

MINUTES OF MEETING
SOUTHEAST CASS WATER RESOURCE DISTRICT
CASS COUNTY HIGHWAY DEPARTMENT
WEST FARGO, NORTH DAKOTA
SEPTEMBER 24, 2010

The Southeast Cass Water Resource District met on September 24, 2010, at 8:00 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; Sean M. Fredricks, Attorney for the Board; Lee Beauvais and Chad Engels, Engineers for the Board; Jacob Gust, Sheyenne-Maple Flood Control District #1 Superintendent; Mark Bittner, Fargo City Engineer; Brady Woodard, Moore Engineering, Inc.; Craig Hakanson, City of Horace and Richard Lewis, West Fargo resident.

Minutes

It was moved by Manager Brodshaug and seconded by Manager Thelen to approve the minutes of the September 10, 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 agenda, as amended. Upon roll call vote, the motion carried unanimously.

Drain #53 Drainage and Flood Control Improvements

Lee Beauvais recommended the Board obtain appraisals on the property needed for the Drain #53 Drainage and Flood Control Improvements project between 64th to 65th Avenue South. The property owners are not opposed to the project, but want to know what the property is worth. It was moved by Manager Thelen and seconded by Manager Brodshaug to direct the Water Resource District Attorney to proceed with obtaining appraisals on the three properties needed for right-of-way between 64th and 65th Avenue South for the Drain #53 Drainage and Flood Control Improvements Project.

Drain #27 Drainage and Flood Control Improvements – approve the easement with Minnkota Power Cooperative, Inc. and an agreement to allow additional poles to their transmission line in Section 33 of Barnes Township

It was moved by Manager Thelen and seconded by Manager Brodshaug to approve an easement with Minnkota Power Cooperative, Inc. and an agreement to allow additional poles to their transmission line in Section 33 of Barnes Township. Upon roll call vote, the motion carried unanimously.

Mr. Beauvais said the contractor was working on the Drain #27 Drainage and Flood Control Improvements Project until the rainfall received yesterday.

Sheyenne-Maple Flood Control Projects – Hydraulic Operation Improvements Study

Chad Engels updated the Board on the status of the HEC-RAS model study of the Sheyenne-Maple Flood Control Projects and the Sheyenne River in the area of Horace and West Fargo. A report on the study will be completed and provided to the Board.

Mr. Engels presented a proposal for the next phase of the study, which would include the following:

- Weir Alternative Hydraulic Impacts Analysis. This would consist of studying the effect of various weir configurations on upstream and downstream river hydraulics, the project hydraulics and the impacts to City of West Fargo drainage systems.
- I-94 River Crossing and Gate Improvements Analysis, which would study the effect of various crossing improvement options through I-94 and the effect of various gate options and gate operation options.
- Operation Plan Development and Final Report.

Additional flows in the Sheyenne-Maple Flood Control Projects from future development was discussed. Manager Thelen suggested discussing the matter with city officials so that retention within the developments could be adjusted, if necessary. Chairman Fischer said they need to make sure protection is not jeopardized from additional flows.

Manager Brodshaug would like to see the last mile of Sheyenne-Maple Flood Control District #2 armored. Mr. Engels said he would have additional information at the next meeting after plotting the survey.

It was moved by Manager Thelen and seconded by Manager Brodshaug to authorize Moore Engineering, Inc. to continue with the Sheyenne Diversion Hydraulic Operation Improvement Study, as outlined. Upon roll call vote, the motion carried unanimously.

Sheyenne-Maple Flood Control District #1 – snagging and clearing north of north pump station

Brady Woodard informed the Board of a couple of sites where trees need to be removed from the Sheyenne River, north of the north Sheyenne-Maple Flood Control District #1 pump station. He suggested hiring a contractor to remove the trees. It was moved by Manager Thelen and seconded by Manager Brodshaug to authorize Moore Engineering, Inc. to hire a contractor to remove log jams from the Sheyenne River, as presented. Upon roll call vote, the motion carried unanimously.

2010-2011 Snagging and Clearing

Discussion was held about 2010-2011 snagging and clearing work. Mr. Fredricks will work with Moore Engineering, Inc. on the matter.

Drain #21C cleanout

It was moved by Manager Thelen and seconded by Manager Brodshaug to remove silt from Drain #21C in Section 26 of Warren Township, caused by the Sheyenne River breaking out, and to use obligated funds to pay for the work. Upon roll call vote, the motion carried unanimously.

Development of policy to pay for damages to legal drains, caused by river flooding

It was moved by Manager Thelen and seconded by Manager Brodshaug to authorize Moore Engineering, Inc. to recommend policy on paying for damages to legal drains, caused by river flooding. Upon roll call vote, the motion carried unanimously.

Utility Permit for Xcel Energy to install overhead power line along Drain #40, south of 3rd Avenue North

It was moved by Manager Thelen and seconded by Manager Brodshaug to approve the *Utility Permit* for Xcel Energy to install an overhead power line along Drain #40, south of 3rd Avenue North, pending review of the Water Resource District Engineer. Upon roll call vote, the motion carried unanimously.

Utility Permit for IdeaOne Telecom to install buried fiber cable across Drains #3, #10 and #40

It was moved by Manager Thelen and seconded by Manager Brodshaug to install buried fiber cable, pending review of the Water Resource District Engineer, as follows:

- Across Drain #3, north of 19th Avenue North;
- Across Drain #10, north of 19th Avenue North; and
- Across Drain #40, south of Cass County Highway 22.

Upon roll call vote, the motion carried unanimously.

Drain #40 – slide one mile north of Cass County Highway 20

It was moved by Manager Thelen and seconded by Manager Brodshaug to hire a geotechnical engineer to give a recommendation for side slope improvement on Drain #40, one mile north of Cass County Highway 20. Upon roll call vote, the motion carried unanimously.

Bills

It was moved by Manager Thelen and seconded by Manager Brodshaug to approve payment of Checks #9611 through #9624, as presented. Upon roll call vote, the following Managers voted in favor: Fischer, Thelen and Brodshaug. The Chairman declared the motion passed.

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

Mr. Fredricks said the parties involved with the dike complaint in Section 34 of Normanna Township are trying to work out a land sale and at their request, the matter will be put on hold, including the hearing, until we hear back from them. It was moved by Manager Thelen and seconded by Manager Brodshaug to authorize the Secretary-Treasurer to send a letter to Dennis Nipstad, Kelly Perhus and Mark Ottis regarding the dike complaint in the NE 1/4 and the NW 1/4 of Section 34 in Normanna Township stating that based on discussion with them and at their request, the Water Resource District will delay the matter, including the hearing, until we hear from them. Upon roll call vote, the motion carried unanimously.

Adjournment

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

APPROVED:

Thomas L. Fischer
Chairman

ATTEST:

Carol Harbeke Lewis
Secretary-Treasurer