

MINUTES OF MEETING  
SOUTHEAST CASS WATER RESOURCE DISTRICT  
CASS COUNTY HIGHWAY DEPARTMENT  
WEST FARGO, NORTH DAKOTA  
APRIL 15, 2015

The Southeast Cass Water Resource District met on April 15, 2015, at 8:30 a.m. at the Cass County Highway Department, West Fargo, North Dakota.

Present were Mark Brodshaug, Chairman (by phone); Dan Jacobson, Manager; Lance Yohe, Manager; Carol Harbeke Lewis, Secretary-Treasurer; Brenda Lovgren, Administrative Assistant; Sean Fredricks, Attorney for the Board; Chad Engels, Kurt Lysne and Lyndon Pease, Engineers for the Board; Mary Scherling, Cass County Commissioner; Brady Woodard, Moore Engineering, Inc.; George Grossman, City of West Fargo; and Jacob Gust, Reed Township resident.

Chairman Brodshaug asked Manager Jacobson to run the meeting.

**Approval of agenda**

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

**Minutes**

It was moved by Manager Brodshaug, seconded by Manager Yohe, and unanimously carried to approve the minutes of the March 11, 2015, meeting.

**Sheyenne-Maple Flood Control Projects – Maintenance Agreement [Amended and Reconstituted]**

It was moved by Manager Brodshaug and seconded by Manager Yohe to approve the *Maintenance Agreement [Amended and Reconstituted]* between the Southeast Cass Water Resource District and the City of West Fargo regarding Sheyenne-Maple Flood Control Districts #1 and #2. Upon roll call vote, the motion carried unanimously.

**Sheyenne-Maple Flood Control Projects – relocation of the Project #1 south tieback levee access off of Sheyenne Street**

It was moved by Manager Yohe and seconded by Manager Brodshaug to approve the concept requested by the City of West Fargo to install a new street adjacent to the start of the Sheyenne-Maple Flood Control District #1 south tieback levee off of Sheyenne Street and to authorize the Secretary-Treasurer to submit a letter to the Corps of Engineers requesting review and concurrence on the project. Upon roll call vote, the motion carried unanimously.

**Sheyenne-Maple Flood Control Projects – Lease Agreement with Tom Beaton**

It was moved by Manager Brodshaug and seconded by Manager Yohe to approve and authorize the Chairman to sign the *Lease Agreement* with Tom Beaton. Upon roll call vote, the motion passed unanimously.

**Drain #21 Improvements Project from Main Avenue to 12th Avenue North**

It was moved by Manager Yohe and seconded by Manager Brodshaug to approve the following regarding the Drain #21 Improvements Project:

- Consent Letter regarding representation by Ohnstad Twichell, P.C. of Southeast Cass Water Resource District and the City of West Fargo;
- *Resolution of Necessity*, a copy of which is attached to these minutes; and
- *Joint Powers Agreement* with the City of West Fargo.

Upon roll call vote, the motion carried unanimously.

**Drain #45 Improvements Project from 12th Avenue NW to the Sheyenne-Maple Flood Control District #1 tieback levee**

It was moved by Manager Brodshaug and seconded by Manager Yohe to approve the *Resolution of Necessity* regarding the Drain #45 Improvements Project. Upon roll call vote, the motion carried unanimously. A copy of the Resolution is attached hereto.

**Sheyenne River Snagging and Clearing Project**

Brady Woodard reported that American Enterprises, Inc. is almost complete with Project 2 Reach 1 regarding the Sheyenne River Snagging and Clearing Project. Construction costs for Reach 1, Reach 2 and Reach 3 have come in under budget.

An area north of 12th Avenue needs to be cleared out. The Board has requested Brady Woodard and George Grossman inspect the area and determine the best scenario for clearing.

**Drain #27 at Prairie Rose**

Chad Engels reported that the City of Fargo is planning on constructing a levee in the Prairie Rose Addition this summer. Some grading work will be needed on Drain #27 right of way. The Board did not have any concerns or issues with the project.

**Drain #27 and #53 assessment districts**

Drain #27 and Drain #53 are due for reassessment in 2016 as per the 3-year rotation schedule. Chad Engels proposed combining the assessment districts. Sean Fredricks will draft a Resolution for combining the assessment districts for consideration at the next meeting.

**Utility Permit for Minnkota Power Cooperative, Inc. to rebuild the existing above-ground electric transmission line along Veteran’s Boulevard, crossing Drain #27 in the E 1/2 of Section 5 in Stanley Township**

Kurt Lysne would like to visit with City of Fargo officials about their future levee needs and to verify if the work outlined in the *Utility Permit* for Minnkota Power Cooperative, Inc. to cross Drain #27 in Section 5 of Stanley Township was requested by the City of Fargo.

### **2015 Drain #3 and #10 Channel Improvements Project**

Lyndon Pease reviewed concepts with the City of Fargo regarding the 2015 Drain #3 and #10 Channel Improvements Project. The City of Fargo favored the drop structure concept and bringing up the drain profile a bit. The project will run from Cass County Highway 20 to 19th Avenue North. The *Engineer's Opinion of Probable Cost* was reviewed.

It was moved by Manager Yohe and seconded by Manager Brodshaug to authorize Moore Engineering, Inc. to proceed with development of final plans and specifications and proceed with right of way procurement regarding the 2015 Drain #3 and Drain #10 Channel Improvements Project. 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 Brodshaug to approve and authorize the Secretary-Treasurer to submit comment on the following, with input from the Water Resource District Engineer:

- Correspondence from the Fargo Department of Planning and Development as follows:
  - May preliminary packet
- Correspondence from West Fargo Planning as follows:
  - Eagle Run 22nd Addition

Upon roll call vote, the motion carried unanimously.

### **North Dakota Insurance Reserve Fund – proxy for annual meeting**

It was moved by Manager Brodshaug and seconded by Manager Yohe to authorize the Secretary-Treasurer to sign the proxy relating to the North Dakota Reserve Fund annual meeting. Upon roll call vote, the motion carried unanimously.

### **Bills**

It was moved by Manager Yohe and seconded by Manager Brodshaug to approve payment of Checks #11764 through #11782, the electronic funds transfers and the debit card transaction, as presented. Upon roll call vote, the following Managers voted in favor: Brodshaug, Jacobson, and Yohe. The Chairman declared the motion passed.

### **Drain #21C on the east side of Section 33 in Warren Township**

Residents are concerned about silt blowing into Drain #21C on the east side of Section 33 in Warren Township. Township officials have been in contact with the landowner and have requested cleanout to make sure the drain is working properly. The Board instructed Brady Woodard to inspect and monitor the drain.

### **Utility Permit for Enventis to install fiber optic cable under Drain #53, along the north side of 52nd Avenue South**

It was moved by Manager Yohe and seconded by Manager Brodshaug to approve the *Utility Permit* for Enventis to install fiber optic cable under Drain #53, along the north side of 52nd Avenue South, subject to conditions provided by the Water Resource District Engineer. Upon roll call vote, the motion carried unanimously.

**Adjournment**

There being no further business for the Board to consider, it was moved by Manager Yohe, seconded by Manager Brodshaug 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