

MINUTES OF MEETING
NORTH CASS WATER RESOURCE DISTRICT
CASS COUNTY HIGHWAY DEPARTMENT
WEST FARGO, NORTH DAKOTA
OCTOBER 3, 2012

The North Cass Water Resource District Board met on October 3, 2012, at 9:00 a.m. at the Cass County Highway Department, West Fargo, North Dakota.

Present were Michael R. Buringrud, Chairman; Wes Ecker, Manager; Carol Harbeke Lewis, Secretary-Treasurer; Kimberly A. Chaput, Administrative Assistant; Sean M. Fredricks, Attorney for the Board; Chad Engels, Engineer for the Board; and Pat Downs, Red River Retention Authority. Manager Robert Thompson was absent.

Drain #13 Channel Improvements Project

Chad Engels reported that the State Water Commission approved cost share for the Drain #13 Channel Improvements Project. He reviewed the project plans and the *Engineer's Option of Probable Cost*. He said project construction could begin next spring or early summer.

It was moved by Manager Ecker and seconded by Manager Buringrud to approve the Resolution of Necessity regarding Cass County Drain No. 13 Improvements. Upon roll call vote, the motion carried unanimously. A copy of the Resolution is attached to these minutes.

It was moved by Manager Ecker and seconded by Manager Buringrud to pay \$4,000 per acre for the purchase of permanent right of way and \$400 per acre for a temporary construction easement for the Drain #13 Channel Improvements Project. Upon roll call vote, the motion carried unanimously.

Request from Mark Backstrom to install a culvert through the berm along the south side of the township road on the north side of Section 17 in Kinyon Township

The Board authorized Moore Engineering, Inc. and Ohnstad Twichell, P.C. to acquire right of way for Drain #18 from Mark Backstrom in Section 17 of Kinyon Township, to survey the drain to see if a cleanout is necessary, and to obtain information needed to design an overflow structure at the swale between Sections 17 and 8 in Kinyon Township. Upon roll call vote, the motion carried unanimously.

Application to Install a Subsurface Drain #201221 for Duane Dickson in the N 1/2 of Section 14 in Hunter Township

The Board reviewed *Application to Install a Subsurface Drain #201221* dated August 1, 2012, for Duane Dickson. The Board concluded the application does not propose

drainage of statewide significance, so the Board has jurisdiction to approve the permit (without forwarding to the State Engineer's Office to consider and approve). Under the application, Applicant seeks to install a drain tile system in the N 1/2 of Section 14 in Hunter Township, Cass County, North Dakota. The project will include a pump outlet in the northeast corner of Section 14. The outlet will discharge from the northeast corner under Cass County Highway 18 through two existing culverts; from there, the tile discharge will travel east in the south road ditch of the Section 12/13 township road, along the north boundary of Section 13 of Hunter Township.

The Board previously provided a *Thirty-Day Notice* under N.D. Cent. Code Section 61-32-03.1 to the owners of the N 1/2 of Section 13. The recipients of the *Thirty-Day Notice* did not provide any comments to the Board. Mr. Engels indicated potential adverse impacts would include prolonged wetness in the township road ditch; cattail growth in the township road ditch; reduced access to and from the N 1/2 of Section 13; and saline discharge across those parcels.

According to records on file with the Cass County Recorder's Office, Dickson Investment, LLLP, owns the N 1/2 of Section 14. Further, the Truman E. Strand Trust owns the NW 1/4 of Section 13, and the Pridmore Family Trust owns the NE 1/4 of Section 13.

It was moved by Manager Ecker and seconded by Manager Buringrud to approve *Application to Install a Subsurface Drain #201221* dated August 1, 2012, for Duane Dickson in the N 1/2 of Section 14 in Hunter Township, subject to the following conditions:

- 1) That Applicant obtain and record (with the Cass County Recorder's office) flowage easements (and not just written consents), including language that permits saline water, from the owners of the following parcels in Hunter Township, Cass County, North Dakota:
 - a. N 1/2 of NW 1/4 of Section 13; and
 - b. N 1/2 of NE 1/4 of Section 13;
- 2) That Applicant obtain easements from the owner of any land, besides land owned by Applicant, on which Applicant will construct the tile system;
- 3) That Applicant obtain written permission from the Hunter Township Board of Township Supervisors to discharge into, or otherwise utilize, any of its township road ditches, or to bore through its township road;
- 4) That Applicant notify the North Cass Water Resource District in advance of any proposed alterations to outlet locations, or addition of any outlets;
- 5) That Applicant notify the North Cass Water Resource District in advance of any proposed improvements to the tile system, or any proposed increase in the capacity or drainage area of the tile system and, if necessary, submitting an additional permit application; and

6) That Applicant obtain all other necessary and requisite licenses, permits, registrations, and/or approvals from all applicable federal, state, county, and municipal governments, and any other applicable governmental entities.

Upon roll call vote, the motion carried unanimously.

Minutes

It was moved by Manager Ecker, seconded by Manager Buringrud and unanimously carried to approve the minutes of the September 5, 2012, meeting, as amended.

Bills

It was moved by Manager Ecker, and seconded by Manager Buringrud to approve payment of Checks #3708 through #3718 and the electronic funds transfer, as presented. Upon roll call vote, the following Managers voted in favor: Ecker and Buringrud. Manager Thompson was absent. The Chairman declared the motion passed.

Adjournment

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

APPROVED:

Michael R. Buringrud
Chairman

ATTEST:

Carol Harbeke Lewis
Secretary-Treasurer