

MINUTES OF MEETING  
MAPLE RIVER WATER RESOURCE DISTRICT  
CASS COUNTY HIGHWAY DEPARTMENT  
WEST FARGO, NORTH DAKOTA  
JULY 2, 2015

The Maple River Water Resource District met on July 2, 2015, at 8:00 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; Brenda Lovgren, Administrative Assistant; Sean Fredricks, Attorney for the Board; Mike Opat, Engineer for the Board; and Brady Woodard, Moore Engineering, Inc.

**Minutes**

It was moved by Manager Melvin, seconded by Manager Suhr and unanimously carried to approve the minutes of the June 4, 2015, meeting, as amended.

**Upper Maple River Dam – Post-Issuance Debt Compliance Policy**

It was moved by Manager Suhr and seconded by Manager Melvin to approve the Post-Issuance Debt Compliance Policy. Upon roll call vote, the motion carried unanimously. The policy is attached hereto.

**Upper Maple River Dam – Post-Issuance Debt Compliance Procedures**

It was moved by Manager Suhr and seconded by Manager Melvin to approve the Post-Issuance Debt Compliance Procedures. Upon roll call vote, the motion carried unanimously. The policy is attached hereto.

**Upper Maple River Dam – State Water Commission Agreement for Cost-Share Reimbursement**

It was moved by Manager Melvin and seconded by Manager Suhr to approve the State Water Commission *Agreement for Cost-Share Reimbursement* regarding the Upper Maple River Dam. Upon roll call vote, the motion carried unanimously.

**Upper Maple River Dam - tour**

Mike Opat reported that several landowners and Water Resource District Board members attended a tour of the Upper Maple River Dam. Footings were poured and they are forming the walls. The contractor ran out of material when grouting a bore hole and there is now an issue with it leaking. Moore Engineering, Inc. is looking at alternatives for pipe placement so it does not interfere with the grouted bore hole. The contractor hopes to complete road raise work before harvest.

Mr. Opat reviewed Contractor's Application for Payment No. 3. Construction is approximately 25% complete.

**Pontiac Township Improvement District No. 73**

It was moved by Manager Melvin and seconded by Manager Suhr to approve Amendment I to the State Water Commission *Agreement for Cost-Share Reimbursement* regarding Pontiac Township Improvement District No. 73. Upon roll call vote, the motion carried unanimously.

It was moved by Manager Suhr and seconded by Manager Melvin to authorize Ohnstad Twichell, P.C. to submit a claim for liquidated damages against Reiner Contracting, Inc., under the construction contract regarding Pontiac Township Improvement District No. 73. Upon roll call vote, the motion carried unanimously.

**Drain #46 low water crossings**

Manager Suhr and Brady Woodard inspected the Drain #46 low water crossings. Mr. Woodard is researching options for repairs.

It was moved by Manager Melvin and seconded by Manager Olson to authorize Moore Engineering, Inc. to solicit proposals for Drain #46 low water crossing repair. Upon roll call vote, the motion carried unanimously.

**Swan Creek – improvements from Cass County Highway 10, north 1.5 miles**

It was moved by Manager Suhr and seconded by Manager Melvin to authorize Moore Engineering, Inc. to prepare a cost-share request to the State Water Commission regarding improvements to Swan Creek from Cass County Highway 10, north 1.5 miles. Upon roll call vote, the motion carried unanimously.

The Cass County Highway Department continues to work through an issue with a fiber optic cable that is impacting the project on the Cass County Highway 10 crossing over Swan Creek.

**Drain #14 south of I-94**

A landowner called Brady Woodard to report a slide in Drain #14 in Section 3 of Raymond Township. Mr. Woodard will inspect the drain once wheat has been removed.

The low water crossing north of I-94 on Drain #14 has been repaired and is now passable.

Property owners would like Drain #14 cleaned out in Sections 8 and 9 of Mapleton Township. Work has been put on hold until more is known about the Metro Flood Diversion Project.

It was moved by Manager Melvin and seconded by Manager Suhr to authorize Moore Engineering, Inc. to proceed with the following:

- Replacing rock on the low water crossing on Drain #14, in Section 8 of Mapleton Township, west of Cass County Highway 15;

- Looking into debris and possible damage to the low water crossing on Drain #14 in Section 25 of Raymond Township; and
- Obtain an estimate to remove / grind trees in Drain #14, north of I-94.

Upon roll call vote, the motion carried unanimously.

### **Garsteig Dam – NRCS dam assessment**

Mr. Opat reviewed the NRCS assessment of Garsteig Dam with the Board. The options provided were to replace the vegetative spillway with a concrete spillway to meet current standards or to decommission the dam and remove it. The dam is undersized for the watershed. Mr. Opat will look at options for repairs and to bring the dam up to current standards and will discuss the findings with the Board at a future date.

### **Detention Project Planning Teams**

The Red River Retention Authority received and approved 20 applications for the detention studies through the Regional Conservation Partnership Program (RCP). Costs are not eligible for funding until agreements are in place with the Natural Resources Conservation Service (NRCS). The NRCS requires a cost benefit analysis for each project. The Cass County Joint Water Resource District took action to prioritize and move forward with the application for RCP funding for the Swan Creek Watershed. Applications were also submitted for the Upper Maple River Watershed and the Rush River Watershed.

### **Approve the Pledges of Assets**

It was moved by Manager Suhr and seconded by Manager Melvin to approve the following *Pledges of Assets*:

Alerus Financial (as set out in agreement dated 03/7/96)

Upon roll call vote, the motion carried unanimously.

### **2016 budget and 2015 maintenance levy assessments**

It was moved by Manager Melvin and seconded by Manager Suhr to approve the 2016 budget and 2015 maintenance levy assessments. Upon roll call vote, the motion carried unanimously.

### **Project WET 2015 – sponsorship of educators/youth leaders**

It was moved by Manager Suhr and seconded by Manager Melvin to sponsor one educator/youth leader within the Maple River Water Resource District to attend a Project WET Program in 2015. Upon roll call vote, the motion carried unanimously.

### **Bills**

It was moved by Manager Melvin and seconded by Manager Suhr to approve the payment of Checks #5411 through #5419 and the electronic funds transfer, as amended. Upon roll call vote, the following Managers voted in favor: Olson, Suhr, and Melvin. The Chairman declared the motion carried.

**Drain #37**

It was moved by Manager Suhr and seconded by Manager Melvin to authorize Moore Engineering, Inc. to proceed with hiring a contractor to clean Drain #37 in Section 28 of Addison Township. Upon roll call vote, the motion carried unanimously.

**Adjournment**

There being no further business for the Board to consider, it was moved by Manager Melvin, seconded by Manager Olson 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