

MINUTES OF MEETING  
SOUTHEAST CASS WATER RESOURCE DISTRICT  
CASS COUNTY HIGHWAY DEPARTMENT  
WEST FARGO, NORTH DAKOTA  
JULY 23, 2010

The Southeast Cass Water Resource District met on July 23, 2010, at 9:00 a.m. at the Cass County Highway Department, West Fargo, North Dakota.

Present were Thomas L. Fischer, Chairman; Mark Thelen, Manager; Mark Brodshaug, Manager; Carol Harbeke Lewis, Secretary-Treasurer; Kimberly Bomstad, Accounting Tech/Administrative Assistant; Sean M. Fredricks, Attorney for the Board; Jeff Volk, Lee Beauvais and Chad Engels, Engineers for the Board; Jacob Gust, Sheyenne-Maple Flood Control District #1 Superintendent; April Walker, Senior Engineer for the City of Fargo and Richard Lewis, West Fargo resident.

**Minutes**

It was moved by Manager Thelen and seconded by Manager Brodshaug to approve the minutes of the July 9, 2010, meeting. Upon roll call vote, the motion carried unanimously.

**Approval of agenda order**

It was moved by Manager Thelen and seconded by Manager Brodshaug to approve the order of the agenda, as amended. Upon roll call vote, the motion carried unanimously.

**Request for assistance relating to an urban dike in the City of Fargo**

Discussion was held on a request for assistance relating to an urban dike in the City of Fargo. The Board directed the Secretary-Treasurer and the Water Resource District Attorney to draft a policy relating to urban dikes.

**Dike complaints from Dennis Nipstad against Kelly Perhus and Mark Ottis in the NE 1/4 and the NW 1/4 of Section 34 in Normanna Township**

The Secretary-Treasurer and Manager Brodshaug reported that Dennis Nipstad and Mark Ottis would like to extend the appeal period on the dike complaints from Dennis Nipstad against Kelly Perhus and Mark Ottis in the NE 1/4 and the NW 1/4 of Section 34 in Normanna Township. Sean Fredricks will draft an agreement to get the appeal period extended for the dike complaints.

**Encroachment Agreement with Fargo Rentall to expand the parking lot over a Drain #3 easement area**

It was moved by Manager Thelen and seconded by Manager Brodshaug to authorize the Chairman to sign an Encroachment Agreement with Fargo Rentall to expand the parking lot over a Drain #3 easement area. Upon roll call vote, the motion carried unanimously.

**Ring Dike Cooperation Agreement form for Natural Resources Conservation Service ring dikes**

It was moved by Manager Thelen and seconded by Manager Brodshaug to adopt the standard Ring Dike Cooperation Agreement form for Natural Resources Conservation Service ring dikes as outlined by the Water Resource District Attorney. Upon roll call vote, the motion carried unanimously.

**Ring Dike Cooperation Agreements**

It was moved by Manager Thelen and seconded by Manager Brodshaug to approve and authorize the Chairman to sign the following *Ring Dike Cooperation Agreements*:

- Mark Hiatt and Kristinn Hiatt;
- William Lisburg and Mary Lisburg;
- Dwight Smedshammer and Shirley Smedshammer and Scott Sobolik and Cindy Sobolik; and
- Robert Schmidt and Tammy Schmidt

Upon roll call vote, the motion carried unanimously.

**2011 Budget and 2010 Maintenance Levy Assessments**

It was moved by Manager Thelen and seconded by Manager Brodshaug to approve the Southeast Cass Water Resource District 2011 Budget and the 2010 Maintenance Levy Assessments. Upon roll call vote, the motion carried unanimously.

**Drain #40 Improvements**

It was moved by Manager Thelen and seconded by Manager Brodshaug to approve Change Order No. 1 for Excavating, Inc. in the amount of \$3,096 regarding the Drain #40 Improvements Project. Upon roll call vote, the motion carried unanimously. A copy of the Change Order is attached hereto.

**Bills**

It was moved by Manager Thelen and seconded by Manager Brodshaug to approve payment of Checks #9532 through #9546, as presented. Upon roll call vote, the motion carried unanimously.

**Meeting dates**

It was moved by Manager Thelen and seconded by Manager Brodshaug to amend the meeting dates to set the second Friday and fourth Friday of August through October, November 12 and 23 and December 17 and 30, 2010, at 8:00 a.m. Upon roll call vote, the motion carried unanimously.

**Adjournment**

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

APPROVED:

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Thomas L. Fischer  
Chairman

ATTEST:

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Carol Harbeke Lewis  
Secretary-Treasurer