

Unapproved

October 30, 2019

MORTON COUNTY WATER RESOURCE DISTRICT

1. The Board of Managers of the Morton County Water Resource District met in regular session at 10am on October 30, 2019 at the Missouri Room in the Comfort Inn Suites, 1516 27th St. No., Mandan, ND.
2. The following persons were present: Chairman Wade M. Bachmeier, Secretary Brenda Winckler, and Managers, James Wetsch, Bruce Engelhardt, George Saxowsky and Jim Schmidt. Also present were Tim Nilsen, Mike Kemnitz, Karen Garvie, Craig Keidel, Hunter Schlosser, Dusty Hadley, Carrie Schaner, MWWS, Bryan Ziegler, Bartlett & West, Andy Zachmeier, MC Commissioner, Natalie Pearce, and Mike Gunsch.
3. Chairman Bachmeier called the meeting to order. Minutes: Mgr. Schmidt moved to approve the amended minutes for the September 25, 2019 meeting. Manager Wetsch seconded the motion. MCU. The Chairman requested the original minutes to be filed with the secretary and that a copy be sent to the County Auditor, State Water Commission, and Legal Counsel, Tom Bair.
4. MWWS: The Board reviewed the income, totaling \$216,190 and expenditures, totaling \$229,038 of the MWWS for the month of September 2019. Mgr. Saxowsky made a motion to accept and place these reports in file. Second by Mgr. Schmidt. MCU. Quarterly reports were reviewed. Mgr. Wetsch moved to approve the quarterly reports. Mgr. Engelhardt seconded the motion. MCU. Karen Garvie reported on the following items. 2020 project update: Bryan Ziegler finalized routes and sent the routes to the archeologist who now has walked the route and is finalizing the report. The facility plan has been completed and has sent the scoping letter. Bryan and Karen will finish the loan application using the DEQ with an additional 30 days for comments. The project is on schedule to bid in early 2020 and begin construction. Once project is finalized work will begin on obtaining easements. Mgr. Schmidt moved to approve and sign the SWC cost share agreement with MWWS not to exceed \$1,095,000.00: 50% cost share on engineering and construction on the North Mandan & Hwy 25 project and 75% actual construction and engineering cost on the HL area project subject to legal approval. Mgr. Engelhardt seconded the motion. MCU. Airport tank project: Craig reported sandblasting and painting is complete but the construction crew left the sight looking poorly. The schedule changed 3 times and finally started in August and took longer than expected. There was an inspector on sight but Hunter and Craig upon inspection were disappointed in the welding. Project was subcontracted out but letter was sent recommending only a MacGuire crew will be used. Consensus of the Board is on the next leg of this project a retainer fee will be held until the job is complete and meets our

standards. The Board also recommended reviewing the contract before the next project begins. The Board will allow MWWS to handle the situation and if nothing happens, then the Board will step in. MacGuire Const. contract was discussed with Bair Law Firm. Chairman Bachmeier asked if legal counsel had a chance to review the contract made with MacGuire for MWWS. He had not. Based on the current experience with the Contractor and contract, Mgr. Schmidt moved to in future have legal counsel review all MWWS contracts. Mgr. Engelhardt seconded the motion. MCU. Dave Wise no longer needs an easement on the MWWS lot. They will need a storm water management plan. A detention pond on the south end discharges a lower peak flow rate, but duration and water are more and will come across the south side of the lot. Concerns if we develop on our lot, where would our water go. Our land will stay wet longer. The Board suggests putting a sway in to take the water directly to the ditch and go west. Mgr. Engelhardt and Ron Sando will work on if a sway will work. Mgr. Wetsch moved to send a response back to Toman Engineering upon approval from Mgr. Engelhardt, Schmidt and Ron Sando. Mgr. Schmidt seconded the motion. MCU.

5. Morton County Parks: Tim Nilsen reported that he, Mgr. Engelhardt and Tony Goetzfried opened the outlet gate to raise the amount of water by 1 inch, making it a total of 3 inches. The east side of the drop structure shows the lake is still 10 ½ inches up. Otter Creek flow has stopped. NRCS on November 14th would like someone from the Board to be present at their meeting to discuss the blue algae situation. Tim received a call from Health Dept. stating the blue algae level is below the warning level. Board recommended Tim continue to withdraw water from the bottom of HL. Chairman Bachmeier will contact Chuck Mork, to let him know that if the Otter Creek is not coming over the banks, we will continue to draw out of HL. Bill was presented for the shelter legs at a cost of \$870. Tim would like to put a fine on public for moving the fire pits. Board told him that will be a Parks decision. This year's income at HL: \$26,026 compared to 2018: \$42,897.
6. SB Creek Watershed Presentation: In terms of the inundation map, Ron Sando has developed a presentation on what would happen with the land if HL was never built. Mike Gunsch developed maps showing the flood coverage for this presentation had HL or Floodway #1 never been built. Mike Gunsch also suggests a geotechnical briefing to be held with MC P&Z, MC Commissioners, and MCWRD.
7. Zachmeier CAT: Mgr. Schmidt moved to renew the special assessment on Zachmeier CAT. Mgr. Saxowsky seconded the motion. MCU.
8. Financial Reports: Mgr. Schmidt moved and Mgr. Engelhardt seconded the motion to approve and pay the following vouchers. MCU.

<u>CK#</u>	<u>NAME:</u>	<u>AMOUNT:</u>	<u>MEMO:</u>
1049	Action Sports Inc.	\$582.16	UTV repair
1050	Bair Law Firm	\$1900.00	Legal fees
1051	Blue Sky Trails	\$50,232.00	Trail extension
1052	Comfort Inn	\$75.00	Room rent
1053	Missouri West Water	\$40.00	WTR Water fee
1054	Starion Financial	\$12,860.13	SBC Loan pmt & Interest
1055	MWWS	\$40.00	Water Fee
1056	RG Mfg Welding	\$870.00	Legs for new shelter
1057	Bruce Engelhardt	\$514.35	Meetings, mileage
1058	George Saxowsky	\$185.68	Meetings, mileage
1059	James Schmidt	\$280.84	Meetings, mileage
1060	James Wetsch	\$593.37	Meetings, mileage
1061	Brenda Winckler	\$955.58	Salary, equip rent
1062	Wade Bachmeier	\$374.02	Meetings

There being no further business, motion duly made and seconded, the meeting was adjourned.

Wade M. Bachmeier, Chairman

Brenda Winckler, Sec-Treas.