

MINUTES OF MEETING
SOUTHEAST CASS WATER RESOURCE DISTRICT
CASS COUNTY HIGHWAY DEPARTMENT
WEST FARGO, NORTH DAKOTA
MAY 25, 2016

The Southeast Cass Water Resource District met on May 25, 2016, 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; Michelle Anderson, Administrative Assistant; Sean Fredricks, Attorney for the Board; Chad Engels, Kurt Lysne; Lyndon Pease and Kyle Volk, Engineers for the Board; Brady Woodard, Moore Engineering, Inc.; Arnie Jelinek, Dean Wills and Bryce Peterson, Wanzek Construction, Inc.; Larry Nygard, Roers Construction; and Lynn Johnson, Normanna Township resident.

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.

Minutes

It was moved by Manager Yohe, seconded by Manager Jacobson and unanimously carried to approve the minutes of the April 27 and May 12, 2016, meetings.

2015 Drain #3 and #10 Channel Improvements Project

Lyndon Pease updated the Board on the 2015 Drain #3 and #10 Channel Improvements Project. Wanzek Construction, Inc. hopes to complete construction by the end of next week. Brady Woodard will be coordinating with Wanzek Construction, Inc. to complete a punch list of specific items.

It was moved by Manager Jacobson and seconded by Manager Yohe to approve *Contractor's Application for Payment No. 8* for Wanzek Construction, Inc. in the amount of \$93,860 regarding the 2015 Drain #3 and #10 Channel Improvements Project. Upon roll call vote, the motion carried unanimously.

Lyndon Pease reported the as-built survey and the calculation of the earthwork quantities based on the as-built survey has been completed. Mr. Pease stated the earthwork quantities using the as-built survey are very close to those already paid to the contractor. Mr. Pease met with the contractor to review the results.

Arnold Jelinek discussed the amount of work completed on the project. He stated Wanzek Construction, Inc. hired KLJ Engineering to complete an independent land

survey and requested the opportunity to discuss the results. The Board agreed to a future meeting with Wanzek Construction, Inc. to discuss the 2015 Drain #3 and #10 Channel Improvements Project. The Board asked Mr. Jelinek to invite KLJ Engineering representatives.

Drain #3 – slide and wingwall repair at old Highway 81

Mr. Pease informed the Board that Braun Intertec is currently taking soil borings to evaluate the slide and wingwall structure that is beginning to buckle on Drain #3 at old Highway 81. The matter will also be reviewed by the City of Fargo. A recommendation for repair will be made at the next meeting.

Drain #10 – culvert repair north of 19th Avenue North

Moore Engineering, Inc. is looking into repair of the culvert on Drain #10 north of 19th Avenue North. Burlington Northern Santa Fe Railway Company will also be contacted regarding the matter.

Drain #3 - Proposed Roers Construction Project east of University Drive – Bison Village

Larry Nygard reported project planning continues on the Bison Village project east of University Drive, adjacent to Drain #3. A map of the project location was reviewed with the Board. Sean Fredricks will draft language for a *Permanent Easement* relating to Roers Construction installing and maintaining a storm water retention pond on the easement area.

It was moved by Manager Yohe and seconded by Manager Jacobson to direct the Water Resource District Engineer to prepare and authorize the Secretary-Treasurer to sign and submit an *Application for Surface Drain* to the Office of the State Engineer regarding the proposed Roers Construction Project east of University Drive, adjacent to Drain #3, for Bison Village. Upon roll call vote, the motion carried unanimously.

Drain #3 - slides along Air National Guard property

Brady Woodard presented an estimate for slide repair work on Drain #3 along Air National Guard property. The Air National Guard will provide fill for the project. It was moved by Manager Jacobson and seconded by Manager Yohe to authorize Moore Engineering, Inc. to hire H & S Contracting, Inc. to repair slide areas, mow brush and remove trees on Drain #3 along Air National Guard property, not to exceed \$40,000. Upon roll call vote, the motion carried unanimously.

Sheyenne Diversion – Normanna Township

Lynn Johnson presented concerns to the Board regarding water from spring snowmelt moving through his property on the south side of Cass County Highway 16 in Section 2 of Normanna Township. His son plans to build a house on the same property and he would like to fill in low spots on the dikes along the Sheyenne River to help prevent the problem. Chad Engels reviewed concerns about building up river dikes and pushing

water downstream. The Water Resource District Engineers will inspect the site and review elevation maps. Mr. Johnson was encouraged to contact the Horace floodplain administrator for more information concerning floodplain issues and the process required.

Sheyenne-Maple Flood District #1 – Main Avenue bridge replacement project over the Sheyenne River

Brady Woodard reported that Riley Bros. Construction, Inc. is finishing up the Main Avenue bridge replacement project over the Sheyenne River and the Sheyenne-Maple Flood Control District #1 gates will be opened today to resume the flow of water in the Sheyenne River.

Drain SC-2 reassessment

Kyle Volk reviewed assessment calculations and the benefit analysis regarding the Drain SC-2 reassessment. The *Resolution Setting Hearing on Reassessment for Cass County Drain SC-2 District and Certificate* are attached hereto.

Drain #53 - conveyance from Ryland Development Corporation

Sean Fredricks reported Ryland Development Corporation has platted Golden Valley Addition and conveyed land adjacent to Drain #53 to Southeast Cass Water Resource District. A *Warranty Deed* has been prepared and will be recorded.

Letter from Griggs County Water Resource District requesting financial assistance to conduct a study to evaluate options for the rehabilitation of Ueland Dam

It was moved by Manager Jacobson and seconded by Manager Yohe to approve and authorize the Secretary-Treasurer to send a letter to the Griggs County Water Resource District denying their request for financial assistance to conduct a study to evaluate options for rehabilitation of Ueland Dam, because the project does not provide benefit to the Southeast Cass Water Resource District. 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 authorize the Secretary-Treasurer to submit comment on the following, with input from the Water Resource District Engineer:

- *Utility Permit* for Cass County Electric Cooperative to replace underground power cable through Rose Coulee, west of University Drive; and
- *Utility Permit* for Northern States Power Company to install a 6" gas distribution line and related appurtenances under the Sheyenne River, south of 12th Avenue NW in West Fargo.

Upon roll call vote, the motion carried unanimously.

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

- Correspondence from Fargo Department of Planning and Development
 - June preliminary packet
 - Timber Creek Sixth Addition
 - Bison Village Addition

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, with input from the Water Resource District Engineer, to the City of Horace regarding the proposed plat of Lost River Addition. Upon roll call vote, the motion carried unanimously.

The Board received and filed the following *Temporary Water Permits*:

- For Oxbow Country Club to divert water from the Red River in the NW 1/4 SW 1/4 of Section 19-137-48 for irrigation; and
- For Industrial Builders, Inc. to divert water from the Red River in the SE 1/4 of Section 6-139-48 for construction

Bills

It was moved by Manager Jacobson and seconded by Manager Yohe to approve the payment of Checks #12704 through #12719 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.

Raymond-Mapleton Township Improvement District No. 76 Project

Discussion was held to reschedule the Raymond-Mapleton Township Improvement District No. 76 Project assessment hearing due to conflicts with previously scheduled meetings. The *Resolution Re-scheduling Assessment Hearing regarding Raymond-Mapleton Township Improvement District No. 76 Project* is attached to these minutes. Formal mailings will be sent out in the next couple of weeks.

Drain #53 – possible beaver dam north of 52nd Avenue South

The Secretary-Treasurer was notified of a possible beaver dam on Drain #53, north of 52nd Avenue South. The Board directed the Secretary-Treasurer to contact Animal Damage Control to look into the matter.

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