

MINUTES OF MEETING
CASS COUNTY JOINT WATER RESOURCE DISTRICT
CASS COUNTY HIGHWAY DEPARTMENT
WEST FARGO, NORTH DAKOTA
FEBRUARY 25, 2016

The Cass County Joint Water Resource District met on February 25, 2016, at 8:00 a.m. at the Cass County Highway Department, West Fargo, North Dakota.

Present were Mark Brodshaug and Dan Jacobson, Southeast Cass Water Resource District; Rodger Olson, Maple River Water Resource District; Wes Ecker, North Cass Water Resource District; Jacob Gust, Rush River Water Resource District (by phone); Carol Harbeke Lewis, Secretary-Treasurer; Michelle Anderson, Administrative Assistant; Sean M. Fredricks, Chris McShane and Lukas Andrud, Attorneys for the Board; Lyndon Pease, Engineer for the Board; Tanaya Reitz and Paul Breen, Advanced Engineering and Environmental Services, Inc. (AE2S); Brady Woodard and Pat Downs, Moore Engineering, Inc.; and Nathan Boerboom, Division Engineer – Storm Sewer Utilities City of Fargo.

Minutes

It was moved by Manager Olson, seconded by Manager Jacobson and unanimously carried to approve the minutes of the February 18, 23, 24 and 25 (4 sets), 2016, meetings.

Agenda

It was moved by Manager Olson, seconded by Chairman Brodshaug and unanimously carried to approve the order of the agenda.

Metro Flood Diversion Project – access update

Chris McShane and Lyndon Pease updated the Board on access issues. Brief discussion was held on access needed for surveys the Corps of Engineers will be doing in the fall of 2016, property at the north end of the diversion channel, the diversion inlet structure, and mobility improvements planned for roads when the bridges are constructed for the Metro Flood Diversion Project.

Mr. McShane updated the Board on the appeal filed by Jonathan Garaas. A response will be submitted by March 5, 2016.

Metro Flood Diversion Project / Oxbow-Hickson-Bakke Ring Levee Project / In Town Levees Project - appraisal review/approval

It was moved by Manager Olson and seconded by Manager Jacobson to approve the appraisal of OIN #9769, with an effective date of February 12, 2015, as just compensation for acquisition of property regarding the In Town Levees Project. Upon roll call vote, the motion carried unanimously.

Relocation Benefits

It was moved by Manager Olson and seconded by Manager Gust to approve the Relocation Payments, as outlined in the letter dated February 22, 2016, regarding the Oxbow-Hickson-Bakke Ring Levee Project and the In Town Levees Project. Upon roll call vote, the motion carried unanimously.

Metro Flood Diversion Project / Oxbow-Hickson-Bakke Ring Levee Project / In Town Levees Project – land acquisition

Chris McShane, Lukas Andrud, and Tanaya Reitz updated the Board on property acquisition for the In Town Levees Project. A *Permanent Right of Way Easement* was allowed for OIN #9126, a *Purchase Agreement* was signed for OINs #8926-8931, and discussion was held on acquisition of property for the In Town Levee Project.

Metro Flood Diversion Project / Oxbow-Hickson-Bakke Ring Levee Project / In Town Levees Project – property management

Paul Breen updated the Board on property management for the Oxbow-Hickson-Bakke Ring Levee Project and the In Town Levees Project. Mr. Breen stated Habitat for Humanity will be going through Mickelson property for salvage this week.

Estimates are being obtained for possible repair work needed to a Pleasant Township property, due to water damage.

Additional security options were discussed. Contractors will now be responsible for security where contracts have been awarded for the In Town Levees Project.

Metro Flood Diversion Project – project updates

Tanaya Reitz presented the *FM Area Diversion Land Acquisition* maps. The maps have been updated to include Right of Entry, detailed construction work package information, and Public-Private Partnership (P3) terminology. Ms. Reitz focused her review on the Oxbow property atlas maps.

Sean Fredricks stated a letter was sent to the Minnesota Department of Natural Resources regarding the Draft *Environmental Impact Statement* offering comments and information on behalf of the Cass County Water Resource Districts and any regulatory authority each board has with respect to the Metro Flood Diversion Project. A copy will be submitted to the Diversion Authority and Technical Staff.

Mr. Fredricks provided a brief update on the new *Joint Powers Agreement* between the 6 member entities of the Diversion Authority. Further detail will be provided during the 6-Entity Diversion Authority informational meeting that will be held later today.

Discussion was held on the Metro Flood Diversion Project design specifications for each phase of the project, potential expectations from potential P3 contractors, the current land acquisition timeline and procedure, and a suggestion from the Board for AE2S to conduct more effective communication and coordination of construction and land acquisition schedules between consultants.

Maple River Dam - tree removal

Brady Woodard stated contractors are finished with tree removal for the year at the Maple River Dam. Moore Engineering, Inc. worked closely with the contractors to ensure accurate and efficient tree removal procedures were executed. Contractors also cleaned out the Maple River Dam intake structure.

Brief discussion was held on pipe inspection, weed control, and operation and maintenance of the Maple River Dam.

Swan Creek, Upper Maple River and Rush River Watershed Planning Teams

Pat Downs updated the Board on the Swan Creek, Upper Maple River and Rush River Watershed Planning Team meetings. Brief discussion was held on drain tile impacts and management.

Bills

It was moved by Manager Jacobson and seconded by Manager Gust to approve the payment of Checks #12557 through #12559, #12581 through #12590, the debit card transaction, and the electronic funds transfers, as presented. Upon roll call vote, the following Managers voted in favor: Brodshaug, Olson, Jacobson, Ecker, and Gust. The Chairman declared the motion passed.

Metro Flood Diversion Project – north end channel alignment

Manager Ecker stated several property owners requested impact information for property located at the north end of the Metro Flood Diversion Project. Lyndon Pease offered to attend and present information at the next North Cass Water Resource District meeting.

North Dakota Water Quality Monitoring Conference

Manager Ecker plans to attend the North Dakota Water Quality Monitoring Conference at Bismarck State College on March 2-4, 2016.

Adjournment

There being no further business for the Board to consider, it was moved by Manager Olson, seconded by Manager Ecker and unanimously carried to adjourn the meeting.

APPROVED:

Mark Brodshaug
Chairman

ATTEST:

Carol Harbeke Lewis
Secretary-Treasurer