

MINUTES

CASS RURAL WATER USERS DISTRICT

June 22, 2023

The Cass Rural Water Users District Board of Directors met on Thursday, June 22, 2023, at 6:00 p.m. at Cass Rural Water Users Office in Kindred, North Dakota.

The following Directors were present:

Keith Finger	Alan Idso	Brad Koetz
Barry Bowman	Mark Johnson	
Jon Zuther	Jeff Dahl	

The following Directors were absent:

Toby McPherson
Todd Ellison

Also present was Manager Jerry Blomeke, Assistant Manager Brent Brinkman, Kellen Grubb of AE2S and Sean Freddricks of Ohnstad Twichell via Teams meeting.

The minutes of the May 25, 2023 regular meeting were approved as presented.

Manager Blomeke presented the summary of cash and investments for May 2023.

Director Dahl moved and Director Johnson seconded a motion to approve the consent agenda. Motion Carried.

A. NDSP PROJECT RIGHT OF WAY ACQUISITION – RESOLUTION OF OFFER TO PURCHASE – RESOLUTIONS OF NECESSITY

Director Dahl moved and Director Idso seconded a motion to approve the following:

1. A Resolution of Necessity for each landowner, as presented;
2. A Resolution of Offer to Purchase for each landowner, as presented;
3. The deadline of July 17, 2023, for each landowner to sign and return a pipeline easement;

4. Authorize the Board's legal counsel to file eminent domain actions on July 18, 2023, against any of the landowners who do not sign and return easements; and
5. Approve payment to the Clerk of District Court for each action and landowner in the following amounts:
 - a. Perry Lynn Rust: \$4,848.48
 - b. Peterson Legacy Holdings, LLP: \$2,424.24
 - c. James and Ann Ueland: \$2,424.24
 - d. Joel Bishop: \$9,696.97

A roll call vote was taken, the directors voting aye were Barry Bowman, Jon Zuther, Mark Johnson, Brad Koetz, Jeff Dahl, Keith Finger and Alan Idso. The directors voting nay were none. Motion Carried.

B. PAY CERTIFICATE #5 – NDSP ERF PRE-CONSTRUCTION – PKG CONTRACTING

Director Koetz moved and Director Finger seconded a motion to approve Pay Certificate #5 for NDSP ERF Pre-Construction with PKG Contracting in the amount of \$35,000.00. Motion Carried.

C. PAY CERTIFICATE #4 – 2022 SYSTEM IMPROVEMENTS – ELLINGSON DRAINAGE

Director Finger moved and Director Dahl seconded a motion to approve Pay Certificate #4 for the 2022 System Improvements from Ellingson Drainage in the amount of \$394,187.69. Motion Carried.

D. PAY CERTIFICATE #1 – SOUTH REGIONAL CONNECTION – ABBOTT ARNE SCHWINDT

Director Johnson moved and Director Dahl seconded a motion to approve Pay Certificate #1 for the South Regional Connection from Abbott Arne Schwindt in the amount of \$676,567.49. Motion Carried.

E. PAY CERTIFICATE #1 – DA RURAL IMPROVEMENTS –
ABBOTT ARNE SCHWINDT

Director Koetz moved and Director Finger seconded a motion to approve Pay Certificate #1 for the DA Rural Improvements for Abbott Arne Schwindt in the amount of \$472,469.80. Motion Carried.

F. PAY CERTIFICATE #1 – NDSP PIPELINE – ABBOTT ARNE
SCHWINDT

Director Johnson moved and Director Idso seconded a motion that Pay Certificate #1 for NDSP Pipeline Improvements from Abbott Arne Schwindt in the amount of \$4,337,706.53. Motion Carried.

G. CHANGE ORDER #2 – NDSP PIPELINE

Director Koetz moved and Director Dahl seconded a motion to approve Change Order #2 to the NDSP Pipeline Contract for an increase of \$124,892.71. Motion Carried.

H. CHANGE ORDER #3 – NDSP PIPELINE

Director Dahl moved and Director Johnson seconded a motion to approve Change Order #3 to the NDSP Pipeline Improvements for an increase of \$7,500.00. Motion Carried.

I. GUARANTEE MAXIMUM PRICE PROPOSAL

Director Idso moved and Director Finger seconded a motion to accept the Guaranteed Maximum Price Proposal from PKG Contracting for \$20,005,935.00. Motion Carried.

Manager Blomeke reported on the District's operations for the month of May 2023.

The next regular Meeting was set for Thursday, July 27, 2023 at 6:00 p.m. in Kindred, North Dakota.

There being no further business brought to the Board, the meeting was adjourned.

Barry Bowman, Secretary