

**Western Area Water Supply Authority  
Board of Directors Meeting  
WAWSA Office November 21, 2019**

**Attendees**

Members Present: Doug Anderson, Vawnita Best, Kent Bickler (Alternate), Chris Brostuen, Ellis Haake, Ward Koeser, Larry Novak, Mark Owan and Gary Rust.

Members Absent: Raoul Brandt and Richard Liesener

Others Present: Kim Schilke (WAWSA), Weston McGruder (AE2S), Cory Chorne (AE2S), Miranda Kleven (AE2S), Seth Thompson (Vogel Law Firm), Jason Slater (WAWSA), Sabrina Sims (WAWSA), Craig Haskins (R & T), Liz Suhr (R & T), Ben Clarys (NWRWD), Jeff Shaffer (MCWRD), Kent Ritterman (Moore Engineering), Kenny Bergstrom (City of Williston), Dave Tuan (City of Williston) and Grace Demars (Watford City).

**Meeting Called to Order**

Chairman Owan called the meeting to order at 9:00am.

**Approval of Agenda**

The agenda was presented for approval. Chairman Owan requested to add Change Order #1 to Task Order 55 Williston WTP Pretreatment as Item C to AE2S's Project Updates. **Brostuen moved to approve the agenda with the addition of item #C, Rust seconded.**

MOTION CARRIED UNANIMOUSLY BY VOICE VOTE.

**Board of Director's Attendance Policy**

The WAWSA By-laws state that "If any Appointed Director is absent for six consecutive meetings, unless due to medical excuse, the Appointed Director is in breach of their obligations and will be disqualified to serve and removed from the Board". Board member Liesener has been absent for six consecutive meetings. Chairman Owan spoke with Liesener and he would like to stay on the WAWSA board. Some of his absences were due to medical reasons. R & T will appoint Kent Bickler to be a standing alternate if Liesener can not make a meeting. Owan asked the board for their direction. **Novak made a motion to accept the deviation from the policy due to medical reasons for Liesener, Brostuen seconded.**

AYE: Haake, Bickler, Bickler voting for Brandt, Novak, Koeser, Anderson, Rust, Brostuen, Best, Owan

NAY: 0

CARRIED: 10-0

**Approval of the Minutes**

Minutes of the October 17, 2019 board meeting were presented for approval. **Rust moved to approve the minutes, Koeser seconded.**

AYE: Haake, Bickler, Bickler voting for Brandt, Novak, Koeser, Anderson, Rust, Brostuen, Best, Owan

NAY: 0

CARRIED: 10-0

**Financial Report**

The October General financial reports and the October Industrial financial reports were presented to the board for their consideration and discussion. **Brostuen moved to approve the financial reports as presented, Haake seconded.** Jason Slater reported on Industrial sales.

AYE: Haake, Novak, Brandt, Brandt voting for Leisner, Koeser, Koeser voting for Brostuen, Anderson, Rust, Best, Owan  
NAY: 0  
CARRIED: 10-0

### **System Updates**

Chorne gave updates to the system. He reported that a survey had been done at the Ray High Point Reservoir concerning the leak. The foundation has not moved and looks solid. The next step will be to excavate the pipe to determine if the connection is leaking.

The DEQ Sanitary Survey noted that backup generators are needed at the Alexander and 13 Mile pump stations. The generators will be added to the Phase 6 projects.

The request to the SWC for the \$3M Phase 4 grant balance to be moved to the Phase 5 projects will be voted on at the SWC December 6<sup>th</sup> meeting.

Tami Madsen and Chorne met with the members of the NDIC and BND to present a draft of the WAWSA business plan. Chorne reported that the meeting went very well, and Madsen will present the business plan to the WAWSA board at the December meeting.

### **2020 WAWSA Budgets**

Schilke present the draft Domestic and Industrial budgets to the board. The final budgets will be approved at the December board meeting.

### **WAWSA Member Domestic Debt Allocation Presentation**

Miranda Kleven, AE2S Nexus, gave a presentation on about the new \$16.M SRF Loan and the effect on the member's debt payments and the calculation for each member's loan percentage allocation. The presentation will be present to each member entities boards.

### **Legal Updates**

Seth Thompson gave an update on the legal items he has been working on. The Hott H2O contract termination has been completed and waiting for signatures. **Rust made a motion to allow Chairman Owan to execute the Hott H2O Termination Agreement once all parties have agreed to the terms, Haake seconded.**

AYE: Haake, Bickler, Bickler voting for Brandt, Novak, Koeser, Anderson, Rust, Brostuen, Best, Owan  
NAY: 0  
CARRIED: 10-0

### **Interim Director**

Owan asked for direction from the board concerning the Executive Director vacancy. Owan's recommendation was that an interim director is not appointed at this time. The system is running smoothly, however there will be occasions when things do come up would need a director's approval. Owan stated he could be available, or the Executive Committee could be contacted. **Novak made a motion to allow the Chairman Owan to authorize the day to day operations of WAWSA and be given the same authority as the Executive Director, Koeser seconded.**

AYE: Haake, Bickler, Bickler voting for Brandt, Novak, Koeser, Anderson, Rust, Brostuen, Best  
OBSTAINED: Owan  
NAY:  
CARRIED: 9-0

### **Project Updates**

Chorne presented a current water demand report and the October capital accounting.

McGruder gave the project updates.

### **R & T East White Earth**

McGruder presented Eatherly Construction's Change Order #1 in the amount of \$4,205.80 for the net cost of a reroute to the board for their approval. **Rust made a motion to approve CO #1, Anderson seconded.**

AYE: Haake, Bickler, Bickler voting for Brandt, Novak, Koeser, Anderson, Rust, Brostuen, Best, Owan

NAY: 0

CARRIED: 10-0

### **MCWRD Spring Creek**

McGruder presented Carstensen Contracting's Change Order #3 in the amount of \$12,000.00 for the cost to install a new 4" poly bore to the board for their approval. **Koeser made a motion to approve CO #3, Novak seconded.**

AYE: Haake, Bickler, Bickler voting for Brandt, Novak, Koeser, Anderson, Rust, Brostuen, Best, Owan

NAY: 0

CARRIED: 10-0

### **Williston Regional WTP Pretreatment Part 3**

McGruder presented Change Order #1 in the amount of \$47,781.00 for an upgrade of a 40 HP Sludge Pump VFD to a 60 HP VFD to the board for their approval. **Novak made a motion to approve CO #1, Haake seconded.**

AYE: Haake, Bickler, Bickler voting for Brandt, Novak, Koeser, Anderson, Rust, Brostuen, Best, Owan

NAY: 0

CARRIED: 10-0

### **NWRWD 29 Mile**

Ritterman (Moore Engineering) gave an update on the 29 Mile project. Currently there are approximately 100 sign ups. The project will go to bid in the spring.

### **SWC Grant Requests**

The SWC \$20M Grant monthly request #26-112119 and SWC \$5,476K monthly request #1-112119 were presented to the board for their approval. **Haake moved to approve the SWC grant requests, Koeser seconded.**

AYE: Haake, Bickler, Bickler voting for Brandt, Novak, Koeser, Anderson, Rust, Brostuen, Best, Owan

NAY: 0

CARRIED: 10-0

### **Executive Session**

10:55am

**Rust made a motion to move into executive session for the purpose of Attorney consultation under NDCC44-04-19.1 to discuss reasonable employment-related litigation, Brostuen seconded.**

AYE: Haake, Bickler, Bickler voting for Brandt, Novak, Koeser, Anderson, Rust, Brostuen, Best, Owan

NAY: 0

CARRIED: 10-0

11:45am

**Novak made a motion to move out of executive session to open session, Anderson seconded.**

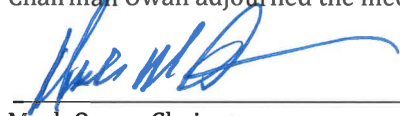
AYE: Haake, Bickler, Bickler voting for Brandt, Novak, Koeser, Anderson, Rust, Brostuen, Best, Owan

NAY: 0

CARRIED: 10-0

**Rust moved to adjourn; Haake seconded.**

Chairman Owan adjourned the meeting.



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Mark Owan, Chairman



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Kim Schilke, Secretary