

MINUTES OF MEETING
SOUTHEAST CASS WATER RESOURCE DISTRICT
CASS COUNTY HIGHWAY DEPARTMENT
WEST FARGO, NORTH DAKOTA
AUGUST 12, 2011

The Southeast Cass Water Resource District met on August 12, 2011, at 8:00 a.m. at the Cass County Highway Department, West Fargo, North Dakota.

Present were Thomas L. Fischer, Chairman; Mark Brodshaug, Manager; Dan Jacobson, Manager; Carol Harbeke Lewis, Secretary-Treasurer; Diane Pochardt, Administrative Assistant; Nina Stone, Accountant; Sean M. Fredricks, Attorney for the Board; Jeff Volk and Chad Engels, Engineers for the Board; Jacob Gust, Sheyenne-Maple Flood Control District #1 Superintendent; Dennis Nipstad, property owner in Normanna Township; Daniel Twichell, West Fargo resident, and those whose names appear on the attached roster.

Minutes

It was moved by Manager Jacobson and seconded by Manager Brodshaug to approve the minutes of the July 22, 2011, meeting. Upon roll call vote, the motion carried unanimously.

Approval of agenda order

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

Wild Rice River Estates bank stabilization

Chairman Fischer talked to people at the State Water Commission about the Wild Rice River Estates bank stabilization issue. Funding options and sources for the project were discussed. The State Water Commission provides cost share for projects that protect public infrastructure. Sean Fredricks explained that the township has a different procedure than the Water Resource District, but they could do the project as well. Chairman Fischer will continue working with the property owners on the matter.

Reed Township – filling between Cass County Highway 17 and 57th Street North along 19th Avenue North

Albert Frisinger informed the Board that Reed Township is re-sloping 19th Avenue North in Section 29. He asked the Board if they should leave the access in place to an area that is currently being developed. Mr. Fredricks explained that drainage for the roadway would be under the jurisdiction of the township. Mr. Frisinger said the township will proceed with the project according to the North Dakota Stream Crossing Standards.

Sheyenne Diversion Exterior Pump Station Improvements

Mr. Engels informed the Board that only one bid was received for the Sheyenne Diversion Exterior Pump Station Improvements. He reviewed the Engineer's Statement of Probable Cost. It was moved by Manager Brodshaug and seconded by Manager Jacobsen to reject all bids on the Sheyenne Diversion Exterior Pump Station Improvements Project and re-advertise for bids with a revised completion date. Upon roll call vote, the motion carried unanimously.

Sheyenne-Maple Flood Control Districts #1 and #2 - reassessments

The board worked on the reassessment of Sheyenne-Maple Flood Control Districts #1 and #2. Additional minutes relating to the matter are attached hereto.

Amber Plains Water Issues

Casey and Gretchen Schoer met with the Board to discuss concerns about drainage in the Amber Plains development. Jim Carlson said the problem is the culverts are too small and the entire area needs to be re-worked. The Board directed Lee Beauvais to look into the matter.

Round Hill Sanitary Sewer Improvement District No. 2010-1 Project

The bids for Round Hill Sanitary Sewer Improvement District No. 2010-1 were opened on April 21 and the Project was awarded April 29, 2010. The Notice to Proceed was presented on June 10 and the preconstruction meeting was held June 30, 2010. The project completed date is September 15, 2011. The Board expressed concern about the ability of Master Construction Company, Inc. to complete the project by that date. Jamey Zenzen, Master Construction Company, Inc. informed the board that they have started work on the forcemain. He acknowledged they are six weeks behind on the construction schedule as a whole, and they are seeking subcontractors to get caught up. Mr. Zenzen said he will get the Board a schedule in the next week and will address progress on the project at the next meeting. Brett Bailly pointed out that the contractor is limited to 50 percent sub-contracting. Mr. Zenzen did not think that would be a problem. Moore Engineering, Inc., will want to approve any subcontractors. Mr. Bailly said Griffin Construction met with the contractor, but declined the project. Mr. Bailly emphasized to Mr. Zenzen that the Board wants the project installed correctly, that time is of the essence, and the Board wants the project completed this year. The Board has never received a schedule and they are concerned about the contractor meeting the completion date. Chairman Fischer requested weekly progress reports be submitted by noon on Mondays.

Liquidated damages can be assessed at \$1,000 per day after September 15, 2011. The Board will likely have to assess liquidated damages, but encouraged the crew to keep working on the project.

The contractor may need to pump septic tanks as there is one failed septic system in the development at this time. Jim Carlson said residents are patient, but do have concerns about completion of the project. Nick Gludt said the goal is to get the job done.

Orchard Glen Sanitary Sewer Improvement District #2011-1

Matthew Walsvik reviewed the Engineer's Estimate of Cost for the Orchard Glen Sanitary Sewer Improvement District #2011-1 Project. Jim Hausauer and Pete Bilstad, City of Fargo, were in agreement with what was presented. Mr. Hausauer said this would allow much better operation of the system during floods

At a previous meeting, the Board was considering allocating the remaining project funds on hand to the City of Fargo, but the City of Fargo would like to see the Water Resource District remain involved with the project.

It was moved by Manager Jacobson and seconded by Manager Brodshaug to authorize Moore Engineering, Inc., to proceed with obtaining quotes for the Orchard Glen Sanitary Sewer Improvement District #2011-1 Project. Upon roll call vote, the motion carried unanimously.

Bakke Subdivision Sanitary Sewer Improvement District No. 2005-2 closeout

It was moved by Manager Jacobson and seconded by Manager Brodshaug to close out the Bakke Subdivision Sanitary Sewer Improvement District No. 2005-2, as outlined by Roger Hagen, Project Engineer. Upon roll call vote, the motion carried unanimously.

Jeff Phillip - Ring dike in the NW 1/4 of Section13 in Warren Township near Drain #21C

Jeff Phillip met with the Board to discuss a ring dike on his property. The fourth side is adjacent to Drain #21C. The Board directed Moore Engineering, Inc. to work with Houston Engineering, Inc., engineer for Mr. Phillip, on the matter.

Snagging and clearing projects on the Sheyenne and Wild Rice Rivers

It was moved by Manager Brodshaug and seconded by Manager Jacobson to authorize Moore Engineering, Inc. to submit the 2011–2012 snagging and clearing projects on the Sheyenne and Wild Rice Rivers to the State Water Commission for cost share. Upon roll call vote, the motion carried unanimously.

Drain #50 - options to deal with high Sheyenne River levels

Kyle Volk reviewed the Sheyenne River Flow Analysis at Drain #50. Moore Engineering, Inc. will provide additional information to Manager Brodshaug for discussion with the property owners involved.

Dike applications

Manager Brodshaug moved and Manager Jacobson seconded to recommend approval of the following dike applications to the State Engineer.

- Larkin Properties in the SE 1/4 SE 1/4 of Section 27 in Barnes Township
- Living Waters Lutheran Church in the SW 1/4 SW 1/4 of Section 27 in Barnes Township
- Gerald Eid in the SW 1/4 SW 1/4 of Section 26 in Barnes Township
- City of Fargo in the SE 1/4 SE 1/4 of Section 27 in Barnes Township
- Donald Knounovsky in the SW 1/4 SE 1/4 of Section 28 in Barnes Township
- City of Fargo in the NE 1/4 of Section 35 in Barnes Township

Upon roll call vote, the motion carried unanimously.

Amended Joint Funding Agreement with the USGS

It was moved by Manager Brodshaug and seconded by Manager Jacobson to approve the amended *Joint Funding Agreement* with the USGS for fiscal year 2011 programs. Upon roll call vote, the motion carried unanimously.

Right-of-Entry for Surveys and Investigations for the Corps of Engineers and its contractors/assigns regarding the proposed flood water diversion channel on various parcels owned by Southeast Cass Water Resource District

It was moved by Manager Jacobson and seconded by Manager Brodshaug to approve the *Right-of-Entry for Surveys and Investigations* for the Corps of Engineers and its contractors/assigns regarding the proposed flood water diversion channel on various parcels and to authorize Chairman Fischer to sign the same. Upon roll call vote, the motion carried unanimously.

Correspondence from the West Fargo Planning Department for Lake Crest 1st Addition, Prairie Heights 1st Addition, Oak Ridge 2nd Addition, Westport Beach 8th Addition, Shadow Creek 2nd Addition and Planned Unit Development Amendment for Moore Engineering, Inc.

The Board had no comments to submit with regard to the following correspondence from the West Fargo Planning Department:

- Lake Crest 1st Addition
- Prairie Heights 1st Addition
- Oak Ridge 2nd Addition
- Westport Beach 8th Addition
- Shadow Creek 2nd Addition
- Planned Unit Development Amendment for Moore Engineering, Inc.

2011 Audit

It was moved by Manager Brodshaug and seconded by Manager Jacobson to approve the 2011 audit of the Southeast Cass Water Resource District. Upon roll call vote, the motion carried unanimously.

Bills

It was moved by Manager Brodshaug and seconded by Manager Jacobson to approve payment of Checks #9927 through #9946 and the electronic funds transfer, as presented. Upon roll call vote, the following Managers voted in favor: Fischer, Jacobson and Brodshaug. The Chairman declared the motion passed.

Mapleton Township request for information

The Board received a request from Mapleton Township for flood information. Mr. Beauvais provided information from a model the Water Resource District has, but they will need to contact the Corps of Engineers for additional information from their model.

Adjournment

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

APPROVED:

Thomas L. Fischer
Chairman

ATTEST:

Carol Harbeke Lewis
Secretary-Treasurer