



BURLEIGH COUNTY WATER RESOURCE DISTRICT AGENDA

Thursday July 5, 2017

Conference Call Minutes

10:00 a.m. - Call to Order

Present: Chairman Larson, Rod Beck, Rick Detwiller, John Trygg, Dennis Reep, Michael Gunsch, Houston Engineering, Inc.; Commissioner Kathleen Jones, Burleigh County Commissioner, Dave Bliss, Bliss Law Firm, LLC and Mona Livdahl, Personalized Management Services, Inc.

Others: Alton and Ardeen Nitschke (spelling correction should be Arlene)

Chairman Larson called the meeting to order at 10:00 a.m. noting a quorum was present.

Hay Creek Pines

Vote Tally and Certification: 30 yes, 1 – No, 1 Left blank and 3 – no response. **Mgr. Detwiller moved to certify the vote, Beck seconded. Motion Carried.**

Commissioner Jones asked about the Nitschke's and what is going on. Engineer Gunsch noted that a site review was completed on June 26th. Eng. Gunsch noted they documented what was out there and have been working with Braun to get water quality testing done, it has not been scheduled yet. Mr. Nitschke has requested to be onsite when those samples are taken. No specific discussion has taken place at this yet for the work being done. A rough draft for the drain permit was filled out, we do need to get the technical findings first. From the current statute we do not need to notify the downstream landowners. We can only hear technical arguments from downstream notified landowners within a 30-day period. Mgr. Reep asked if this would include the Nitschkes – noted yes, as well as Bakke and John Richter. This would allow them to comment.

Notice for Protest Hearing (Pending): Michael will have a draft for us on the 12th – as to who will be notified. The protest hearing must be held and gives everyone an opportunity to come to the board who do not feel would be benefited. This will all be done at one hearing and we have 30 days to notify them. Mr. Nitschke asked when the water tests will be done. Eng. Gunsch noted that they need to get back to us (Braun) with an estimate and timeline. We will let Mr. Nitschke know when this takes place.

The action now is a vote to proceed on completing the drain tile application and completing the study. Mrs. Nitschke stated that this is not over even though we voted on it. Chairman Larson noted the vote is not to do the project but to proceed with the research. Chairman Larson asked for a motion to proceed with the research to see if this is a viable project. **Detwiller moved, Reep seconded. Motion carried.** We will proceed with the study of the project. Noted at this point we do not have a draft.

Technical Findings – Accept Draft: Commissioner Jones noted we should hold off until the 12th until everything has been done. Detwiller asked if we would have this back, noted probably not the water quality samples but the rest should be back. HEI will notify where the gaps are.

Proposed stormwater easements within subdivision: There are no easements within the subdivision. Will create a budget for final design and we can authorize on the 12th.

Chairman Larson wanted on the record that we need to be sensitive to all parties involved in this project.

Missouri River Correctional Center

Project Updates (powerlines, culverts, materials, etc.) Ran into unsuitable material and did run into a power line, but that has been fixed. Fetzer Electric did fix it and this will be sent to the board to be paid.

MRCC Fund Allocations – Acknowledgment Letter: MRCC fully allocated and spent their monies as of this last pay request. Encourage the board to have HEI do an acknowledgment letter as to the funds. Need consensus to do this. Getting final documentation from them and acknowledgement letter. Consensus to proceed.

Discussed signage, noting MRCC has signage and we may need to put some up also, we just don't know exactly where they are coming in from.

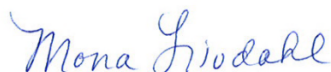
Notice and Order – Pavlicek: The letter was sent out and the board is ok with sending this out.

Approval of bidding process for McDowell Dam – mower: Mgr. Detwiller noted that he and Commissioner Jones were out to McDowell and they discussed timeline for submitting bids, etc. as they are in desperate need of a tractor/mower. The board needs to approve the bidding process to move this forward. The process will take another three to six weeks. This mower would be advertised and owned by the water board. The amount would be around \$27,000. Discussed finding the monies for this, we currently have around \$110,000 in reserves for Hogue Island and don't feel that we will be spending this money and could transfer half of that to the McDowell project. Commissioner Jones noted that since the WRD set this reserve up without the County Commissioners we have the right to transfer these monies. Chairman Larson noted that with the state you can transfer up to \$50,000 with an emergency need – questioned if we need to put this up for bid. Noted States Attorney Rhia was more comfortable with us going through the bidding process. Discussed if we needed to be brand specific. Noted we could be as it is also based on who uses them and does the work on it. Attorney Bliss advised that the board should put the purchase out for bid, but that a consideration for purchase, in addition to its price, could be for the availability of local service and maintenance of the tractor.

felt that we should put it out for bid but noted that we could indicate in the decision the benefit of going with a specific brand. **Detwiller moved to approve the bidding process Reep seconded. Motion carried.** Mgr. Detwiller will call Dave Meyer to let him know it is approved. Detwiller noted that they also asked that we consider in future budgets adding tractors. We will put this on the agenda for future needs of budgets.

Next Meeting: July 12, 2017 – Tom Baker Meeting Room

Adjourned at 10:39 a.m.



Mona Livdahl