

MINUTES OF MEETING
SOUTHEAST CASS WATER RESOURCE DISTRICT
CASS COUNTY HIGHWAY DEPARTMENT
WEST FARGO, NORTH DAKOTA
DECEMBER 16, 2015

The Southeast Cass Water Resource District met on December 16, 2015, 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; Brenda Lovgren, Administrative Assistant; Sean Fredricks, Attorney for the Board; Chad Engels, Kurt Lysne and Lyndon Pease, Engineers for the Board; Brady Woodard, Moore Engineering, Inc.; Jason Benson, Cass County Engineer; Jim Hausauer, Utility Director, Division of Wastewater, City of Fargo; George Grossman, City of West Fargo; Bruce Young, St. Benedict Sewer Association; Dean Wills and Bryce Peterson, Wanzek Construction, Inc.

Approval of agenda

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

Minutes

It was moved by Manager Yohe, seconded by Manager Jacobson and unanimously carried to approve the minutes of the November 18, 2015, meeting.

2015 Drain #3 and #10 Channel Improvements Project

Chad Engels met with Wanzek Construction, Inc. to discuss options for completing the 2015 Drain #3 and #10 Channel Improvements Project. Wanzek Construction, Inc. has subcontracted with Industrial Builders, Inc., H & S Contracting, Inc., and Heartland Excavating to assist with the project. Wanzek Construction, Inc. did not meet the substantial completion date of November 1, 2015. Representatives of Wanzek Construction, Inc. indicated they intend to complete the project by the beginning of 2016.

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

Kurt Lysne reported to the Board the Drain #21 Improvements Project from Main Avenue to 12th Avenue North is on schedule. Riley Bros. Construction, Inc. will complete the remainder of the project in the spring once BNSF Railway Company is able to provide a flagger for work to be done under the railroad bridge. No additional updates were reported.

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

Mr. Lysne said the Drain #45 Improvements Project from 12th Avenue NW to the Sheyenne-Maple Flood Control District #1 tieback levee is complete. Straw wattles have been placed on 2/3 of the stockpile to keep in compliance with the storm water permit as required by the North Dakota Department of Health – Division of Water Quality under the North Dakota Pollutant Discharge Elimination System (NDPDES).

Drain #40 channel bottom

Mr. Engels said the survey is complete regarding the Drain #40 channel bottom, from upstream of I-29 to the outlet. The hydraulic analysis will be presented to the Board at a future meeting.

Reed Township Improvement District No. 76 Project

Sean Fredricks informed the Board the *Joint Powers Agreement* between the Southeast Cass Water Resource District, Cass County, and the City of West Fargo regarding the Reed Township Improvement District No. 76 Project was sent to all entities for consideration. Jason Benson said the Cass County Highway Department would be willing to cover the share of the cost to construct the north/south ditch. The assessment district can be formed once the *Joint Powers Agreement* is executed.

Sheyenne-Maple Flood Control District #2 – Moorhead Public Service Easement

Mr. Lysne updated the Board regarding relocation of the Moorhead Public Service transmission line that crosses Sheyenne-Maple Flood Control District #2, just north of 32nd Avenue South. Mr. Fredricks reviewed changes to the *Amended Easement Agreement* regarding the matter.

It was moved by Manager Jacobson and seconded by Manager Yohe to approve the *Amended Easement Agreement* between Southeast Cass Water Resource District and Moorhead Public Service regarding relocation of the transmission line that crosses Sheyenne-Maple Flood Control District #2, just north of 32nd Avenue South. Upon roll call vote, the motion carried unanimously.

Sheyenne-Maple Flood Control Projects

Brady Woodard and George Grossman informed the Board that the cleanout work at 52nd Avenue South on Sheyenne-Maple Flood Control District #2 has been completed. The pumps have been pulled and flap gates have all been checked and are ready for spring on the Sheyenne-Maple Flood Control Projects.

Sheyenne River and Wild Rice River Snagging and Clearing Projects

It was moved by Manager Yohe and seconded by Manager Jacobson to approve the following *Agreements* for the Sheyenne River and Wild Rice River Snagging and Clearing Projects:

- Project I Reach I of the Sheyenne River with American Enterprises, Inc.;
- Project I Reach II of the Sheyenne River with Industrial Builders, Inc.; and

- Project I Reach III of the Sheyenne River with Industrial Builders, Inc.; and
- Wild Rice River with Industrial Builders, Inc.

Upon roll call vote, the motion carried unanimously.

Southside Rural Sewer Project – sewer utility fund deficit

Jim Hausauer discussed the request by the Board for the City of Fargo to take over the entire Southside Rural Sewer Project. The age of the infrastructure is a concern and revenue is down because there are less residents using the system due to home buyouts within the project area. The City of Fargo would like to propose an increase in rates for operation and maintenance of the sewer project, which would require approval by Southeast Cass Water Resource District.

It was moved by Manager Jacobson and seconded by Manager Yohe to approve closing out Obligated Southside Rural Sewer Project Fund 1226 and to transfer the balance of funds in the amount of \$12,709.17 to the City of Fargo for the Southside Rural Sewer Project utility fund deficit. Upon roll call vote, the motion carried unanimously.

Drain #3 – proposed Roers Construction Project east of University Drive

Mr. Lysne consulted with Roers Construction regarding the proposed project adjacent to Drain #3, east of University Drive, south of the Riviera Mobile Home Park. A map of the project location was reviewed with the Board. Chairman Brodshaug suggested Moore Engineering, Inc. review construction plans provided by Roers Construction, submit any suggested changes, and report on the matter at the next meeting. Mr. Fredricks said a Joint Powers Agreement would need to be established between the City of Fargo, Roers Construction, and the Southeast Cass Water Resource District prior to construction. The concepts for the development will need approval from the City of Fargo.

It was moved by Manager Yohe and seconded by Manager Jacobson to authorize Moore Engineering, Inc. to complete an engineering review of the proposed Roers Construction project adjacent to Drain #3, east of University Drive, south of the Riviera Mobile Home Park, not to exceed \$10,000. Upon roll call vote, the motion carried unanimously. Geotechnical review costs would be the responsibility of Roers Construction.

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

Information from Fargo Department of Planning and Development regarding FSOC Addition was reviewed. It was moved by Manager Jacobson and seconded by Manager Yohe to authorize the Chairman to sign the plat for FSOC Addition in the City of Fargo. Upon roll call vote, the motion carried unanimously.

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

- *Utility Permit* for the City of West Fargo to install storm sewer forcemain through Sheyenne-Maple Flood Control District #1 at 8th Avenue NW and 26th Street NW (Sewer, Water and Storm Improvement District No. 1289 – Phase II); and

- Correspondence from West Fargo Planning
 - North Pond at the Preserve 9th Addition
 - Gateway West Addition

Upon roll call vote, the motion carried unanimously.

Application for Surface Drain #4390 for Helendale Private Drain, LLC in the SE 1/4 of Section 35 in Helendale Township in Richland County – update

Mr. Engels and Mr. Fredricks have received information from the applicant regarding *Application for Surface Drain #4390* for Helendale Private Drain, LLC in the SE 1/4 of Section 35 in Helendale Township in Richland County. They will review the information with the Board at the next meeting.

Transfers of principal and interest received to the construction fund and the general fund on the following projects

It was moved by Manager Jacobson and seconded by Manager Yohe to approve the transfers of principal and interest received to the construction fund and the general fund regarding the following:

- Harwood Township Improvement District No. 65
- Kensington Riverbank Stabilization Project #2005-1
- Wild Rice Bank Stabilization and Improvement Project No. 2011-1

Upon roll call vote, the motion carried unanimously.

Year-end issues

It was moved by Manager Yohe and seconded by Manager Jacobson to authorize the following:

- The Secretary-Treasurer to make any minor year-end transfers to balance the Southeast Cass Water Resource District 2015 budget;
- The Secretary-Treasurer to make transfers to and from obligated funds, if necessary; and
- The Secretary-Treasurer to amend the Southeast Cass Water Resource District 2015 budget.

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 #12413 through #12435, #12460, #12461, the electronic funds transfers, and the debit card transactions, as presented. Upon roll call vote, the following Managers voted in favor: Brodshaug, Jacobson, and Yohe. The Chairman declared the motion passed.

January 2016 meeting date

The Board scheduled its next meeting on January 15, 2016, at 8:30 a.m.

Adjournment

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

APPROVED:

Mark Brodshaug
Chairman

ATTEST:

Carol Harbeke Lewis
Secretary-Treasurer