

MINUTES OF SPECIAL MEETING  
SOUTHEAST CASS WATER RESOURCE DISTRICT  
CASS COUNTY HIGHWAY DEPARTMENT  
WEST FARGO, NORTH DAKOTA  
JANUARY 6, 2015

The Southeast Cass Water Resource District met on January 6, 2015, at 1:30 p.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; Brenda Lovgren, Administrative Assistant; Sean Fredricks, Attorney for the Board; Kurt Lysne, Engineer for the Board; George Grossman, City of West Fargo; Brady Woodard, Moore Engineering, Inc., Jacob Gust, Reed Township resident (by phone); Bruce Young, St. Benedict Sewer Association, Inc., John Koerselman and Sharon May, Horace City Council; and Paul Breen, City of Oxbow.

**Approval of agenda**

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

**Reorganization of the Board for 2015**

It was moved by Manager Jacobson and seconded by Manager Yohe to appoint the following individuals to serve in the designated capacities for calendar year 2015:

Mark Brodshaug	Chairman
Dan Jacobson	Vice Chairman
Carol Harbeke Lewis	Secretary-Treasurer
Mark Brodshaug	Cass County Joint Water Resource District representative
Dan Jacobson	Cass County Joint Water Resource District representative
Lance Yohe	Cass County Joint Water Resource District alternate representative
Lance Yohe	Red River Joint Water Resource District representative

Dan Jacobson	Red River Joint Water Resource District alternate representative
Dan Jacobson	Sheyenne River Joint Water Resource District representative
Mark Brodshaug	Sheyenne River Joint Water Resource District alternate representative

Upon roll call vote, the motion carried unanimously.

**2015 meeting dates**

The Board discussed its regular meeting dates for the year 2015. It was moved by Manager Jacobson and seconded by Manager Yohe to adopt the following resolution. Upon roll call vote, the motion carried unanimously.

RESOLUTION

BE IT RESOLVED, that the Southeast Cass Water Resource District does hereby set the 10th of February at 8:30 a.m., the 11th of March at 1:30 p.m., and the third Wednesday of April through December at 8:30 a.m. in the Cass County Highway Department building, 1201 Main Avenue West, West Fargo, North Dakota, as its regular meeting dates, times and place for the year 2015.

BE IT FURTHER RESOLVED that the Secretary be and she hereby is directed to forward a copy of said schedule of meetings to the Cass County Auditor and to post said schedule at the Water Resource District's principal office and the location of the scheduled meetings, all in accordance with the provisions of Section 44-04-20 as amended.

APPROVED:

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Mark Brodshaug  
Chairman

ATTEST:

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Carol Harbeke Lewis  
Secretary-Treasurer

**Designation of depositories of Southeast Cass Water Resource District public funds**

It was moved by Manager Jacobson and seconded by Manager Yohe to designate the following as depositories of Southeast Cass Water Resource District public funds:

- Alerus Financial
- Bell State Bank and Trust
- US Bank
- Bank of the West
- First International Bank
- Bremer Bank
- First State Bank of North Dakota (Casselton)

Upon roll call vote, the motion carried unanimously.

**Pledges of Assets**

It was moved by Manager Yohe and seconded by Manager Jacobson to approve the following Pledges of Assets:

- |                  |                                     |
|------------------|-------------------------------------|
| Alerus Financial | (as per agreement of March 7, 1996) |
| Bank of the West | \$1,300,000                         |

Upon roll call vote, the motion carried unanimously.

**Review of contract for legal services**

It was moved by Manager Yohe and seconded by Manager Jacobson to appoint Ohnstad Twichell, P.C. as legal counsel for the Southeast Cass Water Resource District for calendar year 2015. Upon roll call vote, the motion carried unanimously.

**Minutes**

It was moved by Manager Yohe, seconded by Manager Jacobson, and unanimously carried to approve the minutes of the December 10, 2014, meeting.

**St. Benedict Sewer Project**

Bruce Young met with the Board to discuss future options regarding the St. Benedict Sewer System. The sewer system is currently connected to the City of Horace. The City of Fargo has developed east of 45th Street South and would consider accepting the line, but has requested a proposal with preliminary plans setting out the hook-up location, pipe size, and the volume.

It was moved by Manager Jacobson and seconded by Manager Yohe to authorize Moore Engineering, Inc. to discuss planning with the City of Fargo and the City of Horace and to authorize Sean Fredricks to research extraterritorial boundaries regarding the St. Benedict Sewer Project. Upon roll call vote, the motion carried unanimously.

**Southside Rural Sewer Project – sewer utility fund deficit**

It was moved by Manager Jacobson and seconded by Manager Yohe to approve payment of \$25,000 to the City of Fargo for the Southside Rural Sewer Project sewer utility fund deficit. Upon roll call vote, the motion carried unanimously.

**Sheyenne River and Wild Rice River Snagging and Clearing**

Brady Woodard reported that Industrial Builders, Inc. is ready to begin work on the Wild Rice River Snagging and Clearing Project.

**Sheyenne-Maple Flood Control Projects – Superintendent position**

The Sheyenne-Maple Flood District #1 Superintendent position is currently open. The superintendent represents the Southeast Cass Water Resource District and is responsible for overseeing communication during a flood event and regarding operation and maintenance of the Sheyenne-Maple Flood Control Projects. The Corps of Engineers requires having a contact person in place for such an event. Sean Fredricks will review the position duties further and report back to the Board.

It was moved by Manager Yohe and seconded by Manager Jacobson to approve the *Independent Contractor Agreement* between the Southeast Cass Water Resource District and Jacob Gust. Upon roll call vote, the motion passed unanimously.

**Sheyenne-Maple Flood Control Projects – property acquisition near the Project #1 control structure**

It was moved by Manager Jacobson and seconded by Manager Yohe to authorize Kurt Lysne to make an offer to purchase “Tract A” in North Pond at the Preserve Eighth Addition in the NE 1/4 NW 1/4 of Section 20 in Barnes Township, not to exceed \$15,000, and to retain “Tract B”. Upon roll call vote, the motion carried unanimously.

**Drain #21 – agreement with the North Dakota Department of Transportation (NDDOT) regarding work at Main Avenue**

It was moved by Manager Yohe and seconded by Manager Jacobson to approve and authorize the Chairman to sign the *Agreement* with the NDDOT regarding work on Drain #21 at Main Avenue. Upon roll call vote, the motion passed unanimously.

**Drain #53 special assessments**

It was moved by Manager Jacobson and seconded by Manager Yohe to pay off the special assessments on parcel no. 01-3500-04932-050 along Drain #53. Upon roll call vote, the motion carried unanimously.

**Drain #60 – Permanent Easement regarding Newport Ridge 5th Addition**

It was moved by Manager Jacobson and seconded by Manager Yohe to approve the *Permanent Easement* with the City of Kindred regarding Normanna Township Improvement District No. 60 and to approve the consent letter regarding representation by Ohnstad Twichell, P.C. Upon roll call vote, the motion carried unanimously.

### **Weather stations update**

Brady Woodard reported to the Board that all weather stations are in and functional and landowner agreements are ready to be approved.

It was moved by Manager Yohe and seconded by Manager Jacobson to approve 5 *Easements* with landowners to allow placement of weather stations on their property. Upon roll call vote, the motion carried unanimously.

### **Utility Permit form revisions**

It was moved by Manager Yohe and seconded by Manager Jacobson to approve the *Utility Permit* form revisions, as presented. Upon roll call vote, the motion carried unanimously.

### **Items for review and comment, with input provided by the Water Resource District Engineer**

It was moved by Manager Yohe and seconded by Manager Jacobson to approve and submit comment on the following, with input from the Water Resource District Engineer:

- *Utility Permit* for CenturyLink to install buried telephone cable under Drain #10 at 40th Avenue North;
- *Utility Permits* for County 20 Storage and Transfer to install 3 storm sewer outlets into Drain #40; and
- Correspondence from West Fargo Planning as follows:
  - Center at 7th 2nd Addition
  - Oak Ridge 6th Addition

Upon roll call vote, the motion carried unanimously.

### **Bills**

It was moved by Manager Yohe and seconded by Manager Jacobson to approve payment of Checks #11546 through #11569, and the electronic funds transfers, 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 Yohe, seconded by Manager Jacobson and unanimously carried to adjourn the meeting.

APPROVED:

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Mark Brodshaug  
Chairman

ATTEST:

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Carol Harbeke Lewis  
Secretary-Treasurer