

MINUTES OF MEETING
MAPLE RIVER WATER RESOURCE DISTRICT
CASS COUNTY HIGHWAY DEPARTMENT
WEST FARGO, NORTH DAKOTA
MAY 5, 2016

The Maple River Water Resource District met on May 5, 2016, 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; Jason Benson, Cass County Engineer; Tom Soucy, Cass County Highway Department; and those whose names appear on the attached roster.

Minutes

It was moved by Manager Melvin, seconded by Manager Suhr and unanimously carried to approve the minutes of the April 7, 2016, meeting.

Tower Township Improvement District No. 77

Property owners met with the Board to discuss Tower Township Improvement District No. 77, a proposed legal drain along Cass County Highway 32 in Tower Township. The project would benefit 1.5 miles of road and would utilize a piped outlet, rather than an open ditch. Kurt Tompkins, U.S. Fish and Wildlife Service, indicated they would not have a problem with the project, provided there are no impacts to wetlands. Concerns were expressed about additional water on downstream properties. The option of including another run of pipe one mile south to benefit that area was discussed. Property owners downstream said they would not benefit from the project because their property already drains.

Potential funding for the project was discussed. Cost-share would be requested from the State Water Commission, Red River Joint Water Resource District and the Cass County Flood Sales Tax Committee.

Sean Fredricks reviewed the process to develop an assessment drain. The Board would require a \$50,000 deposit or bond before pursuing the project. The funds would be returned if the benefitting properties owners vote to approve the project. Mr. Fredricks will draft a Petition for the property owners' use. Property owners would be responsible to work with the USDA Farm Service Agency with regard to wetlands.

Upper Swan Creek Channel Improvements

Work continues on right of way for the Upper Swan Creek Channel Improvements Project. The Board hopes to bid the project in early July.

Lynchburg-Buffalo Project No. 2016-01

It was moved by Manager Melvin and seconded by Manager Suhr to submit a request for cost-share to the State Water Commission regarding Lynchburg-Buffalo Project No. 2016-01. Upon roll call vote, the motion carried unanimously.

2016 Swan-Buffalo Detention Dam Repairs - No. 5 (Garsteig), No. 8 (Embden) and No. 12 (Absaraka)

Mr. Opat reviewed the bids received and the *Engineer's Statement of Probable Cost* regarding the 2016 Swan-Buffalo Detention Dam Repairs Project. It was moved by Manager Suhr and seconded by Manager Melvin to award the contract for the 2016 Swan-Buffalo Detention Dam Repairs Project to H & S Contracting, Inc. for the low bid of \$410,250. Upon roll call vote, the motion carried unanimously.

Mr. Opat informed the Board the Cass County Flood Sales Tax Committee approved funding for repairs to the dams.

Upper Maple River Dam

It was moved by Manager Suhr and seconded by Manager Melvin to approve the *Lease Agreement* with Harold J. Zerface and Rebecca L. Zerface regarding the Upper Maple River Dam Project. Upon roll call vote, the motion carried unanimously.

The Board discussed holding the dedication ceremony at the Upper Maple River Dam during the week of June 20, 2016.

Lake Bertha Flood Control Project No. 75

Mike Opat reported the Cass County Joint Water Resource District reviewed funding and preliminary assessment calculations regarding Lake Bertha Flood Control Project No. 75. Cass County recently agreed to participate in cost-share for the project. Voting on the assessment district will take place in July.

Weed, cattail, tree and brush control

It was moved by Manager Melvin and seconded by Manager Suhr to approve the Cass County Weed Control Work Order form for spraying Maple River Water Resource District facilities. Upon roll call vote, the motion carried unanimously.

It was moved by Manager Melvin and seconded by Manager Suhr to hire Dakota Helicopters, Inc. to provide aerial and ground spraying services for weed, cattail, tree and brush control on Maple River Water Resource District facilities for 2016. Upon roll call vote, the motion carried unanimously.

Applications for Nelson Hest Subdivision in the SW 1/4 of Section 9 in Gill Township and Strand Subdivision in the SW 1/4 SW 1/4 of Section 25 in Leonard Township

It was moved by Manager Suhr and seconded by Manager Melvin to authorize the Secretary-Treasurer to submit comment, with input from the Water Resource District Engineer, to the Cass County Planner regarding the applications for the following:

- Nelson Hest Subdivision in the SW 1/4 of Section 9 in Gill Township; and
- Strand Subdivision in the SW 1/4 SW 1/4 of Section 25 in Leonard Township.

Upon roll call vote, the motion carried unanimously.

Bills

It was moved by Manager Suhr and seconded by Manager Melvin to approve the payment of Checks #5531 through #5539, 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.

Drain #39 – culvert repair in the SE 1/4 of Section 13 in Leonard Township

It was moved by Manager Melvin and seconded by Manager Suhr to authorize Moore Engineering, Inc. to hire a contractor to repair the culvert on Drain #39 in the SE 1/4 of Section 13 in Leonard 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 Suhr and unanimously carried to adjourn the meeting.

APPROVED:

Rodger Olson
Chairman

ATTEST:

Carol Harbeke Lewis
Secretary-Treasurer