

MINUTES OF SPECIAL MEETING  
SOUTHEAST CASS WATER RESOURCE DISTRICT  
BENNETT ELEMENTARY SCHOOL  
FARGO, NORTH DAKOTA  
JULY 16, 2013

The Southeast Cass Water Resource District met on July 16, 2013, at 6:00 p.m. at Bennett Elementary School, Fargo, North Dakota.

Present were Mark Brodshaug, Chairman; Lance Yohe, Manager; Carol Harbeke Lewis, Secretary-Treasurer; Brittany C. Moen, Administrative Assistant; Sean M. Fredricks, Attorney for the Board; Chad Engels, Engineer for the Board; and those whose names appear on the attached roster. Manager Dan Jacobson was absent.

Chairman Brodshaug called the meeting to order and introductions were made.

**Reassessment of Benefits Hearing on Drains #27 and #53**

The purpose of the meeting was to hold a reassessment hearing for Drains #27 and #53. Chad Engels reviewed the drainage area of both drains. He explained that reassessing the drains helps to distribute the costs for benefit more appropriately, and to assure that owners of newly developed properties pay on the same basis as owners of properties in older developments. He also reviewed a handout which sets out how the assessments are determined, and explained that Southeast Cass Water Resource District is aiming to reassess properties benefitting from drains every other year. State statute sets the maximum amount that can be levied as well as the maximum amount the fund can have on hand.

It was asked what Mr. Engels means by saying that reassessments will capture developed properties since the last assessment. Mr. Engels explained that property that has been developed in the last 2 years would still be paying the undeveloped agricultural rate unless it was reassessed. A reassessment will capture a change in property value.

A request was made to have Mr. Engels further explain what project maintenance consists of. He then gave an example of some recent maintenance projects on Drains #27 and #53.

Someone asked why there would be standing water in the drain adjacent to 52nd Avenue and if this means Drain #27 is not working at full capacity. Mr. Engels confirmed the standing water at that location and explained that the area around there is very flat, which makes drainage difficult and that the location will be receiving a lift station in the future to help with the problem. Mr. Engels emphasized that the standing water seen in that area of Drain #27 is not the product irregular operation but is because water lies below the culvert elevation.

It was brought up after the previous question that water is supposed to flow through a crossing at 52nd Avenue but gets backed up, and results in standing water there as well.

Mr. Engels said the area would require some monitoring and suggested the possibility of vegetation in the drain being the cause of some blockage.

Someone asked who is going to pay for the lift station near 52nd Avenue. April Walker, Fargo City Engineer, explained that the development that necessitates the lift station will be paying for the construction and maintenance of the station, and beyond that the City of Fargo collects storm sewer funds that are also used to pay for lift station construction and maintenance within the City.

Someone said they believed Drain #27 was built to bring water from the Sheyenne River to Fargo, and wondered if that is still being paid for. Mark Bittner, Fargo Director of Engineering, explained that originally a pump station at the Sheyenne River had an open channel that brought water to Drain #27, then to the Red River, and finally into the Fargo Water Plant. There were problems that arose from this process, and eventually the City of Fargo buried the pipe, and the Sheyenne is no longer attached to Drain #27.

It was asked how many properties Southeast Cass Water Resource District expects to capture since the last reassessment in 2011. Mr. Engels said that there is not a number yet, only a dollar amount and value. He said the largest changes are expected to be in the newly developed neighborhoods within the watershed, which will go from paying the undeveloped agricultural rates to a new developed rate.

It was asked if Southeast Water Resource District can borrow money for projects. Mr. Engels said the Water Resource District can borrow money, but is limited to a total of 6 years maximum levy. He also pointed out that the Water Resource District can only accumulate up to a total of 6 years maximum maintenance levy.

The question was asked whether or not Drain #27 retains Red River water during inundation events, and if the drain is purposely holding Red River flood water during those times. Mr. Engels said the drain does back up with Red River water but it is not something that is done intentionally, because there is no gate to control this; the water flows naturally to the drain by means of gravity and it is not part of a retention plan for the Red River.

Someone asked if Southeast Cass Water Resource District sprays for cattails and what is used to spray. Mr. Engels said the Water Resource District works with Cass County Weed Control to spray the drains in Cass County. Ms. Walker added that typically the cattails are not bad enough in urban areas to justify spraying within city limits. Mark Brodshaug noted that in rural areas, the cattails are sprayed by air with a helicopter service, but this is not done in urban areas. Mr. Engels said the chemical used is safe and environmentally friendly.

It was asked when Drain #27 was built. Mr. Brodshaug said approximately 1910.

Someone asked if there is a possibility the assessments could go down this year. Sean Fredricks explained that this would be hard to predict at this time, as there are bonds still being paid on for previous maintenance projects.

It was asked if Drain #53 protects such a large part of the City of Fargo, why the assessment area would be so small. Mr. Engels made the differentiation between flood protection benefits and drainage benefits on drains, and explained this assessment is for drainage benefits only. He also explained that the City of Fargo has flood control levees of which they collect for, and those levees protect a significantly larger area than shown for Drain #53 benefits.

Someone inquired where Drain #53 and #27 meet. Mr. Engels pointed out the location where the drains meet on a map, in the Oak Creek neighborhood in south Fargo.

There was a question about how different types of properties are assessed. Rural properties are assessed on a per acre basis and urban properties are based on valuation. The Water Resource District analyzes the needs of the drain and the amount that needs to be assessed on an annual basis. The maximum that can be assessed is \$4 per acre.

It was asked how large an average lot would be in a developed area. Mr. Engels said typically lots are approximately 1/2 acre; in developments with larger homes it is common to see larger lots.

Mr. Engels was asked how far from a drain property owners are assessed within city limits. He explained that everyone within an assessment area is treated the same, the only difference being developed rates and undeveloped rates. He then said that property owners are put into assessment areas if they benefit from the drain.

**Adjournment**

There being no further business to be considered by the Board, the meeting adjourned without objection.

APPROVED:

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Mark Brodshaug  
Chairman

ATTEST:

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Carol Harbeke Lewis  
Secretary-Treasurer