



North Dakota State Water Commission

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**Audio Conference Call Meeting
Governor's Conference Room - Ground Floor
State Capitol
Bismarck, North Dakota**

**April 28, 2009
11:00 A.M., CDT**

AGENDA

- A. Roll Call
- B. Consideration of Agenda
- C. ***American Recovery and Reinvestment Act of 2009:***
 - 1) ***Southwest Pipeline Project*** **
 - 2) ***South Central Regional Water*** **
- D. ***Federal Municipal, Rural and Industrial (MR&I) Water Supply Program of 2009:***
 - 1) ***North Central Rural Water Consortium*** **
 - 2) ***South Central Regional Water*** **
 - 3) ***Southwest Pipeline Project*** **
 - 4) ***Northwest Area Water Supply (NAWS) Project*** **
- E. ***State Water Supply Program of 2009:***
 - 1) ***Trails Rural Water*** **
 - 2) ***City of Washburn*** **
- F. ***Southwest Pipeline Project - 2009 Series A Bond Resolution for Fairfield Service Area*** **
- G. Other Business:
 - 1) ***Emergency Flood Control Costs*** **
- H. Adjournment

**** BOLD, ITALICIZED ITEMS REQUIRE SWC ACTION**

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MINUTES

North Dakota State Water Commission Audio Conference Call Meeting Bismarck, North Dakota

April 28, 2009

The North Dakota State Water Commission held an audio conference call meeting in the Governor's conference room at the State Capitol, Bismarck, North Dakota, on April 28, 2009. Governor John Hoeven, Chairman, called the meeting to order at 11:00 A.M., and requested Dale L. Frink, State Engineer, and Chief Engineer-Secretary to the State Water Commission, to call the roll. Governor Hoeven announced a quorum was present.

STATE WATER COMMISSION MEMBERS PRESENT:

Governor John Hoeven, Chairman
Doug Goehring, Commissioner, North Dakota Department of Agriculture, Bismarck
Arne Berg, Member from Devils Lake
Maurice Foley, Member from Minot
Larry Hanson, Member from Williston
Jack Olin, Member from Dickinson
Harley Swenson, Member from Bismarck
Robert Thompson, Member from Page
Douglas Vosper, Member from Neche

OTHERS PRESENT:

Dale L. Frink, State Engineer, and Chief Engineer-Secretary,
North Dakota State Water Commission, Bismarck
State Water Commission Staff
Dave Koland, General Manager, Garrison Diversion Conservancy District, Carrington
Larry Kassian, Bartlett & West Engineers, Bismarck
Lance Gaebe, Office of the Governor, Bismarck
Todd Sattler, North Dakota Office of Attorney General, Bismarck (via telephone)
Mary Massad, Southwest Water Authority, Dickinson (via telephone)
Loren Myran, Southwest Water Authority, Taylor (via telephone)
Joe Belford, Devils Lake Downstream Acceptance Program (via telephone)
Fred Bott, Mayor, City of Devils Lake (via telephone)
Ralph Packulak, North Central Consortium, Minot (via telephone)
James Stewart, Arntson & Stewart, P.C., Bond Counsel, Fargo (via telephone)

The attendance register is on file with the official minutes.

The meeting was recorded to assist in compilation of the minutes.

CONSIDERATION OF AGENDA

Governor Hoeven announced the agenda would include consideration for payment of 2009 emergency flood control costs.

AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 FUNDS - APPROVAL FOR SOUTHWEST PIPELINE PROJECT (\$12,000,000); AND SOUTH CENTRAL REGIONAL WATER DISTRICT (\$20,000,000) (SWC Project No. 237-03)

The Bureau of Reclamation allocated an appropriation in the amount of \$32.0 million through the American Recovery and Reinvestment Act of 2009 (ARRA), which President Obama signed into law on February 17, 2009, for the continued construction of the Garrison Diversion Unit State Municipal, Rural and

Industrial (MR&I) Water Supply program through the Dakota Water Resources Act of 2000. The grant funding is to invest in environmental protection and other infrastructure that will provide long-term economic benefits. The funds will be implemented through the state MR&I program by the State Water Commission and the Garrison Diversion Conservancy District.

The Bureau of Reclamation specifically appropriated the ARRA funds to the Southwest Pipeline Project, Oliver-Mercer-North Dunn service area, in the amount of \$12,000,000, for construction of the water treatment plant at the Zap reservoir site; and to the South Central Regional Water District, in the amount of \$20,000,000, for construction of the Emmons County intake and water treatment plant, Phase I, and the north Burleigh county water treatment plant, Phase II.

It was the recommendation of Secretary Frink that the State Water Commission approve the federal grant appropriation of \$12,000,000, through the American Recovery and Reinvestment Act of 2009, to the Southwest Pipeline Project, Oliver-Mercer-North Dunn service area, for construction of the water treatment plant at the Zap reservoir site.

It was moved by Commissioner Olin and seconded by Commissioner Berg that the State Water Commission approve the federal grant appropriation of \$12,000,000, through the American Recovery and Reinvestment Act of 2009, to the Southwest Pipeline Project, Oliver-Mercer-North Dunn service area, for construction of the water treatment plant at the Zap reservoir site. This action is contingent upon the availability of funds, satisfaction of the federal MR&I Water Supply program requirements, and subject to future revisions.

Commissioners Berg, Foley, Hanson, Goehring, Olin, Swenson, Thompson, Vosper, and Governor Hoeven voted aye. There were no nay votes. Governor Hoeven announced the motion unanimously carried.

It was the recommendation of Secretary Frink that the State Water Commission approve the federal grant appropriation of \$20,000,000, through the American Recovery and Reinvestment Act of 2009, to the South Central Regional Water System for construction of the Emmons County intake and water treatment plant, Phase I, and the north Burleigh county water treatment plant, Phase II.

It was moved by Commissioner Foley and seconded by Commissioner Vosper that the State Water Commission approve the federal grant appropriation of \$20,000,000, through the American Recovery and Reinvestment Act of 2009, to the South Central Regional Water System, for construction of the Emmons County intake and water treatment plant, Phase I, and the north Burleigh county water treatment plant, Phase II. This action is contingent upon the availability of funds, satisfaction of the federal MR&I Water Supply program requirements, and subject to future revisions.

Commissioners Berg, Foley, Hanson, Goehring, Olin, Thompson, Vosper, and Governor Hoeven voted aye. There were no nay votes. Commissioner Swenson abstained from voting. Recorded votes are 8 ayes; 0 nays; and 1 abstention. Governor Hoeven announced the motion carried.

***MR&I WATER SUPPLY PROGRAM -
MR&I COMMITTEE REPORT; AND
FEDERAL FISCAL YEAR 2009
EARMARKED PROJECT FUNDS
(SWC Project No. 237-04)***

The State Water Commission and the Garrison Diversion Conservancy District Municipal, Rural and Industrial (MR&I) Water Supply program committee met on April 16, 2009 to discuss the status and funding of MR&I projects.

The Fiscal Year 2009 Consolidated Appropriations Act was passed by Congress and signed into law providing funding for the Garrison Diversion Unit for 2009, of which \$25,460,000 was designated and earmarked for funding projects under North Dakota's Municipal, Rural and Industrial (MR&I) Water Supply program as follows:

**Fiscal Year 2009
MR&I Water Supply Program**

<u>Project</u>	<u>Fiscal Year 2009 Earmarked Funds</u>
North Central Rural Water Consortium II	\$ 3,905,000
South Central Regional Water District	\$ 5,850,000
Southwest Pipeline Project	\$ 7,800,000
Northwest Area Water Supply Project Administration	\$ 7,600,000 <u>\$ 305,000</u>
Total	\$25,460,000

Secretary Frink explained that the North Central Rural Water Consortium II and the South Central Regional Water District projects, which are earmarked for federal Fiscal Year 2009 MR&I funds, were previously approved to receive funds appropriated to the State Water Commission in the 2007-2009 biennium (S.B. 2020). Therefore, it was the recommendation of Secretary Frink that the State Water Commission modify the previous approvals and incorporate the federal Fiscal Year 2009 MR&I funds into the project's total amount approved. These project modifications will reduce the State Water Commission's funding commitment by approximately \$9,755,000. The following recommendations were approved by the Garrison Diversion Conservancy District's board of directors on April 16, 2009:

North Central Rural Water Consortium II: The North Central Rural Water Consortium II was formed with the Central Plains Water District and the North Prairie Rural Water District to provide a funding mechanism and cooperative body to more efficiently serve the most users possible while allowing each system to remain independent. The approach is to utilize infrastructure while strengthening and supplementing to serve new users in existing and new areas.

On December 7, 2007, the State Water Commission approved a 65 percent grant, not to exceed an allocation of \$1,900,000 from the funds appropriated to the State Water Commission in the 2007-2009 biennium (S.B. 2020), to provide service for the south Benson rural water area. On February 4, 2008, the State Water Commission modified its previous allocation (\$1,900,000 approved on December 7, 2007) to a federal Fiscal Year 2008 MR&I grant allocation of 65 percent, not to exceed \$984,000; and an allocation not to exceed \$916,000 from the funds appropriated to the State Water Commission in the 2007-2009 biennium (S.B. 2020).

On June 23, 2008, the State Water Commission approved a 70 percent grant, not to exceed an allocation of \$7,200,000 from the funds appropriated to the State Water Commission in the 2007-2009 biennium (S.B. 2020), to the North

Central Rural Water Consortium II for construction to provide service to the communities of Anamoose and Benedict and approximately 250 rural users.

Federal Fiscal Year 2009 MR&I grant funds are earmarked in the amount of \$3,905,000 for the North Central Rural Water Consortium II. It was the recommendation of Secretary Frink that the State Water Commission modify its previous allocation (\$7,200,000 approved on June 23, 2008) to a federal Fiscal Year 2009 MR&I grant of 70 percent, not to exceed an allocation of \$3,905,000; and an allocation not to exceed \$3,295,000 from the funds appropriated to the State Water Commission in the 2007-2009 biennium (S.B. 2020), to the North Central Rural Water Consortium II for construction to provide service to the communities of Anamoose and Benedict and approximately 250 rural users.

It was moved by Commissioner Foley and seconded by Commissioner Olin that the State Water Commission approve a federal Fiscal Year 2009 MR&I grant of 70 percent, not to exceed an allocation of \$3,905,000; and a grant of 70 percent, not to exceed an allocation of \$3,295,000 from the funds appropriated to the State Water Commission in the 2007-2009 biennium (S.B. 2020), which would provide for a total federal/state grant allocation of \$7,200,000 to the North Central Rural Water Consortium II for construction to provide service to the communities of Anamoose and Benedict and approximately 250 rural users. This action is contingent upon the availability of funds, satisfaction of the federal MR&I Water Supply program requirements, and subject to future revisions.

Commissioners Berg, Foley, Hanson, Goehring, Olin, Swenson, Thompson, Vosper, and Governor Hoeven voted aye. There were no nay votes. Governor Hoeven announced the motion unanimously carried.

South Central Regional Water District, Phase II: A regional water system is proposed to serve rural users and municipalities in the counties of Burleigh, Emmons, Kidder, Logan, and McIntosh, at an estimated cost of \$85,500,000. The South Central Regional Water District is developing the project with sponsors from the various counties. The water supply includes bulk water from the city of Bismarck, a new water source and treatment plant in northern Burleigh county, and a new water treatment plant using an intake on the Missouri River west of Linton.

The South Central Regional Water District, Phase I, involves a water supply north of Bismarck using angle wells underneath the riverbed of the Missouri River, and a 2,500 gallon per minute treatment pant with full membrane micro filtration blended with reverse osmosis. Service will continue to the existing 3,550 rural users and 10 bulk South Central water users.

On July 17, 2007, the State Water Commission approved a 29 percent grant, not to exceed an allocation of \$4,870,000 from the funds appropriated to the State Water Commission in the 2007-2009 biennium (S.B. 2020), to the South Central Regional Water District for Phase 1 project development. On February 4, 2008, the State Water Commission modified the Phase I allocation (\$4,870,000 approved on July 17, 2007) to a federal fiscal year 2008 MR&I grant of 31 percent, not to exceed an allocation of \$2,952,000; and an allocation not to exceed \$1,918,000 from the funds appropriated to the State Water Commission in the 2007-2009 biennium (S.B. 2020).

On June 23, 2008, the State Water Commission approved a 53 percent grant, not to exceed an allocation of \$8,200,000 from the funds appropriated to the State Water Commission in the 2007-2009 biennium (S.B. 2020), to the South Central Regional Water System, Phase II, which includes water storage and pipelines to provide service to approximately 770 rural users in Burleigh county.

Federal Fiscal Year 2009 MR&I grant funds are earmarked in the amount of \$5,850,000 for the South Central Regional Water District, Phase II. It was the recommendation of Secretary Frink that the State Water Commission modify its previous allocation (\$8,200,000 approved on June 23, 2008) to a federal Fiscal Year 2009 MR&I grant of 53 percent not to exceed an allocation of \$5,850,000; and an allocation not to exceed \$2,350,000 from the funds appropriated to the State Water Commission in the 2007-2009 biennium (S.B. 2020), to the South Central Regional Water System, Phase II, for the construction of water storage and pipelines to provide service to approximately 770 rural users in Burleigh county.

It was moved by Commissioner Vosper and seconded by Commissioner Berg that the State Water Commission approve a federal Fiscal Year 2009 MR&I grant of 53 percent not to exceed an allocation of \$5,850,000; and a grant of 53 percent not to exceed an allocation of \$2,350,000 from the funds appropriated to the State Water Commission in the 2007-2009 biennium (S.B. 2020), which would provide for a total federal/state grant allocation of \$8,200,000, to the South Central Regional Water System, Phase II. This action is contingent upon the availability of funds, satisfaction of the federal MR&I Water Supply program requirements, and subject to future revisions.

Commissioners Berg, Foley, Hanson, Goehring, Olin, Thompson, Vosper, and Governor Hoeven voted aye. There were no nay votes. Commissioner Swenson abstained from voting. Recorded votes were 8 ayes; 0 nays; 1 abstention. Governor Hoeven announced the motion carried.

Southwest Pipeline Project (Medora-Beach Regional Service Area, Phase III): McKenzie County Rural Water is proposing a water supply system in the Grassy Butte area in southern McKenzie county which could serve up to 86 users using 82 miles of pipeline. The water supply includes a bulk connection to the Southwest Pipeline Project from the Medora-Beach regional service area, Phase III. The total estimated cost of the McKenzie County Rural System III is \$2,085,000.

On July 17, 2007, the State Water Commission approved a 75 percent grant, not to exceed an allocation of \$1,563,750 from the funds appropriated to the State Water Commission in the 2007-2009 biennium (S.B. 2020), for the Southwest Pipeline Project, McKenzie County Rural Water System III.

On February 4, 2008, the State Water Commission approved earmarked federal Fiscal Year 2008 MR&I grant funds in the amount of \$3,936,000 for the Southwest Pipeline Project, which included funding for McKenzie County Rural Water System III.

The Oliver-Mercer-North Dunn (OMND) regional service area was started with construction of the Beulah interim service area providing service to 60 rural users. The city of Zap was added to the system and will be supplied with water purchased from the city of Beulah until a new water treatment plant can be constructed at the Zap reservoir site. The overall project will serve the communities of Center, Hazen, Stanton, and Zap, and 1,200 rural customers. The 2009 project construction will allow the design of Phase I of the project's water treatment plant (\$15.0 million), 1.1 million gallon water storage tank (\$2.4 million), and 23 miles of main transmission pipeline to Hazen and Zap (\$6.6 million).

Federal Fiscal Year 2009 MR&I grant funds are earmarked in the amount of \$7,800,000 for the Southwest Pipeline Project. It was the recommendation of Secretary Frink that the State Water Commission approve a federal Fiscal Year 2009 MR&I grant, not to exceed an allocation of \$7,800,000, for the Southwest Pipeline Project (includes funds for the Oliver-Mercer-North Dunn regional service area).

It was moved by Commissioner Vosper and seconded by Commissioner Swenson that the State Water Commission approve a federal Fiscal Year 2009 MR&I grant, not to exceed an allocation of \$7,800,000, for the Southwest Pipeline Project (includes funds for the Oliver-Mercer-North Dunn regional service area). This action is contingent upon the availability of funds, satisfaction of the federal MR&I Water Supply program requirements, and subject to future revisions.

Commissioners Berg, Foley, Hanson, Goehring, Olin, Swenson, Thompson, Vosper, and Governor Hoeven voted aye. There were no nay votes. Governor Hoeven announced the motion unanimously carried.

Northwest Area Water Supply (NAWS) Project: Construction on the NAWS project is focusing on providing water to areas around the city of Minot including Berthold, Kenmare, Mohall and other cities. As part of this effort, the State Water Commission awarded NAWS contract 4-2A, Minot high service pump station, on February 4, 2008, at an estimated total cost of \$14,500,000. Also, construction is progressing on the installation of pipelines to Kenmare, Upper Souris and the design of Mohall-All Seasons pipelines at an estimated total cost of \$15,900,000.

Federal Fiscal Year 2009 MR&I grant funds are earmarked in the amount of \$7,600,000 for the Northwest Area Water Supply project. It was the recommendation of Secretary Frink that the State Water Commission approve a federal Fiscal Year 2009 MR&I grant, not to exceed an allocation of \$7,600,000, for the Northwest Area Water Supply project.

It was moved by Commissioner Thompson and seconded by Commissioner Hanson that the State Water Commission approve a federal Fiscal Year 2009 MR&I grant, not to exceed an allocation of \$7,600,000, for the Northwest Area Water Supply project. This action is contingent upon the availability of funds, satisfaction of the federal MR&I Water Supply program requirements, and subject to future revisions.

Commissioners Berg, Foley, Hanson, Goehring, Olin, Swenson, Thompson, Vosper, and Governor Hoeven voted aye. There were no nay votes. Governor Hoeven announced the motion unanimously carried.

***TRAILL RURAL WATER DISTRICT
REGIONAL WATER SUPPLY,
PHASES I AND II - APPROVAL OF
ADDITIONAL 2007-2009 BIENNIUM
STATE FUNDS (\$2,551,500)
(SWC Project No. 237-03)***

The Traill Rural Water District conducted a water study for a regional system to meet the water needs of the cities of Hillsboro, Mayville, Galesburg, and Grandin to address the future Environmental Protection Agency's (EPA) water quality and quantity regulations. The preliminary studies have been completed and indicate that the Galesburg aquifer can meet the projected water needs. On December 9, 2005, the State Water Commission approved a 65 percent grant, not to exceed an allocation of \$134,000, from the Garrison Diversion Conservancy District Water Development and Research Fund for the water study (\$59,250) and the feasibility study (\$74,750).

The Traill Rural Water District is working with the cities of Hillsboro and Mayville to develop a regional project at an estimated cost of \$23,400,000. Phase I is the development of a new well field for the total regional water supply and transmission pipeline to the existing Traill water treatment plant, and raw water pipeline from the Traill plant to the city of Mayville. The estimated cost of Phase I is \$3,560,000. On February 4, 2008, the State Water Commission approved a 70 percent federal/state grant not to exceed an allocation of \$2,492,000 (federal Fiscal Year 2008 MR&I Water Supply program grant not to exceed \$984,000, and an allocation not to exceed \$1,508,000 from the funds appropriated to the State Water Commission in the 2007-2009 biennium (S.B. 2020)), to the Traill Rural Water District Regional Water Supply, Phase I.

The Traill Rural Water District is developing Phase II, which would include distribution improvements to the system and allow full service to the cities of Galesburg and Grandin. The estimated cost of Phase II is \$2,170,000. On June 23, 2008, the State Water Commission approved a 70 percent grant not to exceed an allocation of \$1,519,000 from the funds appropriated to the State Water Commission in the 2007-2009 biennium (S.B. 2020), to the Traill Rural Water District Regional Water Supply, Phase II.

Traill Rural Water District presented a request for the State Water Commission's consideration for a 70 percent grant for Phases I and II in the amount of an additional \$2,551,500, due to increased costs related to bid items and additional alternatives.

It was the recommendation of Secretary Frink that the State Water Commission approve a 70 percent grant, not to exceed an additional grant allocation of \$2,551,500 from the funds appropriated to the State Water Commission in the 2007-2009 biennium (S.B. 2020), to the Traill Rural Water District regional water supply project, Phases I and II (Phase I - \$1,659,000, and Phase II - \$892,500). This would provide total state funding allocations for Phase I of \$3,167,000, and for Phase II of \$2,411,500.

It was moved by Commissioner Olin and seconded by Commissioner Thompson that the State Water Commission approve a 70 percent grant, not to exceed an additional grant allocation of \$2,551,500 from the funds appropriated to the State Water Commission in the 2007-2009 biennium (S.B. 2020), to the Traill Rural Water District regional water supply project, Phases I and II. This action is contingent upon the availability of funds, satisfaction of the federal MR&I Water Supply program requirements, and subject to future revisions.

Commissioners Berg, Foley, Hanson, Goehring, Olin, Swenson, Thompson, Vosper, and Governor Hoeven voted aye. There were no nay votes. Governor Hoeven announced the motion unanimously carried.

**CITY OF WASHBURN, PHASE III -
APPROVAL OF 2007-2009 BIENNIUM
STATE FUNDS (\$1,500,000)
(SWC Project No. 237-03)**

The city of Washburn is addressing water-related issues involving regulatory compliance, capacity, improvements, and to meet the water quality and quantity needs of the McLean-Sheridan Rural Water District. The project is being

developed in three phases; Phases I and II are completed.

The city of Washburn has experienced significant issues with their existing water treatment plant. Phase III includes work on the raw water pumps, intake piping, and the installation of an immersed membrane system with a capacity of 1050 gallons per minute. The estimated cost of Phase III is \$6,590,000. A request from the city of Washburn was presented for the State Water Commission's consideration for a 23 percent grant for Phase III in the amount of \$1,500,000.

It was the recommendation of Secretary Frink that the State Water Commission approve a 23 percent grant, not to exceed an allocation of \$1,500,000 from the funds appropriated to the State Water Commission in the 2007-2009 biennium (S.B. 2020), to the city of Washburn, Phase III.

It was moved by Commissioner Swenson and seconded by Commissioner Vosper that the State Water Commission approve a 23 percent grant, not to exceed an allocation of \$1,500,000 from the funds appropriated to the State Water Commission in the 2007-2009 biennium (S.B. 2020), to the city of Washburn, Phase III. This action is contingent upon the availability of funds, satisfaction of the federal MR&I Water Supply program requirements, and subject to future revisions.

Commissioners Berg, Foley, Hanson, Goehring, Olin, Swenson, Thompson, Vosper, and Governor Hoeven voted aye. There were no nay votes. Governor Hoeven announced the motion unanimously carried.

**SOUTHWEST PIPELINE PROJECT -
MEDORA-BEACH REGIONAL SERVICE
AREA, PHASE III, FAIRFIELD SERVICE
AREA - BOND RESOLUTION APPROVAL
(SWC Project No. 1736)**

In March, 2008, USDA Rural Development approved funds from the USDA REAP (Rural Economic Area Partnership) program for the Medora-Beach Regional Service Area, Phase III, Fairfield Service Area, contract 7-8E,

which consisted of a loan in the amount of \$3,005,000 and a grant in the amount of \$1,995,000. These funds are provided from a set-aside program and will not be distrib-

uted from USDA Rural Development funding for other water projects in North Dakota. To comply with the requirements of USDA Rural Development, loan and grant documents were presented for the State Water Commission's consideration.

On March 17, 2008, the State Water Commission authorized the secretary to the State Water Commission and the Southwest Pipeline project manager to execute the USDA Rural Development documents to provide loan and grant funds for the Medora-Beach Regional Service Area, Phase III, Fairfield Service Area, contract 7-8E.

Based on review by the State Water Commission's bond counsel and assistant attorney general, it was the recommendation of Secretary Frink that the State Water Commission authorize the secretary to the State Water Commission to execute the 2009 Series A bond resolution for the North Dakota State Water Commission Water Development Revenue Bonds, Southwest Pipeline Project, Medora-Beach Regional Service Area, Phase III, Fairfield Service Area. It is anticipated that closing of the 2009 Series A bond will take place in May, 2009.

It was moved by Commissioner Thompson and seconded by Commissioner Swenson that the State Water Commission authorize the secretary to the State Water Commission to execute the 2009 Series A bond resolution for the North Dakota State Water Commission Water Development Revenue Bonds, Southwest Pipeline Project, Medora-Beach Regional Service Area, Phase III, Fairfield Service Area. (SEE APPENDIX "A" for executed 2009 Series A bond resolution)

Commissioners Berg, Foley, Hanson, Goehring, Olin, Swenson, Thompson, Vosper, and Governor Hoeven voted aye. There were no nay votes. Governor Hoeven announced the motion unanimously carried.

**2009 EMERGENCY FLOOD
CONTROL COSTS -
APPROVAL FOR PAYMENT
OF EXPENSES (\$100,000)
(SWC Project No. 1431-10)**

Secretary Frink provided a briefing relative to the 2009 statewide flood control efforts. He explained the State Water Commission has incurred a substantial expense in order to protect threatened dams and other efforts as a result of the floods.

Secretary Frink explained that although it is anticipated the flood control costs will be eligible for reimbursement through the

Federal Emergency Management Agency, he recommended that the State Water Commission approve an allocation not to exceed \$100,000 from the funds appropriated to the State Water Commission in the 2007-2009 biennium (S.B. 2020) for the payment of expenses incurred as a result of 2009 emergency flooding.

It was moved by Commissioner Vosper and seconded by Commissioner Swenson that the State Water Commission approve an allocation not to exceed \$100,000 from the funds appropriated to the State Water Commission in the 2007-2009 biennium (S.B. 2020) for the payment of expenses incurred as a result of 2009 emergency flood control efforts. This action is contingent upon the availability of funds.

Commissioners Berg, Foley, Hanson, Goehring, Olin, Swenson, Thompson, Vosper, and Governor Hoeven voted aye. There were no nay votes. Governor Hoeven announced the motion unanimously carried.

Governor Hoeven and the State Water Commission members expressed sincere appreciation to the Commission staff for their expeditious and remarkable flood control efforts to provide safety and protection to the citizens of North Dakota during the 2009 emergency floods.

There being no further business to come before the State Water Commission, Governor Hoeven adjourned the audio conference call meeting at 11:55 A.M.



John Hoeven, Governor
Chairman, State Water Commission

Dale L. Frink
North Dakota State Engineer,
and Chief Engineer-Secretary to the
North Dakota State Water Commission