

MINUTES OF VIRTUAL / CONFERENCE CALL MEETING
RED RIVER JOINT WATER RESOURCE DISTRICT FULL BOARD
ORIGINATING AT WEST FARGO PUBLIC WORKS
810 12TH AVENUE NW, WEST FARGO, NORTH DAKOTA
JANUARY 10, 2024
9:30 A.M.

A virtual / conference call meeting of the Red River Joint Water Resource District (RRJWRD) Full Board was held on January 10, 2024, at 9:30 a.m.

Present were Josh Ihry, Steele County Water Resource District; Keith Weston, Southeast Cass Water Resource District; Tom Perdue, Grand Forks County Water Resource District; Rodger Olson, Maple River Water Resource District; Ben Varnson, Nelson County Water Resource District; Robert Thompson, North Cass Water Resource District; Don Kemp, Pembina County Water Resource District; Arv Burvee, Richland County Water Resource District, Dick Sundberg, Rush River Water Resource District; Michael Wyum, Sargent County Water Resource District; Gary Thompson, Traill County Water Resource District; Larry Tanke, Walsh County Water Resource District; Melissa Hinkemeyer, Secretary-Treasurer; Carolyn Fiechtner, Administrative Assistant; Sean M. Fredricks, Ohnstad Twichell, P.C.; Randy Gjestvang, North Dakota Department of Water Resources (NDDWR); Dani Quissell, North Dakota Water Users Association; Jessica Spaeth, Traill County Water Resource District Secretary-Treasurer; Danni Halvorson, International Water Institute (IWI); Duane Breitling, Cass County Commissioner; Lyndon Pease, Moore Engineering, Inc.; Mike Opat, and Zach Herrmann; Houston Engineering, Inc., Morrie Lanning, Barr Engineering, Co. Barnes County and Ransom County Water Resource Districts were absent.

Approval of agenda

It was moved by Manager Weston, seconded by Manager Tanke and unanimously carried to approve the order of the agenda, as amended.

Minutes

It was moved by Manager Varnson, seconded by Manager Perdue and unanimously carried to approve the minutes of the December 7, 2023, meeting.

Financial Report

It was moved by Manager Thompson and seconded by Manager Perdue to approve the Financial Report, as presented. Upon roll call vote, the motion carried unanimously.

Reorganization of the Board for 2024

Sean Fredricks stated the RRJWRD Executive Committee positions currently held by Gary Thompson and Keith Weston are up for election this year. The alternate position on the RRJWRD Executive Committee currently held by Arv Burvee is also up for election.

Keth Weston nominated Gary Thompson to serve on the RRJWRD Executive Committee for calendar year 2024. Hearing no other nominations, a roll call vote was taken and all Managers voted in favor, with the exception of Manager Thompson, who abstained.

Michael Wyum nominated Keith Weston to serve on the RRJWRD Executive Committee for calendar year 2024. Hearing no other nominations, a roll call vote was taken and all Managers voted in favor, with the exception of Manager Weston, who abstained.

Ben Varnson nominated Arv Burvee to serve as an alternate member on the RRJWRD Executive Committee for calendar year 2024. Hearing no other nominations, a roll call vote was taken and all Managers voted in favor.

Mr. Fredricks noted Tom Perdue will act as senior alternate on the RRJWRD Executive Committee for calendar year 2024 and Arv Burvee will act as senior alternate for calendar year 2025.

Cost share request – Traill County Water Resource District – Elm River Dam No. 1 and No. 2 Improvements (amendment)

Manager Robert Thompson and Lyndon Pease stated the cost-share request for the Elm River Dam No. 1 and No. 2 Improvements project was approved at the April 13, 2022, RRJWRD Full Board meeting. Due to delays in the project and current market conditions, construction costs have increased substantially for the project. The project has been bid and will address deficiencies and update the dams to bring them into compliance with the state's current design standards. Randy Gjestvang stated the Executive Committee approved a recommendation to the Full Board to amend the *Cost-Share Agreement* for the Elm River Dam No. 1 and No. 2 Improvements project to increase the not to exceed cost-share amount from \$1,286,100 to \$2,076,533.24, an increase of \$790,433.24. The amended cost-share amount is based on 90% cost-share of the non-federal, non-state costs of the updated cost estimate of the project of \$5,600,000.

A motion was made by Manager Varnson and seconded by Manager Perdue to approve and authorize the Chairman to sign the *First Amendment to Cost-Share Agreement* with Traill County Water Resource District regarding the Elm River Dam No. 1 and No. 2 Improvements project, increasing the not to exceed cost-share amount from \$1,286,100 to \$2,076,533.24, an increase of \$790,433.24. The amended cost-share amount is based on 90% cost-share of the non-federal, non-state costs of the updated cost estimate of the project of \$5,600,000. Upon roll call vote, the motion carried unanimously.

Cost share request – Traill County Water Resource District – Elm River Dam No. 3 Improvements (amendment)

Mr. Pease stated the cost-share request for the Elm River Dam No. 3 Improvements project was approved at the July 15, 2022, RRJWRD Full Board meeting. Due to delays in the project and current market conditions, construction costs have increased substantially for the project. The project was bid with the Elm River Dam No. 1 and No. 2 Improvements project and will address deficiencies and update the dam to bring it into compliance with the state's current design standards. Mr. Gjestvang stated the Executive

Committee approved a recommendation to the Full Board to amend the *Cost-Share Agreement* for the Elm River Dam No. 3 Improvements project to increase the not to exceed cost-share amount from \$168,300 to \$491,044.77, an increase of \$322,744.77. The amended cost-share amount is based on 90% cost-share of the non-federal, non-state costs of the updated cost estimate of the project of \$1,300,000.

A motion was made by Manager G. Thompson and seconded by Manager Wyum to approve and authorize the Chairman to sign the *First Amendment to Cost-Share Agreement* with Traill County Water Resource District regarding the Elm River Dam No. 3 Improvements project, increasing the not to exceed cost-share amount from \$168,300 to \$491,044.77, an increase of \$322,744.77. The amended cost-share amount is based on 90% cost-share of the non-federal, non-state costs of the updated cost estimate of the project of \$1,300,000. Upon roll call vote, the motion carried unanimously.

Cost share request – Pembina County Water Resource District – Emergency Action Plans (EAPs) updates

Chairman Ihry reported the Executive Committee approved a *Cost-Share Agreement* with Pembina County Water Resource District for up to 65% cost-share on the non-federal, non-state share regarding updates to EAPs for eight dams, not to exceed \$16,198. The updates will ensure that the existing retention provided by the eight dams will continue to function in a safe and efficient manner and provide flood damage reduction benefits.

RRJWRD logo

The Board discussed proposed logo ideas for the RRJWRD. After discussion, Chairman Ihry suggested a working group comprised of Randy Gjestvang, Brian Fuder, Yaping Chi, Keith Weston, and Melissa Hinkemeyer, come back to the Board at the next meeting with two proposed logo options to vote on. Chairman Ihry also suggested that name tags should be ordered for the Board and staff once a logo has been established.

Manager G. Thompson moved, and Manager R. Thompson seconded to approve the directive posed by Chairman Ihry to bring back two logo options to vote on at the next meeting and once the logo is established to order name tags for Board and staff members. Upon roll call vote, the motion carried unanimously.

Legislative updates and education

Dani Quissell and Mr. Fredricks reported on legislative updates regarding water resource districts.

Mr. Fredricks then discussed a recent North Dakota Supreme Court case that impacts water resource districts.

Member WRDs Project Reports

Member Water Resource Districts reported on current activities in their districts.

Manager Perdue, Grand Forks County Water Resource District, reported removal of sediment from legal assessment drains is underway and they are undergoing the process of reassessing various legal assessment drains.

Manager Kemp, Pembina County Water Resource District, reported the main item being worked on is a project to revitalize the Tongue river.

Manager Thompson, North Cass Water Resource District, reported the focus right now is bringing the three Elm River Dams up to current standards. North Cass Water Resource District is also looking for a new board member to fill the current vacancy as Wes Ecker has retired from the Board.

Chairman Ihry, Steele County Water Resource District, reported on ongoing FEMA projects, a reassessment of a legal assessment drain, and removal of beaver dams in their facilities.

Manager Weston, Southeast Cass Water Resource District, reported snagging and clearing has begun on the Sheyenne and Wild Rice Rivers, and there is work ongoing on transitions between legal assessment drains and the Metro Flood Diversion Project.

Manager Thompson reported Trail County Water Resource District is currently completing various legal assessment drain projects and working on an extension of a legal assessment drain.

Manager Varnson said Nelson County Water Resource District, is conducting snagging and cleaning work, animal damage control, and has obtained a conditional permit on State Highway 2 to address moving water to a natural waterway.

Manager Tanke, Walsh County Water Resource District, reported concerns of significant damage to several legal assessment drains and discussed ongoing FEMA projects.

Manager Olson, Maple River Water Resource District, discussed ongoing drain reconstruction projects, damage from spring flooding and operation of the Maple River Dam. Manager Olson also reported on animal damages to facilities, ongoing coordination with the Metro Flood Diversion Authority on transitions between legal assessment drains and the Metro Flood Diversion Project, as well as continued work on levee projects for the cities of Davenport and Amenia.

Manager Wyum, Sargent County Water Resource District, reported that their main item of focus is the Drain #11 reconstruction project and the related results of the recent North Dakota Supreme Court decision.

Meeting locations

At the December 7, 2023, meeting, it was discussed that meeting location changes be considered to accommodate northern and southern RRJWRD member districts. Chairman Ihry inquired if any member districts would like to host a RRJWRD meeting.

Manager Kemp offered to host the June 12, 2024, RRJWRD Full Board meeting in Pembina County.

Next meeting

The next RRJWRD Full Board meeting is scheduled for April 10, 2024, at 9:30 a.m. at the Cass County Highway Department in West Fargo, North Dakota.

Adjournment

There being no further business to be considered by the Board, the special meeting adjourned without objection.

APPROVED:

Josh Ihry
Chairman

ATTEST:

Melissa Hinkemeyer
Secretary-Treasurer