



BURLEIGH COUNTY WATER RESOURCE DISTRICT AGENDA

Tuesday, January 12, 2016

Tom Baker Meeting Room – City County Building

8 a.m. - Call to Order

1. Roll Call (Weixel, Reep, Larson, Detwiller, Beck)
2. Introduction and welcome new board member – Rod Beck
3. Approval of Minutes of (12/8/15 – board meeting).....3-6
4. Reorganization - Election of Officers
 - Chairman
 - Vice Chairman
 - Secretary/Treasurer
 - Reappointment of Administrative Secretary, Engineer & Legal Counsel..... 7
 - Review and Approve 2016 Portfolios and Schedule8-10
5. McDowell Dam
 - Low Level Drawdown – (Mike) Gate Installed (Partial)
 - Water Permit Application (Mike) – Date for final comments was July 8, 2015 (no update)
 - Mr. Aberle Appraisal (on hold)
 - McDowell Property Appraisal – by Wade Bachmeier (update)
 - Strategic Plan Update – On hold pending appraisal process (Gordon)
 - Breach Overlay District Meeting
 - Emergency Action Plan Update – Annual Review
6. County Engineer Items
 - Missouri River Correctional Center Flood Control Project
 - SWC Permit and Requirements
 - Burleigh County Floodplain Development Permit
 - Letter from Crowley/Fleck
 - MRCC Coordination Meeting (January 8th)
 - O&M Discussion
 - Construction access issues and locations
 - Easement Documents (Pending)
 - Alternative Alignment Summary and Easements
 - Survey/Design Update – MRCC contacts/Geotechnical Review
7. Comments from Members of the Public
8. Financial Reports
 - End of December.....13-16
 - Updated budget including MRCC (Gordon)17-18
 - BCWRD Audit – scheduled March 21, 2016
 - Website (Gordon/Mona) on hold for now
 - Commercial Blanket bond.....19-21
9. Approval of Bills \$84,827.73..... 22
10. Drainage Permits/Complaints/Issues
 - Spier/Leuwer/UTTC – Follow up with City on meeting & ordinance revisions (Pending)
 - Arnold Schieve Issue
11. Projects
 - Hogue Island (FM #39)
 - Update on Lot Sales (Dave)
 - Documentation of expenses and SWC Reimbursement23

- Burnt Creek Flood Control Project (FM #7)
 - Gates are installed (Dennis/Mike)
 - Bonding approved – Notice to Bond Counsel– (Dave/Michael)24-43
 - **Authorization for SWC Cost Share Reimbursement**
 - Hay Creek
 - Pebble Creek Arizona Slide– update (Gordon, Michael)
 - Monitoring and Evaluation underway
 - Fox Island Status
 - Public Information Meeting Update January 10th (Greg)
 - Resolution to create a Fox Island Project
 - Consideration and approval of assessment district
 - Consideration of Public Hearing Date (March 2016)
 - Special Assessment District - Baseline Spreadsheet
12. Storm Water Management
13. Break
- Other Old Business
- Policy Manual – Preliminary Draft Update (Michael, Dave, Mona) (Pending)
 - Missouri River Setback Resolution -Burleigh County (follow up) (Rick)
 - Burleigh County Planning Commission meeting agenda (January 13)44
 - Missouri River Setback Resolution - City of Bismarck Planning Commission (signed)
 - Missouri River Flood Plain Ordinance Resolution – City of Bismarck Planning Commission (tabled)
14. New Business
- BCWRD Flood Plain Ordinance Position Statement & Resolution (Michael) – tabled for now
 - **New form developed by the Office of the State Engineer for drainage complaints45-47**
15. Correspondence or Document Information
- Drain Permit application letter48
 - Plats & SWMP – Emailed – will be brought to meeting due to size of some (Comments on Plats)
 - Light of Christ Addition
 - Light of Christ Prelimin Addition
 - Light of Christ SWMP
 - Replat of Meadowlark Commercial 6th
 - Schwans Commercial Additions
 - Southbay Fourth Additions First Replat
16. Detailed Bills.....49
17. Next Meeting: Tuesday, February 9th, 2016
18. Adjourn

Note: Bold Items Require Board Action

BCWRD Meeting Minutes
December 8, 2015 – City County Building
Draft – not approved yet

Agenda Items	Discussion	Board Action	Responsible Party	Due Date
Present: Terry Fleck, Greg Larson, Dennis Reep, Rick Detwiller, Gordon Weixel, Michael Gunsch, Houston Engineering, Inc.; Dave Bliss, Bliss Law Firm; Commissioner Kathleen Jones, Burleigh County Commissioner and Mona Livdahl, Personalized Management Services, Inc.				
Others Present: Al Giesen, Haycreek Township; Dave Robinson & Greg Smith, Bismarck Parks and Rec.; Wayne Ferder, Dave Nelson, Gwen & Matt Hubbard, Mary Ellen & Jeff Nelson, Toni Haider and Tom Lenihan – Landowners.				
Call to order: Chairman Fleck called the meeting to order at 8 a.m. noting a quorum was present.				
12/8/15 Minutes		Greg moved to approve, Rick seconded. Motion Carried.	N/A	N/A
McDowell Dam				
Low Level drawdown	The gate is on site installation should be within the next two weeks.		Gordon, Michael	2015
Water Permit Application	Michael sent Dan Ferrell an email but has not heard back from him.			
Appraisal – Mr. Aberle	On hold for now		Gordon/Michael/Greg	
Appraisal – McDowell Dam Property	Noted Mr. Bachmeier will do the appraisal for approx. \$3500.	Gordon moved to allow Mr. Bachmeier do the appraisal, Greg seconded. Motion Carried.		
County Engineer Items:				
MRCC				
Easement and Alternative Routes	The letter was sent out to the 12 landowners who will be affected, they are requesting a public information meeting to look at other options.	Schedule public information meeting to coincide with the Fox Island Home Owners meeting on January 10, 2016.	Michael, Rick, Greg	January 10 th
Comments from members of the public:	Al Giesen from Hay Creek Township asked about the snagging and clearing operations.	Michael noted that those are private landowner cleans ups and there will be no costs involved.		
Financial Report	End of November financials were			

Agenda Items	Discussion	Board Action	Responsible Party	Due Date
Update Budget	reviewed. An updated budget was included to include the MRCC monies.	Gordon moved to accept the revised budget, Greg seconded. Motion Carried. Questioned how it is to be taken care of. Gordon will present it to Clyde.	Gordon	December
Funds for Fox Island	The funds were received and put into a separate money market account.		Mona/Dave	
Approval of Bills:	Gordon reviewed the bills in the amount of \$66,931.11.	Gordon moved to approve the bills. Rick seconded. Motion Carried.		
Drainage Complaints				
James Leuwer	Noted continuing discussions with the city are necessary and we will leave this on the agenda.	No action at this time.	Michael, Dennis	
Eldin Spier/UTTC				
Projects:				
Hogue Island				
Warranty Deed, Purchase Agreement	Dave reviewed the process which includes the Warranty Deed, and purchase agreements. Noted address needs to reflect the 1811 address.	Rick moved to approve the purchase deed and warranty deed to include title insurance on all four lots. Greg Seconded. A roll call vote was taken, motion carried unanimously.		January
Burnt Creek				
Update:	The gates have been installed. Clean up to the culverts under the highway is taking place.	Once finalized, submit to SWC for cost share.	Michael/Dennis	
Bonding and Fund Reimbursements.	The letter was sent to bond council requesting a 20 year bond.		Michael/Dennis	
Hay Creek/Pebble Creek				
Initial site survey	The survey is complete, the geotechnical firm has drilled all 4 locations and is in the process of evaluating the soil borings.		Michael, Gordon	
Fox Island	The monies have been received from the SWC.			
Public Information	The Fox Island Homeowners	Schedule a Public Information Meeting to be	Michael, Rick, Greg	January, 2016

Agenda Items	Discussion	Board Action	Responsible Party	Due Date
Meeting	Association is asking for a public information meeting to be held at the Riverwood Golf Course – which is during their annual meeting.	held on January 10, 2016 at the Riverwood Golf Course. Michael will provide new cost options and distributions.		
Old Business				
Policy Manual	Michael noted that this is an ongoing process.			
Missouri River Easement Documentation and Mapping	Rick presented the resolution to the Burleigh County Planning Commission. At this time we will hold off on the City Resolution..	The resolution will be going to a public hearing.	Dave, Rick, Greg	
New Business				
Flood Plain Ordinance Position Statement.		Tabled at this time.		
Resolution for Appreciation for Chairman Fleck.	Dennis will present this to Chairman Fleck at the State Water conference.			
Correspondence				
Missouri River Committee Meeting:	Michael reviewed the new Missouri River Advisory Council and their duties.	Informational, no action taken.		
New form developed by the Office of the State Engineer	Dennis questioned if we need to change our forms utilizing this to simplify the process.	Tabled until January meeting		January
Next Meeting:	January 12 th , 2016		Mona	

Meeting adjourned at 9:11 a.m.

Mona Livdahl

Mona Livdahl, BCWRD Admin. Secretary

Date: 17.8.15

PLEASE PRINT

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2016 FEE SCHEDULE Burliegh County Water Resource District

The following is a schedule of hourly rates and charges for engineering and surveying services offered by Houston Engineering, Inc.

Category	Hourly Rate
Senior Project Manager	\$183
Project Manager	166
Project Engineer	152
Professional Engineer	136
Design Engineer	121
Graduate Engineer	109
Legislative/Grant Specialist	\$155
Expert Witness	201
Sr. Environmental Project Manager	\$183
Senior Environmental Scientist	160
Environmental Scientist	137
Scientist	121
Graduate Scientist	109
Graduate Scientist I	87
Senior Planner	\$166
Associate Planner	120
Technical Writer	81
Sr. Land Surveyor Project Manager	\$161
Senior Land Surveyor	149
Land Surveyor	126
Graduate Land Surveyor	109
Senior Construction Engineer	\$149
Construction Engineer	126
Graduate Construction Engineer	108
Senior Technician	\$109
Technician	97
Graduate Technician	85
Technician Intern	74
Senior GIS Project Manager	\$160
GIS Project Manager	137
GIS Developer	126
GIS Specialist	109
GIS Technician/Developer II	95
GIS Technician I	81

Category	Hourly Rate
Right-of-Way Specialist	\$166
Right-of-Way Technician	99
Senior Designer	\$132
Designer	114
Surveyors:	
1-Person Crew (plus Equipment)	\$132
2-Person Crew (plus Equipment)	160
3-Person Crew (plus Equipment)	201
4-Person Crew (plus Equipment)	224
CAD Manager	\$109
CAD Supervisor	97
Senior CAD Operator	85
CAD Operator	74
Computer Technician	\$132
Senior Administrative Assistant	\$74
Administrative Assistant	69

Chargeable Expenses	Rate
Subsistence	Actual Cost
Mileage-Vehicles:	
2-Wheel Drive	IRS Standard Rate
4-Wheel Drive	IRS Standard Rate + \$0.20/Mile
GPS Equipment	\$25/hour/unit
Robotic Total Station	\$20/hour
S6 Robotic Total Station	\$40/hour
All-Terrain Vehicle/Snowmobile/Boat	\$15/hour
Long-Distance Telephone, Overnight Delivery, Postage, Printing	Actual Cost
Surveying Materials, Special Equipment, and other Materials required for the job	Actual Cost
Subconsultants	Actual Cost + 10%



Burleigh County Water Resource District

1811 E. Thayer Avenue
Bismarck, North Dakota 58501

BOARD REORGANIZATION JANUARY 12, 2016

The Burleigh County Water Resource District Board (Board) at their January 12, 2016 meeting has reorganized and elected new officers for 2016. The following is a summary of their address, year of appointment, term of office and position.

Dennis Reep	(2014)	12-31-16	Manager
2213 East Ave F	(701) 235-7052 H	(701) 557-9621 or (c) 595-2142	
Bismarck, ND 58501	dennis.reep@hdrinc.com or reepdm@bis.midco.net		

Gordon Weixel	(2012)	12-31-16	Manager
3709 E Princeton Avenue	(701) 258-5390	(c) 934-0781	
Bismarck, ND 58501	gweixel@nd.gov		

Greg Larson	(2015)	12-31-17	Manager
2525 Larson Road	(701) 223-6654	(c) 400-7217	
Bismarck, ND 58504	glarson@century21morrison.com		

Rick Detwiller	(2015)	12-31-18	Manager
1900 Harbor Drive	(701) 223-8782	(c) 226-3820	
Bismarck, ND 58504	rdetwiller1@gmail.com		

Rodney Beck	(2016)	12-31-18	Manager
1983 Billings Drive	(c) 220-5313		
Bismarck, ND 58504	rrbeck54@bis.midco.net		

Mona Livdahl, Secretary	701-222-3499		
Personalized Management Services, Inc.	Cell: 701-471-3418		
1811 East Thayer Avenue, Bismarck ND 58501	mona@midco.net		

David R. Bliss, Attorney			
Bliss & Stebbins Law Firm	(701) 223-5769		
PO Box 4126, Bismarck ND 58502-4126	dbliss@blisslaw.com		

Michael Gunsch, PE			
Houston Engineering, Inc.	Office: (701) 323-0200		
3712 Lockport Street, Bismarck ND 58503	Cell: (701) 527-2134		
	mgunsch@houstoneng.com		

Current Board Members:

Dennis Reep, Vice Chair, Bismarck 223-7052 Gordon Weixel, Secretary/Treasurer, Bismarck 258-5390 Greg Larson, Bismarck 400-7217 Rick Detwiller, Bismarck 223-8782 Rodney Beck, Bismarck 222-8430

January 12, 2016

The Board has directed its' Treasurer, to work through the Burleigh County Auditor's Office to provide a monthly income/expense reports or a general statement of finances to the Board. The Burleigh County Auditor's office is hereby authorized by this document to act at the direction of and on behalf of its' Treasurer to exercise such duties related to tax collections, payments, fund transfers and/or payments authorized by the Board.

Chairman _____ after consulting with members of the Board and based on past experience appointed the following portfolio leads and alternates to the noted project portfolios. Alternates are available to assist and/or complete assignments, in the absence of the lead, as directed by the Board.

Hay Creek Watershed/Greenway	-	Gordon Weixel, Lead - Rick Detwiller, Alternate
Burnt Creek Watershed/Floodway	-	Dennis Reep, Lead - Rick Detwiller, Alternate
McDowell Dam Recreation Area	-	Gordon Weixel, Lead - Rick Detwiller, Alternate
Missouri River Issues		Rick Detwiller, Lead - Rod Beck, Alternate
Apple Creek Watershed		Rick Detwiller, Lead - Gordon Weixel, Alternate
Landowner Complaints		Rod Beck, Lead - Dennis Reep, Alternate
Missouri River Joint WRB		Greg Larson, Lead - Dennis Reep, Alternate
Dakota Prairie, RC&D		Rod Beck, Lead - Greg Larson, Alternate
Burleigh County Soil Conservation District		Rod Beck, Lead - Dennis Reep, Alternate
State Water Commission Liaison		Dennis Reep, Lead - Rod Beck, Alternate
MPO (Bis-Man Metropolitan Planning)		Dennis Reep, Lead
Apple Creek Industrial Park		Gordon Weixel, Lead – Greg Larson, Alternate
Fox Island Projects		Greg Larson, Lead – Gordon Weixel, Alternate
Hogue Island Flood Control		Rick Detwiller, Lead
Missouri River Correctional Center		Greg Larson, Lead – Dennis Reep, Alternate
Sibley Island Flood Control		Rod Beck, Lead
ND Water Users		Dennis Reep, Lead - Greg Larson, Alternate
ND Water Resource Board of Directors		Dennis Reep, Lead
ND Irrigation		Greg Larson, Lead – Rod Beck, Alternate
Ward/Ash Coulee		Rick Detwiller, Lead – Greg Larson, Alternate

The Board reserves the authority to revise these appointments as needed to complete its statutory and contractual duties and obligations.

_____, Chairman
Burleigh County Water Resource District

Current Board Members:

Dennis Reep, Vice Chair, Bismarck 223-7052 Gordon Weixel, Secretary/Treasurer, Bismarck 256-5390 Greg Larson, Bismarck 400-7217 Rick Detwiller, Bismarck 223-8782 Rodney Beck, Bismarck 222-8430



Burleigh County Water Resource District

City/County Office Building - 221 North 5th Street Bismarck, North Dakota 58501

City County Office Phone: 701-222-6718

2016 MONTHLY MEETING SCHEDULE

Tuesday at 8:00 a.m. at the City/County Building
2nd Tuesday of each month (*unless noted below)

MONTH

DATE

January ----- 12th

February ----- 9th

March ----- 8th

April ----- 12th

May ----- 10th

June ----- 14th

July ----- 12th

August ----- 9th

September ----- 13th

October ----- 11th

November ----- 8th

December ----- 13th

Tom Baker Not Available

No Rooms Available

CROWLEY | FLECK PLLP
ATTORNEYS

Malcolm H. Brown
100 West Broadway Avenue, Suite 250
P.O. Box 2798
Bismarck, ND 58501
Phone: (701) 223-6585
Direct Line: 701-224-7522
mbrown@crowleyfleck.com

December 16, 2015

Mr. David R. Bliss
Attorney at Law
P.O. Box 4126
Bismarck, ND 58502-4126

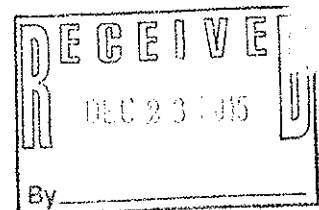
Re: MRCC Flood Control Project

Dear David:

I am corresponding with you as I understand you are counsel for the Burleigh County Water Resource District ("District"). I represent David and Deborah Larson who live at 3600 England Street in south Bismarck. They are part of the area proposed to be protected by the new MRCC levee to be built in that area. They have been approached by the District to grant an easement over their property for the construction of the levee. While they are not opposed to the project, they are the only private landowner affected by the levee, they believe they are entitled to compensation for granting of the easement. Apparently the District has a "policy" of not paying for easements and thus have declined to offer any compensation.

Apparently, in reaction to the refusal to grant a free easement, the District has proposed to realign the levee such that it would not be built over the Larsons' property but, more importantly, would leave exposed to flooding a number of landowners that would be protected by the original levee alignment. For the District to endanger other properties because of their "policy" to not pay for easements is, in my opinion, reprehensible.

As I understand it, this project involves a significant amount of public money from the State, as well as Burleigh County. I find it difficult to believe that either the State Water Commission or the Burleigh County Commission would look kindly on this proposed realignment exposing a number



BILLINGS BISMARCK BOZEMAN BUTTE CASPER CHEYENNE HELENA KALISPELL MISSOULA SHERIDAN WILLISTON

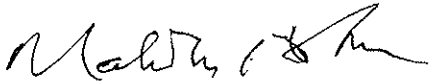
CROWLEYFLECK.COM

Mr. David R. Bliss
Attorney at Law
December 16, 2015
Page 2

of landowners to protection they would otherwise have simply to avoid paying what is probably modest compensation to the Larsons. Thus, we intend to bring this issue to the attention of the State Water Commission and the Burleigh County Commission.

Very truly yours,

CROWLEY FLECK PLLP

A handwritten signature in black ink, appearing to read "Malcolm H. Brown", with a stylized flourish at the end.

Malcolm H. Brown

MHB:lj

cc: Mr. and Mrs. David Larson

Burleigh County Water Resource District (BCWRD)
Profit & Loss Budget vs. Actual
January through December 2015

	<u>Jan - Dec 15</u>	<u>Budget</u>	<u>\$ Over Budget</u>
Income			
31110 · Real Estate Tax	564,953.33	583,800.00	-18,846.67
31810 · In Lieu of Tax	9,371.42	5,000.00	4,371.42
33610 · State Aid Distribution	75,384.05	50,000.00	25,384.05
33620 · Homestead Credit	5,637.14	4,000.00	1,637.14
33810 · Reimbursements			
33810-A · Missouri River Correctional	1,200,000.00	50,000.00	1,150,000.00
33810-C · Apple Valley Special Assessment	29,402.67	18,000.00	11,402.67
33810-D · Fox Island Flood Control	2,800,000.00		
33810-E · Country Ridge/Creek	10,630.07	10,000.00	630.07
33810-F · Apple Creek Industrial Park	0.00	65,200.00	-65,200.00
33810-G · Burnt Creek	22,677.16	108,000.00	-85,322.84
33810-J · Hay Creek	12,436.01		
33810 · Reimbursements - Other	0.00	50,000.00	-50,000.00
Total 33810 · Reimbursements	4,075,145.91	301,200.00	3,773,945.91
36110 · Interest	192.88	100.00	92.88
36210 · McDowell Dam Recreation Income	17,724.39	10,000.00	7,724.39
36215 · McDowell Dam Land Lease	2,675.00	2,700.00	-25.00
36910 · Misc Revenue	1,551.44	2,700.00	-1,148.56
Total Income	4,752,635.56	959,500.00	3,793,135.56
Gross Profit	4,752,635.56	959,500.00	3,793,135.56
Expense			
111 · Payroll Expenses	22,170.22	35,000.00	-12,829.78
111A · Payroll Taxes	250.00	3,500.00	-3,250.00
112 · Management Services			
113 · Accounting Services	1,860.00	3,000.00	-1,140.00
112 · Management Services - Other	14,844.00	18,000.00	-3,156.00
Total 112 · Management Services	16,704.00	21,000.00	-4,296.00
114 · Audit	5,726.45	2,000.00	3,726.45
312 · Legal Fees	12,339.80	24,000.00	-11,660.20
315 · Engineering Administration	18,460.00	24,000.00	-5,540.00
328 · Liability Insurance	2,576.25	2,000.00	576.25
335 · Building Rent	889.14	2,000.00	-1,110.86
341 · Travel	66.08	1,200.00	-1,133.92
376 · Dues & Publications	1,761.10	2,500.00	-738.90
411 · Office Supplies	835.06	2,500.00	-1,664.94
904 · McDowell Dam			
904-1 · Engineering Costs	16,923.95		
904-2 · Legal Fees	589.40		
904-A · Administrative Fee	39,710.38		
904 · McDowell Dam - Other	167,215.12	194,700.00	-27,484.88
Total 904 · McDowell Dam	224,438.85	194,700.00	29,738.85
905 · McDowell Dam-Capital Improvemen	0.00	2,500.00	-2,500.00
910 · Projects			

Burleigh County Water Resource District (BCWRD)
Profit & Loss Budget vs. Actual
January through December 2015

	<u>Jan - Dec 15</u>	<u>Budget</u>	<u>\$ Over Budget</u>
910A · Missouri River Shared			
910A-1 · Engineering Costs	18,289.75		
Total 910A · Missouri River Shared	18,289.75		
910B · Hogue Island			
910B-1 · Engineering Costs	18,068.88		
910B-2 · Legal Fees	14,304.70		
910B · Hogue Island - Other	1,812.76		
Total 910B · Hogue Island	34,186.34		
910D · MRCC			
910D-1 · Engineering Costs	122,318.06		
910D-2 · Legal Fees	1,085.70		
910D · MRCC - Other	1,752.33	124,600.00	-122,847.67
Total 910D · MRCC	125,156.09	124,600.00	556.09
910E · Country Creek/Ridge			
910E-1 · Engineering Costs	3,012.20		
910E · Country Creek/Ridge - Other	1,948.41		
Total 910E · Country Creek/Ridge	4,960.61		
910F · Apple Creek Industrial Park			
910F-1 · Engineering Costs	484.00		
910F-2 · Legal Fees	92.40		
Total 910F · Apple Creek Industrial Park	576.40		
910G · Burnt Creek			
910G-1 · Engineering Costs	72,756.52		
910G-2 · Legal Fees	2,148.30		
910G · Burnt Creek - Other	394,800.37	400,000.00	-5,199.63
Total 910G · Burnt Creek	469,705.19	400,000.00	69,705.19
910H · Fox Island			
910H-1 · Engineering Costs	8,931.05		
910H-2 · Legal Fees	415.80		
910H · Fox Island - Other	80.00		
Total 910H · Fox Island	9,426.85		
910I · Apple Valley			
910I-3 · Interest Charges	5,600.00		
Total 910I · Apple Valley	5,600.00		
910K · Apple Creek			
910K-1 · Engineering Costs	2,572.75		
Total 910K · Apple Creek	2,572.75		
910L · Hay Creek			
910L-1 · Engineering Costs	29,039.26		
910L-2 · Legal Fees	92.40		
Total 910L · Hay Creek	29,131.66		
Total 910 · Projects	699,605.64	524,600.00	175,005.64
911 · Misc	1,198.65	3,000.00	-1,801.35
920 · Continuing Education	305.00	2,500.00	-2,195.00

Burleigh County Water Resource District (BCWRD)
Profit & Loss Budget vs. Actual
January through December 2015

	<u>Jan - Dec 15</u>	<u>Budget</u>	<u>\$ Over Budget</u>
932 · City/County Watershed Planning			
932A · Ash Coulee			
932A-1 · Engineering Costs	1,452.00		
Total 932A · Ash Coulee	1,452.00		
932 · City/County Watershed Planning - Other	0.00	20,000.00	-20,000.00
Total 932 · City/County Watershed Planning	1,452.00	20,000.00	-18,548.00
933 · Missouri River General Services	3,274.00	2,500.00	774.00
937 · Design/Special Assessment			
937A · Apple Valley - Administrative	1,125.00		
Total 937 · Design/Special Assessment	1,125.00		
940 · Operations & Maintenances			
940A · Burnt Creek Watershed			
940A-1 · Engineering Costs	6,683.50		
940A-2 · Legal Fees	369.60		
Total 940A · Burnt Creek Watershed	7,053.10		
Total 940 · Operations & Maintenances	7,053.10		
941 · Stream Gages			
941A · Apple Creek & Hay Creek			
941A-1 · Engineering Costs	460.00		
941A · Apple Creek & Hay Creek - Other	2,600.00		
Total 941A · Apple Creek & Hay Creek	3,060.00		
Total 941 · Stream Gages	3,060.00		
960 · Drainage Complaints			
960-1 · Engineering Costs	13,035.00		
960-2 · Legal	231.00		
960 · Drainage Complaints - Other	399.76	70,000.00	-69,600.24
Total 960 · Drainage Complaints	13,665.76	70,000.00	-56,334.24
970 · Storm Water Management Plans			
970-1 · SWMP Engineering Costs	17,179.50		
970 · Storm Water Management Plans - Other	0.00	20,000.00	-20,000.00
Total 970 · Storm Water Management Plans	17,179.50	20,000.00	-2,820.50
Total Expense	1,054,135.60	959,500.00	94,635.60
Net Income	<u>3,698,499.96</u>	<u>0.00</u>	<u>3,698,499.96</u>

Burleigh County Water Resource District (BCWRD)
Profit & Loss Budget vs. Actual
January through December 2015

	<u>Jan - Dec 15</u>	<u>Budget</u>	<u>\$ Over Budget</u>
	<u>Dec 31, 15</u>		
ASSETS			
Current Assets			
Checking/Savings			
American Bank Center Checking	68,326.45		
Designated Reserve Funds			
Aero Club Rent	13.00		
Apple Valley	19,000.00		
Apple Valley Spec. Assessment	12,626.81		
Brookfield Estates	2,377.34		
Burnt Creek	115,000.00		
Emergency Fund	95,037.13		
Hogue Island	104,906.33		
McDowell Rent	7,859.00		
Designated Reserve Funds - Other	64.01		
Total Designated Reserve Funds	<u>356,883.62</u>		
Fox Island Flood Control	2,800,000.00		
MRCC Money Market	<u>1,200,082.85</u>		
Total Checking/Savings	<u>4,425,292.92</u>		
Total Current Assets	<u>4,425,292.92</u>		

12/3/2015

Burleigh County Water Resource District

	Jan-Nov	2015 Budget Revised 12/2015	2016 Budget Revised 12/2015	
Income				Mills
31110 - Real Estate Tax	\$563,815.50	\$583,800.00	\$ 657,500.00	1.5
31810 - In Lieu of Tax	\$9,371.42	\$5,000.00	\$ 5,000.00	Authorized for 2016
33610 - State Aid Distribution	\$75,384.05	\$50,000.00	\$ 60,000.00	
33810 - Reimbursements - Total		\$301,200.00	na	Income moved to projects
33810 - Other GRANTS				
33810-A Missouri River Correctional				
33810-B Sibley Area Flood				
33810-C Apple Valley Special Assessment District	\$29,402.67	\$ 30,000.00	\$ 30,000.00	Added - Assessment Revenue 2015-2016
33810-D Fox Island Flood Control				
33810-E Country Ridge/Creek	\$10,630.07	\$ 11,000.00	\$ 11,000.00	Added - Assessment Revenue/Board Funded No Associated Expense
33810-G Burnt Creek	\$22,677.16	\$	\$ 179,890.00	Added SWC Reimbursement
33810-H Hogue Island			\$ 120,000.00	Added Land Sale Revenue 2015-2016
33810-I Apple Creek Gages				
33810-J Hay Creek	\$12,436.01			
33810 Reimbursements Other				
33810-A1 MRCC (State Appropriation)	\$1,200,000.00	\$ 1,200,000.00		Added - In account Dec 2015
33810-A2 MRCC (Dept of Corrections)		\$	\$ 349,500.00	Added - Remains to be requested in 2016
33810-D1 Fox Island Flood Control (State Appropriation)		\$ 2,800,000.00		Added - in account Dec 2015
33810-D2 Fox Island Flood Control (Township)			\$	920,456.00 Budgeted in 2017
33810-E County Ridge/Creek				
33810-D2 Fox Island Flood Control (Bonding/Loan)			\$ 153,500.00	Added - Assessment Funding 2016
33810-F Apple Creek Ind. Park			\$	Status is Unknown
33810-G Brunt Creek			\$ 360,000.00	Added - Bond Sale 2016
36110 - Interest	\$87.32	\$100.00	\$ 100.00	
33620 - Homestead Credit	\$5,637.14	\$4,000.00	\$ 4,000.00	
36210 - McDowell Dam Rec. Income	\$17,724.39	\$10,000.00	\$ 10,000.00	
36215 - McDowell Dam Lease	\$2,675.00	\$2,700.00	\$ 2,700.00	
36910 - Misc Revenue	\$1,551.44	\$2,700.00	\$ 2,700.00	
Total Income	\$ 1,951,392.57	\$5,000,500.00	\$1,945,890.00	

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Burleigh County Water Resource District

Expense	Jan-Nov	Revised 12/2015	2015 Budget	2016 Budget	Revised 12/2015
111 - Payroll Expenses	\$ 22,170.22	\$ 35,000.00	\$ 35,000.00		
111A - Payroll Taxes	\$ 250.00	\$ 3,500.00	\$ 3,500.00		
112 - Management Services Other	\$ 12,764.00	\$ 18,000.00	\$ 18,000.00		
113 - Accounting services	\$ 1,520.00	\$ 3,000.00	\$ 3,000.00		
114 - Audit State	\$ 5,726.45	\$ 2,000.00	\$ 5,000.00		
312 - Legal Fees	\$ 10,333.80	\$ 24,000.00	\$ 24,000.00		
315 - Engineering Administration	\$ 16,460.00	\$ 24,000.00	\$ 24,000.00		
328 - Liability Insurance	\$ 2,576.25	\$ 2,000.00	\$ 2,500.00		
335 - Building Rent	\$ 889.14	\$ 2,000.00	\$ 2,000.00		
341 - Travel	\$ 66.08	\$ 1,200.00	\$ 1,600.00		
376 - Dues & Publications	\$ 636.10	\$ 2,500.00	\$ 4,000.00		
411 - Office Supplies	\$ 652.32	\$ 2,500.00	\$ 2,500.00		
904 - McDowell Dam (BPRD)	\$ 191,349.73	\$ 167,000.00	\$ 171,000.00		
904 - McDowell Dam (Buffer Zone)		\$ 26,700.00	\$ 100,000.00		Land Purchase Funds (1st Installment)
905 - McDowell Dam-Capital Improvements		\$ 2,500.00	\$ 36,650.00		
910 - Projects		\$ 524,600.00			
910-A Missouri River Shared	\$ 17,891.75				
910-B Hogue Island	\$ 26,222.14		\$ 90,000.00	\$ 90,000.00	SWC Repayment 2016
910-D MRCC Design/Construction	\$ 64,152.69		\$ 1,700,000.00	\$ 1,700,000.00	Project to be completed in 2016
910-E Country Creek/Ridge	4,960.61				
910-F Apple Creek Industrial Park	576.40				
910-G Burnt Creek	466,628.44				
910-H Fox Island	6,590.00			\$ 35,000.00	Gate Installation (\$33,570) to be paid in 2016
910-I Apple Valley	6,725.00	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	Expense for repayment/ actual cost shown is loan admin fee cost
910-K Apple Creek	2,572.75				
910-L Hay Creek	92.40				
937-D Fox Island Flood Control Design Only				\$ 392,000.00	Design - Bidding in 2016-2017
937-G Burnt Creek Floodway				\$ 7,500.00	O&M + Admin
937-J Apple Creek Indus. Park					
911 - Misc	\$ 514.38	\$ 3,000.00	\$ 4,250.00		
920 - Continuing Education	\$ 125.00	\$ 2,500.00	\$ 2,500.00		
932 - City/County Watershed Planning	\$ 1,452.00	\$ 20,000.00	\$ 20,000.00		
933 - Missouri River General Services	\$ 3,274.00	\$ 2,500.00	\$ 25,000.00		USGS Study Efforts
940A - Burnt Creek Watershed	\$ 7,053.10		\$ 5,000.00		Project Followup / Old Channel
941 Stream Gages (Burleigh County)	\$ 3,060.00	\$ -	\$ 3,060.00		Added - BCWRD Now holds this contract 2016
942 Loan/Special Assessments Dist.					
960 Drainage Complaints (16)	\$ 12,519.51	\$ 70,000.00	\$ 70,000.00		Various (projected)
970 Storm Water Management Plans	\$ 17,179.50	\$ 20,000.00	\$ 20,000.00		Various (projected)
Total Expense	\$ 906,989.76	\$ 988,500.00	\$ 2,836,560.00		
	\$ 1,044,402.81	\$ 4,012,000.00	\$ (890,670.00)		

**COMMERCIAL BLANKET BOND
PUBLIC EMPLOYEES AND/OR PUBLIC OFFICIALS**

North Dakota Insurance Department
State Bonding Fund
600 E Boulevard Ave Dept 401
Bismarck ND 58505-0320

Bond No.: **4041**
Issue Date: **01/01/2016**

DECLARATIONS

Obligee: **Burleigh County Water Resource District**
1811 E. Thayer Avenue
Bismarck ND 58501-

County: **Burleigh**
Phone: **(701) 222-3499**

Contact: **David Bliss**
Entity Type: **Water Resource**
Limits of Liability: **\$135,000.00**

This bond remains in effect until it is cancelled or terminated by either party pursuant to the conditions included in the Insuring Agreement.

State Bonding Fund Summary of Coverage

North Dakota Insurance Department

Scope of coverage

The State Bonding Fund (Fund) hereby agrees to provide the Applicant, as the obligee of the Bond, with the "Blanket Bond" coverage provided by Chapter 26.1-21 of the North Dakota Century Code subject to the limit of liability shown on the Declaration page in effect at the time of discovery of any default or wrongful act on the part of any public employee or public official covered under the Bond.

The "Blanket Bond" is a "Fidelity Bond." "Fidelity Bonds" cover losses arising from embezzlement, or the want of honesty, integrity, or fidelity by an employee or other person holding a position of trust. The Bond provided by the Fund is conditioned on the public employee or public official, as principal, rendering a true account of all moneys and property possessed as a public employee or public official, and delivering the money or property as required by law.

The provisions of Chapter 26.1-21 of the North Dakota Century Code and of any statute requiring the Bond constitute the entire contract between the Fund and a state agency or political subdivision as the obligee of the Bond.

Limitations of coverage

This Bond does not apply to the defense of any legal proceedings brought against a public employee or public official. This Bond does not cover costs, fees or expenses incurred by the obligee in establishing the existence or the amount of loss covered by the Bond.

Obligations of obligee upon discovery of default of a public employee or public official

A claim shall be filed with the Fund immediately upon, and in no event later than sixty days, after the discovery of any default or wrongful act on the part of any public employee or public official for which the Fund is or may become liable. If a claim is not filed within the sixty day time limit, the claim is waived.

Statute of limitation and interest on claims

An action may not be maintained against the Fund upon any claim unless the action is commenced within one year after filing of the claim with the Commissioner. Interest on the claim runs from the date of filing the claim with the Commissioner. The liability of the Fund is limited to a breach of a condition of the Bond which occurred within two years before the date of filing the claim with the Commissioner.

Judgment required to effect recovery

The Fund requires that either a criminal or civil judgment be obtained against the Public Employee or Public Official prior to allowing a claim. If a civil action is pursued against the Public Employee or Public Official, the Fund must be joined as a codefendant to effect recovery from the Fund.

Term of coverage

The term of the "Blanket Bond" is two years from its effective date and each state agency and each political subdivision shall apply to be bonded in the Fund on a biennial basis or if a change in coverage is requested as set forth in N.D.C.C. § 26.1-21-10(1).

Cancellation of bond

After due investigation, the Bond of a public official or public employee may be canceled prior to the end of the term of the Bond as set forth in N.D.C.C. §§ 26.1-21-19 and 26.1-21-20. The cancellation of a public official or public employee's Bond takes effect thirty days after written notice is provided.

Loss or losses in excess of the bond limit

If the obligee sustains any loss or losses covered by this Bond which exceed the limit of liability provided by this Bond, the obligee shall be entitled to all recoveries except from reinsurance, by whomsoever made, on account of such loss or losses under this Bond until fully reimbursed, less the actual cost of effecting the same; and any remainder shall be applied to the reimbursement of the Fund.

Public employee

"Public employee" means an individual employed by a state agency or any political subdivision, an officer or employee eligible under N.D.C.C. § 57-15-56, an employee under N.D.C.C. § 61-16.1-05, and an officer or employee of the International Peace Garden. "Public employee" does not include an individual employed by an occupational and professional board or commission under Title 43 of the North Dakota Century Code or by the State Bar Association.

Public official

"Public official" means an elected or appointed officer or deputy of a state agency or a political subdivision, except for an officer of an occupational and professional board or commission under Title 43 of the North Dakota Century Code or of the State Bar Association.

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BCWRD Invoices

1-12-16

Name	Project	Invoice	Amount
Bismarck Parks and Rec	November bill	4019	\$6,956.15
Bismarck Parks and Rec	Nov. admin	4019	\$1,739.04
Bliss Law Firm	Dec.	18738	\$3,056.80
Bliss Law Firm	MRCC issue	18738	\$115.50
Houston Engineering	General	28361	\$1,000.00
Houston Engineering	McDowell Dam	28360	\$3,481.95
Houston Engineering	Burnt Creek Floodway	28362	\$3,076.75
Houston Engineering	Missouri River Correctional (WO18/SA25)	28364	\$34,123.35
Houston Engineering	Hogue Island Acquisition Site Restoration	28363	\$456.50
Houston Engineering	Drainage Complaints: Hay Creek	28365	\$385.00
Braun Intertec	Landslide Eval - Pebble Creek	B048470	\$22,177.13
Agency Mabu	Websupport/maintenance	7059	\$393.75
ND Irrigation Assoc	Membership Dues	2016	\$250.00
ND Water Users	Membership Dues	2016	\$300.00
ND Water Resource Dist. Association	Membership Dues	2016	\$475.00
Dakota Prairies RC & D Council	Membership Dues	62	\$100.00
Terry Fleck	4th Quarter Expenses	4th	\$1,890.00
Terry Fleck	Joint Water Convention	Ed	\$180.00
Rick Detwiller	4th Quarter Expenses	4th	\$495.00
Dennis Reep	4th Quarter Expenses	4th	\$872.49
Gordon Weixel	4th Quarter Expenses	4th	\$540.00
Greg Larson	4th Quarter Expenses	4th	\$855.00
Ramkota Hotel	Approved in November (breakfast)	100897	\$290.52
Personalized Management	Secretarial/Accounting/Supplies	5709	\$1,617.80

TOTAL: \$84,827.73

J.D.

Burling County Water Resource District (BCWRD)
Transaction Detail By Account
January 1 through December 31, 2015

Type	Date	Num	Name	Memo	Clr	Split	Amount	Balance
910 - Projects								
910B - Hogue Island								
910B-2 - Legal Fees								
Bill	02/26/2015	17612	Bless Law Firm		20000	Accounts Payable	693.00	693.00
Bill	02/26/2015	17612	Bless Law Firm		20000	Accounts Payable	1,201.20	1,894.20
Bill	02/26/2015	17612	Bless Law Firm		20000	Accounts Payable	92.40	1,986.60
Bill	03/26/2015	17825	Bless Law Firm		20000	Accounts Payable	92.40	2,079.00
Bill	03/26/2015	17825	Bless Law Firm		20000	Accounts Payable	68.30	2,147.30
Bill	03/26/2015	17825	Bless Law Firm		20000	Accounts Payable	138.60	2,285.90
Bill	03/26/2015	17825	Bless Law Firm		20000	Accounts Payable	46.20	2,332.10
Bill	03/26/2015	17825	Bless Law Firm		20000	Accounts Payable	46.20	2,378.30
Bill	03/26/2015	17825	Bless Law Firm		20000	Accounts Payable	69.30	2,447.60
Bill	04/30/2015	18052	Bless Law Firm	april services	20000	Accounts Payable	577.50	3,025.10
Bill	04/30/2015	18052	Bless Law Firm	april services	20000	Accounts Payable	184.80	3,210.90
Bill	05/26/2015	18279	Bless Law Firm	trespassing issues	20000	Accounts Payable	392.70	3,603.60
Bill	06/26/2015	18376	Bless Law Firm	SWCC meeting	20000	Accounts Payable	231.00	3,834.60
Bill	06/26/2015	18376	Bless Law Firm		20000	Accounts Payable	69.30	3,903.90
Bill	06/26/2015	18376	Bless Law Firm		20000	Accounts Payable	392.70	4,296.60
Bill	06/26/2015	18376	Bless Law Firm		20000	Accounts Payable	161.70	4,458.30
Bill	06/26/2015	18376	Bless Law Firm		20000	Accounts Payable	69.30	4,527.60
Bill	07/28/2015	18455	Bless Law Firm		20000	Accounts Payable	138.60	4,666.20
Bill	07/28/2015	18455	Bless Law Firm		20000	Accounts Payable	600.80	5,267.00
Bill	09/25/2015	18557	Bless Law Firm	trespassing	20000	Accounts Payable	808.50	6,075.50
Bill	09/25/2015	18557	Bless Law Firm	100 ft easements	20000	Accounts Payable	231.00	6,306.50
Bill	11/04/2015	18630	Bless Law Firm		20000	Accounts Payable	1,709.40	8,015.90
Bill	12/02/2015	18698	Bless Law Firm		20000	Accounts Payable	4,441.00	12,456.90
Total 910B-2 Legal Fees								
910B - Hogue Island - Other								
Bill	07/07/2015	2015000196	Burling County Auditor	weed spraying #1475	20000	Accounts Payable	112.46	112.46
Bill	08/06/2015	5620	Personalized Management Services		20000	Accounts Payable	50.00	162.46
Bill	08/19/2015	181043	Flash Printing	Hogue Island Letters	20000	Accounts Payable	105.12	267.58
Bill	08/28/2015	20804650	the Bismarck Tribune	Hogue Island public info meeting	20000	Accounts Payable	45.48	313.06
Bill	09/10/2015	5639	Personalized Management Services	august	20000	Accounts Payable	434.20	747.26
Bill	09/25/2015	0001	Johnson, Travis	mowing	20000	Accounts Payable	280.00	1,027.26
Bill	10/07/2015	5658	Personalized Management Services		20000	Accounts Payable	180.00	1,207.26
Bill	11/04/2015	5677	Personalized Management Services	notice of public sale	20000	Accounts Payable	309.80	1,517.06
Bill	11/04/2015	2081510	the Bismarck Tribune		20000	Accounts Payable	74.70	1,591.76
Bill	11/30/2015	5693	Personalized Management Services		20000	Accounts Payable	130.00	1,721.76
Total 910B Hogue Island - Other								
Total 910B Hogue Island								
Total 910 Projects								
TOTAL								

\$6,156.46

514.50

\$6,664.90 TO 12/9

PROPOSED ELIGABLE TIME

11/4 A START @ POINT FOR NOTICE OF SALE

PRIOR TIME RELATED TO PREPARATION AND DISCUSSIONS
THE GARDING DISPOSITION OF PROPERTY.

A ENGINEERING TIME NOT INCLUDED OR ELIGABLE
AS IT WAS NOT FOR PURCHASE OF PROPERTY EITHER

A FINAL COSTS BY FEBRUARY MEETING

A SPLIT OF EXPENSES 75/25 W/SWC...

**RESOLUTION AUTHORIZING THE ISSUANCE OF
\$360,000 REFUNDING IMPROVEMENT BONDS, SERIES 2016,
PRESCRIBING THE TERMS AND COVENANTS THEREOF,
AND CREATING A FUND FOR THE PAYMENT THEREOF**

BE IT RESOLVED by the Water Resource Board of the Burleigh County Water Resource District, North Dakota (the "**Issuer**"), as follows:

1. **WARRANTS.** In and by a resolution heretofore adopted this date, the Issuer has authorized the issuance of definitive improvement warrants in the aggregate principal amount of \$360,000 (the "**Warrants**") payable from the funds of Burnt Creek Floodway Maintenance Assessment District described in the resolution, and subject to the terms, provisions and covenants set forth in the resolution, which is hereby incorporated herein and made a part hereof.

2. **AUTHORIZATION OF REFUNDING IMPROVEMENT BONDS.** It is hereby found, determined and declared that the improvement Warrants were duly and legally authorized under authority of and in accordance with the provisions of Chapter 61-16.1 of the North Dakota Century Code ("**N.D.C.C.**"); that there is not at the present time in the Improvement District Funds sufficient money to pay the Warrants drawn thereon with interest, and by the exchange of the Warrants for refunding improvement bonds the interest rate and interest costs thereon will be substantially reduced, and the general tax which the Issuer may become obligated to levy for any deficiencies in the funds can be reduced and equalized, and the burden on the taxpayers and property owners will be substantially reduced; that the Warrants are subject to exchange at the option of the Issuer for the purpose of issuing refunding improvement bonds of the Issuer in accordance with the provisions of Section 61-16.1-36, N.D.C.C.; that all acts, conditions and things required by the Constitution and laws of the State of North Dakota to be done, to exist, to happen and to be performed precedent to the issuance of the refunding improvement bonds hereinafter described have been done, do exist, have happened and have been performed in due form, time and manner as so required; and that the issuance of the refunding improvement bonds is necessary and expedient and for the best interest of the Issuer and its inhabitants, taxpayers and the owners of property liable to be assessed for the improvements. The Issuer has received an offer to purchase the Warrants from Dougherty & Company LLC, Minneapolis, Minnesota, at a price of \$ _____ plus accrued interest, and upon the further terms and conditions set forth in this Resolution, which terms are equivalent to a true interest rate on the Bonds of _____% per annum; and said bid is reasonable and advantageous to the Issuer, and it is hereby accepted. The Chairman and Secretary are directed to execute in duplicate a contract on the part of the Issuer for the sale of the Bonds in accordance with the proposal described in this section and to deliver a duplicate to the purchaser.

3. **TERMS.** For the purpose of refunding the Warrants, the Issuer shall forthwith issue its Refunding Improvement Bonds, Series 2016, in the aggregate principal amount of \$360,000 (the "**Bonds**"), dated _____, 2016. The Bonds shall be issued in fully registered form, shall mature on May 1 in the years and amounts as follows, and shall bear interest at the annual rates set forth opposite the years and amounts from the date of issue until paid or

redeemed, as set forth in Exhibit A hereto. The interest on the Bonds shall be payable on May 1 and November 1 in each year, commencing _____. The principal of and interest on the Bonds shall be payable at Starion Bond Services, Bismarck, North Dakota (the "**Paying Agent**"), and the Issuer hereby agrees to pay the reasonable and customary charges of the paying agent for the receipt and disbursement of such principal and interest.

4. **OPTIONAL REDEMPTION.** Bonds maturing in the years 20____ and thereafter shall each be subject to redemption and prepayment at the option of the Issuer on May 1, 20____, and any date thereafter, at a price equal to the principal amount thereof and accrued interest. Not less than thirty (30) days prior to the date specified for redemption and prepayment of any of the Bonds the Issuer will cause notice of call to be mailed to the registered holders thereof. Upon partial redemption of any Bond, a new Bond or Bonds will be delivered to the holder without charge, representing the remaining principal amount outstanding.

5. **MANDATORY REDEMPTION.** Bonds designated as term bonds in Exhibit A hereto are subject to mandatory sinking fund redemption, by random selection, at a redemption price equal to the principal amount thereof, plus accrued interest to the redemption date, without premium, on May 1, in the years and in the amounts set out in Exhibit A hereto.

6. **FORM OF BONDS.** The Bonds shall be in substantially the form attached hereto as Exhibit B.

7. **PREPARATION, EXECUTION AND DELIVERY OF BONDS.** The Bonds shall be initially issued as book-entry only bonds with one bond issued for each stated maturity in the aggregate principal amount of such maturity. The Bonds shall be initially registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York, and the Bond Registrar shall treat the record owner as the absolute owner of the Bonds. So long as Cede & Co. is the registered owner of the Bonds, references herein to the Bondholders or registered owners of the Bonds shall mean Cede & Co. and shall not mean the beneficial owners of the Bonds. The Bonds shall be printed under the direction of the Secretary, and shall be executed on behalf of the Issuer by the facsimile signatures of the Chairman and the Secretary and the Certificate of Authentication shall be manually signed by an authorized representative of the Bond Registrar. When the Bonds have been so prepared and executed, the Secretary shall deliver the same to the purchaser thereof upon payment of the purchase price in accordance with the contract of sale. The purchaser shall not be obligated to see to the application of the purchase price.

8. **REGISTRATION, TRANSFER AND EXCHANGE.** Books for the registration and for the transfer of the Bonds as provided in this Resolution shall be kept by Starion Bond Services, Bismarck, North Dakota, which is hereby appointed the Bond Registrar of the Issuer for the Bonds. Upon surrender for transfer of any Bond at the principal corporate trust office of the Bond Registrar duly endorsed for transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing, the Issuer shall execute and the Bond Registrar shall authenticate and deliver in the name of the transferee or transferees a new Bond or Bonds for a like aggregate principal amount.

The Bond Registrar shall not be required to transfer or exchange any Bonds (i) during the period commencing on the fifteenth (15th) day of the month next preceding any Interest Payment Date and ending on such Interest Payment Date, (ii) fifteen (15) days before the day for the selection of Bonds to be redeemed or, (ii) selected, called, or being called for redemption in whole or in part.

The Bonds are issuable as registered Bonds without coupons in the denomination of \$5,000 or any integral multiple thereof not in excess of any single maturity. Subject to the limitations of and upon payment of the charges provided for in this Resolution, registered Bonds may be exchanged for a like aggregate principal amount of other authorized denominations of registered Bonds of the same Series and the same maturity.

As to any Bond, the person in whose name the same shall be registered shall be deemed and regarded by the Bond Registrar, the Issuer and Paying Agent as the absolute owner thereof for all purposes. Payment of or on account of either principal or interest on any Bond shall be made only to or upon the written order of the registered owner thereof or his legal representative and neither the Issuer nor the Bond Registrar nor any Paying Agent shall be affected by any notice to the contrary, but such registration may be changed as hereinabove provided. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums paid.

The Bond Registrar shall require the payment by any bondholder requesting exchange or transfer of a sum sufficient to cover any tax or other governmental charge that may be imposed on the Issuer or the Bond Registrar with respect to such exchange or transfer and a sum sufficient to pay the cost of preparing each new Bond issued upon such exchange or transfer.

9. AUTHENTICATION. No Bond shall be valid or obligatory for any purpose or entitled to any security or benefit under this Resolution unless and until a Certificate of Authentication on such Bond, substantially in the form set forth on Exhibit B, shall have been duly executed by the Bond Registrar. Such executed Certificate of Authentication of the Bond Registrar upon any such Bond shall be conclusive evidence that such Bond has been authenticated and delivered under this Resolution. The Bond Registrar's Certificate of Authentication on any Bond shall be deemed to have been executed by it if signed by an authorized officer or signatory of the Bond Registrar, but it shall not be necessary that the same officer or signatory sign the Certificate of Authentication on all of the Bonds.

10. REPLACEMENT OF BONDS. If any Bond is mutilated, lost, stolen, or destroyed, the Issuer shall execute and the Bond Registrar shall authenticate a new Bond of the same date, maturity, and aggregate denomination, as that mutilated, lost, stolen, or destroyed; provided that in the case of any mutilated Bond, such mutilated Bond shall first be surrendered to the Bond Registrar, and in the case of any lost, stolen, or destroyed Bond, there shall be first furnished to the Issuer and the Bond Registrar evidence of such loss, theft, or destruction satisfactory to the Issuer and the Bond Registrar, together with an indemnity satisfactory to them. In the event any such Bond shall have matured or been called for redemption, instead of issuing a duplicate Bond, the Issuer may pay the same. The Bond Registrar may charge the holder or owner of such Bond with

their reasonable fees and expenses including reasonable attorneys' fees and expenses in connection with replacing any Bond mutilated, lost, stolen, or destroyed.

11. CANCELLATION. Whenever any outstanding Bond shall be delivered to the Bond Registrar for cancellation pursuant to this Resolution or for replacement pursuant to paragraph 10 hereof or for transfer or exchange pursuant to paragraph 8 hereof, such Bond shall be cancelled and destroyed by the Bond Registrar and counterparts of a certificate of destruction evidencing such destruction shall be furnished by the Bond Registrar to the Issuer.

12. FUNDS HELD FOR PAYMENT. In the event any Bond shall not be presented for payment when the principal thereof becomes due, either at maturity, or at the date fixed for redemption thereof, or otherwise, if funds sufficient to pay such Bond shall have been made available to the Paying Agent for the benefit of the owner thereof, all liability of the Issuer to the owner thereof for the payment of such Bond shall forthwith cease, terminate, and be completely discharged, and thereupon it shall be the duty of the Paying Agent to hold such funds without liability for interest thereon, for the benefit of the owner of such Bond who shall thereafter be restricted exclusively to such funds, for any claim of whatever nature on his part under this Resolution or on, or with respect to, the Bond; provided, that any funds which shall be so held by the Paying Agent and which remain unclaimed by the holder of any Bond not presented for payment by May 1, 2037, shall be returned to the Issuer free of any trust or lien and thereafter any such holder shall look only to the Issuer for payment of such amount without interest thereon and the Paying Agent shall have no further responsibility with respect to such moneys.

13. 2016 REFUNDING IMPROVEMENT BOND FUND. There shall be and is hereby created a special fund to be maintained by the Secretary separate and apart from all other funds of the Issuer, to be designated as the 2016 Refunding Improvement Bond Fund (the "**Bond Fund**"). To the fund shall be credited the Warrants referred to in paragraph 1 hereof when received by the Secretary, which Warrants shall thereupon become and shall thereafter be held as assets of the fund, and the proceeds of all collections on the Warrants so acquired shall be held by the Issuer in trust for the use and benefit of the holders from time to time of the Bonds herein authorized. The fund of the improvement district described in the resolution referred to in paragraph 1 hereof shall be continued and payments shall be made therefrom on the Warrants drawn thereon in the same manner as though the Warrants had not been exchanged. All payments of principal and interest made on the Warrant shall be credited to the Bond Fund and shall be used and applied in payment of the principal of and interest on the Bonds as such principal and interest becomes due.

14. TAX COVENANTS.

(a) The Issuer covenants and agrees with the holders from time to time of the Bonds that it will not take or permit, nor fail to take or permit, any action which would cause the interest on the Bonds to become subject to taxation under the Internal Revenue Code of 1986, as amended (the "**Code**"), and the regulations, amended regulations and proposed regulations issued thereunder, as now existing or as hereinafter amended or proposed and in effect at the time of such action.

(b) The Issuer covenants and agrees with the holders from time to time of the Bonds it will assure that (i) not in excess of ten percent (10%) of the Net Proceeds of the Bonds is used for Private Business Use if, in addition, the payment of more than ten percent (10%) of the principal or ten percent (10%) of the interest due on the Bonds during the term thereof is, under the terms of the Bonds or any underlying arrangement, directly or indirectly, secured by any interest in property used or to be used for a Private Business Use or in payments in respect of property used or to be used for a Private Business Use or is to be derived from payments, whether or not to the Issuer, in respect of property or borrowed money used or to be used for a Private Business Use; and (ii) and that, in the event that both (A) in excess of five percent (5%) of the Net Proceeds of the Bonds are used for a Private Business Use, and (B) an amount in excess of five percent (5%) of the principal or five percent (5%) of the interest due on the Bonds during the term thereof is, under the terms of the Bonds or any underlying arrangement, directly or indirectly, secured by any interest in property used or to be used for Private Business Use or in payments in respect of property used or to be used for Private Business Use or is to be derived from payments, whether or not to the Issuer, in respect of property or borrowed money used or to be used for Private Business Use, then the excess over five percent (5%) of Net Proceeds of the Bonds used for a Private Business Use shall be used for a Private Business Use related to the governmental use of the Project and shall not exceed the proceeds used for governmental use of the portion of the Project to which such Private Business Use is related.

(c) The Issuer covenants and agrees with the holders from time to time of the Bonds that it will assure that not in excess of the lesser of five percent (5%) of the Net Proceeds of the Bonds are used, directly or indirectly, to make or finance a loan (other than loans constituting Nonpurpose Investments or assessments) to persons other than state or local governmental units.

(d) The Issuer further covenants and agrees with the holders from time to time of the Bonds that it will not take any action or permit or suffer any action to be taken if the result of the same would be to cause the Bonds to be "federally guaranteed" within the meaning of Section 149(b) of the Code and Regulations promulgated thereunder.

15. QUALIFIED TAX-EXEMPT OBLIGATIONS. The Issuer hereby designates the Bonds as "qualified tax-exempt obligations" for purposes of paragraph (3) of Section 265(b) of the Code and covenants that the Bonds do not constitute "private activity bonds" as defined in Section 141 of the Code, and that not more than \$10,000,000 aggregate principal amount of obligations the interest on which is excludable (under Section 103(a) of the Code) from gross income for federal income taxes (excluding, however, private activity bonds, as defined in Section 141 of the Code, other than qualified 501(c)(3) bonds as defined in Section 145 of the Code), including the Bonds, have been or shall be issued by the Issuer, including all subordinate entities of the Issuer, during the calendar year 2016.

16. ARBITRAGE.

(a) Unless and until the regulations under Section 148 of Code have been modified or amended in pertinent part, the Secretary shall ascertain monthly the amount on deposit in the Principal and Interest Account of the fund of the improvement district referred to in paragraph 1 hereof and in the Bond Fund. If the aggregate amount on deposit in such Principal and Interest Account and in the Bond Fund ever exceeds the aggregate amount of principal and interest due and payable from the Bond Fund within 13 months thereafter (except for a reasonable carryover), such excess shall not be invested except at a yield less than or equal to the yield on the Bonds, based upon their amounts, maturities and interest rates on their dates of issue, computed by the actuarial method.

(b) For purposes of qualifying for the small issuer exception to the federal arbitrage rebate requirements in accordance with Section 148(f)(4)(D) of the Code, the Issuer covenants that it is a governmental unit with general taxing powers; that the Bonds are not "private activity bonds" as defined in Section 141 of the Code; that ninety-five percent (95%) or more of the Net Proceeds of the Bonds are to be used for local governmental activities of the Issuer (or of a governmental unit the jurisdiction of which is entirely within the jurisdiction of the Issuer); and that the aggregate face amount of all the tax-exempt obligations (other than private activity bonds as defined in Section 141 of the Code) issued by the Issuer, including all subordinate entities of the Issuer, during the calendar year 2016 will not exceed \$5,000,000.

(c) On the date fixed for the delivery of the Bonds, the Chairman and the Secretary shall make and file in the office of the Secretary and deliver to the purchaser a certificate in accordance with the provisions of Section 148 of the Code and Treasury Regulations Sections 1.148-2(b) stating that on the basis of the facts, estimates and circumstances in existence on the date of issue and delivery of the Bonds, as such facts, estimates and circumstances are set forth in the certificate, it is not expected that the proceeds of the Bonds will be used in a manner that would cause the Bonds to be arbitrage bonds within the meaning of the Code and Regulations.

17. COVENANTS AND AGREEMENTS OF THE ISSUER. The Issuer covenants and agrees with the holders from time to time of each of the Bonds, (a) that it will use due diligence to collect the Warrants and special assessments; (b) that it will preserve and enforce for the benefit of the holders of the Bonds all of the rights, powers, and privileges reserved to holders of the Bonds, and all of the covenants of the Issuer provided in the Resolution authorizing the Warrants; (c) that the Issuer shall prepare and file with the County Auditor/Treasurer of Burleigh County on or before February 1 of each year a complete statement of the condition and resources of the Bond Fund; that in February of each year the Board of County Commissioners of Burleigh County is required by Section 61-16.1-25, N.D.C.C. to review such statement and determine whether there has been or will likely occur a default in the financial obligations secured by the Bond Fund coming due in the next thirteen (13) months; and that if such a determination is made, the Board of County Commissioners shall pay from the General Fund, or levy a general property tax upon all taxable property within the County, unlimited as to rate or amount to produce an amount which will be

sufficient, along with the funds in the Bond Fund to equal 100% of the principal and interest coming due on the Bonds within the next twelve (12) months; and (d) that if the balance in the Bond Fund should at anytime be insufficient to pay all principal and interest then due on the Bonds issued under this Resolution, such balance shall be used first to pay the interest due, and the remainder shall be applied in payment of the principal due on the Bonds in direct order of maturity years and pro rata as to Bonds maturing in the same year. The Issuer reserves the privilege of refunding any of such matured Bonds for the payment of which moneys are not at the time available by issuing new bonds payable from the fund, on a parity with those theretofore issued as to interest charges therein, but the maturity of any such new bonds shall be subsequent to the maturity of all Bonds payable from the fund which then remain outstanding.

18. DISCHARGE. When all of the Bonds have been discharged as provided in this paragraph, all pledges, covenants and other rights granted by this Resolution shall cease. The Issuer may discharge all Bonds due on any date by depositing with the Paying Agent on or before that date a sum sufficient for the payment thereof in full; or if any Bond should not be paid when due, the same may nevertheless be discharged by depositing with the Paying Agent a sum sufficient for the payment thereof in full with interest accrued from the due date to the date of such deposit. The Issuer may also discharge all Bonds at any time by irrevocably depositing in escrow with a suitable bank, for the purpose of paying all principal and interest when due on such Bond, a sum of cash and securities of the types described in Section 40-27-13, N.D.C.C., in such aggregate amount, bearing interest at such rates and maturing or callable at the holder=s option on such dates as shall be required to provide funds sufficient for this purpose.

19. OTHER PROCEEDINGS. The officers of the Issuer are authorized and directed to prepare and furnish to the purchasers of the Bonds, and to the attorneys approving the legality thereof, records of the Issuer, and certificates and affidavits as to other matters shown by their official records and otherwise known to them, which may reasonably be required to evidence the legality and marketability of the Bonds, and all certified copies, certificates, affidavits and other instruments so furnished, including any heretofore furnished, shall constitute representations of the Issuer as to the correctness of all facts stated or recited therein. Delivery of the Bonds is subject to the approving opinion of bond counsel and customary closing certificates, including a certificate as to absence of material litigation and an arbitrage certificate.

20. OFFICIAL STATEMENT. The use and distribution of the Official Statement for the sale of the Bonds is hereby authorized, approved, and ratified and the use thereof prior to the date hereof is ratified and confirmed as of the date first circulated.

(Remainder of this page intentionally left blank.)

Dated: _____, 2016.

BURLEIGH COUNTY
WATER RESOURCE DISTRICT

Attest:

Chairman, Water Resource Board

Secretary

The governing body of the District acted on the foregoing resolution at a properly noticed meeting held in Bismarck, North Dakota, on _____, 2016, with the motion for adoption made by _____ and seconded by _____, and the roll call vote on the motion was as follows:

"Aye" _____

"Nay" _____

Absent _____

Abstain _____

EXHIBIT A

BURLEIGH COUNTY WATER RESOURCE DISTRICT

\$360,000

REFUNDING IMPROVEMENT BONDS, SERIES 2016

SCHEDULE OF MATURITIES AND INTEREST RATES

\$ @ % Term Bond Maturing May 1, 20	
<u>Date</u>	<u>Principal Amount</u>
May 1, 20	\$

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**BURLEIGH COUNTY WATER RESOURCE DISTRICT
REFUNDING IMPROVEMENT BONDS, SERIES 2016**

Book Entry Term Bond

Principal Amount: _____ Dollars (\$_____)

Registered Holder: Cede & Co.

<u>Dated Date</u>	<u>Maturity Date</u>	<u>Interest Rate</u>	<u>CUSIP</u>
	May 1, 20____	%	
<u>Interest Payment Dates</u>	<u>Initial Interest Payment Date</u>	<u>Registrar/Paying Agent</u>	
May 1 and November 1		Starion Bond Services	

BURLEIGH COUNTY WATER RESOURCE DISTRICT, NORTH DAKOTA (the "**Issuer**"), acknowledges itself indebted and for value received hereby promises to pay to the Registered Holder the Principal installments set forth on the reverse hereof and on the Maturity Date, unless redeemed prior thereto as provided in the Resolution at which time interest shall cease to accrue provided money for such redemption is on deposit with the Paying Agent, and to pay interest on the Principal Amount at the Interest Rate specified above from the Dated Date hereof to the Initial Interest Payment Date and on each Interest Payment Date thereafter including the Maturity Date. Such interest will be payable by wire transfer to DTC.

This book-entry bond is one of a duly authorized series of bonds of the Issuer (the "**Bonds**") issued by the Issuer in the aggregate principal amount of \$360,000 under and pursuant to North Dakota Century Code Chapter 61-16.1 and the Bond Resolution (the "**Resolution**") adopted by the Water Resource Board on _____, 2016 in exchange for a definitive improvement warrant of like principal amount (the "**Warrant**") issued on a special fund and which represents the cost of improvements for Burnt Creek Floodway Maintenance Assessment District (the "**District**") of the Issuer. Capitalized terms used herein which are not specifically defined herein shall have the same meanings given to such terms in the Resolution. A copy of the Resolution is on file in the office of the Secretary in Bismarck, North Dakota.

The Bonds:

- (i) are transferable, as provided in the Resolution;
- (ii) are subject to optional redemption, as provided in the Resolution;
- (iii) shall not be valid or obligatory for any purpose until the Certificate of Authentication hereon shall have been signed by the Paying Agent; and
- (iv) shall be subject to the payment of the sinking fund installments set out herein.

Notwithstanding any other provisions herein set out, so long as Cede & Co. is the registered owner hereof, the provisions of the Blanket Issuer Letter of Representations previously entered into by and between the Issuer and DTC shall be controlling as to the matters addressed therein and all the terms and provisions therein are incorporated herein as though fully set out herein.

Additional provisions of this Bond are contained on the reverse hereof and such provisions shall for all purposes have the same effect as though fully set forth at this place.

IN WITNESS WHEREOF, the Issuer has caused the Bonds to be executed in the name of the Issuer and on its behalf by the facsimile signature of the Chairman and attested to by the facsimile signature of the Secretary.

BURLEIGH COUNTY WATER RESOURCE DISTRICT
Chairman

ATTEST:
Secretary

CERTIFICATE OF AUTHENTICATION

This is one of the Bonds delivered pursuant to the Resolution mentioned within.
STARION BOND SERVICES

Bismarck, ND 58503
as Bond Registrar

Authorized Representative

The Bonds are special obligations of the Issuer and are payable solely out of the Refunding Fund which holds as an asset pledged to the repayment of this Bond, the Warrant issued on the Fund. The Warrant is payable from special assessments levied to pay for improvements within the District. Whenever all special assessments and any other revenues or taxes appropriated and theretofore collected are insufficient to pay principal and interest then due on the Bonds, Burleigh County, North Dakota is required to advance to the Fund the amount necessary to cover the anticipated deficiency in accordance with NDCC Section 61-16.1-25, and as provided by NDCC Section 61-16.1-25, advances made by the County shall be obligations of the Issuer payable from any surplus in the Fund and from future Issuer budgets and tax levies. The Bonds are issued in full conformity with the Constitution and laws of the State of North Dakota and the ordinances and resolutions of the Issuer duly adopted and approved prior to the issue hereof.

SINKING FUND INSTALLMENTS

<u>Redemption Date</u> (May 1)	<u>Principal Amount</u>
20	\$
20*	\$

* Final Maturity

We certify that the foregoing is a full and correct copy of the text of the legal opinion of bond counsel on the issue of the Bonds of the Burleigh County Water Resource District, North Dakota, which includes the within Bond, rendered as of the date of the original delivery of and payment for the Bond.

Chairman

Secretary

**RESOLUTION CREATING THE FUND OF AN IMPROVEMENT DISTRICT,
PROVIDING FOR AND APPROPRIATING SPECIAL ASSESSMENTS FOR THE
SUPPORT AND MAINTENANCE OF SAID FUND, AND AUTHORIZING THE
ISSUANCE OF IMPROVEMENT WARRANTS THEREON**

BE IT RESOLVED by the Water Resource Board of the Burleigh County Water Resource District, North Dakota (the "**Issuer**"), as follows:

1. It is hereby found, determined and declared that the Issuer has heretofore duly created Burnt Creek Floodway Maintenance Assessment District (the "**Improvement District**") pursuant to North Dakota Century Code (the "**N.D.C.C.**") Section 61-16.1-40.1 and has ordered, received and approved plans and specifications, and estimates of the cost, for the construction of the improvements in the Improvement District; that the Board determined the necessity of constructing the improvements; that the Water Resource Board and the Burleigh County Board of County Commissioners each approved the Improvement District by a vote of two-thirds of the respective members; that contracts for construction of the improvements have been duly awarded and executed; that the contracts and contractors bonds have been and are hereby approved; that the Issuer possesses and has power to exercise through this Board jurisdiction over flood control projects and may regulate streams, channels or watercourses and the flow of water therein by changing, widening, deepening, or straightening the same, or otherwise improving the use and capacity thereof; that the Burnt Creek Floodway was constructed by the National Resources Conservation Service, f/k/a the Soil Conservation Service in 1975; that the Burnt Creek Floodway is in need of improvements to include, but not limited to, repair of damages related to the 2011 flood event, and removal of sediment accumulation and cattails from the floodway channel; that the total cost of the improvements in excess of any other funds on hand and appropriated for the payment of such cost, including North Dakota State Water Commission cost share funding, and including reimbursing other funds of the Issuer for any amounts temporarily advanced to meet immediate expenses of the improvements is now estimated to be approximately \$360,000; that the total benefits to all lots, tracts and parcels of land liable to be specially assessed for benefits resulting from the improvements in the Improvement District will be substantially in excess of the cost of the improvements to be assessed against the properties as herein provided; and that all acts, conditions, and things required by the Constitution and laws of the State of North Dakota to be done, to exist, to happen and to be performed preliminary to the issuance and sale of the improvement warrants to provide moneys to pay for the improvements have been done, do exist, have happened and have been performed in regular and due form, time and manner as so required.

2. There is hereby created a special fund of the Issuer for the Burnt Creek Floodway Maintenance Assessment District, designated as follows: Burnt Creek Floodway Maintenance Assessment District Fund (the "**Fund**"). The Fund shall be held and administered by the Secretary separate and apart from all other funds of the Issuer and shall be continued and maintained as herein directed until all warrants issued thereon shall have been fully paid with interest. In such Fund there shall be maintained two separate accounts to be designated as the "Construction Account" and "Principal and Interest Account," respectively.

2.1. There shall be credited to the Construction Account in the Fund the proceeds of the sale of the Warrant issued against such Fund except the accrued interest and any other amounts required to be deposited into the Principal and Interest Account. All costs and expenses of making the improvement, including interest coming due during construction, costs of issuance and payment of temporary warrants, shall be paid from time to time as incurred and allowed from the Construction Account, upon construction account warrants signed by the Chairman and Secretary, and moneys in the Construction Account shall be used for no other purpose, provided, that if upon completion of the improvement and approval thereof by the Engineer for the Issuer, and payment of all claims and expenses in respect to the improvement, there shall remain any unexpended balance in the Construction Account, such balance shall be transferred to the Principal and Interest Account and handled and accounted for in the same manner as other moneys in that account.

2.2. There shall be credited to the Principal and Interest Account in the Fund the accrued interest on the Warrant drawn on the Fund from the date of the Warrant to the date of delivery thereof to the purchaser, the entire amount of special assessments, any revenues or general tax receipts appropriated to the Fund and any taxes to be levied with respect to that improvement as herein agreed, and any balance remaining in the Construction Account after completion of the improvement. Moneys in the Principal and Interest Account shall be used only for payment of the principal of and interest on Warrants drawn against the Fund as such payments become due.

2.3. The Issuer covenants and agrees with the holders from time to time of the \$360,000 Refunding Improvement Bonds, Series 2016, dated February __, 2016, of the Issuer (the "**Bonds**") that it will not take or permit to be taken by any of its officers, employees or agents any action which would cause the interest on the Bonds to become subject to taxation under the Internal Revenue Code of 1986, as amended (the "**Code**"), and regulations, amended regulations and proposed regulations issued thereunder, as now existing or as hereinafter amended or proposed and in effect at the time of such action.

2.4. Unless and until the regulations under Section 148 of the Code have been modified or amended in pertinent part, the Secretary shall ascertain monthly the amount on deposit in the Principal and Interest Account and in the Bond Fund. If the aggregate amount on deposit in the Bond Fund and in the Principal and Interest Account ever exceeds the aggregate amount of principal and interest due and payable from the Bond Fund within 13 months thereafter (except for a reasonable carryover amount), such excess shall not be invested except at a yield less than or equal to the yield on the Bonds, based upon their amounts, maturities and interest rates on their date of issue, computed by the actuarial method.

2.5. The Issuer shall assure that (i) not in excess of ten percent (10%) of the Net Proceeds of the Warrants is used for Private Business if, in addition, the payment of more than ten percent (10%) of the principal or ten percent (10%) of the interest due on the Warrants during the term thereof is, under term of the Warrants or any underlying arrangement, directly or indirectly, secured by any interest in property used or to be used for a Private Business Use or by payments in respect of property used or to be used for a Private Business Use or is to be derived from payments, whether or not to the Issuer, in respect of property or borrowed money used or to be used for a

Private Business Use; and (ii) and that, in the event that both (A) in excess of five percent (5%) of the Net Proceeds of the Warrants are used for a Private Business Use, and (B) an amount in excess of five percent (5%) of the principal or five percent (5%) of the interest due on the Warrants during the term thereof is, under the terms of the Warrants or any underlying arrangement, directly or indirectly, secured by any interest in property used or to be used for Private Business Use or is to be derived from payments, whether or not to the Issuer, in respect of property or borrowed money used or to be used for Private Business Use, then the excess over five percent (5%) of Net Proceeds of the Warrants used for a Private Business Use shall be used for a Private Business Use related to the governmental use of a portion of the Project and shall not exceed the proceeds used for the governmental use of the portion of the Project to which such Private Business Use is related.

2.6. The Issuer shall assure that not in excess of the lesser of five percent (5%) of the Net Proceeds of the Warrants are used, directly or indirectly, to make or finance a loan (other than loans constituting Nonpurpose Investments or assessments) to persons other than state or local government units.

2.7. The Issuer shall not take any action or permit or suffer any action to be taken if the result of the same would be to cause the Warrants to be "federally guaranteed" within the meaning of Section 149(b) of the Code and Regulations promulgated thereunder.

2.8. The Issuer hereby designates the Warrants as "qualified tax-exempt obligations" for purposes of paragraph (3) of Section 265(b) of the Code and covenants that the Warrants do not constitute "private activity bonds" as defined in Section 141 of the Code, and that not more than \$10,000,000 aggregate principal amount of obligations the interest on which is excludable (under Section 103(a) of the Code) from gross income for federal income taxes (excluding, however, private activity bonds, as defined in Section 141 of the Code, other than qualified 501(c)(3) bonds as defined in Section 145 of the Code), including the Warrants, have been or shall be issued by the Issuer, including all subordinate entities of the Issuer, during the calendar year 2016.

2.9. For purposes of qualifying for the small issuer exception to the federal arbitrage rebate requirements in accordance with Section 148(f)(4)(D) of the Code, the Issuer covenants that it is a governmental unit with general taxing powers; that the Bonds are not Private activity bonds as defined in Section 141 of the Code; that ninety-five percent (95%) or more of the Net Proceeds of the Bonds are to be used for local governmental activities of the Issuer (or of a governmental unit the jurisdiction of which is entirely within the jurisdiction of the Issuer); and that the aggregate face amount of the tax-exempt obligations (other than private activity bonds as defined in Section 141 of the Code) issued by the Issuer, including all subordinate entities of the Issuer, during the calendar year 2016 will not exceed \$5,000,000.

3. With respect to the Improvement District, the Issuer irrevocably covenants and agrees with all holders of Warrants on the Fund of the Improvement District that it will perform, in accordance with law, all acts and things necessary for the valid annual levy of special assessments against properties within the Improvement District benefitted by the improvement, subject to Section 61-16.1-40.1, N.D.C.C., in an aggregate amount equal to the total cost of the improvement to the Issuer, except any portion, as the Issuer may determine to pay by the levy of ad valorem

taxes upon all taxable property within its corporate limits. In the event that the assessment should at any time be held invalid with respect to any lot or tract of land, due to any error, defect or irregularity in any action or proceeding taken or to be taken by the Issuer or by the Board or by any Issuer officers or employees, whether in the making of the assessment or in the performance of any condition precedent thereto, the Issuer and this Board covenant and agree that they will forthwith do all such further acts and take all further proceedings as may be required by law to make such assessment valid and binding lien upon such lot or tract. The Issuer irrevocably agrees and covenants to continue to levy annual assessments over a period of years, subject to a reduction or extension of such period of time as may be deemed necessary by the Issuer due to collection of assessments, with the first certification and for first collection in the years, respectively, as follows, and annually thereafter:

<u>Improvement District</u>	<u>Repayment Period (Years)</u>	<u>Year Of First Levy</u>	<u>Year Of First Collection</u>
Burnt Creek Floodway Maintenance Assessment District	20	2016	2017

4. In anticipation of the collection of special assessments, revenues and other taxes, if any, and for the purpose of borrowing money to pay the cost of the improvements, the Issuer shall issue its improvement Warrant on the Fund pursuant to Section 61-16.1-34, N.D.C.C. The Warrant shall be dated February __, 2016 or the date of issuance. The Warrants shall be in registered form and shall bear interest from date of issue until paid at the rates set forth in Exhibit A hereto, payable semiannually on each May 1 and November 1, commencing _____. The Warrants shall not be subject to redemption or exchange except through the issuance of refunding improvement bonds in accordance with the provisions of Section 61-16.1-36, N.D.C.C. for which purpose the Warrants may be redeemed or exchanged on any date at par and accrued interest. The principal of and interest on the Warrants shall be payable at the office of the Secretary, in Bismarck, North Dakota. The Warrants drawn on the Fund shall be in the principal amounts, and shall be payable on May 1 in the respective years and amounts set forth in Exhibit A hereto.

The total cost of the improvements for the Improvement District, including construction, engineering, administrative, any land or easement acquisition required, and other fees and all other expenses incidental to the completion of the improvements, are estimated to be not less than as follows:

<u>Fund</u>	<u>Principal Amount</u>
Burnt Creek Floodway Maintenance Assessment District	\$360,000
TOTAL	\$360,000

5. The Warrants shall be printed in substantially the form attached hereto as Exhibit B.

6. The Warrants shall be prepared for execution under the direction of the Secretary and shall be executed on behalf of the Issuer by the signature of the Chairman, countersigned by the Secretary. When executed, the Warrants shall be delivered by the Secretary to the purchaser thereof upon payment of the purchase price agreed upon, and the purchaser shall not be obligated to see to the application of the purchase price.

7. The Issuer shall prepare and file with the County Auditor/Treasurer of Burleigh County on or before February 1 of each year a complete statement of the condition and resources of the Bond Fund; that in February of each year the Board of County Commissioners of Burleigh County is required by Section 61-16.1-25, N.D.C.C. to review such statement and determine whether there has been or will likely occur a default in the financial obligations secured by the Bond Fund coming due in the next thirteen (13) months; and that if such a determination is made, the Board of County Commissioners shall pay from the General Fund, or levy a general property tax upon all taxable property within the County, unlimited as to rate or amount to produce an amount which will be sufficient, along with the funds in the Bond Fund to equal 100% of the principal and interest coming due on the Bonds within the next twelve (12) months.

8. With respect to the Fund, the Issuer reserves the right and privilege of refunding any Warrants drawn against the Fund which are past due, or to the redemption or exchange of which the holder thereof shall have consented, and for the payment of which Warrants moneys are not at the time available in the Fund, by issuing new warrants pursuant to the provisions of Section 61-16.1-36, N.D.C.C. Such refunding warrant shall be payable from the Fund on a parity with the Warrants theretofore issued as to interest charges, but the maturities of the refunding warrant shall be subsequent to the maturities of all Warrants payable from the Fund and then outstanding, except the Warrants so refunded. With respect to the Fund, the Issuer also reserves the right to issue additional improvement warrants for the payment of the cost of the improvement in the Improvement District, to include if the actual cost of the improvement should be greater than has been estimated, and such additional warrants to be payable from the Fund on a parity with other Warrants drawn on the Fund.

9. The officers of the Issuer and the County Auditor/Treasurer of Burleigh County are authorized and directed to prepare and furnish to the purchaser of the Warrants and to the attorneys approving the same, certified copies of all ordinances, resolutions, affidavits or other instruments relating to the establishment and construction of the improvement and the operation and maintenance thereof, and the levy of special assessments and taxes therefor and for the issuance of the improvement Warrants, which may be necessary or proper to show the validity of marketability of the Warrants, and all instruments and transcripts so furnished, constitute representations of the Issuer as to the correctness of the facts as stated or recited therein.

(Remainder of this page intentionally left blank.)

Dated: February __, 2016.

BURLEIGH COUNTY
WATER RESOURCE DISTRICT

Attest:

Chairman, Water Resource Board

Secretary

The governing body of the District acted on the foregoing resolution at a properly noticed meeting held in Bismarck, North Dakota, on _____, 2016, with the motion for adoption made by _____ and seconded by _____, and the roll call vote on the motion was as follows:

"Aye" _____

"Nay" _____

Absent _____

Abstain _____

EXHIBIT A

BURLEIGH COUNTY WATER RESOURCE DISTRICT
\$360,000
BURNT CREEK FLOODWAY MAINTENANCE ASSESSMENT DISTRICT
DEFINITIVE IMPROVEMENT WARRANT OF 2016

SCHEDULE OF MATURITIES AND INTEREST RATES

<u>Year*</u>	<u>Amount</u>	<u>Interest Rate</u>
2017		
2018		
2019		
2020		
2021		
2022		
2023		
2024		
2025		
2026		
2027		
2028		
2029		
2030		
2031		
2032		
2033		
2034		
2035		
2036		

* Principal maturities payable on May 1 in the year indicated.

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**BURLEIGH COUNTY WATER RESOURCE DISTRICT
DEFINITIVE IMPROVEMENT WARRANT**

Principal Amount: Dollars (\$)

Registered Holder: _____
_____, _____

<u>Dated Date</u>	<u>Maturity Date</u>	<u>Interest Rate</u>
		See Schedule on Reverse

<u>Interest Payment Dates</u>	<u>Initial Interest Payment Date</u>	<u>Registrar/Paying Agent</u>
May 1 and November 1		Secretary

BURLEIGH COUNTY WATER RESOURCE DISTRICT (the "Issuer"), a political subdivision of and existing under and pursuant to the laws of the State of North Dakota acknowledges itself indebted and for value received hereby promises to pay to the Registered Holder the Principal installments set forth on the reverse hereof and on the Maturity Date, unless redeemed prior thereto as provided in the Financing Resolution (the "**Resolution**") adopted by the Water Resource Board on _____, 2016, at which time interest shall cease to accrue provided money for such redemption is on deposit with the Paying Agent, and to pay interest on the Principal Amount at the Interest Rate shown opposite each principal installment from the Dated Date to the Initial Interest Payment Date and on each Interest Payment Date thereafter including the Maturity Date. The principal installments of and interest on this Warrant are payable in lawful money of the United States of America by check or draft mailed or delivered to the registered owner hereof as the registered owner's address appears on the book of registry at the office of the Registrar and Paying Agent.

This definitive improvement warrant is a duly authorized warrant of the Issuer (the "**Warrant**") issued by the Issuer in the principal amount of \$360,000 under and pursuant to North Dakota Century Code Chapter 61-16.1 and the Resolution. The Warrant is issued on a special fund and represents a portion of the cost of improvements for Burnt Creek Floodway Maintenance Assessment District (the "**District**"). Capitalized terms used herein which are not specifically defined herein shall have the same meanings given to such terms in the Resolution. A copy of the Resolution is on file in the office of the Secretary in Bismarck, North Dakota.

The Warrant:

- (i) is transferable, as provided in the Resolution;
- (ii) is subject to optional redemption, as provided in the Resolution; and
- (iii) shall be subject to the payment of the sinking fund installments set out herein.

The Warrant is a special obligation of the Issuer and is payable solely out of the Fund which derives its revenues from special assessments levied to pay for improvements within the District or from service charges as provided in NDCC Section 61-16.1-34. Whenever all special assessments and any other revenues or taxes appropriated and theretofore collected are insufficient to pay principal and interest then due on the Warrant, Burleigh County, North Dakota is required to advance to the Fund the amount necessary to cover the anticipated deficiency in accordance with NDCC Section 61-16.1-25, and as provided by NDCC Section 61-16.1-25, advances made by the County shall be obligations of the Issuer payable from any surplus in the Fund and from future Issuer budgets and tax levies. The Warrant is issued in full conformity with the Constitution and laws of the State of North Dakota and the ordinances and resolutions of the Issuer duly adopted and approved prior to the issue hereof.

This Warrant may be exchanged for Refunding Improvement Bonds, Series 2016 at the option of the registered owner.

IN WITNESS WHEREOF, the Issuer has caused the Warrant to be executed in the name of the Issuer and on its behalf by the manual or facsimile signature of the Chairman of the Water Resource Board and attested to by the manual or facsimile signature of the Secretary, and has hereunto affixed, imprinted, engraved or otherwise reproduced the official seal of the Issuer (or a facsimile thereof).

BURLEIGH COUNTY WATER RESOURCE DISTRICT ATTEST:

Chairman, Water Resource Board
(S E A L)

Secretary

SINKING FUND INSTALLMENTS

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>

*Final Maturity

ASSIGNMENT

For value received _____ hereby sells, assigns and transfers unto _____ the within-mentioned Warrant and hereby irrevocably constitutes and appoints _____, attorney-in-fact, to transfer the same on the book of registry with full power of substitution in the premises.

Dated: _____

By _____
Title _____

NO WRITING HEREON EXCEPT BY THE REGISTRAR

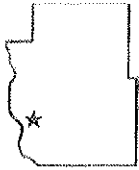
The Registrar has transferred on the book of registry, on the date last noted below, to the registered assign noted opposite said date, ownership of the principal amount of and interest on this Warrant, except the amounts of principal and interest theretofore paid:

Date of Transfer

Registered Assign

Signature of Registrar

Burleigh County Water Resource
District
Refunding Improvement Bonds,
Series 2016 Fund

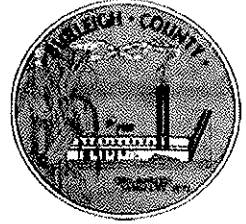


Burleigh County Building/Planning/Zoning

Burleigh County Planning Commission

Meeting Agenda

JANUARY 13, 2016



Tom Baker Meeting Room

5:15 pm

City-County Office Building

MINUTES:

1. Call to order
2. Consider approval of minutes from the November 18, 2015 meeting of the Burleigh County Planning Commission.
3. Appointment of Commission Chairman and Vice Chairman

CONSIDERATION:

The following items are requests for a public hearing.

No items for consideration

PUBLIC HEARING:

The following items are requests for final action and forwarding to the Board of County Commissioners.

4. Article 33 – Subdivision Regulations

Other Business:

5. Burleigh County Land Use
6. Water Resources Board ordinance request update

Adjournment

The next meeting is scheduled for February 10th, 2016.

Emailed 12/3/15



State of North Dakota

Office of the State Engineer

900 EAST BOULEVARD AVE. • BISMARCK, ND 58505-0850
701-328-2750 • FAX 701-328-3696 • <http://swc.nd.gov>

REGULATORY DIVISION
701-328-2752

December 2, 2015

NOTICE TO ALL WATER RESOURCE DISTRICTS

RE: New Form Developed by the Office of the State Engineer

Dear Water Resource District board member:

The Office of the State Engineer (OSE) has recently developed a new form titled "COMPLAINT FOR WATER-RELATED ISSUES - SFN 60840" (Complaint Form). Copies of the Complaint Form are enclosed for your convenience. The Complaint Form was developed to take the place of dated, individual complaint forms as well as provide clarity in the complaint process to Water Resource District's (WRD) and the general public. Although submittal of a complaint on a prescribed form is not required under state code, the OSE believes this form is a tool for public use. The Complaint Form is two pages, front and back, and lists the entire complaint process as well as all types of complaints to be filed with a WRD. The types of complaints from North Dakota Century Code (N.D.C.C.) are listed under No. 2 of the Complaint Form and below:

- 1) Dam, Dike, or Other Device complaint (N.D.C.C. § 61-16.1-53)
- 2) Drainage complaint (N.D.C.C. § 61-32-07)
- 3) Obstruction to a Drain/Watercourse complaint (N.D.C.C. § 61-16.1-51)

The Complaint Form will be made available on the Office of the State Engineer's website (swc.nd.gov) in the "Construction Permits" and "Drainage Permits" pages under the "Regulation & Appropriation" heading. Hard copies may also be sent by mail upon request. If your WRD has any comments, questions, or concerns regarding the Complaint Form, please contact Matt Lindsay at 701-328-4949 or by email at mlindsay@nd.gov.

Sincerely,

John Paczkowski, P.E.
Regulatory Division Director

JP:ML:ph/PS/WRD/GEN

Enclosures

cc: North Dakota Water Resource Districts Association

TODD SANDO, P.E.
STATE ENGINEER



COMPLAINT FOR WATER-RELATED ISSUES
OFFICE OF THE STATE ENGINEER
SFN 60840 (11/2015)

DATE RECEIVED

FOR DISTRICT USE ONLY

Please submit to the water resource district in which the issue is located.
Contact information for water resource districts is available online at swc.nd.gov

GENERAL INFORMATION					
(1) This Complaint must include a map from an actual survey, aerial photo, or topographic map. The size of the map shall be at least 8½ by 11 inches and shall have a north arrow. If, in the opinion of the Water Resource District, the map does not contain enough information to properly evaluate the project, more information may be requested.					
(2) The Complaint Is Regarding: <input type="checkbox"/> Dam, Dike, Or Other Device (North Dakota Century Code (N.D.C.C.) § 61-16.1-53) <input type="checkbox"/> Drainage (N.D.C.C. § 61-32-07) <input type="checkbox"/> Obstruction To A Drain/Watercourse (N.D.C.C. § 61-16.1-51)					
(3) Water issue is located in which Water Resource District (District)?					
(4) Legal Description	1/4	1/4	Section	Township	Range
(5) Approximate Construction Date					
(6) Description of the issue					
(7) Is your property impacted? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, number of acres impacted _____					
Please explain					
Complaint Filed Against			Complaint Filed By		
Name (print)			Name (print)		
Address			Address		
City	State	ZIP Code	City	State	ZIP Code
Telephone Number (if known)			Telephone Number		
Complainant's Signature				Date	

ADDITIONAL SHEETS MAY BE ATTACHED IF NECESSARY.

46

DAM, DIKE, OR OTHER DEVICE COMPLAINTS (N.D.C.C. § 61-16.1-53):

The District will determine if a landowner or tenant constructed a dam, dike, or other device without first securing a construction permit as required under N.D.C.C. § 61-16.1-38, or in conflict with the terms or conditions of a construction permit. North Dakota Administrative Code § 89-08-01-01 defines "other device" as "a water control structure, other than a dam or dike, including diversions and holding ponds, lagoons, or dugouts."

DRAINAGE COMPLAINTS (N.D.C.C. § 61-32-07):

Surface Drainage: The District will determine if a landowner or tenant constructed any surface drainage that impacts a watershed area of 80 acres or more without first securing a drainage permit as required under N.D.C.C. § 61-32-03, or in conflict with the terms or conditions of a drainage permit.

Tile Drainage: The District will determine if a landowner or tenant constructed or installed a tile or subsurface drainage system with a footprint of 80 acres or more without first securing a tile or subsurface permit as required under N.D.C.C. § 61-32-03.1, or in conflict with the terms or conditions of a tile or subsurface permit.

OBSTRUCTION TO DRAIN COMPLAINTS (N.D.C.C. § 61-16.1-51):

The District will determine if a landowner or tenant has intentionally or negligently caused an obstruction to a natural watercourse or drain.

The District must act pursuant to the appropriate code listed above. The District shall investigate and make a determination within a reasonable time (not to exceed 120 days for dams, dikes, other devices, or drains). The District shall notify all parties of its decision as required by code. If complained of activity was a dam, dike, other device, or drain, the District's decision may be appealed to the State Engineer within 30 days of the District's decision. If the complained of activity was an obstruction to drain, the District's decision may be appealed to District Court.

FOR DISTRICT USE ONLY

Date Received		Date Investigated	
Does the complainant have standing to file a complaint? <input type="checkbox"/> Yes <input type="checkbox"/> No			
If No, why?			
Does the project have a Permit? <input type="checkbox"/> Yes <input type="checkbox"/> No		If Yes, Permit Number	Date Granted
Does the project meet a permitting exemption? <input type="checkbox"/> Yes <input type="checkbox"/> No			
If Yes, which one?			
Project Construction Date		Revision Date (if any)	
District Action			
District Action Compliance Date	Project Owner Compliance Date		Decision Appeal Date
Subsequent Action			
District Chairman's Signature			Date Of Signature

ADDITIONAL SHEETS MAY BE ATTACHED IF NECESSARY.

417
92

Emailed 12/7/15



State of North Dakota

Office of the State Engineer

900 EAST BOULEVARD AVE. • BISMARCK, ND 58505-0850
701-328-2750 • FAX 701-328-3696 • <http://swc.nd.gov>

REGULATORY DIVISION
701-328-2752

December 7, 2015

Mr. Andrew J. Tuck, City Engineer - City of Wilton
Ulteig Engineering, Surveying, and Consulting Service
1412 Basin Avenue
Bismarck, ND 58504

Dear Mr. Tuck:

We have received your surface drain permit application for the pond located in the NW ¼ Section 2, T142N, R80W, in Burleigh County, and have determined a drain permit is not required for the work you propose to perform in the application. We have reviewed historical aerial photos of the pond and it appears to be a man-made structure below the construction permitting threshold in size, so dewatering the pond for the proposed work will not require a drain permit.

Thank you for informing us of this project and we have it now in our database of water control structures, but a permit is not required.

Sincerely,

Dwight Comfort, PE
Water Resource Engineer
Office of the State Engineer
North Dakota State Water Commission

DC:ph/1053

cc: Burleigh County WRD

TODD SANDO, P.E.
STATE ENGINEER

BCWRD Invoices

1-12-16

Name	Project	Invoice	Amount
Bismarck Parks and Rec	November bill	4019	\$6,956.15
Bismarck Parks and Rec	Nov. admin	4019	\$1,739.04
Bliss Law Firm	Dec.	18738	\$3,056.80
Bliss Law Firm	MRCC issue	18738	\$115.50
Houston Engineering	General	28361	\$1,000.00
Houston Engineering	McDowell Dam	28360	\$3,481.95
Houston Engineering	Burnt Creek Floodway	28362	\$3,076.75
Houston Engineering	Missouri River Correctional (WO18/SA25)	28364	\$34,123.35
Houston Engineering	Hogue Island Acquisition Site Restoration	28363	\$456.50
Houston Engineering	Drainage Complaints: Hay Creek	28365	\$385.00
Braun Intertec	Landslide Eval - Pebble Creek	B048470	\$22,177.13
Agency Mabu	Websupport/maintenance	7059	\$393.75
ND Irrigation Assoc	Membership Dues	2016	\$250.00
ND Water Users	Membership Dues	2016	\$300.00
ND Water Resource Dist. Association	Membership Dues	2016	\$475.00
Dakota Prairies RC & D Council	Membership Dues	62	\$100.00
Terry Fleck	4th Quarter Expenses	4th	\$2,295.00
Terry Fleck	Joint Water Convention	Ed	\$180.00
Rick Detwiller	4th Quarter Expenses	4th	\$495.00
Dennis Reep	4th Quarter Expenses	4th	\$872.49
Gordon Weixel	4th Quarter Expenses	4th	\$540.00
Greg Larson	4th Quarter Expenses	4th	\$855.00
Ramkota Hotel	Approved in November (breakfast)	100897	\$290.52
Personalized Management	Secretarial/Accounting/Supplies	5709	\$1,617.80

TOTAL: \$85,232.73

4/6

INVOICE

BRAUN
INTERTEC

The Science You Build On.

PLEASE REMIT TO

Braun Intertec Corporation
NW 7644 PO Box 1450
Minneapolis, MN 55485

Telephone (952) 995-2000
Fax (952) 995-2020
Tax I.D. 41-1684205

Burleigh County Water Resource District
1811 East Thayer Avenue
Bismarck, ND 58501

Date 1/5/2016
Invoice number B048470
Project ID B1510697
Customer account 14671
Customer PO

Landslide Evaluation

Geotechnical Evaluation
2951, 2945 & 2939 Arizona Drive
Bismarck, ND

For Professional Services rendered through 12/25/2015

ANALYSIS OF FEES

Consulting Services Detail	\$2,648.75
Non-Salary Detail	\$19,528.38

Total Fees \$22,177.13

Amount Previously Invoiced: \$1,358.50
Amount Invoiced to Date: \$23,535.63

Page 1 of 3

Please pay from this invoice.

Terms: Due on receipt, 1 1/2% per month after 30 days, 18% annual percentage rate.

We accept



	Employee	Date	Qty/Hours	Rate	Amount
1 - Site Reconnaissance					
1.1 - Engineering Consulting Services					
Consulting Services Detail					
Senior Engineer					
Charles Dickhut					
		12/1/2015	2.50	167.00	417.50
		12/3/2015	1.00	167.00	167.00
	Total Charles Dickhut				\$584.50
	Total Senior Engineer				\$584.50
	Total 1.1 - Engineering Consulting Services: Consulting Services Detail				\$584.50
	Total 1.1 - Engineering Consulting Services				\$584.50
	Total 1 - Site Reconnaissance: Consulting Services Detail				\$584.50
Total 1 - Site Reconnaissance					\$584.50
2 - Field Exploration					
2.1 - Drilling					
Non-Salary Detail					
Subcontractor Billable					
		12/3/2015	1.00	3,066.13	3,066.13
		12/23/2015	1.00	14,030.00	14,030.00
	Total				\$17,096.13
	Total Subcontractor Billable				\$17,096.13
	Total 2.1 - Drilling: Non-Salary Detail				\$17,096.13
	Total 2.1 - Drilling				\$17,096.13
	Total 2 - Field Exploration: Non-Salary Detail				\$17,096.13
Total 2 - Field Exploration					\$17,096.13
3 - Monitoring					
3.1 - Engineering Consulting Services					
Consulting Services Detail					
Staff Engineer					
Ryan Anderson					
		12/16/2015	0.50	122.00	61.00
		12/18/2015	4.25	122.00	518.50
		12/22/2015	0.50	122.00	61.00
	Total Ryan Anderson				\$640.50
	Total Staff Engineer				\$640.50
Non-Salary Detail					
GEO Trip Charge					
Ryan Anderson					
		12/18/2015	1.00	50.00	50.00
	Total 3.1 - Engineering Consulting Services: Consulting Services Detail				\$640.50
	Total 3.1 - Engineering Consulting Services: Non-Salary Detail				\$50.00
	Total 3.1 - Engineering Consulting Services				\$690.50
	Total 3 - Monitoring: Consulting Services Detail				\$640.50
	Total 3 - Monitoring: Non-Salary Detail				\$50.00
Total 3 - Monitoring					\$690.50

	Employee	Date	Qty/Hours	Rate	Amount
4 - Laboratory Testing					
4.1 - Soil Observations & Testing					
Non-Salary Detail					
200 wash (ASTM C 117), per sample					
	Kara Seibel				
		12/16/2015	6.00	67.00	402.00
Atterberg Limits: LL and PL (ASTM D 4318), per sample					
	Kara Seibel				
		12/16/2015	12.00	96.00	1,152.00
Moisture content (ASTM D 2216), per sample					
	Kara Seibel				
		12/16/2015	39.00	16.75	653.25
Moisture Content and Density (ASTM D 2937)					
	Kara Seibel				
		12/16/2015	3.00	31.00	93.00
Unconfined compression (ASTM D 2166), per sample					
	Kara Seibel				
		12/16/2015	1.00	82.00	82.00
Total 4.1 - Soil Observations & Testing: Non-Salary Detail					\$2,382.25
Total 4.1 - Soil Observations & Testing					\$2,382.25
Total 4 - Laboratory Testing: Non-Salary Detail					\$2,382.25
Total 4 - Laboratory Testing					\$2,382.25
5 - Engineering and Reporting					
5.1 - Engineering Consulting Services					
Consulting Services Detail					
Project Assistant					
	Amanda Eback				
		12/11/2015	1.50	81.00	121.50
Project Manager					
	Amy Johnson				
		12/8/2015	0.25	122.00	30.50
		12/17/2015	0.50	122.00	61.00
Total Amy Johnson					\$91.50
Total Project Manager					\$91.50
Senior Engineer					
	Charles Dickhut				
		12/10/2015	3.25	167.00	542.75
		12/11/2015	2.00	167.00	334.00
		12/16/2015	1.00	167.00	167.00
		12/18/2015	0.25	167.00	41.75
		12/23/2015	0.75	167.00	125.25
Total Charles Dickhut					\$1,210.75
Total Senior Engineer					\$1,210.75
Total 5.1 - Engineering Consulting Services: Consulting Services Detail					\$1,423.75
Total 5.1 - Engineering Consulting Services					\$1,423.75
Total 5 - Engineering and Reporting: Consulting Services Detail					\$1,423.75
Total 5 - Engineering and Reporting					\$1,423.75
Total Project					\$22,177.13

Bliss Law Firm, LLC
PO Box 4126
Bismarck, ND 58502

Invoice submitted to:

Burleigh County Water Resource District
1811 E. Thayer Avenue
Bismarck, ND 58501

December 29, 2015

Invoice #18738

Professional Services

	<u>Hrs/Rate</u>	<u>Amount</u>	
12/2/2015 E-mail correspondence to/from North Dakota Guaranty & Title with regard to title insurance matters; telephone call from Mike Gunsch with regard to final closing documents, MRCC and Hogue Island end of year matters (910-A).	0.60 231.00/hr	138.60	H
12/6/2015 Continue to finalize four purchase agreements, warranty deeds, cover letters to each of the successful bidders of Hogue Island properties; follow-up e-mails to Mike Gunsch and Mona for final proofing of documents; follow-up e-mail to board members and Kathleen Jones with regard to status of closings (#910-A).	2.50 231.00/hr	577.50	H
12/8/2015 Follow-up telephone call to North Dakota Guaranty & Title (Jessica) with regard to closing matters (#910-A).	0.30 231.00/hr	69.30	H
Prepare for board meeting; attend board meeting. (#312)		1,000.00	
12/10/2015 Telephone call from Attorney Malcom Brown with regard to Larson easement issue (910-B). <i>Fox dsl</i>	0.40 231.00/hr	92.40	
Follow-up telephone call to Mike Gunsch with regard to MRCC's easement matters (910-B).	0.40 231.00/hr	92.40	
12/11/2015 Continue modification of documents for closing; follow-up e-mail to Chairman Fleck with regard to execution of revised documents; follow-up telephone call to Mike Gunsch with regard to sale provisions; follow-up e-mail to Jessica Holcomb, North Dakota Guaranty & Title with regard to closing procedures (910-A).	0.80 231.00/hr	184.80	H
12/15/2015 Revise and approve notice of MRCC meeting, reply to Mona with regard to the same (910-B).	0.10 231.00/hr	23.10	

	<u>Hrs/Rate</u>	<u>Amount</u>
12/15/2015 Re-execution of purchase agreements and warranty deeds by Chairman Fleck; finalize all documents, forward copies of documents to all successful bidders of Hogue Island properties (910-A).	0.50 231.00/hr	115.50 H
Conference call with Mike Gunsch, Greg Larsen with regard to Larsen's refusal to grant easement on project (910-B). YOK	0.40 231.00/hr	92.40
12/17/2015 Telephone call from Kathleen Jones with regard to Hogue Island closings (#910-A).	0.30 231.00/hr	69.30 H
12/18/2015 Continue closing work; e-mails/telephone calls to/from Chairman Fleck with regard to Hogue Island closings; follow-up telephone call to Mike Gunsch, Board Member Rick Detweiler with regard to status of Hogue Island closings; telephone calls/e-mails to all Hogue Island buyers with regard to closing procedures; telephone calls to Karen Hoge, Shari Mills, Lyn Mills, Constance Hofland, Greg Wavra with regard to closing procedures; telephone calls to/from, e-mails to/from Jessica and Chelsea with regard to North Dakota Guaranty & Title closing requests; follow-up on Odegaard warranty deed and purchase agreement with Connie Hofland (910-A).	2.00 231.00/hr	462.00 H
12/23/2015 Conference in office with Karen Hoge and Lyn Mills to review their purchase agreement and warranty deed, execution by the parties of the same; subsequent conference with Shari Mills to review purchase agreement, signature of the same; follow-up telephone call to Jessica at North Dakota Guaranty & Title with regard to scheduling; receipt and review of e-mail from Heather Magnus with regard to her potential signing and scheduling with North Dakota Guranty & Title (910-A).	1.00 231.00/hr	231.00 H
For professional services rendered		\$3,148.30
Additional Charges :		
12/28/2015 Copying costs.		24.00
Total additional charges		\$24.00
Total amount of this bill		\$3,172.30
Previous balance		\$5,510.30
Accounts receivable transactions		
12/8/2015 Payment - Thank You. Check No. 1311		(\$5,510.30)
Total payments and adjustments		(\$5,510.30)

	<u>Amount</u>
Balance due	<u>\$3,172.30</u>

NORTH DAKOTA IRRIGATION ASSOCIATION

P.O. Box 2254
Bismarck, North Dakota 58502
(701) 223-4615

*DEDICATED TO STRENGTHEN AND EXPAND IRRIGATION TO
BUILD AND DIVERSIFY OUR ECONOMY.*

MEMBERSHIP DUES STATEMENT

MONA LIVDAHL
BURLEIGH COUNTY WRD
1811 E THAYER AVE
BISMARCK ND 58501

DATE DUE: January 1, 2016

<u>COUNTY</u>	<u>MEMBERSHIP CLASSIFICATION</u>	<u>AMOUNT DUE</u>
BURLEIGH	INDUSTRY MEMBER	\$250.00

The portion of dues paid to the North Dakota Irrigation Association,
which is attributable to lobbying activities, is 5% or less.

(Please mark address corrections)

MONA LIVDAHL
BURLEIGH COUNTY WRD
1811 E THAYER AVE
BISMARCK ND 58501

Please return this portion with your check
payable to ND Irrigation Association.

Mail remittance to:
North Dakota Irrigation Association
P.O. Box 2254
Bismarck, ND 58502

Amount Due: \$250.00

County: BURLEIGH

Contact Person: _____

Fax Number: _____

Phone Number: _____

E-Mail Address: _____

North Dakota Water Users Association

P.O. Box 2254
Bismarck, North Dakota 58502
(701) 223-4615

*DEDICATED TO THE PROTECTION, DEVELOPMENT, AND
MANAGEMENT OF NORTH DAKOTA'S WATER RESOURCES*

**MEMBERSHIP DUES
STATEMENT**

MONA LIVDAHL
BURLEIGH COUNTY WRD
1811 E THAYER AVE
BISMARCK ND 58501

DATE DUE:

January 1, 2016

COUNTY

MEMBERSHIP
CLASSIFICATION

AMOUNT
DUE

BURLEIGH

WATER RESOURCE MEMBER

\$300.00

The portion of dues paid to the North Dakota Water Users Association,
which is attributable to lobbying activities, is 5% or less.

(Please mark address corrections)

MONA LIVDAHL
BURLEIGH COUNTY WRD
1811 E THAYER AVE
BISMARCK ND 58501

Please return this portion with your check
payable to ND Water Users Association.

Mail remittance to:
North Dakota Water Users Association
P.O. Box 2254
Bismarck, ND 58502

Amount Due: \$300.00

County: BURLEIGH

Contact Person: _____

Phone Number: _____

52nd Annual Joint Water Convention

RECEIPT

Date December 1, 2015

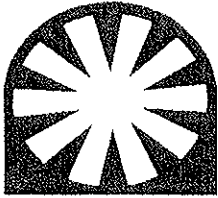
From Burleigh County WRD

One Hundred Eighty and no/100

Dollars

For Terry A. Fleck- Full Registration

\$ 180.00



BISMARCK PARKS AND RECREATION
400 East Front Avenue
Bismarck, ND 58504
701-222-6455
701-221-6838 (fax)

INVOICE

INVOICE NO: 4019
DATE: 12/3/2015

TO: Mona Livdahl
BCWRD
1811 E. Thayer Avenue
Bismarck, ND 58501

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL AMOUNT
	November 2015 McDowell Dam billing <i>Reviewed 12-3-15 Judy [Signature]</i>		\$ 8,695.19
TOTAL DUE:			\$ 8,695.19

Make all checks payable to Bismarck Parks and Recreation.
If you have any additional questions concerning this invoice, call 222-6455.

THANK YOU!

Please return bottom portion with your payment

Mona Livdahl
BCWRD
1811 E. Thayer Avenue
Bismarck, ND 58501

Invoice No. Amt. Due
4019 \$ 8,695.19

Mail payment to: Bismarck Parks & Recreation, 400 East Front Ave., Bismarck, ND 58504

**BURLEIGH COUNTY WATER RESOURCE DISTRICT
McDowell Dam Monthly Billing**

**Bismarck Parks & Recreation District
400 E. Front Ave
Bismarck, ND 58504**

For The Month Ended November 30, 2015

Date Submitted: 12/1/2015

Salaries & Wages	\$ 4,061.00
Employer Payroll Taxes	310.67
Employee Pension & Health/Life Benefits	1,323.21
Operating Expenses	1,261.27
Capital Improvement Expenses	<u>-</u>
Total Expenses	<u>\$ 6,956.15</u>
Administrative Fee	
(25% of Operating Expenses)	\$ 1,739.04
(5% of Capital Improvement Expenses)	<u>-</u>
Total Amount Requested	<u><u>\$ 8,695.19</u></u>

J. Farnham
Prepared By

Board Member

H.R. - Admin Coordinator
Title

McDowell Dam Monthly Billing

November-15

Salaries & Wages

Salaries - Full time	\$ 3,021.00	
Accrued Sick and Annual Leave Pay	-	
Wages - Part time	1,040.00	
Wages - Part time (Overtime)	-	
Total Salaries & Wages		\$ 4,061.00

Employer Payroll Taxes

Social Security/Medicare	310.67	
Worker's Compensation - Paid Benefits	-	
Unemployment	-	
Total Employer Payroll Taxes		310.67

Employee Benefits

Pension	314.18	
Job Service	-	
Health & Life Insurance	1,009.03	
Total Employee Benefits		1,323.21

Property & Liability Insurance

State Fire & Tornado	-	
General Liability	-	
Multi Coverage	-	
Auto Liability	-	
Total Property & Liability Insurance		-

Operating Expenses

Professional Services	-	
Service Contracts	-	
Sanitary Systems	-	
Parking Lots & Trail Repair	-	
Shop Supplies	-	
Janitorial Supplies	53.40	
Miscellaneous Supplies	96.99	
Fuel	-	
Repairs & Replacement	366.13	
Uniforms	-	
Tools	-	
Boiler Insurance	-	
Total Operating Expenses		516.52

Capital Improvements

Building and Building Remodeling	-	-
----------------------------------	---	---

Utilities

Natural Gas	-	
Electricity	258.01	
Garbage Removal	108.14	
Water	253.35	
Telephone	125.25	
Total Utilities		744.75

Total Expenses		<u>\$ 6,956.15</u>
----------------	--	--------------------

G/L NUMBER	DESCRIPTION	EMPL # & NAME	PAYROLL		HOURS	GROSS
			DATE	TYPE		EARNINGS
011200-510100	FULL-TIME SALARIES	7517 ROBINSON, DAVID H.	11/13/15	C	80.00	1,510.50
		7517 ROBINSON, DAVID H.	11/25/15	C	80.00	1,510.50
					-----	-----
		ACCOUNT TOTALS			160.00	3,021.00
011200-510200	PART-TIME SALARIES	4695 JOHNSON, SETH M.	11/13/15	C	80.00	1,040.00
					-----	-----
		ACCOUNT TOTALS			80.00	1,040.00

Agency MABU

Marketing and Advertising
Business Unlimited, Inc.
1003 Gateway Avenue
Bismarck, ND 58503
701-250-0728

Invoice

Date
12/31/2015

Invoice #
7059

Burleigh County Water Resource Board
Attn: Mona Livdahl
BCWRD Secretary
1811 E. Thayer Avenue
Bismarck, ND 58501

Project

Terms
Upon Receipt

Description	Amount
Web support and maintenance services provided in December (5.0 hours)	393.75
It is a pleasure to serve you. Please include invoice number on payment. Thank you.	
Total	
\$393.75	

December 18, 2015

TO: North Dakota Water Resource Districts
FROM: David Ashley, President
RE: 2016 Annual Membership Dues

This is your statement for 2016 membership in the ND Water Resource Districts Association. Your continued support is greatly appreciated. We will continue to support water resource districts and promote water management as effectively as possible. I urge you to pay your dues to both the Water Resource Districts Association and the Water Users Association. We have an excellent partnership with the North Dakota Water Users, and both organizations are vital to accomplish our mutual goals.

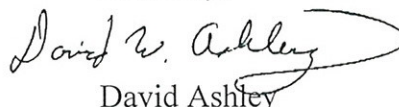
The handbook for North Dakota Water Managers is available. Call Julie Ellingson at 701-223-4615, or email her at ndwaterusers@btinet.net, to order Handbooks. The charge for the handbook is \$30, which includes postage.

North Dakota Water Resource Districts Association Dues: For Calendar Year 2016

1. Amount \$475
2. Payable to: ND Water Resource Districts Association
PO Box 2254
Bismarck, ND 58502-2254

Please send us the name, address, and phone number, fax number, and email of all Managers, Secretaries, and Attorneys, and identify which Manager is Chairman. We need all current addresses as many have changed due to the implementation of the 911 emergency service addresses. This will ensure that our mailing list is up-to-date so that all water managers receive our mailings. Also provide fax numbers and e-mail addresses will help in our efforts to communicate. Please return this information with your dues. Thank you.

Sincerely,


David Ashley
President

Dakota Prairies RC&D Council

919 S. Seventh St., Suite 310
Bismarck, ND 58504
701-226-8409
dakotaprairiesrcd@gmail.com

Invoice

Invoice #: 62
Invoice Date: 12/15/2015
Due Date: 1/31/2016
Project:
P.O. Number:

Bill To:

Burleigh Co. Water Resource District
Kathleen Jones
221 N. Fifth St.
Bismarck, ND 58501

Date	Description	Amount
12/15/2015	2016 associate membership dues for Dakota Prairies RC&D Council Terry Fleck is your current appointed representative. Please note any necessary changes to your appointed representative or contact information. Thank you for your continued support!	100.00

Please make checks payable to Dakota Prairies RC&D and remit to above address. Thank you!

Total	\$100.00
Payments/Credits	\$0.00
Balance Due	\$100.00



Dakota Prairies Resource Conservation & Development

919 S. Seventh St., Suite 310
Bismarck ND 58504
Phone: 701-226-8409
Web site: www.ndrcd.org
Email: dakotaprairiesrcd@gmail.com

Dec. 15, 2015

Thank you for your past membership in Dakota Prairies Resource Conservation and Development (RC&D) Council, whose function is to help rural areas within a 10-county region of North Dakota.

As a member of Dakota Prairies, you have representation on the Dakota Prairies RC&D Council to guide the organization and assist with the needs of our rural areas. Over the past year, Dakota Prairies RC&D and Dakota West RC&D partnered to administer a North Dakota Department of Health grant for water quality projects. This grant helped fund your local and county-wide events such as holistic management courses, pollinators/integrated pest management training, an Earth Day Festival, soil health mentor programs and tours, and agricultural nights. We were also able to purchase for members training and educational equipment such as tabletop rainfall simulators, soil quality/water movement demonstration kits and Solvita soil testing packages.

During 2015 we also worked with Burleigh County Soil Conservation District on its Menoken Farm project and the Sioux County Extension Service on providing fresh local produce on the Standing Rock Reservation through the Specialty Crop Block Grant Program.

Through your renewed membership, Dakota Prairies will continue to provide programs and funding that strengthen our rural areas and communities. We hope we can count on your continued support as a member of Dakota Prairies RC&D.

Enclosed is an invoice for your 2016 membership dues. On Oct. 13, 2015, the Council board voted to leave the dues the same for 2016. Membership dues are based on county populations as follows:

■ \$300:	Up to 5,000	■ \$900:	25,001 to 40,000
■ \$400:	5,001 to 15,000	■ \$1,200:	More than 40,000
■ \$600:	15,001 to 25,000		

I look forward to working with you and the other members of the Dakota Prairies RC&D Council in 2016.

If you have any questions or comments, call me any time on my cell phone at 701-226-8409 or e-mail me at dakotaprairiesrcd@gmail.com. Thank you again for your commitment to Dakota Prairies RC&D Council.

P.S. Mark Tuesday, Jan. 12, 2016, on your calendar for the Dakota Prairies RC&D annual meeting!

Sincerely,

Susan L. Davis
Executive Director

The Programs and Services of Dakota Prairies RC&D are Provided on An Equal Opportunity Basis.

Dennis

WELCOME TO BEST BUY #1012
1207 W CENTURY AVE
BISMARCK, ND 58503
(701) 250-0577

Keep your receipt!



Val # 000163-719094-543953-396820-860317-347

1012 056 4811 12/07/15 11:17

1478804	SW INSTALL	39.99	N
SOFTWARE INSTALL			
Sales Tax	0.00		

SUBTOTAL	39.99
Sales Tax	0.00
=====	
TOTAL	39.99

*****0490 ChipRead USDS 39.99
VISA CREDIT - VISA
REFP/DENNIS
APPROVAL 09506C

MODE Issue

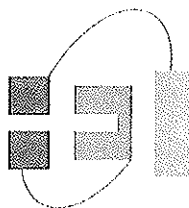
14-day return period on Phones and Carrier
Connectable Devices for all customers.

13-day return period on
almost everything else.

Purchases made between Nov. 1, 2015 and
Dec. 31, 2015 qualify for our Holiday
Return and Exchange Promise and most
purchases may be returned
through Jan. 15, 2016

A valid receipt is required for all
returns. Except where prohibited, we may
request an ID. ID info may be stored in a
secure, encrypted database used for
tracking returns and exchanges.

Returned items missing packaging or
accessories are subject to
a missing item deduction

INVOICE**Houston Engineering Inc.****Remit to:**1401 21st Ave N, Fargo, ND 58102

Phone: 701.237.5065

Fed Tax ID: 45-0314557

Interest of 1%/month applied to past due invoices

Ms. Mona Livdahl
Administrative Secretary
Burleigh County Water Resource District
1811 Thayer Avenue East
Bismarck, ND 58501

January 07, 2016

Invoice No: 0028360

Due Date: February 06, 2016

Project R081032-100 McDowell Dam Recreation Area

BCWRD Account No.: 905

See attached Project Status Report and Invoice Description.

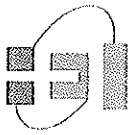
Professional Services from November 23, 2015 to December 27, 2015**Professional Personnel**

	Hours	Rate	Amount	
Senior Project Manager	3.00	176.00	528.00	
Project Engineer	16.00	146.00	2,336.00	
Design Engineer	.50	116.00	58.00	
Graduate Engineer	4.50	105.00	472.50	
Administrative Assistant	.75	66.00	49.50	
Totals	24.75		3,444.00	
Total Labor				3,444.00

Unit Billing

(BSK) Mileage - Car	66.0 Miles @ 0.575	37.95	
Total Units		37.95	37.95

Total this Invoice \$3,481.95



HoustonEngineering Inc.

Project Status and Invoice Description

3712 Lockport Street
Bismarck, ND 58503
Phone: 701-323-0200
Fax: 701-323-0300

HEI Project No.:	1032-100 : McDowell Dam Recreation Area
BCWRD Account No.	905
Project Name:	McDowell Dam Recreation Area

Billing Period: *November 23, 2015 through December 27, 2015*

Professional engineering and surveying services related to activities and issues addressed at the request and direction of the BCWRD during this billing period, including time associated with, but not limited to the following:

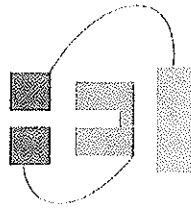
- Preparation of appraisal rural residential layout
 - Research and Drawing a Lot Exhibits
- Update lake drawdown gate installation
 - Contractor communications
 - Construction observation/monitoring
 - Review invoice for gate and delivery
- December Board meeting - updates on various project issues
- Contractor communication and coordination in reference to installation of gate.
- COE Nationwide Permit application submitted for bank stabilization near dock

Comments:

- Gate installation is taking longer than projected due to site conditions and mounting
- Gate is being installed from above and not barge as originally projected
- COE Nationwide Permit – no response received to date

See accompanying invoice and cost summary for personnel cost breakdown.

INVOICE



HoustonEngineering Inc.

Remit to:

1401 21st Ave N, Fargo, ND 58102

Phone: 701.237.5065

Fed Tax ID: 45-0314557

Interest of 1%/month applied to past due invoices

Ms. Mona Livdahl
Administrative Secretary
Burleigh County Water Resource District
1811 Thayer Avenue East
Bismarck, ND 58501

January 07, 2016

Invoice No: 0028361

Due Date: February 06, 2016

Project R084241-000 Burleigh Co. WRD - General

BCWRD Project No.: 315 - Engineering Administration

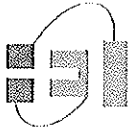
See attached Project Status Report and Invoice Description.

Professional Services from November 23, 2015 to December 27, 2015

Phase 000 Burleigh Co. WRD - General

Monthly Lump Sum Amount

Fee	1,000.00
Total this Phase	\$1,000.00
Total this Invoice	\$1,000.00



Houston Engineering Inc.

Project Status and Invoice Description

3712 Lockport Street
Bismarck, ND 58503
Phone: 701-323-0200
Fax: 701-323-0300

HEI Project No.:	4241-000 : BCWRD General Services
BCWRD Account No.	315 – Engineering Administration
Project Name:	General Engineering Services

Billing Period: *November 23, 2015 through December 27, 2015*

Professional engineering and surveying services related to activities and issues addressed at the request and direction of the BCWRD during this billing period, including time associated with, but not limited to the following:

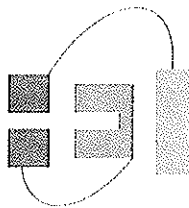
- December Board Meeting
- Meeting preparation and discussion
- Review of minutes and agenda updates
- Discussion on revenue timing and budget revisions 2015-2016

Comments:

- This invoice is only for Board meeting related time only. In accordance with Board direction, all costs associated with drainage complaints, storm water master plans, and other project related activities have been invoiced to assigned project numbers.

Total Invoice \$1,000

INVOICE



Houston Engineering Inc.

Remit to:

1401 21st Ave N, Fargo, ND 58102

Phone: 701.237.5065

Fed Tax ID: 45-0314557

Interest of 1%/month applied to past due invoices

Ms. Mona Livdahl
Administrative Secretary
Burleigh County Water Resource District
1811 Thayer Avenue East
Bismarck, ND 58501

January 07, 2016

Invoice No: 0028362

Due Date: February 06, 2016

Project R084241-300 Burnt Creek Floodway Rehabilitation and O&M

BCWRD Account No. 940 - Shared Projects

Work Order No. 20 (phase 004)

See Attached Project Status Report and Invoice Description.

Professional Services from October 26, 2015 to December 27, 2015

Phase 500 Project Closeout

Professional Personnel

	Hours	Rate	Amount
Senior Project Manager	2.50	176.00	440.00
Project Engineer	16.50	146.00	2,409.00
Totals	19.00		2,849.00
Total Labor			2,849.00

Unit Billing

(BSK) Mileage - Car	90.0 Miles @ 0.575	51.75	
Total Units		51.75	51.75

Total this Phase \$2,900.75

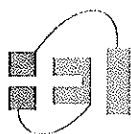
Phase 700 Financial Review and Bonding

Professional Personnel

	Hours	Rate	Amount
Senior Project Manager	1.00	176.00	176.00
Totals	1.00		176.00
Total Labor			176.00

Total this Phase \$176.00

Total this Invoice \$3,076.75



HoustonEngineering Inc.

Project Status and Invoice Description

3712 Lockport Street
Bismarck, ND 58503
Phone: 701-323-0200
Fax: 701-323-0300

HEI Project No.:	4241-300
BCWRD Account No.	940 – Burnt Creek Rehabilitation
Project Name:	Burnt Creek Flood Control Project

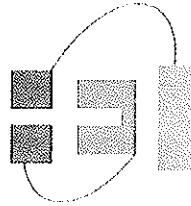
Invoice Period: October 26, 2015 through December 27, 2015

The following professional engineering and surveying services were provided on the Burnt Creek Flood Control Project. The services were provided for advancement of both the Floodway Rehabilitation and the 2011 Flood Damage Repair efforts.

- Project communications and coordination of construction activities
- Construction observation
 - Site review for culvert televising, cleaning and debris removal
- Bonding discussions and letter sent to bond counsel
- Final pay request for Weisz completed and signed
- Gate installation

Comments/Issues/Problems

- Gate installation is completed
- Requested option for a grate over the gates is under review by contractor
- Record survey and drawings remain to be completed
- SWC cost share request remains to be submitted following gate installation

INVOICE**Houston Engineering Inc.****Remit to:**1401 21st Ave N, Fargo, ND 58102

Phone: 701.237.5065

Fed Tax ID: 45-0314557

Interest of 1%/month applied to past due invoices

Ms. Mona Livdahl
Administrative Secretary
Burleigh County Water Resource District
1811 Thayer Avenue East
Bismarck, ND 58501

January 07, 2016

Invoice No: 0028364

Due Date: February 06, 2016

Project R126025-012 Missouri River Correctional Facility FHMP

BCWRD Account No.: 937F-1

Work Order No. 18; Specific Authorization No. 25

See attached Project Status Report and Invoice Description.

Professional Services from November 23, 2015 to December 27, 2015

Phase 100 Regulatory and Easements

Professional Personnel

	Hours	Rate	Amount
Senior Project Manager	7.50	176.00	1,320.00
Design Engineer	5.50	116.00	638.00
Graduate Engineer	1.75	105.00	183.75
Senior Land Surveyor	10.00	143.00	1,430.00
Two Person Crew	8.50	154.00	1,309.00
Totals	33.25		4,880.75
Total Labor			4,880.75

Unit Billing

(BSK) GPS Equipment Unit Hours	8.0 Hours @ 25.00	200.00
(BSK) Mileage - Survey/Inspection	70.0 Miles @ 0.775	54.25
Total Units		254.25

Total this Phase \$5,135.00

Phase 200 Final Design

Professional Personnel

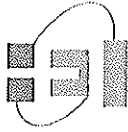
	Hours	Rate	Amount
Senior Project Manager	9.75	176.00	1,716.00
Project Manager	3.50	160.00	560.00
Project Engineer	42.00	146.00	6,132.00
Professional Engineer	3.75	131.00	491.25
Design Engineer	30.75	116.00	3,567.00
Graduate Engineer	83.25	105.00	8,741.25
Senior Land Surveyor	2.00	143.00	286.00
Totals	175.00		21,493.50
Total Labor			21,493.50

221 N 5th Street, Bismarck, ND 58501

12/5/5

Firm or Company

Project	R126025-012	Missouri River Correctional Facility FHM	Invoice	0028364
Consultants				
	Braun Intertec Corporation		7,494.85	
	Total Consultants		7,494.85	7,494.85
		Total this Phase		\$28,988.35
		Total this Invoice		\$34,123.35



HoustonEngineering Inc.

Project Status and Invoice Description

3712 Lockport Street
Bismarck, ND 58503
Phone: 701-323-0200
Fax: 701-323-0300

HEI Project No.: 6025-012
BCWRD Account No. 937F-1
Project Name: Missouri River Correction Facility FHMP

Billing Period: November 23, 2015 through December 27, 2015

Professional engineering and surveying services related to the Missouri River Correctional Facility FHMP including time associated with, but not limited to the following:

Tasks Completed:

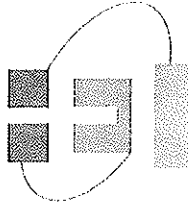
- Boundary survey completed and work on easement corridor
- Analysis of data, Research GLO, Plats and Monument Records
- Permitting Issues
 - Discussions with USFWS regarding endangered species
 - SWC discussion regarding levee permit
 - City discussion regarding floodplain development permit
- Northern Landowner meeting – Alternative discussions
- Government Land Survey and accretion land boundaries
- Budget update for BCWRD 2015-2016
- Plans and specifications under development
- HEC-RAS Model (Flood Insurance Restudy Model being used)
- Project Communications and Design Discussions
- Correspondence with Marcus Hall on alternative options for Scout Drive
- Alignment questions MRCC
- Discussions with Braun regarding design section

Comments and Issues:

- Project development underway for design completion and bidding early 2016
- Construction start schedule in 2016 remains to be determined, delay is related to private easement issues that remain to be resolved.
- This is the fifth invoice under Specific Authorization #25
- Final alignment to be determined pending easement acquisition and meeting with the Department of Corrections.
- Easement acquisition dependent on resolution of land owner issues and concerns
- Geotechnical review awaiting final alignment selection in alternative area
- Additional time required to completed the LWTPC documents was *out of scope*
- Review of the authorized alternative is *out of scope*, but is not tracked separately

See accompanying invoice for personnel cost breakdown.

Phase (100) Regulatory and Easements	\$ 5,135.00
Phase (200) Final Design	\$ 21,493.50
Consultants (Braun)	\$ 7,494.85
Total	\$ 34,123.35

INVOICE**Houston Engineering Inc.****Remit to:**1401 21st Ave N, Fargo, ND 58102

Phone: 701.237.5065

Fed Tax ID: 45-0314557

Interest of 1%/month applied to past due invoices

Ms. Mona Livdahl
Administrative Secretary
Burleigh County Water Resource District
1811 Thayer Avenue East
Bismarck, ND 58501

January 07, 2016

Invoice No: 0028363

Due Date: February 06, 2016

Project R136025-016 Hogue Island Acquisition Site Restoration

BCWRD Account No.: 937

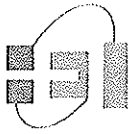
See attached Project Status Report and Invoice Description.

Professional Services from November 23, 2015 to December 27, 2015

Phase 001 Acquisition Program - Ad/Sale

Professional Personnel

	Hours	Rate	Amount	
Senior Project Manager	2.50	176.00	440.00	
Administrative Assistant	.25	66.00	16.50	
Totals	2.75		456.50	
Total Labor				456.50
		Total this Phase		\$456.50
		Total this Invoice		\$456.50



HoustonEngineering Inc.

Project Status and Invoice Description

3712 Lockport Street
Bismarck, ND 58503
Phone: 701-323-0200
Fax: 701-323-0300

HEI Project No.:	6025-016
BCWRD Account No.	937 Design and Special Assessment District
Project Name:	Hogue Island Acquisition Site Restoration

Billing Period: *November 23, 2015 through December 27, 2015*

Professional engineering and surveying services related to the acquisition, removal and restoration of the four residential sites on the north end of Hogue Island, including time associated with, but not limited to the following:

Tasks Completed:

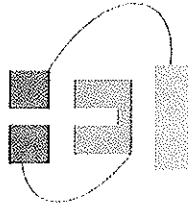
- Update on status of documents for Board Meeting
- Cost summary request
- Response from SWC regarding reimbursement process

Comments and Issues:

- Sale documents proceeding with closures to occur in January
- SWC request for reimbursement pending the receipt of final costs

See accompanying invoice for personnel cost breakdown.

Phase (001) Acquisition Program – Ad/Sale	\$ 456.50
Total	\$ 456.50

INVOICE**HoustonEngineering Inc.****Remit to:**1401 21st Ave N, Fargo, ND 58102

Phone: 701.237.5065

Fed Tax ID: 45-0314557

Interest of 1%/month applied to past due invoices

Ms. Mona Livdahl
Administrative Secretary
Burleigh County Water Resource District
1811 Thayer Avenue East
Bismarck, ND 58501

January 07, 2016

Invoice No: 0028365

Due Date: February 06, 2016

Project R146025-018 Burleigh County WRD Drainage Complaints

BCWRD Account No.: 910

See attached Project Status Report and Invoice Description.

Professional Services from November 23, 2015 to December 27, 2015

Phase 013 Pebble Creek Trail Slope Stability

Task 001 Project Coordination

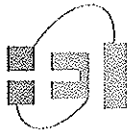
Professional Personnel

	Hours	Rate	Amount	
Senior Project Manager	1.50	176.00	264.00	
Administrative Assistant	.50	66.00	33.00	
Totals	2.00		297.00	
Total Labor				297.00
		Total this Task		\$297.00

Task 002 Survey and Geotechnical .

Professional Personnel

	Hours	Rate	Amount	
Senior Project Manager	.50	176.00	88.00	
Totals	.50		88.00	
Total Labor				88.00
		Total this Task		\$88.00
		Total this Phase		\$385.00
		Total this Invoice		\$385.00



HoustonEngineering Inc.

Project Status and Invoice Description

3712 Lockport Street
Bismarck, ND 58503
Phone: 701-323-0200
Fax: 701-323-0300

HEI Project No.:	6025-018: Drainage Complaints
BCWRD Account No.	910 Shared Projects
Project Name:	Pebble Creek Trail Slope Stability Evaluation

Billing Period: *November 23, 2015 through December 27, 2015*

Professional engineering and surveying services related to the evaluation of the stability of a failed slope on the west side of Hay Creek east of Arizona Drive.

Pebble Creek Trail Slope Stability (013)

- Discussions on drilling status and completion
- Update on information on drilling results and monitoring
- Report to board on status of drilling

Comments:

- The geotechnical drilling is completed – monitoring has started
- Boring data to be provided
- Results from slope monitoring not expected for several months

Task #1 - Project Coordination	\$	297.00
Task #2 – Survey and Geotechnical	\$	88.00
Total	\$	385.00

See accompanying invoice for personnel cost breakdown.

1811 E Thayer Ave - PO Box 712
Bismarck, ND 58502
(701) 222-3499

Date	Invoice #
1/8/2016	5709

[illegible]

1811 E. Thayer Avenue, Bismarck, ND 58501

Item	Date	Materials Provided or Services Rendered				Hours	Mileage	Misc	Per Diem	Total
1	10/6/2015	Water Users Board Meeting and SWC Meeting				0.3				0
2	11/10/2015	BCWRD Meeting and Hogue Island Auction				0.3				
3	11/30/2015	Airport Drainage O&M and Burnt Creek Bonds				0.5				
4	12/7/2015	iPad Fix - Best Buy					39.99			
5	12/8/2015	BCWRD Meeting			0.3					
6	12/9/2015	ND Water Users Meeting				0.3				
7	12/10/2015	ND Water Users Meeting				0.3				
8	12/11/2015	ND State Water Commission Meeting				0.2				
9	12/23/2015	January, 2016 meeting prep				0.5				
10	12/30/2015	Arnold Schieve Drainage Issue				0.5				
11										
12										
13										
14										
15										
16										
17										
18										
19										
20										
						Total Hours	Total Miles	Total Misc	Total Per Diem	
						18.5	0	39.99	0	
						\$ 832.50	\$ -	\$ 39.99	\$ -	\$ 872.49

Firm or Company

Mona Livdahl

From: Gordon Weixel [gordonweixel@gmail.com]
Sent: Sunday, January 3, 2016 2:27 PM
To: Mona Livdahl
Subject: Fourth Quarter for GW

10/13 BCWRD board meeting \$135
10/29 Meet with Mona on website \$45
11/6 Meet on McDowell (2hrs) \$90
11/10 BCWRD board meeting \$135
12/8 BCWRD board meeting \$135

Total meetings 4th quarter \$540

Mona, if you get this let me know Monday at work email gweixel@nd.gov

1811 E. Thayer Avenue, Bismarck, ND 58501

1-05-16

Firm or Company

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1811 E. Thayer Avenue, Bismarck, ND 58501

Address:

Rendered:

Firm or Company