

MINUTES OF MEETING  
MAPLE RIVER WATER RESOURCE DISTRICT  
CASS COUNTY HIGHWAY DEPARTMENT  
WEST FARGO, NORTH DAKOTA  
FEBRUARY 7, 2013

The Maple River Water Resource District met on February 7, 2013, at 9:00 a.m. at the Cass County Highway Department, West Fargo, North Dakota.

Present were Rodger Olson, Chairman; Jurgen Suhr, Manager; Gerald Melvin, Manager; Carol Harbeke Lewis, Secretary-Treasurer; Kimberly A. Chaput, Administrative Assistant; Sarah Nyhus-Wear, Attorney for the Board; Chad Engels and Mike Opat, Engineers for the Board; and those whose names appear on the attached roster.

**Pontiac Township Improvement District No. 73 - assessment hearing**

Chairman Olson called the meeting to order and asked Mike Opat to provide information for the Assessment Hearing on Pontiac Township Improvement District No. 73.

Mike Opat explained that the assessment hearing being held today provides the property owners an opportunity to comment on their respective assessments for the project. He reviewed a map of the proposed assessment district, the history and features of the project, the summary of the vote on the project, the Engineer's Opinion of Probable Cost, and various assessment calculations based on possible funding alternatives.

Curtis and Ardyth Petrich questioned how the mailings were handled. Carol Harbeke Lewis stated that the mailings are based on tax roll information.

Mark Stockman stated the vote was approved by .4 percent and questioned a possible margin of error. Chad Engels explained that the votes were counted three times and the records are open for inspection, if they would like to do so. Randy Laufenberg had the same concern.

Mr. Opat discussed direct and indirect assessments. If a property receives a direct assessment it would also pay an indirect assessment, which would be levied by the township.

Township officials asked about spreading the indirect assessment to properties in the township. Mr. Engels said the Water Resource District would help the township with that process.

Mr. Opat reviewed the project schedule.

Mark Stockman asked if the permit for the project is in place. Mr. Engels said it has been approved and that they have also checked with other agencies involved.

Property owners would need to contact the Natural Resources Conservation Service about delineating wetlands to determine if they could be drained down or not. If they can be drained down, it would be up to the property owner to determine how to get their water to the project.

Mr. Opat reviewed the proposed assessment district boundary and benefit percentages.

Mr. Stockman asked what the benefit would be to his property. Mr. Engels said the benefit would be drainage for his property. Chairman Olson said they did not receive negative comments on the project at the meetings held in Alice and Enderlin. He also said everyone has to take responsibility for water draining off their property that contributes to the problem. This project will help manage the watershed by holding and releasing water into the Maple River when it is at lower levels.

Joy Erstad asked if one outlet was enough to handle the water. Mr. Engels said it is a matter of timing. Ms. Erstad asked who would regulate the project gates. Mr. Engels said it would be the Maple River Water Resource District.

Fred Kraft asked if the Maple River Dam Reservoir could flow back into the project gate. Mr. Engels said the project outlet is higher than that, so it will flow down to the pool.

Requests for reduced assessments due to existing U.S. Fish and Wildlife Service (USFWS) easements were received. Mr. Laufenberg said he has USFWS easements in the W 1/2 of Section 23 and the N 1/2 of Section 26 in Clifton Township. Don Wadson said he has a USFWS easement in the E 1/2 of Section 34 in Clifton Township. Mr. Engels received a comment that the NW 1/4 of Section 11 in Pontiac Township is under water.

The Board will look into these requests, as well as other USFWS easement areas. The assessment list will be finalized at the next meeting.

### **Upper Maple River Dam**

It was moved by Manager Suhr and seconded by Manager Melvin to send a letter to the Corps of Engineers requesting they finalize the scope of work with the Tribes. Upon roll call vote, the motion carried unanimously.

Mr. Opat reviewed the general concept of the mitigation plan for the project, which has an estimated cost of \$32,000.

**Maple River Watershed Comprehensive Retention Plan Phase II**

Funding for the Maple River Watershed Comprehensive Retention Plan Phase II was discussed.

**Drain #14 reconstruction**

The Board discussed reconstruction on Drain #14 and decided to wait until more is known on the Fargo-Moorhead Area Diversion Project alignment. A meeting will be scheduled with property owners north of I-94 before doing any work.

The Board will continue to monitor slides on the drain south of Cass County Highway 6.

**Review of contract for engineering services**

Chad Engels reviewed the billing schedule for projects with construction contracts.

**Minutes**

It was moved by Manager Melvin, seconded by Manager Suhr and unanimously carried to approve the minutes of the January 3, 2013, meeting.

**Bills**

It was moved by Manager Melvin and seconded by Manager Suhr to approve payment of Checks #5042 through #5050 and the electronic funds transfer, as presented. Upon roll call vote, the following Managers voted in favor: Olson, Suhr and Melvin. The Chairman declared the motion passed.

**Adjournment**

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

APPROVED:

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Rodger Olson  
Chairman

ATTEST:

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Carol Harbeke Lewis  
Secretary-Treasurer