

**Western Area Water Supply Authority
Board of Directors Meeting
WAWSA Office February 16, 2023**

Attendees

Members Present: Doug Anderson, Matt Beard, Kent Bickler, Ellis Haake, also voting for Robert Harms, Ward Koeser, Larry Novak, Gary Rust, and Chris Brostuen.

Members Present via Video: Raoul Brandt

Members Absent: Robert Harms

Others Present: Tami Madsen (WAWSA), Char Imsland (WAWSA), Cheryl McNeil (WAWSA), Dave Bell (WAWSA), Jacob Monson (WAWSA), Cory Chorne (AE2S), Weston McGruder (AE2S), Tom Klabunde (Moore Engineering), Kent Ritterman (Moore Engineering), Jeff Shaffer (MCWRD), Justin Smith (City of Watford City), Craig Haskins (R&T), Liz Suhr (R&T), Kenny Bergstrom (City of Williston), Austin Hill (KLJ), Steve Mortenson, and Tami Norgard (Vogel) via video.

Meeting Called to Order

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

Approval of the Agenda

Brostuen presented the agenda for approval. He asked that an action item be added under Moore Engineering for change order #3 for additional users added to the 29 Mile project **Rust moved to approve the amended agenda, Haake seconded.**

MOTION CARRIED UNANIMOUSLY BY VOICE VOTE.

Brostuen announced that Tami Madsen was selected as a 2023 recipient of the 20 Under 40 award.

Establishment of Committees

Brostuen presented the members appointed to the committee seats as required by the WAWSA by-laws.

Executive Committee: Char Imsland, Ellis Haake, Ward Koeser, and Chris Brostuen

Grievance Committee: Ward Koeser, Ellis Haake, Gary Rust, and Chris Brostuen

Investment Committee: Raoul Brandt, Larry Novak, Doug Anderson, and Chris Brostuen

Rate Committee: Kent Bickler, Robert Harms, Matt Beard, and Chris Brostuen

Board of Director's Conflict of Interest Training

Tami Norgard with Vogel Law presented the board with the annual Board of Directors Conflict of Interest training.

Approval of the Minutes

Minutes of the January 12, 2023, board meeting were presented for approval. **Rust moved to approve the minutes as presented, Haake seconded.**

Aye: Anderson, Beard, Bickler, Brandt, Haake, Koeser, Novak, Rust, and Brostuen

Nay: 0

Carried: 9-0

Minutes of the February 2, 2023, special board meeting minutes were presented for approval. **Ward moved to approve the minutes as presented, Koeser seconded.**

Aye: Anderson, Beard, Bickler, Brandt, Haake, Koeser, Novak, Rust, and Brostuen

Nay: 0

Carried: 9-0

Financial Reports

The January Domestic and Industrial financial reports were presented to the board for their consideration and discussion. **Koeser moved to accept and file the financial reports as presented, Haake seconded.**

Aye: Anderson, Beard, Bickler, Brandt, Haake, Koeser, Novak, Rust, and Brostuen

Nay: 0

Carried: 9-0

2023 Industrial Reimbursement Rates

Madsen presented the 2023 Industrial Reimbursement Rates for approval. She needs the board's approval so that she can present them to the Industrial Commission for their final approval. **Novak moved to accept and recommend the acceptance of the 2023 Industrial Reimbursement Rates, Anderson seconded.**

Aye: Anderson, Beard, Bickler, Brandt, Haake, Koeser, Novak, Rust, and Brostuen

Nay: 0

Carried: 9-0

Madsen presented the board with the January capital accounting report.

Executive Director Report

Madsen gave a monthly update on water usage and WAWSA system operations.

SWC/NDIC Updates

Madsen reported that the SWC approved funding for the MCWRD project.

Madsen also reported that WAWSA is on the March agenda for the NDIC to present the Industrial water pricing for approval. Her proposal is to discontinue prepaid contracts, hold maintenance contracts at \$0.62/bbl, and depots will remain at \$0.84/bbl. She reported that she would like the rate committee to meet the week after the NDIC meeting held on March 6th to discuss whether they approved the rates she is presenting.

Madsen presented the board with a legislative update. She reported that SB2020 included moving \$30M from the water stabilization fund for WAWSA's debt service per SB2196. She also reported that WAWSA requested

\$46M for projects in this legislative session. The Senate Appropriations committee reduced our ask to \$40M. Also reported was that SB2196 passed through the Senate and moved to the House.

Hwy 1806 – Watford City Depot

Madsen reported that the DOT project has requested a temporary construction easement to move the Watford City depot approach. The easement has been reviewed and cleared for legal and engineering issues by both Vogel Law Firm and AE2S. Madsen requested a motion allowing her to negotiate and sign the documentation regarding the Hwy1806 DOT project moving the Watford City depot approach. **Beard moved to authorize Tami Madsen to negotiate and sign the documentation regarding the Hwy 1806 DOT project moving the Watford City depot approach, Rust seconded.**

Aye: Anderson, Beard, Bickler, Brandt, Haake, Koeser, Novak, Rust, and Brostuen

Nay: 0

Carried: 9-0

Safety Update

Dave Bell presented the board with a quarterly safety update as requested at the previous board meeting.

Moore Engineering Report

Tom Klabunde presented the board with a 29-Mile project update.

He also presented the board with an increase change order #3 for \$2,441,871.25 for additional users being added to the 29-Mile project. This amount has already been approved by the SWC and will be coming out of the funding that has previously been set aside for this project. **Haake moved to approve change order #3 for \$2,441,871.25 for the 29-Mile project, Koeser seconded.**

Aye: Anderson, Beard, Bickler, Brandt, Haake, Koeser, Novak, Rust, and Brostuen

Nay: 0

Carried: 9-0

AE2S Report

McGruder presented the MCWRD System I South Expansion – TO 80 recommendation to award the bid and the task order agreement, but due to the easements not meeting WAWSA's 70% acquisition policy to award, it was recommended to table both items until the March board meeting. **Novak moved to table MCWRD System I South Expansion – TO 80 recommendation to award the bid and the task order agreement under the March board meeting, Anderson seconded.**

Aye: Anderson, Beard, Bickler, Brandt, Haake, Koeser, Novak, Rust, and Brostuen

Nay: 0

Carried: 9-0

McGruder presented the board with project updates.

Koeser left the meeting at 10:30 am.

MCWRD Invoices for Payment

The MCWRD System I North Expansion – TO 76 and the MCWRD System IV Part IV – TO 77 invoices for engineering and construction for the month have a combined total of \$5,368.35. These amounts have been approved by the MCWRD board and County Commission. **Haake moved to approve the MCWRD System I North Expansion – TO 76 and the MCWRD System IV Part IV – TO 77 invoices for payment, Beard seconded.**

Aye: Anderson, Beard, Bickler, Brandt, Haake, Novak, Rust, and Brostuen (also voting for Koeser)

Nay: 0

Carried: 8-0

SWC Grant Payment Request

SWC \$30M grant monthly request 40-021623 and SWC \$9.5M grant monthly request 5-021623 was presented to the board for their approval. **Rust moved to approve the SWC grant requests, Bickler seconded.**

Aye: Anderson, Beard, Bickler, Brandt, Haake, Novak, Rust, and Brostuen (also voting for Koeser)

Nay: 0

Carried: 8-0

Beard moved to adjourn, Anderson seconded.



Chris Brostuen, Chairman



Char Imsland, Secretary