is completing an updated assessment of the facility and the downstream reach which may dictate a time frame and an approach.
PROGRESS:	NA

PROJECT NAME:	Missouri River Correctional Center Flood Control
PROBLEM:	Missouri River Correctional Center and adjacent residential properties remain vulnerable to flooding from the Missouri River.
RECOMMENDED ACTIONS:	Construct a levee that would tie into 48 th Avenue to the south and Tavis Road to the north to provide flood control to the Missouri River Correctional Center and residential properties to the east. This project was included in the Burleigh County comprehensive flood control plan developed after the 2011 flood event.
IDENTIFY THE LEAD AGENCY:	Burleigh County Water Resource District
COSTS:	\$1,636,000
FUNDING SOURCE:	State Water Commission, Department of Corrections & Local Assessments
TIMEFRAME:	Winter 2015 – await outcome of proposed legislation Spring 2015 - assessment vote Summer/Fall 2015 – final design Summer 2016 - construction
PROGRESS:	Project failed initial assessment vote. Residents re-petitioned project. A revised Preliminary Engineering Report has been prepared. Legislation regarding the future of the Missouri River Correctional Center property may influence project development, so efforts are on hold pending legislative outcome.

PROJECT NAME:	Sibley Island Flood Control
PROBLEM:	Sibley Island properties remain vulnerable to flooding from the Missouri River.
RECOMMENDED ACTIONS:	Construct a levee which, combined with roadway grade raises, will provide flood control protection to the Sibley Island area south of 48 th Avenue and east of Washington Street. This project was included in the Burleigh County comprehensive flood control plan developed after the 2011 flood event.
IDENTIFY THE LEAD AGENCY:	Burleigh County Water Resource District
COSTS:	\$1,850,000
FUNDING SOURCE:	State Water Commission & Local Assessments
TIMEFRAME:	Undetermined. If the MRCC Flood Control Project is constructed, the residents will be notified that the BCWRD will complete additional project development if the residents provide petitions documenting an appropriate level of local support.
PROGRESS:	An initial feasibility assessment was completed and a public informational meeting was held in 2013.

David R. Bliss
Attorney at Law
Licensed in ND & SD

Jackie M. Stebbins
Attorney at Law

Micheal A. Mulloy
Attorney at Law



Catherine A. Bliss, CLA
Certified Legal Assistant

Erica L. Pullen
Legal Assistant

Chanda B. Fredericks
Legal Assistant

January 19, 2015

Terry Fleck, Chairman
Burleigh County Water Resource District
City/County Building
221 N. 5th Street
Bismarck, ND 58501

Re: Bliss & Stebbins Fee Agreement
Our File No.: 282-94

Dear Chairman Fleck and Board Members:

My review of our contract with the Burleigh County Water Resource District indicates that our two year agreement ended as of January 1, 2015. I understand that the District's other administrative contracts are for single year durations and I will propose the same.

Enclosed please find a proposed hourly fee agreement between Bliss & Stebbins Law Firm, LLC and the Burleigh County Water Resource District. Our discounted hourly rates in this proposed agreement have increased by 7.5%, but still represent the same 19 % discount from my standard hourly rate of \$275 for civil litigation. My hourly discounted fee will increase to \$231 per hour from the present \$215 per hour; my partner Jackie's hourly rate increases from \$188 to \$202; my associate Mike Mulloy's hourly rate increases from \$161 to \$173; and our legal assistant hourly rate for our two legal assistants will be billed at one half of my new hourly rate, or \$115.50. Also included in this fee agreement is the provision which provides for the \$1,000 flat fee I shall receive for each monthly meeting.

It is my privilege to serve the District as your counsel, and I thank you for the opportunity to do so. Please let me know if you have questions.

Sincerely,

A handwritten signature in dark ink, appearing to read "DRC", is written over a large, loopy, handwritten "AUC" that spans across the signature line and the name below.

DAVID R. BLISS
DRB:elp
Enclosure

S:\Burleigh County Water Resource 22-229\Board fee agreement ltr 1-13-15.doc

BURLEIGH COUNTY WATER RESOURCE DISTRICT LEGAL COUNSEL - HOURLY FEE AGREEMENT

The Burleigh County Water District ("District"), hereby retains Bliss & Stebbins Law Firm, LLC, 400 E. Broadway Avenue, Suite 308, P.O. Box 4126, Bismarck, ND 58502-4126, telephone (701) 223-5769, to represent the District with regard to the following matter: water board legal counsel.

- ▶ IT IS AGREED that time spent (attorneys fees) by the attorneys on this matter will be billed at the rate of \$231.00 per hour for David R. Bliss, \$202.00 per hour for Jackie M. Stebbins and \$173.00 per hour for Micheal A. Mulloy. Time spent by the legal assistants will be billed at a rate of \$115.50 per hour.
- ▶ IT IS FURTHER AGREED that the District will pay a \$1,000 flat fee to Bliss & Stebbins Law Firm, LLC for each monthly meeting.
- ▶ IT IS FURTHER AGREED that the District will receive from Bliss & Stebbins Law Firm, LLC, once per month, a billing statement itemizing fees and costs for the month.
- ▶ IT IS FURTHER AGREED that the District will pay, in full, all fees and costs which are billed for each month, and interest will be charged at the rate of 18% annum for all fees not paid before the 25th of the following month.
- ▶ IT IS FURTHER AGREED that either the District or counsel may withdraw from this agreement at any time with proper notice given to the other party.

"Costs" are, unless authorized by the District, limited to:

1. postage
2. substantial reproduction costs
3. expert witness fees
4. filing fees
5. travel expenses

Counsel will bill for all time spent on telephone conferences, office conferences, document preparation time, research time, and any other time spent on behalf of the client.

This contract will terminate January 1, 2016. For the duration of the contract, there will be no cost of living adjustments or other increases unless agreed to in writing between the parties.

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Dated this 1st day of January, 2015.

Bliss & Stebbins Law Firm, LLC

BY: _____

David R. Bliss

Dated this _____ day of February, 2015.

Burleigh County Water Resource District

BY: _____

Terry Fleck/Chairman

Mona Livdahl

From: Travis Johnson [tjohnson@houstoneng.com]
Sent: Friday, January 30, 2015 4:23 PM
To: Glenda Anderson (gjanderson@nd.gov)
Cc: Michael Gunsch; Terry Fleck (tfleck@attitudedr.com); Mona Livdahl
Subject: FW: Dept of Health notices
Attachments: Apple Valley NOT.pdf

Glenda – now that the Apple Valley Lagoon project is complete and restored, we need to send the Notice of Termination for the stormwater discharge permit to the Health Department. Please print off and sign the attached form. You can either return to us, or send directly to them and copy us.

The project still has an active stormwater discharge permit, and this notice of termination closes their books on the project.

Let me know if you have any questions.

Thanks,

Travis Johnson
Civil Engineer
Houston Engineering, Inc.
O 701.323.0200 | F 701.323.0300 | D 701.751.6287

From: Michael Gunsch
Sent: Friday, January 30, 2015 2:22 PM
To: Mona Livdahl; 'Fleck Terry'
Cc: Travis Johnson
Subject: RE: Dept of Health notices

Terry – we will terminate the Apple Valley Cooperative permit, project is completed and area restored. Typically contractor would provide NOT – notice of termination, but they apparently have not. Travis will take care of that.

Will need to take a closer look at the Burnt Creek one as that project was completed a long time ago.... More later.

If you have questions let me know.

Michael Gunsch
Principal / Senior Project Manager
Houston Engineering, Inc.
3712 Lockport St, Bismarck, ND 58503
O 701.323.0200 | F 701.323.0300
www.houstoneng.com

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From: Mona Livdahl [mailto:mona@midco.net]
Sent: Friday, January 30, 2015 2:16 PM
To: Michael Gunsch; 'Fleck Terry'
Subject: Dept of Health notices



January 23, 2015

Mr Terry Fleck
Burleigh County Water Resource District
221 North 5th St.
PO Box 5518
Bismarck, ND 58502-5518

NDPDES General Permit Reissuance and Initial Reapplication

Permit ID: Site Name:
NDR105359 **Apple Valley Cooperative Sanitary Lagoon Improvements**

The department is renewing the North Dakota Pollutant Discharge Elimination System (NDPDES) general permit for construction stormwater discharges applicable to the above referenced project. Enclosed is a permit reapplication form for your project. Please complete the enclosed form and return it to the department by March 31, 2015.

Please take the time to review the draft NDPDES permit and public notice. The public comment period begins January 21, 2015 and ends February 21, 2015. Note that any questions, comments, or suggestions concerning the draft permit will be taken into consideration if they are received by our office before the end of the public notice comment period. A copy of the draft permit is available for review on the department's website at: www.ndhealth.gov/EHS/PublicNotices.aspx.

We have also arranged to have the public notice printed in either your local, regional, or official county newspaper. If there is a significant public interest, a hearing may be scheduled before the permit issued. Otherwise, the final permit will be sent to you shortly after we receive your reapplication and the public comment period ends. The current general permit for stormwater discharges will remain in effect until the renewal is finalized.

Should you have any questions concerning the draft permit or public notice contact Patrick Schuett at (701) 328-5235 or Dallas Grossman at (701) 328-5242. Note that enclosures are not being sent to carbon copy recipients.

North Dakota Department of Health
Division of Water Quality
NDPDES Permits Program

Enc

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NDPDES Permits Program-Division of Water Quality
Initial Reapplication of NDPDES Permit

Permittee: Burleigh County Water Resource District

The North Dakota Pollutant Elimination System (NDPDES) construction stormwater discharge permit, NDR10-0000 expired on September 30, 2014 and has been administratively extended until reissuance. Please complete this form and return it to us at the address below by March 31, 2015.

Following is a construction site that is currently covered by the general permit to be reauthorized under the general permit NDR10-0000. If the project has achieved final stabilization, place an "X" in the Terminate box for the appropriate project. To renew a permit please place an "X" in the Renew box. All active permits which have not been renewed by March 31, 2015 shall be terminated by the department.

<u>Permit ID:</u>	<u>Site Name:</u>	<u>Terminate</u>	<u>Renew</u>
NDR105359	Apple Valley Cooperative Sanitary Lagoon Improvements	<input type="checkbox"/>	<input type="checkbox"/>

I request that coverage for the site listed above be renewed or terminated under the reissued general permit.

Signed: _____ Date: _____

Printed: _____ Title: _____

Please make any facility contact and address corrections below:

Mr Terry Fleck
Burleigh County Water Resource District
221 North 5th St.
PO Box 5518
Bismarck, ND 58502-5518

This renewal is in accordance with the North Dakota Department of Health Regulations Chapter 33-1091 as promulgated under Chapter 61-28 of the North Dakota Century Code.

Please return the completed form to:

North Dakota Dept. of Health
Div. of Water Quality Permits Program
918 East Divide Ave
Bismarck, ND 58501-1947

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January 23, 2015

Mr Gailen Narum
Burleigh County Water Resource District
221 North 5th St.
PO Box 5518
Bismarck, ND 58502-5518

NDPDES General Permit Reissuance and Initial Reapplication

Permit ID: Site Name:
NDR102524 **Burnt Creek Flood Control Project**

The department is renewing the North Dakota Pollutant Discharge Elimination System (NDPDES) general permit for construction stormwater discharges applicable to the above referenced project. Enclosed is a permit reapplication form for your project. Please complete the enclosed form and return it to the department by March 31, 2015.

Please take the time to review the draft NDPDES permit and public notice. The public comment period begins January 21, 2015 and ends February 21, 2015. Note that any questions, comments, or suggestions concerning the draft permit will be taken into consideration if they are received by our office before the end of the public notice comment period. A copy of the draft permit is available for review on the department's website at: www.ndhealth.gov/EHS/PublicNotices.aspx.

We have also arranged to have the public notice printed in either your local, regional, or official county newspaper. If there is a significant public interest, a hearing may be scheduled before the permit issued. Otherwise, the final permit will be sent to you shortly after we receive your reapplication and the public comment period ends. The current general permit for stormwater discharges will remain in effect until the renewal is finalized.

Should you have any questions concerning the draft permit or public notice contact Patrick Schuett at (701) 328-5235 or Dallas Grossman at (701) 328-5242. Note that enclosures are not being sent to carbon copy recipients.

North Dakota Department of Health
Division of Water Quality
NDPDES Permits Program

Enc



NDPDES Permits Program-Division of Water Quality
Initial Reapplication of NDPDES Permit

Permittee: Burleigh County Water Resource District

The North Dakota Pollutant Elimination System (NDPDES) construction stormwater discharge permit, NDR10-0000 expired on September 30, 2014 and has been administratively extended until reissuance. Please complete this form and return it to us at the address below by March 31, 2015.

Following is a construction site that is currently covered by the general permit to be reauthorized under the general permit NDR10-0000. If the project has achieved final stabilization, place an "X" in the Terminate box for the appropriate project. To renew a permit please place an "X" in the Renew box. All active permits which have not been renewed by March 31, 2015 shall be terminated by the department.

<u>Permit ID:</u>	<u>Site Name:</u>	<u>Terminate</u>	<u>Renew</u>
NDR102524	Burnt Creek Flood Control Project	<input type="checkbox"/>	<input type="checkbox"/>

I request that coverage for the site listed above be renewed or terminated under the reissued general permit.

Signed: <u>Terry A. Fleck</u>	Date: <u>2/2/15</u>
Printed: <u>Terry A. Fleck</u>	Title: <u>Chairman</u>

Please make any facility contact and address corrections below:

Mr Gailen Narum
Burleigh County Water Resource District
221 North 5th St.
PO Box 5518
Bismarck, ND 58502-5518

This renewal is in accordance with the North Dakota Department of Health Regulations Chapter 33-1091 as promulgated under Chapter 61-28 of the North Dakota Century Code.

Please return the completed form to:

North Dakota Dept. of Health
Div. of Water Quality Permits Program
918 East Divide Ave
Bismarck, ND 58501-1947