

MINUTES OF MEETING
SOUTHEAST CASS WATER RESOURCE DISTRICT
CASS COUNTY HIGHWAY DEPARTMENT
WEST FARGO, NORTH DAKOTA
AUGUST 6, 2013

The Southeast Cass Water Resource District met on August 6, 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; Brittany C. Moen, Administrative Assistant; Sean M. Fredricks, Attorney for the Board; Chad Engels, Engineer for the Board; Jacob Gust, Sheyenne-Maple Flood Control District #1 Superintendent; Brady Woodard, Moore Engineering, Inc.; Bob Backman, River Keepers; and Jim Burgard, property owner in Mapleton Township.

Minutes

It was moved by Manager Yohe, seconded by Manager Jacobson and unanimously carried to approve the minutes of the July 16, 17, 25, 2013, meetings, and the minutes of the August 1, 2013, meeting, as amended.

Approval of agenda

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

Sheyenne-Maple Flood Control Project - recreational use

Bob Backman met with the Board to discuss recreational use on the Sheyenne-Maple Flood Control Projects. Mr. Backman emphasized the need to define specific rules. Chad Engels will prepare a map of potential sites for the Board to consider at the next meeting. The Board directed the Secretary-Treasurer to coordinate a meeting with all of the interested parties. Sean Fredricks reviewed the prices of lots south of I-94 at the Sheyenne River.

Sheyenne-Maple Flood Control Project – Agreements for Cost-share Reimbursement with the State Water Commission for Project #1 Phase I and II, Project #2 Phase V, and Project #1 Phase V (weir improvements)

It was moved by Manager Yohe and seconded by Manager Jacobson to approve *Agreements for Cost-share Reimbursement* with the State Water Commission for Sheyenne-Maple Flood Control Project for the following projects:

- Project #1 Phase I and II
- Project #2 Phase V
- Project #1 Phase V

Upon roll call vote, the motion carried unanimously.

Sheyenne-Maple Flood Control Project – Project #2 inlet fence

It was moved by Manager Jacobson and seconded by Manager Yohe to authorize Moore Engineering, Inc. to hire a contractor to repair the inlet fence on Sheyenne-Maple Flood Control District #2. Upon roll call vote, the motion carried unanimously.

Sheyenne-Maple Flood Control District #1 – stagnant water in Sheyenne River through West Fargo

The issue of stagnant water in the Sheyenne River due to operation of Sheyenne-Maple Flood Control District #1 was discussed. Mr. Engels will work on preliminary concept designs to alleviate the issue for review and discussion at a future meeting.

Sheyenne River tree snags at 19th Avenue North and at Center Street

Brady Woodard reported that he had spoken with landowners who are concerned about tree snags on the Sheyenne River at 19th Avenue North and at Center Street. The Board requested that Mr. Woodard look further into the issue, as well as prepare a cost estimate for the removal of the tree snags. Mr. Woodard will have the information at the next meeting.

Culvert replacement under Sunnyside Street at 68th Avenue South

Mr. Woodward reviewed the design of the culvert replacement under Sunnyside Street at 68th Avenue South. Work has not yet started on the project.

Drain #10 – Slide at 4101 32nd Street North, adjacent to Border States Paving, Inc. – revised JPA

It was moved by Manager Jacobson and seconded by Manager Yohe to approve the amended *Joint Powers Agreement* with the City of Fargo regarding the slide on Drain #10 at 4101 32nd street north, adjacent to Border States Paving, Inc. Upon roll call vote, the motion carried unanimously.

City of West Fargo – proposed lagoon expansion

Jim Burgard expressed concern to the Board about the proposed expansion of the West Fargo lagoons and how it will affect flooding events. Manager Brodshaug requested that Mr. Engels or Mr. Woodard follow up with Mr. Burgard to look into the matter.

Drain #21C cleanout in Section 1 of Warren Township

It was moved by Manager Jacobson and seconded by Manager Yohe to authorize Moore Engineering, Inc. to hire a contractor to clean sediment buildup on Drain #21C in Section 1 in Warren Township and to remove corn stocks from the east end of Section 1. Upon roll call vote, the motion carried unanimously.

Drain #27 and #53 reassessment

Minutes relating to the reassessment of Drain #27 and #53 are attached hereto.

Drain #27 – refund of assessment

It was moved by Manager Jacobson and seconded by Manager Yohe to refund Terrance Sauvageau for assessment payments on Drain #27 from 1995 through 2003. Upon roll call vote, the motion carried unanimously. Mr. Sauvageau was also paying for assessments on Drain #53 during those years and should not have been assessed for Drain #27.

Drain #27 – Access Agreement allowing the City of Fargo to access Water Resource District property to facilitate field surveys, soil testing and parcel review to facilitate flood mitigation efforts from I-29, east of 40th Avenue South

It was moved by Manager Jacobson and seconded by Manager Yohe to approve an *Access Agreement* for the City of Fargo to access Water Resource District property to facilitate field surveys, soil testing and parcel review for flood mitigation efforts from I-29, east of 40th Avenue South. Upon roll call vote, the motion carried unanimously.

Drain #40 – damages at 12th Avenue North

Mr. Woodard will make a final attempt to communicate with the company responsible for damages to Drain #40 at 12th Avenue North. If the Board does not hear back by the end of the week, repair work will proceed.

It was moved by Manager Yohe and seconded by Manager Jacobson to authorize the Water Resource District Attorney to communicate with the company responsible for damages to Drain #40 at 12th Avenue North about paying for repair of the damages and to authorize Moore Engineering, Inc. to hire a contractor to repair the damages. Upon roll call vote, the motion carried unanimously.

Drain #40 – 2013 Slide Repairs

It was moved by Manager Jacobson and seconded by Manager Yohe to approve the *Temporary Easement* with County 20 Storage and Transfer, Inc. regarding the Drain #40 2013 Slide Repairs Project and authorize the Chairman to sign the same. Upon roll call vote, the motion carried unanimously.

Dike Application #2406 for the City of Fargo to construct a dike along Drain #27 in the NW 1/4 of Section 3 in Stanley Township

It was moved by Manager Yohe and seconded by Manager Jacobson to send a letter to the Office of the State Engineer recommending approval of Dike Application #2406 for the City of Fargo to construct a dike along Drain #27 in the NW 1/4 of Section 3 in Stanley Township, including any comments provided by the Water Resource District Engineer. Upon roll call vote, the motion carried unanimously.

Correspondence from West Fargo Planning

It was moved by Manager Jacobson and seconded by Manager Yohe to authorize the Water Resource District Engineer to review and submit comments and authorize the Chairman to sign plats, as needed, regarding the following:

- Montgomery Homestead 2nd Addition
- Brooks Harbor 3rd

- Maple Ridge at the Preserve 3rd Addition
- The Wild's 5th Addition
- Charleswood 32nd Addition

Upon roll call vote, the motion carried unanimously.

Request from Eddy County Water Resource District for cost-share to complete repairs to Warwick Dam on the Sheyenne River

It was moved by Manager Jacobson and seconded by Manager Yohe to send a letter to Eddy County Water Resource District denying the request for cost-share to complete repairs to Warwick Dam on the Sheyenne River. Upon roll call vote, the motion carried unanimously.

Bills

It was moved by Manager Yohe and seconded by Manager Brodshaug to approve the payments of Checks #10895 through #10912 and the electronic funds transfer, as presented. Upon roll call vote, the motion carried unanimously.

Adjournment

There being no further business to be considered by the Board, it was moved by Manager Yohe, seconded by Manager Brodshaug and unanimously carried to adjourn the meeting.

APPROVED:

Mark D. Brodshaug
Chairman

ATTEST:

Carol Harbeke Lewis
Secretary-Treasurer