

BCWRD Meeting Minutes
 May 10, 2023
 Approved - 6/14/2023 Mtg

Agenda Items	Discussion	Board Action	Responsible Party(s)	Due Date
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Present: James Landenberger; Dennis Reep; Randy Binegar; Cory Palm; Jerry Woodcox, Burleigh County Commissioner; Michael Gunsch and Travis Johnson, Houston Engineering; Dave Bliss, Bliss Law Firm, and Wendy Egli, Fronteer Professional Services
Others Present: Dave Robinson and Dave Mayer (Bismarck Parks & Rec); Casey Einrem (Burleigh County Highway Department); Steve Ilse; Mitch Flanagin; Steve Leibel; Nat Strutz; Brad & Julie Fettig; Tom & Kim Fettig

Chairman Landenberger called the meeting to order at 8:00 am. Roll call was taken and a quorum was declared.

	Discussion	Action Taken	Responsible Party(s)	Due Date
Approval of 04/12/2023 Minutes	First item under legislative updates – only one other member other than Mgr. Reep is needed for the budget committee – not two.	Mgr. Reep motions to approve 04/12/2023 minutes as amended; Mgr. Binegar second. Carried by unanimous voice vote		
Amendments and Approval of Agenda	Add Country North Estates Complaint Add Fettig Complaint	Mgr. Palm motions to approve agenda as amended, Mgr. Reep seconds. Carried by unanimous voice vote.		
Comments from Members of the Pubic	None noted.			
McDowell Dam				
Facility Update	James, Randy, and Dave are working on a capital improvement plan.			
NRCS Inspection	A few items need to be clarified. Travis with Houston will be contacting NRCS.			
ADA Access Audit	Dave handed out the results of the access audit. We have a few years to complete all items, some are simple and will be done by staff, some will be done over time.			
Supplemental Water Supply Alternative intake site update	There is a site currently for sale that may be partially purchased for this purpose. Mr. Gunsch asked for concurrent to go ahead with surveying this property.	Board Concurred		
Financial Reports				
Balance Sheet	None noted.	Mgr. Reep motion to approve balance sheet; Mgr. Palm second. Carried by unanimous roll call vote.		

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Profit & Loss	None Noted	Mgr. Reep motion to approve profit & loss; Mgr. Palm second. Carried by unanimous roll call vote.		
Drainage Permits/Complaints/ Issues: Open	2500 Rock Creek Drive – currently all water has drained now that the snow is gone. Still no formal complaint	Consensus to dismiss since no formal complaint		
	Country North Estates – Discussion was had on this letter received. It was determined that it is no a water issue, more an EPA issue. Mitch will look into it to see if it is in his jurisdiction. Board can not take action without a formal signed complaint.			
	6460 80 th St NE – Iverson Complaint – First step is to determine if there is a waterway. Houston Engineering and Bliss Law are looking into this.	Mgr. Palm makes motion to task Houston Engineering with evaluating the site and determining if there is a watercourse and an obstruction. Mgr. Binegar 2nds. Motion carried by unanimous roll call vote.		
	6260 80 th St NE – Fetting Counter-Complaint – Water quality is declining due to manure and dirt flows flowing into the waterway. Discussion was had again about the board not having jurisdiction over water quality.	Motion was amended to add this complaint into above.		
Drainage Permits/Complaints/ Issues: Closed	None			
Projects				
Sibley Island				
Preliminary Engineering Report	There has been some interaction with landowners. 3 property owners currently do not want to be included in the assessment district. A letter will be drafted to these homeowners. This may result in a decrease in costs.			
Public Comments	Steve Isles asked whether another meeting will be held. Mr. Gunsch says the voting letter will have assessment amounts included on it.			
Other Old Business				
Highway Dept O&M Agreements	A final review needs to be scheduled. Annual inspections are due, Travis and Casey will be working on those.			
Policy Manual	No Updates			

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Hoge Island Update	<p>There was a meeting held with DWR. The Corps needs to have input and we are awaiting direction from them still. The survey is completed and Houston is working on the design. There is a very tight timeline. Resolution is presented to create a special assessment district.</p> <p>Discussion was had about at least 1 homeowner not wanting to be included in the special assessment district and the possibility of that project being approved on its own and how that may cause difficulties in both the permitting process and the final project.</p>	Mgr. Palm made a motion to approve resolution #1 to create a special assessment district. Mgr. Binegar 2nds. Roll vote is held and motion is passed unanimously.		
New Business				
Legislative Update				
	Minutes will need to posted to our website within 10 days of the meeting.			
	SB 2372 passed. This states that all Boards in major basins are required to be an active member of a joint board. This would also require a portion of the mill levy to go to that board.			
2024 Budget	Dennis, James, and Commissioner Woodcox will meet with Wendy. Budget will need to include McDowell Dam CIP. Houston will start looking at upcoming costs from a project perspective for consideration also.			
149th Ave Outfall Damage	Approximately 22,000-25,000 to repair. This is maintenance. There is a question on who is responsible to pay for the maintenance. Easement is owned by the public. It is off highway, so the highway dept does not have authority. Tabled until next month.			
August Meeting	Look at changing date to August 8 th .			
Approval of Bills	Bills were presented totaling \$69,634.56	Mgr. Reep motions to approve payment of bills. Mr. Palm 2nd. Motion passed via unanimous roll call vote.		
Next Meeting	The next meeting date is June 14, 2023 at 8:00 AM in the Tom Baker Room.			

With no further business the meeting adjourned at 10:00 a.m.

Wendy Egli, BCWRD Admin. Secretary