

MINUTES OF MEETING
SOUTHEAST CASS WATER RESOURCE DISTRICT
CASS COUNTY HIGHWAY DEPARTMENT
WEST FARGO, NORTH DAKOTA
OCTOBER 22, 2010

The Southeast Cass Water Resource District met on October 22, 2010, at 8:00 a.m. at the Cass County Highway Department, West Fargo, North Dakota.

Present were Thomas L. Fischer, Chairman; Mark Brodshaug, Manager; Carol Harbeke Lewis, Secretary-Treasurer; Sean M. Fredricks, Attorney for the Board; Chad Engels and Kyle Volk, Engineers for the Board; Jacob Gust, Sheyenne-Maple Flood Control District #1 Superintendent; Nicholas Gludt, Moore Engineering, Inc.; April Walker, Senior Engineer for the City of Fargo; Lance Yohe, Red River Basin Commission; Dave Eckman and Grant Johnson, Round Hill Association; Chris Harris, Bob Footitt and Buzz Marvin, Fargo residents in Silverleaf Addition, David Noah and Andy Noah, Silverleaf Development; Richard Thomas, Forest River Addition; Craig Hakanson, City of Horace and Jonathan Garaas, Attorney. Manager Mark Thelen was absent.

Minutes

It was moved by Manager Brodshaug, seconded by Manager Fischer and unanimously carried to approve the minutes of the October 8, 2010, meeting.

Approval of agenda

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

Sheyenne River Diversion Channel Improvements Phase I and II

Chad Engels presented a bid tabulation for Phases I and II of the Sheyenne River Diversion Channel Improvements Project. Phase I is from the Sheyenne-Maple Flood Control District #1 weir to the confluence with Sheyenne-Maple Flood Control District #2. Phase II is on Sheyenne-Maple Flood Control District #1 from I-94, north to the railroad track and around the corner to the east. Mr. Engels recommended the Board wait to award the contract for the work until the right-of-way needed is in place.

Drain #27 Drainage and Flood Control Improvements – control structures

Kyle Volk said the design for the control structures on the Drain #27 Drainage and Flood Control Improvements Project have been submitted to a structural engineer for review. Similar structures on other projects have cost between \$40-60,000.

It was moved by Manager Brodshaug and seconded by Manager Fischer to authorize Moore Engineering, Inc. to prepare information for a Change Order for control structures needed on the Drain #27 Drainage and Flood Control Improvements Project. Upon roll call vote, the motion carried unanimously.

The contractor is making good progress on the project.

Drain #53 Drainage and Flood Control Improvements – trees along the west side of Silverleaf Addition

The removal of trees along the west side of Silverleaf Addition in conjunction with the Drain #53 Drainage and Flood Control Improvements Project was discussed. The closest trees are 10-15 feet off of the property line. Various alternatives were reviewed. If the channel would be moved 30' west, one row of trees would be saved and the cost would be approximately \$112,000. If the channel was moved an additional 30' (60' total) the second row of trees could be saved, but the cost increases to \$250,000. Another option would be to plant approximately 60 trees on the property owners' lots at an estimated cost of \$50-60,000.

Manager Brodshaug asked if the property owners would be willing to cost share on planting trees on their property. He suggested \$20,000 from the Water Resource District, \$20,000 from the City of Fargo and \$40,000 from the property owners. David Noah said they would participate, but he was not sure to what extent. He said they are trying to exhaust all options to save the trees. April Walker said it is uncertain who should pay the additional costs. She said if there is a substantial variation, they would have to take it back to the City Commission.

Mr. Harris said he would take the risk of using sandbags for flood protection if it meant they could save the trees. He said they need to compromise on the matter.

Mr. Volk said the contractor is already being held up on the project. Manager Brodshaug said he is uncomfortable with contractors waiting on this when we have the weather to do the work. He suggested proceeding with the project and continuing to work on the tree replacement matter, as well as cost share for the same. Mr. Harris said his opinion is that \$250,000 is a small price to pay to save trees. Mr. Volk pointed out that there would be a two week delay if a decision is made to change the project.

Chairman Fischer said they could have a catastrophe on their hands if work is postponed until next spring. He said he understands the concerns of the property owners about losing trees, but the Board has worked for several years on how to protect the City of Fargo and that needs to be the number one consideration. Manager Brodshaug said he wants the levee in the right place for the future of the city.

The property owners will continue to discuss the matter with city officials. Sean Fredricks will look into whether the Board can utilize public funds to finance planting trees on private property. If nothing further is proposed, the Water Resource District will move ahead with the project. If city officials think there is another option, the Board could hold a special meeting to discuss it.

Drain #53 Drainage and Flood Control Improvements – filling of pond along Drain #53, south of 52nd Avenue South

The pond along Drain #53, south of 52nd Avenue, is lower than the drain bottom, which would cause instability on the drain. The pond needs to be raised 10' which would require approximately 100,000 cubic yards of material. Potential sites for material were discussed. The work could be done this fall or next spring.

Drain #53 Drainage and Flood Control Improvements – control structures

It was moved by Manager Brodshaug and seconded by Manager Fischer to authorize Moore Engineering, Inc. to prepare information for a Change Order for control structures needed on the Drain #53 Drainage and Flood Control Improvements Project. Upon roll call vote, the motion carried unanimously.

Southside Rural Sewer Project – relocation of grinder pump in Forest River Addition

Richard Thomas met with the Board about moving the grinder pump on his property at 404 River Drive South in Forest River Addition. He said when the river reaches 27-28', the pump is overtopped. Moore Engineering, Inc. is looking at the entire Southside Sewer Project and this will be included in that review.

Round Hill Sewer Improvement District No. 2010-1 Project

Nicholas Gludt said Round Hill is ready to proceed with the Sewer Improvement District No. 2010-1 Project. A Resolution relating to the project is attached hereto. Mr. Fredricks reviewed the voting process.

Sheyenne River – tree removal

It was moved by Manager Brodshaug and seconded by Manager Fischer to authorize Moore Engineering, Inc. to hire a contractor to remove a tree from the Sheyenne River, between State Highway 46 and the City of Kindred, not to exceed a total cost of \$5,000. Upon roll call vote, the motion carried unanimously.

Letter from Kadrmas, Lee and Jackson soliciting views and comments on the Riverview Place Temporary Flood Control Project

The Board directed the Secretary-Treasurer to send a letter to Kadrmas, Lee and Jackson stating the Water Resource District has no comment with regard to the Riverview Place Temporary Flood Control Project

Utility Permit for Xcel Energy to install a 4" PE gas main on the east side of Drain #40, north of 19th Avenue North

It was moved by Manager Brodshaug and seconded by Manager Thelen to approve the *Utility Permit* for Xcel Energy to install a 4" PE gas main on the east side of Drain #40, north of 19th Avenue North, pending review of the Water Resource District Engineer. Upon roll call vote, the motion carried unanimously.

Bills

It was moved by Manager Brodshaug and seconded by Manager Fischer to approve payment of Checks #9643 through #9652, as presented. Upon roll call vote, the following Managers voted in favor: Fischer and Brodshaug. Manager Thelen was absent. The Chairman declared the motion passed.

Drain #27 – cleanout in Section 20 of Stanley Township

Manager Brodshaug met with property owners on Drain #27 southeast of Horace. An existing Texas crossing is difficult to cross due to the water and silt on top of it. It was moved by Manager Brodshaug and seconded by Manager Fischer to authorize Moore Engineering, Inc. to hire a contractor to clean Drain #27 in Section 20 of Stanley 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 Brodshaug, seconded by Manager Fischer and unanimously carried to adjourn the meeting.

APPROVED:

Thomas L. Fischer
Chairman

ATTEST:

Carol Harbeke Lewis
Secretary-Treasurer