

MINUTES OF MEETING
SOUTHEAST CASS WATER RESOURCE DISTRICT
CASS COUNTY HIGHWAY DEPARTMENT
WEST FARGO, NORTH DAKOTA
SEPTEMBER 4, 2013

The Southeast Cass Water Resource District met on September 4, 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 (by telephone); Carol Harbeke Lewis, Secretary-Treasurer; Brittany C. Moen, Administrative Assistant; Sean M. Fredricks, Attorney for the Board; Kurt Lysne and Kyle Volk, Engineers for the Board; Brady Woodard, Moore Engineering, Inc.; Jacob Gust, Sheyenne-Maple Flood Control District #1 Superintendent; George Grossman, City of West Fargo; Pat Downs, Red River Retention Authority; Bob Backman, River Keepers; Jarrett Christoferson, Animal Damage Control; Andy Noah and Buzz Marvin, representing Silverleaf Addition in Fargo.

Minutes

It was moved by Manager Jacobson, seconded by Manager Brodshaug and unanimously carried to approve the minutes of the August 21 and August 23, 2013, meetings.

Approval of agenda

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

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

Andy Noah and Buzz Marvin met with the Board to discuss the trees along the west side of Silverleaf Addition, next to Drain #53. Kyle Volk reviewed the issue, and explained that the City of Fargo and the Board re-designed the reconstruction of Drain #53 in an effort to leave the trees standing, yet to ensure compliance with various Corps of Engineers and FEMA requirements. Sean Fredricks explained that the Board could now convey ownership of certain property to five adjacent landowners along the north end in Lots 9, 10, 12, 13, and 14. The Board will also convey easements to those five landowners and all other owners of properties adjacent to the trees along Drain #53 for purposes of maintaining the trees. Mr. Marvin commended the Board, the City of Fargo, and Moore Engineering, Inc. for working with the property owners on the matter.

Sheyenne-Maple Flood Control Projects – Application #2410 for the City of West Fargo in the NW 1/4 of Section 1 in Mapleton Township for Sewer Improvement District #1253 – Lagoon Cell No. 10

Kurt Lysne informed the Board that the City of West Fargo will submit a new *Construction Permit* to the State Engineer to replace *Application #2410* in the NW 1/4 of Section 1 in Mapleton Township for Sewer Improvement District #1253, Lagoon Cell No. 10. The proposed modifications to the new *Construction Permit* will move the levy back from Cass County Highway 10 to prevent potential stage impacts.

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

The Board discussed issues related to the slide on Drain #10 at 4101 32nd Street North, adjacent to Border States Paving, Inc. The City of Fargo advertised for bids on a project to install dual box culverts on Drain #10 at that location.

Drain #10 – License Agreement allowing Case New Holland use of right-of-way for a new building

Case New Holland has modified the design for a new building, so the use of Drain #10 right-of-way is no longer required, which eliminates the need for a *License Agreement*.

Drain #21C - cleanout at 52nd Avenue South

Brady Woodard reported that the cleanout work is complete on Drain #21C at 52nd Avenue South.

Drain #40 – 2013 Slide Repairs

It was moved by Manager Jacobson and seconded by Manager Yohe to approve the revised *Purchase Agreement* with Van Raden Properties, Inc. regarding the 2013 Slide Repairs Project on Drain #40. Upon roll call vote, the motion carried unanimously. Work can begin on the project after the final *Purchase Agreement* is executed.

Animal Damage Control

Jarrett Christoferson reported on animal damage control and preventative maintenance on the Sheyenne River and Wild Rice River. Bob Backman discussed the possibility of doing animal damage control work on the Red River and will check with other agencies about the issue. He will be in contact with the Water Resource District office regarding the matter.

Drain #40 – damages at 12th Avenue North

Mr. Woodard reported that the repair work is completed on Drain #40 at 12th Avenue North.

It was moved by Manager Jacobson and seconded by Manager Yohe to send the bill for repair work on Drain #40 at 12th Avenue North to the company responsible for the damages, and if the Board does not receive reimbursement, to commence action against the company responsible. Upon roll call vote, the motion carried unanimously.

Country Acres drainage improvements

Mr. Woodard met with property owners in Country Acres to discuss potential drainage improvements. He reported that property owners would like to see cost estimates for the proposed work and they also indicated they would be willing to pay for the project.

Correspondence from the Fargo Department of Planning and Development – September preliminary packet

Mr. Lysne informed the Board that further review is needed regarding ownership related issues for Christianson's 1st Addition.

Moore Engineering, Inc. is also conducting further review on Schatz 3rd Addition.

Correspondence from West Fargo Planning

It was moved by Manager Yohe and seconded by Manager Jacobson to authorize the Water Resource District Engineer to review and submit comment regarding:

- Petro Serve 1st Addition
- Brentwood 1st Addition
- Oak Ridge 5th Addition

Upon roll call vote, the motion carried unanimously.

Bills

It was moved by Manager Jacobson and seconded by Manager Yohe to approve payment of Checks #10935 through #10945 and the electronic funds transfer, as presented. Upon roll call vote, the motion carried unanimously.

Section 19 in Reed Township

Mr. Woodward met with Doug Tehven regarding erosion on the Sheyenne River in Section 19 in Reed Township. He gave suggestions to Mr. Tehven on the matter.

Tree removal on Sheyenne River at 6911 Riverdale Drive

It was moved by Manager Jacobson and seconded by Manager Yohe to hire American Enterprises, Inc. to remove the tree from the Sheyenne River at 6911 Riverdale Drive. Upon roll call vote, the motion carried unanimously.

November and December meeting schedule

It was moved by Manager Jacobson and seconded by Manager Brodshaug to reschedule the November and December 2013 meetings to November 13 and December 18, 2013. Upon roll call vote, the motion carried unanimously.

Warwick Dam Repair Project in Eddy County - cost-share request

The Board discussed possible funding set aside for the Warwick Dam Repair Project in Eddy County and directed the Secretary-Treasurer to research the matter for the next meeting.

Adjournment

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

APPROVED:

Mark Brodshaug
Chairman

ATTEST:

Carol Harbeke Lewis
Secretary-Treasurer