

MINUTES

Northwest Area Water Supply Authority Minot, North Dakota March 21, 2024

The Northwest Area Water Supply (NAWS) Authority held a meeting in Conference Room 3 of the Minot Public Works Building, 1025 31st St SE, Minot, ND, and via Microsoft Teams on March 21, 2024. Jason Sorenson, Vice-chairman of the NAWS Authority, called the meeting to order at 3:00 PM. A quorum was present.

NAWS AUTHORITY REPRESENTATIVES PRESENT:

David Lakefield, City of Minot Representative
Shawn Raap, Upper Souris Water District Representative
Kenny Rodgers, Garrison Diversion Conservancy District Representative
Tom Ross, City of Minot Representative
Dan Schaefer, Chairman, All Season Water Users District Representative
Bob Schempp, City of Minot Representative
Tony Schwalbe, Cities with Direct Service Representative
Jason Sorenson, Vice Chairman, City of Minot Representative
Teresa Sundsbak, North Prairie Regional Water Representative
Jason Zimmerman, State Water Commission (SWC) Representative

OTHERS PRESENT:

Dr. Andrea Travnicek, Director of Department of Water Resources (DWR) and SWC Secretary
Sindhuja S.Pillai-Grinolds, DWR Water Development Division Director
Tim Freije, DWR NAWS Project Manager
Clint Cogdill, DWR NAWS Operator
Perry Weiner, DWR NAWS – Water Resource Senior Manager
Travis Thyberg, DWR Project Support Specialist

CONSIDERATION OF AGENDA

It was moved by Representative Sundsbak, seconded by Representative Ross, and carried unanimously that the agenda for the March 21, 2024, NAWS Authority meeting be approved as presented.

Consideration of January 18, 2024 Meeting Minutes

Meeting minutes were sent to the Authority for review prior to the meeting. Vice-Chairman Sorenson requested any feedback on the meeting minutes from the previous Authority meeting on January 18, 2024. No feedback was presented.

It was moved by Representative Ross, seconded by Representative Raap, and approved unanimously to accept the Meeting Minutes from the January 18, 2024, NAWS Authority meeting as presented.

Department of Water Resources Director Update

Andrea Travnicek, Director of DWR and SWC Secretary was in attendance for the meeting remotely. She noted the potential delay in the completion of the Biota Water Treatment Plant contracts. She thanked the Authority members (and rural water representatives) for being able to review some of the infrastructure and projects firsthand for the continued discussions relating to shared resources. These discussions will help formulate DWR's request to the Commission, Governor's office and finally the Legislature to ensure the efficient operation of the NAWS project. She also appreciated all the effort that has gone into finalizing the city of Minot finance agreement. She noted DWR staff will be supplying updates on projects and looks forward to the Authority's discussion on these projects.

January 11, 2024 Pre-Commission Meeting NAWS Agenda Items

Financing agreement with City of Minot

Tim Freije, NAWS Project Manager, stated the Financing agreement has been reviewed by the DWR staff and City of Minot staff. The Financing agreement includes the DWR staff estimated Local Share of the Project from City of Minot to be \$142 million. City of Minot staff agrees with that estimation, and it includes the ~\$80 million already invested in the Project by City of Minot. The agreement is expected to be presented to the Minot City Council on April 1, 2024, and to the State Water Commission at the April 11, 2024 meeting. The agreement outcome will be presented again to the NAWS Authority at the May 23, 2024 meeting.

It was moved by Representative Ross, seconded by Representative Sundsbak, the NAWS Authority approves the Financing agreement expected to be presented to the State Water Commission at the April 11 meeting.

Representatives Lakefield, Raap, Ross, Chairman Schafer, Schempp, Schwalbe, Vice-Chairman Sorenson, Sundsbak, and Zimmerman voted aye. There were no nay votes. The motion carried.

Potential change order for NAWS Contract 6-1A Snake Creek Pumping Plant Modifications – Demolition Contract

Freije discussed the work change directive that has been developed for NAWS Contract 6-1A Snake Creek Pumping Plant Modification – Demolition Contract to include the wall penetration through the existing discharge structure. This wall penetration is necessary to connect the Snake Creek Pump Station to the NAWS discharge pipeline currently being installed under NAWS Contract 2-1E. The wall penetration was not included in Contract 6-1A as the work required a 408 permit from the Corps of Engineers, which would have delayed bidding by six months. This work was not included in Contract 2-1E as it includes work on a federal facility which would require a significant increase in contractual requirements relating to safety, worker registration, confined space, etc. The cost of the change order could potentially exceed the twenty percent of the contract total threshold which the Secretary is authorized to approve. The intent is to request that the SWC authorize the Secretary to execute change orders up to twenty-five percent of the contract total for this particular contract.

It was moved by Representative Sundsbak, seconded by Representative Zimmerman the NAWS Authority to approve the recommendation to request the SWC to authorize the Secretary to execute change orders up to twenty-five percent for Contract 6-1A Demolition Contract.

Representatives Lakefield, Raap, Ross, Chairman Schafer, Schempp, Schwalbe, Vice-Chairman Sorenson, Sundsbak, and Zimmerman voted aye. There were no nay votes. The motion carried.

Contract for pressurization of raw water line

Freije discussed the potential contract for pressure testing the NAWS main transmission line that had two corrosion related failures last fall. DWR staff is currently working through the scope and procurement options with the consultant engineer and legal counsel as the work envisioned potentially may not fall under public improvement but under procurement of services. Procurement of services is covered under a separate title of Century Code with different procurement requirements and thresholds for bidding in comparison to public improvement. The current plan is to present an update on potential path forward at the April SWC meeting with documents compiled for bidding at a later date.

After brief discussion, the following motion was made:

It was moved by Representative Ross, seconded by Representative Schwalbe the NAWS Authority approve DWR staff determining a best path forward for solicitation for the Contract for pressurization of the main transmission line.

Representatives Lakefield, Raap, Ross, Chairman Schafer, Schempp, Schwalbe, Vice-Chairman Sorenson, Sundsbak, and Zimmerman voted aye. There were no nay votes. The motion carried.

NAWS OPERATIONS - RESOURCES

Sindhuja Pillai-Grinolds, DWR Water Development Division Director, noted that based on the discussion at the January 18, 2024, NAWS Authority meeting, efforts were underway to determine necessary staffing levels and a potential plan for shared resources with NAWS Authority member entities for the long-term operations and maintenance of the NAWS project. Feedback was supplied to DWR by the Authority and rural water representatives, and discussions have occurred on expectations and concerns from these parties.

Before finalizing the plan for sharing resources, the necessary contractual relationship that is required to comply with primary drinking water regulations along with the type of maintenance that can be completed by member entities as opposed to activities that must be performed by the personnel specific to the project needs to be determined and are critical. DWR staff is also investigating the potential option of adding team members to DWR, including converting the current long term temporary employee into a full-time employee to help with the operations and maintenance.

NAWS BIOTA WATER TREATMENT PLANT OPERATIONS

Freije updated the Authority on the NAWS Biota Water Treatment Plant (WTP) being roughly 96 percent complete. The City of Minot will operate the Biota WTP to ensure coordination of the Biota WTP, Minot WTP, and Sundre and Minot wellfields. Multiple agreements are under development for the operation of the Biota WTP. The three-party Memorandum of Agreement

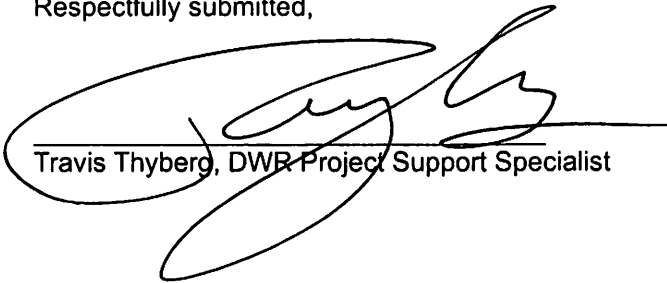
(MOA) was executed by the City, State, and Bureau of Reclamation to define roles and responsibilities in the operation, maintenance, and replacement of the Biota WTP. DWR staff and City of Minot staff are currently working with Bureau of Reclamation on a budget and a workplan necessary for the Cooperative Agreement. The workplan will include milestones for the construction completion and startup of the Biota WTP, budget for the first year of operation, budgets for subsequent years, associated staff costs for the City of Minot and DWR not directly involved with operation of the Biota WTP along with indirect and support costs incurred by both parties. The Dakotas Area Office of Reclamation has a deadline of May 1, 2024, to submit the work plan to the regional office, to complete the Cooperative Agreement. DWR staff and City of Minot staff are working towards submitting the required information to Dakotas Area Office by end of March.

NAWS CONSTRUCTION UPDATE

Freije gave a brief update on NAWS projects including the Minot water treatment plant, the Biota water treatment plant, intake modifications at the Snake Creek Pumping Plant, the South Prairie reservoir and hydraulic control structure, the City of Westhope connection, and the Bottineau reservoir and booster pump station.

There being no further items of discussion, the meeting was adjourned at 3:59 PM.

Respectfully submitted,



Travis Thyberg, DWR Project Support Specialist