

MINUTES OF MEETING  
SOUTHEAST CASS WATER RESOURCE DISTRICT  
CASS COUNTY HIGHWAY DEPARTMENT  
WEST FARGO, NORTH DAKOTA  
JUNE 10, 2013

The Southeast Cass Water Resource District met on June 10, 2013, at 8:30 a.m. at the Cass County Highway Department, West Fargo, North Dakota.

Present were Mark Brodshaug, Chairman; Dan Jacobson, Manager; Lance Yohe, Manager; Carol Harbeke Lewis, Secretary-Treasurer; Sean M. Fredricks, Attorney for the Board; Chad Engels and Kurt Lysne, Engineers for the Board; Nathan Boerboom, Division Engineer for the City of Fargo; George Grossman, City of West Fargo; Kent Ritterman and Brady Woodard, Moore Engineering, Inc.; Pat Downs, Red River Retention Authority; Jason Benson, Cass County Engineer; Gerry Erickson and Kevin Matheson, North Dakota State University Farm Operations.

**Minutes**

It was moved by Manager Jacobson, seconded by Manager Yohe and unanimously carried to approve the minutes of the May 15, 2013, meeting.

**Approval of agenda order**

It was moved by Manager Yohe, seconded by Manager Jacobson and unanimously carried to approve the order of the agenda, as amended.

**Drain #10 – slide east of North Dakota State University (NDSU) swine barns**

Brady Woodard presented pictures of a slide on Drain #10 east of the NDSU swine barns. NDSU is concerned about stabilization in that area because it is so close to the concrete pit, which holds raw sewage. Gerry Erickson explained that the system flushes a few times a week, but the worst part of the slide is at the first stage of the system. The lagoon is emptied in the fall, so that may be a good time to work on the slide area.

It was moved by Manager Yohe and seconded by Manager Jacobson to direct Moore Engineering, Inc. to hire Braun Intertec to look into the slide area on Drain #10, east of the NDSU swine barns, and provide a cost estimate to repair the site. Upon roll call vote, the motion carried unanimously.

**Drain #10 – slide at 4101 32nd Street North, adjacent to Border States Paving, Inc.**

Nathan Boerboom informed the Board that a decision is expected at the Fargo City Commission meeting tonight as to which option they would like to pursue to repair the slide on Drain #10 at 4101 32nd Street North, adjacent to Border States Paving, Inc. Setbacks along the drain were also discussed.

**Levee construction in Chrisan and Maple Prairie Subdivisions**

The *Joint Powers Agreement* between the Water Resource District and Cass County was reviewed regarding the construction of flood protection levees in Chrisan and Maple Prairie Subdivisions. Sean Fredricks will make revisions to the agreement for review at the next meeting. Moore Engineering, Inc. will continue working with the County on the project.

**West Fargo Improvement District No. 4050**

It was moved by Manager Jacobson and seconded by Manager Yohe to approve the *Utility Permit* for the City of West Fargo to install a lift station that outlets into Sheyenne-Maple Flood Control District #1 in Section 19 of Barnes Township, subject to approval by the Corps of Engineers. Upon roll call vote, the motion carried unanimously.

**Quiet Title action regarding property east of Cass County Highway 19, south of 12th Avenue NW**

It was moved by Manager Yohe, seconded by Manager Jacobson and unanimously carried to approve the *Purchase Agreement* for “Parcel C” in the NW 1/4 of Section 6 in Barnes Township from MJB Development Ltd. in the amount of \$10,000. Upon roll call vote, the motion carried unanimously.

**Sheyenne-Maple Flood Control District #1 - MJB / Federal Beef road**

Chad Engels said he has not heard back from the Corps of Engineers with regard to the Water Resource District granting an easement to the City of West Fargo to maintain the road on top of the inside levee of Sheyenne-Maple Flood Control District #1, near the West Fargo lagoons.

**Sheyenne-Maple Flood Control Projects - haying**

It was moved by Manager Yohe and seconded by Manager Jacobson to change the start date for haying the Sheyenne-Maple Flood Control Projects from July 1st to July 15th and extend the term of the License Agreement to three years. Upon roll call vote, the motion carried unanimously.

**Bank stabilization on a lot along the Sheyenne River in the City of Horace**

Mr. Woodard spoke with the property owner in the City of Horace that added concrete debris to stabilize the river bank. The property owner indicated to Mr. Woodard he would clean up the area and not add any more material to the river bank.

### **Sheyenne-Maple Flood Control Projects - levee certification**

Kurt Lysne said part of the levee certification process required a listing of personnel, as well as operation and maintenance summaries for the Sheyenne-Maple Flood Control Projects. He presented the documents for the Board's review. It was moved by Manager Jacobson and seconded by Manager Yohe to adopt the *Flood Operation Summary* documents for the Sheyenne-Maple Flood Control Projects, as presented. Upon roll call vote, the motion carried unanimously.

### **Addition to meeting agenda**

It was moved by Manager Yohe, seconded by Manager Jacobson and unanimously carried to add discussion on Drain #40 to the agenda.

### **Drain #40 – illicit drain discharge**

Mr. Engels and Mr. Woodard tracked the source of illicit drain discharge into Drain #40. The matter is now in the hands of the North Dakota Department of Health. Mr. Engels said they now know the contact person if this type of situation should occur in the future.

Chairman Brodshaug suggested putting together a policy for this type of situation to allow the Water Resource District Engineer to pursue the matter without action from the Board. Mr. Engels will work on drafting a policy for the Board to review.

### **Drain #53 – trees along the west side of Silverleaf Addition**

Mr. Boerboom said the City of Fargo is concerned about not having a 15' clear zone off of the toe of the Drain #53 levee through Silverleaf Addition. The city would prefer the Water Resource District own the land so the space along the drain is available if needed. Mr. Engels will continue working on the matter with Mr. Boerboom.

### **Engineering study budgets**

Mr. Engels updated the Board on the budgets for various ongoing engineering studies. The cost has ended up being higher than anticipated due to excess time being spent on them. Some areas were modeled twice. The Board asked Mr. Engels to keep them informed on the matter.

### **Dike Application #2403 for the City of Fargo in Section 36 of Barnes Township along Rose Coulee**

It was moved by Manager Yohe and seconded by Manager Jacobson to authorize the Secretary-Treasurer to send a letter to the Office of State Engineer recommending approval of *Dike Application #2403* for the City of Fargo in Section 36 of Barnes Township along Rose Coulee. Upon roll call vote, the motion carried unanimously.

**Utility Permit for Cass County Electric Cooperative to install underground power cables in the SW 1/4 of Section 33 in Reed Township along the Sheyenne-Maple Flood Control District #1 north tieback levee**

It was moved by Manager Jacobson and seconded by Manager Yohe to approve the *Utility Permit* for Cass County Electric Cooperative to install underground power cables in the SW 1/4 of Section 33 in Reed Township along the Sheyenne-Maple Flood Control District #1 north tieback levee, subject to review of the Water Resource District Engineer. Upon roll call vote, the motion carried unanimously.

**Joint Funding Agreement with the USGS to take discharge measurements at three locations in Richland County**

It was moved by Manager Yohe and seconded by Manager Jacobson to approve the *Joint Funding Agreement* with the USGS to take discharge measurements at three locations in Richland County. Upon roll call vote, the motion carried unanimously.

**West Fargo Planning correspondence**

It was moved by Manager Jacobson and seconded by Manager Yohe to authorize the Water Resource District Engineer to review and comment on the West Fargo Planning correspondence relating to the following:

- Shadow Creek 5th Addition;
- Brooks Harbor 2nd Addition; and
- Conditional Use Permit for Petro Serve USA.

.Upon roll call vote, the motion carried unanimously.

**Correspondence from the Fargo Department of Planning and Development - July preliminary packet**

It was moved by Manager Yohe and seconded by Manager Jacobson to authorize the Water Resource District Engineer to review and comment on correspondence from the Fargo Department of Planning and Development relating to the July preliminary packet. Upon roll call vote, the motion carried unanimously.

**Cass County Weed Control Work Order**

It was moved by Manager Jacobson and seconded by Manager Yohe to approve the Cass County Weed Control Work Order form for spraying Southeast Cass Water Resource District facilities in 2013, with the exception of item #7. Upon roll call vote, the motion carried unanimously.

**Assessments on properties with no value or tax liability**

The Board discussed assessments on properties with no value or tax liability. No action was taken.

**Bills**

It was moved by Manager Yohe and seconded by Manager Jacobson to approve payment of Checks #10824 through #10838 and the electronic funds transfer, as presented. Upon roll call vote, the following Managers voted in favor: Brodshaug, Jacobson and Yohe. The Chairman declared the motion passed.

**Adjournment**

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

APPROVED:

\_\_\_\_\_  
Mark Brodshaug  
Chairman

ATTEST:

\_\_\_\_\_  
Carol Harbeke Lewis  
Secretary-Treasurer