

BCWRD Meeting Minutes  
September 13, 2023  
Approved 10/11/23 Mtg

Agenda Items	Discussion	Board Action	Responsible Party(s)	Due Date
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**Present:** James Landenberger; Dennis Reep; Cory Palm; Roger Smith; Randy Binegar (Via Phone); Jerry Woodcox, Burleigh County Commissioner; Michael Gunsch, Houston Engineering; Dave Bliss, Bliss Law Firm, and Wendy Egli, Fronteer Professional Services  
**Others Present:** Casey Einrem, Burleigh County Highway Dept, Mitch Flanagan, Burleigh County Planning/Zoning; Randy Koch

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
<b>Approval of 08/07/2023 Minutes</b>	Mgr. Smith motions to approve 08/07/2023 minutes, Mgr. Reep seconds. Carried by voice vote		
<b>Approval of 08/29/2023 Minutes</b>	Mgr. Smith motions to approve 08/29/2023 minutes, Mgr. Reep seconds. Carried by voice vote		
<b>Amendments and Approval of Agenda</b>	Add Randy Koch Complaint to Drainage complaints and add website domain to new business	Mgr. Palm motions to approve agenda as amended, Mgr. Smith seconds. Carried by voice vote.	
<b>Comments from Members of the Pubic</b>	None noted.		
<b>McDowell Dam</b>			
<b>Facility Update</b>	None		
<b>Supplemental Water Supply Intake site Easement</b>	One landowner is now declining to provide easement. Houston is working on different ideas. Another property has been sold so they are in the process of contacting the new landowner.		
<b>Financial Reports</b>			
<b>Balance Sheet</b>	None noted.	<b>Mgr. Reep motion to approve balance sheet; Mgr. Palm second. Motion passed by unanimous roll call vote.</b>	
<b>Profit &amp; Loss</b>	None Noted	<b>Mgr. Reep motion to approve profit &amp; loss; Mgr. Palm second. Motion passed by unanimous roll call vote.</b>	
<b>Property Insurance Policy Changes</b>	Bain Agency is questioning whether we want to add personal property insurance to any of the buildings. Legal counsel will research and find out exactly what this means.		
<b>Drainage Permits/Complaints/ Issues: Open</b>	7232 Signal St – Schaff – Michael Gunsch – A draft of Houston’s findings is in the packet. Trees were planted within a stormwater easement. Recommendation is that unless the property owner can show that the trees are not obstructing flow, Houston recommends	<b>Mgr. Palm moves that a certified letter be sent to the landowners to remove trees within the 60-90</b>	Gunsch/Bliss

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	that the board order those trees be removed within 60-90 days with an understanding that it may not happen until spring.	<b>day window. Mgr. Reep 2nds. Motion passed by unanimous roll call vote.</b>		
	1926 48 <sup>th</sup> Ave SE – Koch – due to development East of him, water drains into his yard and also into land that he rents to a farmer near him rendering the land unable to be farmed. The Highway Dept has worked with the Koch family in the past to rectify the situation. No action is taken until a formal complaint is filed.			
<b>Drainage Permits/Complaints/ Issues: Closed</b>	None			
<b>Projects</b>				
<b>Sibley Island</b>	The new route is probably not going to reduce the assessment as expected as cost savings are offset by other increases in costs.			
	Hearing will possibly be prior to end of the year or right after the 1 <sup>st</sup> of the year. Plan is to bid next spring with a possibility of late fall of 2024 completion.			
<b>Hoge Island</b>				
<b>Preliminary Engineering Report Addendum #1</b>		Mgr. Binegar motions to approve Addendum #1, the Public Hearing Summary, and the vote tally taking place on September 26th. Mgr. Palm seconds. Motion passed by unanimous roll call vote.		
<b>DWR/USACE Regulatory permitting discussions</b>	Houston should be hearing on these shortly.			
<b>Bid opening</b>	Scheduled for September 27th			
<b>149<sup>th</sup> Ave O&amp;M Memorandum</b>	Draft memorandum prepared by Houston Engineering is in the packet	Mgr. Palm motions to approve the cost and authorize the Highway Department to complete the work. Mgr. Smith 2nds. Motion passed by unanimous roll call vote.		
		Mgrs Palm and Landenberger will work with the county to draft a joint powers agreement with the county in regards to these types of situations.		
<b>Burnt Creek</b>	Special Assessment District – Continued to next month – due to county auditor before end of October			
<b>County Creek Special Assessment</b>		Mgr. Reep moves to approve the County Creek Special Assessment District and send a letter to the county. 2 <sup>nd</sup> By Mgr. Smith. Motion passed by unanimous roll call vote.		
<b>Brookfield Estates Special Assessment</b>		Mgr. Palm moves to approve the County Creek Special Assessment District and send a letter to the county. 2 <sup>nd</sup> By Mgr. Reep. Motion passed by unanimous roll call vote.		

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<b>Public Comments</b>	None			
<b>Other Old Business</b>				
<b>Highway Dept O&amp;M Agreements</b>	No Updates			
<b>Policy Manual</b>	No Updates			
<b>Missouri River Joint Board Update</b>	Manager position has been posted. Deadline is October 1, hoping to have someone in place by November 1 <sup>st</sup> .			
<b>New Business</b>				
<b>Upper Missouri Water Association Conference</b>	Mgr. Reep will be attending. Consensus of the board agrees that he attends.			
<b>Stormwater Easements – Joint Powers Opportunity</b>	This refers to the policy discussion related to the 149 <sup>th</sup> Ave O&M memorandum.			
<b>Missouri River Joint Water Board Presentations</b>	Information only			
<b>Domain Hosting</b>	Current company that handles our domain hosting is turning it over to us or we have the option to transfer it to Tao Interactive	<b>Mgr. Reep moves to transfer to Tao Interactive. 2<sup>nd</sup> by Mgr. Palm. Motion passed by unanimous roll call vote.</b>		
<b>Correspondence or Document Information</b>	Michael Gunsch suggest that the plats received be listed on the agenda in the future.			
<b>Approval of Bills</b>	Bills and payroll were presented totaling \$160,096.32	<b>Mgr. Reep motions to approve payment of bills. Mr. Smith 2<sup>nd</sup>. Motion passed by unanimous roll call vote.</b>		
<b>2024 Budget</b>	Budget is still going through the process – preliminary budget has been approved. So far nothing has been changed.	<b>Mgr. Reep will look into investing moneys held in the reserve account into higher interest accounts</b>	Mgr. Reep	
<b>Next Meeting</b>	The next meeting date is <b>October 11, 2023</b> at 8:00 AM in the Tom Baker Room.			

With no further business the meeting adjourned at 9:19 a.m.

Wendy Egli, BCWRD Admin. Secretary