

FLOOD SALES TAX COMMITTEE
AGENDA FOR APRIL 17, 2013

Cass County Commission Room

1:00 PM

1. Call to Order
2. Approve minutes from previous meeting
3. Flood sales tax fund update
4. Status of previously approve projects
5. Review of projects and selection of projects to be funded in 2013
6. Other business
7. Adjournment

cc: Local Media

**FLOOD SALES TAX COMMITTEE
MARCH 19, 2012—11:00 AM**

1. MEETING TO ORDER

Commissioner Darrell Vanyo called a meeting of the Flood Sales Tax Committee to order on Monday, March 19, 2012, at 11:05 AM in the Commission Room, Cass County Courthouse, with the following present: County Commissioner Ken Pawluk; County Administrator Keith Berndt; County Auditor Michael Montplaisir; Joint Water Resource District Representative Rodger Olson; and County Commissioner Darrell Vanyo.

Also present were Jason Benson, Cass County Engineer; city officials; local residents; staff from engineering firms; and members of the local media.

2. MINUTES APPROVED

MOTION, passed

Mr. Berndt moved and Mr. Montplaisir seconded to approve the meeting minutes from May 18, 2011, as presented. Motion carried.

3. FLOOD SALES TAX FUND UPDATE

Mr. Vanyo said when the flood sales tax was approved by voters in 2010, the county estimated \$11 million in revenues would be raised per year. Based on that figure, \$10 million would be set aside for FM diversion expenses, and \$1 million for other county projects.

Mr. Montplaisir said the current balance of the Sales Tax Fund is approximately \$6.5 million. He estimates an additional \$9 million will be generated in the remaining nine months of 2012. He said about \$10.1 million will be available this year after payments are made for diversion design costs.

Mr. Vanyo suggested the committee consider the use of 2011 dollars as a guideline when reviewing project requests today. He said the committee could also consider using funds raised the past three months of 2012.

The sales tax raised \$7.6 million in 2011 and based on that figure, \$692,783 would be available for county projects.

4. PROJECTS REVIEWED AND APPROVED

Mr. Vanyo said a spreadsheet of all project requests received in 2010 and 2011 was prepared for review by the committee. He said one of the requirements for him to consider a project is whether construction is scheduled this year or has already begun.

Mr. Berndt reviewed the list with recommendations for the committee to consider. He suggested the county consider funding 50% of the local cost share along with each entity contributing 50%.

The committee was presented with information and discussed the following projects:

- City of Argusville levee recertification
- City of Oxbow flood control improvements
- City of Mapleton levee raise
- Round Hill Subdivision home acquisition
- Upper Red River Watershed retention plan
- Upper Maple River Dam environmental assessment

Mr. Pawluk supports the Upper Red River Watershed retention plan, but does not consider this a priority as it leads to more study, not an actual project.

Mr. Olson asked about the request from the Maple River Water Resource District for Pontiac Township Improvement District No. 73 to remove high water from flooded county and township roads. He believes construction may begin this fall on the project. He said safety and access are issues that need to be addressed.

Mr. Berndt considers this a road or mitigation project and said highway or county mitigation dollars could be considered for this project. He said last year the county spent significant funds to re-route two roads in the area because of flooding.

Mr. Vanyo said more definite numbers are needed regarding the local cost share before a decision is made on the request for this improvement district.

MOTION, passed

Mr. Pawluk moved and Mr. Montplaisir seconded to fund the county projects highlighted by the committee as follows:

- **\$168,925 for City of Argusville levee recertification**
- **\$140,000 for City of Oxbow flood control improvements**
- **\$ 52,500 for City of Mapleton levee raise**
- **\$350,000 for Round Hill Subdivision home acquisition**
- **\$ 20,562 for Upper Maple River Dam environmental assessment**

On roll call vote, the motion carried unanimously.

The committee approved a total of \$731,987 in sales tax proceeds be allocated for the projects.

Mr. Vanyo suggested that Mr. Benson and Mr. Montplaisir be involved with the project costs and construction schedules in order to release the funds to each entity.

The committee reviewed the requests from other entities. Mr. Berndt said the majority of those not chosen today either will not be constructed this year or did not identify detailed information on the local cost share.

5. OTHER BUSINESS

Mr. Montplaisir provided a map of the Heritage Hills area showing what lots are county owned and privately owned. He said the county may want to consider purchasing some of the lots in the future. Mr. Benson said the Sheriff's Office has expressed concern about activities occurring in the area since much of the county-owned lots are vacant. Mr. Berndt said one of the remaining homes may be purchased in the latest Hazard Mitigation Grant Program application submitted to the state.

Mr. Berndt asked about distribution of funds raised by the three mills levied for emergency and mitigation projects, and who will decide on how the dollars will be allocated. Mr. Vanyo said the directive on how to spend the funds should come from the county commission.

6. NEXT MEETING

Mr. Vanyo suggested the committee meet again in late summer to consider use of sales tax funds raised in 2012.

7. ADJOURNMENT

MOTION, passed

On motion by Mr. Pawluk, seconded by Mr. Berndt, and all voting in favor, the meeting was adjourned at 12:10 PM.

	A	B	C	D	E
1	Running 12 Month Total				
2			Running	Running 12 Month	
3	Month	Amount	12 Month Total	Average	
4	6/15/2011	662,085			
5	7/15/2011	1,039,416			
6	8/15/2011	894,282			
7	9/15/2011	1,356,047			
8	10/15/2011	1,421,407			
9	11/15/2011	1,163,910			
10	12/15/2011	1,075,275			
11	1/15/2012	1,049,639			
12	2/15/2012	1,580,564			
13	3/15/2012	1,103,147			
14	4/15/2012	758,668			
15	5/15/2012	1,282,520	13,386,960	1,115,580	
16	6/15/2012	1,225,656	13,950,532	1,162,544	
17	7/15/2012	884,777	13,795,893	1,149,658	
18	8/15/2012	1,499,351	14,400,961	1,200,080	
19	9/15/2012	1,216,966	14,261,880	1,188,490	
20	10/15/2012	963,549	13,804,022	1,150,335	
21	11/15/2012	1,602,402	14,242,514	1,186,876	
22	12/14/2012	1,327,070	14,494,309	1,207,859	
23	1/15/2013	1,367,490	14,812,160	1,234,347	
24	2/15/2013	1,389,094	14,620,690	1,218,391	
25	3/14/2013	1,095,982	14,613,525	1,217,794	
26	4/15/2013	613,010	14,467,867	1,205,656	

SALES TAX COUNTY PROJECTS

	PROJECT	AMOUNT APPROVED	SPENT TO DATE	BALANCE OF PROJECT	PROJECT COMPLETE
CITY OF ARGUSVILLE	LEVEE IMPROVEMENTS	\$168,925.00	\$144,174.71	\$ -	YES
CITY OF OXBOW	FLOOD PROTECTION	\$140,000.00	\$105,284.29	\$ -	YES
MAPLE-STEELE JWRD	FLOOD PROTECTION	\$20,562.00	\$ -	\$20,562.00	NO
CITY OF MAPLETON	FLOOD PROTECTION	\$52,500.00	\$ -	\$52,503.00	NO
ROUND HILL SUBDIVISION	BUYOUT 8308 RIVER VIEW RD	\$350,000.00	\$350,696.00	\$ -	YES
	TOTALS	\$731,987.00	\$350,696.00	\$73,065.00	

	A	B	C	D	E	F	G	H	I
1	Suggested March 2012 funding		POTENTIAL AND REQUESTED SALES TAX MITIGATION PROJECTS		4/12/2013				
2									
3		NO.	PROJECT DESCRIPTION	POINT OF CONTACT	TOTAL EST. COST	COUNTY \$ REQUESTED	OTHER FUNDING	OWNERSHIP	COUNTY NOTES
4									
5									
6	\$ 100,000	1	Argusville Levee Recertification	Brandon Oye, Moore Eng.	\$20,000 - \$150,000	50%	State Water Commission (50%)	City of Argusville	Argusville has requested assistance with a number of items related to their recertification of their levee system. If the County participates, perhaps we should look at the project in total and provide some funding but total County participation not to exceed City contribution for project
7		2	Argusville Leonard's Way Dike	Brandon Oye, Moore Eng.	\$95,000	50%	None	City of Argusville	
8		3	Harwood Township Dike at Siebels Subdivision	Douglas Warnecke, Harwood Twp Flood Plain Admin	TBD		All Available		
9		4	Larger Culverts at Cass 32 near Siebels Subdivison	Douglas Warnecke, Harwood Twp Flood Plain Admin	TBD		Cass County Highway Dept.	Cass County	
10		5	Elevate and Install Culverts Cass 32 immediately west of I29	Douglas Warnecke, Harwood Twp Flood Plain Admin	TBD		Cass County Highway Dept.	Cass County	
11		6	Construct earthen dike along west side of Lloyd Amundson Farmstead east of 28th St culverts	Douglas Warnecke, Harwood Twp Flood Plain Admin	TBD		SWC Ring Dike program, WR District, Land owner	Various	
12		7	Elevate private roadway/dike in NW 1/4 of Section 28, Harwood Twp.	Douglas Warnecke, Harwood Twp Flood Plain Admin	TBD		SWC Ring Dike program, WR District, Land owner	Various	
13		8	Elevate, straighten, & replace culverts with bridge structure 170th Ave, Section 29, Harwood Twp., Rush River Crossing	Douglas Warnecke, Harwood Twp Flood Plain Admin	TBD		Rush River WRD, Cass County, Harwood Twp, SWC	Various	
14		9	Elevate low section of 170th Ave, 1/2 mile N from 30th St, Section 32, Harwood Twp.	Douglas Warnecke, Harwood Twp Flood Plain Admin	TBD		All Available	Various	
15		10	Brooktree Park Ring Dike Raise and Interior Pump System	Douglas Warnecke, Harwood Twp Flood Plain Admin	TBD		All Available	Various	
16		11	Raise and Install Culverts in 171st Avenue between 29th Street and 27th Street to Sheyenne River and Construct ring dikes.	Douglas Warnecke, Harwood Twp Flood Plain Admin	TBD		All Available	Various	
17		12	Individual ring dikes on properties in Sections, 16, 15, 14, 11, 12, 13, 24, 25, 35, 36, & 34	Douglas Warnecke, Harwood Twp Flood Plain Admin	TBD		Cost share among all available sources	Various	
18		13	Spot Location Raises of All County Township Roads within Harwood-Twp	Douglas Warnecke, Harwood Twp Flood Plain Admin	TBD			Various	
19		14	Reditching water through the City of Arthur	Steve Perry, Mayor	\$130,000	1/3 of cost = \$43,333	Special Assessment, local business & grant funding	City of Arthur	
20	\$ 200,000	15	City of Oxbow Flood Control Improvements	Southeast Cass Water Resource District	\$530,000	All or a part of the non-State share	SEC WRD, 50% of non-State share up to \$87,500. WRD loan	City of Oxbow	
21		16	Adding culverts (minimum of 2) on Cass 17, north of State 46	Brett Odegaard, Pleasant Twp Supervisor				State of ND/Cass Co.	
22	\$ 100,000	17	City of Mapleton Levee Raise	Brandon Oye, Moore Eng.	\$500,000	50%	State Water Commission (50%)	City of Mapleton	Total County Fund Participation not to exceed City contribution for project (Similar to Argusville approach)
23		18	Maple River Slope Protection & Repair	Brandon Oye, Moore Eng.	\$450,000	50%	State Water Commission (50%)	City of Mapleton	
24		19	Levee Closure Structures	Brandon Oye, Moore Eng.	\$150,000	50%	State Water Commission (50%)	City of Argusville	
25		20	Diking around City of Kindred	Nick Gludt, Moore Engineering	\$300,000	50%	State Water Commission	City of Kindred	
26		21	Southside Drainage Improvements, Horace Diversion	Kevin Bucholz, Barry Johnson	\$1,740,000.00		City of West Fargo, Southeast Cass WRD	City of West Fargo	
27	\$ 450,000	22	Round Hill Home Acquisitions and Levee	Keith Berndt	\$450,000			Cass County	
28		23	Forest River (27 Maple Prairie Homes) Ring Dike	Keith Berndt	TBD - \$500,000+/-			Cass County	
29		24	Forest River and South Chrisan Home Acquisitions (18 homes)	Keith Berndt	\$5.8 Million			Cass County	
30		25	North Chrisan Subdivision Home Acquisitions	Keith Berndt	\$1.8 Million			Cass County	
31		26	North Chrisan Subdivision Ring Dike	Keith Berndt	TBD \$400,000+/-			Cass County	

	A	B	C	D	E	F	G	H	I
32		27	14th Street Road Raise in Raymond Township	Keith Berndt/Raymond Twp	TBD \$300,000 +/-			Raymond Twp	
33		28	Lake Shure area Road Raise and Bridge Replacement	Keith Berndt	TBD \$1 Million +/-			Reed Twp	
34		29	Willow Creek Suvdivision Ring Dike	Keith Berndt	TBD \$200,000 +/-				
35		30	Rush River WRD study of retention projects	Rush River WRD/Carol Harbeke Lewis	\$115,000	\$8,050.00	State Water Commission (60%) Red River Joint WRD (65% non-state) SE Cass WRD (Possible)		
36		31	Maple River WRD water retention plan	Maple River WRD/Carol Harbeke Lewis	\$165,000	\$11,550.00	State Water Commission (60%) Red River Joint WRD (65% non-state) Maple River WRD		
37		32	City of Harwood Flood Protection	John Shockley, Ohnstad Twichell	\$6,368,845		City sales tax & special assessments		updated request for Cass County and State Water Commission to split \$150,000 cost of feasibility study; total project cost between \$4 and \$5 million
38		33	Kensington Subdivision Box culvert on 100th Ave, east of C-81	Kirk Cossette, John Erickson, & Scott Handy	n/a				
39		34	Large Culvert Installation and Road Raise located South of Section 35, Tower Township	Mark Johnson, Tower Township Director	n/a			Tower Township	
40									
41			POTENTIAL AND REQUESTED SALES TAX MITIGATION PROJECTS		FALL 2011-SPRING 2012				
42									
43	Column1	Column2	Column3	Column4	Column5	Column6	Column7	Column8	Column9
44	\$ 43,750	35	Upper Red River Watershed Retention Plan	Southeast Cass WRD/Carol Harbeke Lewis	\$1,000,000	\$43,750.00	State Water Commission \$250,000; Red River Joint WRD \$162,500; Southeast Cass WRD \$43,750; State of Minnesota \$500,000 (dependent on MN Legislature)		
45	\$ 20,562	36	Upper Maple River Dam environmental assessment	Maple-Steele Joint WRD/Carol Harbeke Lewis	\$230,000	\$20,562.50	State Water Commission (50%) Red River Joint WRD (65% non-state) Maple-Steele Joint WRD 50% local share		
46		37	Elm River/Bell Township containment of breakouts	North Cass WRD/Carol Harbeke Lewis	TBD	local share			
47		38	City of Mapleton storm sewer lift station	Brandon Oye, Moore Eng.	\$330,000	\$77,508 or 23.5%	CDBG \$172,492	City of Mapleton	Total County Fund Participation not to exceed City contribution for project
48		39	Upper Swan Creek channel improvements	Harvey Morken/Chad Engels, Moore Eng.	\$3,400,000	\$3,400,000	not anticipating any funding from city or water district for several years	Maple River-Rush River Joint WRD	
49		40	Move/reconstruct 700' stretch of 167th Avenue in Normanna Township	Mark Ottis, Normanna Twp Supervisor	TBD			Normanna Twp	
50		41	Add 15' of culvert and embankment traversing 167th Ave near intersection of 50th St in Normanna Township	Mark Ottis, Normanna Twp Supervisor	TBD			Normanna Twp	
51		42	Raise 300' stretch of road by one foot on 49th St between 166th Ave and 167th Ave in Normanna Township	Mark Ottis, Normanna Twp Supervisor	TBD			Normanna Twp	
52		43	Gravel 2 miles of 169th Ave from 50th St to 52nd St in Normanna Township	Mark Ottis, Normanna Twp Supervisor	TBD			Normanna Twp	
53		44	Pontiac Township Improvement District No. 73	Maple River WRD/Carol Harbeke Lewis	\$1,560,000	\$780,000 or 50% of local cost			
54		45	Reed Township home buyouts (south of 19th Avenue and west of Co Rd 17)	Mark McAllister, Reed Twp Chairman	\$1,572,350				
55		46	Creation of two spillways on 19th Ave NW	Mark McAllister, Reed Twp Chairman	\$130,000			Reed Twp	
56		47	Creation of concrete spillway at 57th St South of Co Rd 20	Mark McAllister, Reed Twp Chairman	\$110,000			Reed Twp	
57		48	Creation of 200' concrete spillway on 52nd Ave N	Mark McAllister, Reed Twp Chairman	applying to FEMA for grant to construct bridge			Reed Twp	



Project #57

P.O. Box 65
108 Main Street
Harwood, ND 58042-0065

Email: auditor@cityofharwood.com
(701) 281-0314 (Phone)
(701) 282-0543 (Fax)
www.cityofharwood.com

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NOV 30 2012

CASS COUNTY COMMISSION

November 28, 2012

Keith Berndt, PE
Administrator, Cass County
PO Box 2806
Fargo, ND 58108-2806

Attention: Flood Sales Tax Review Committee

Dear Mr. Berndt:

This letter is an update to a previous request made on October 21, 2011 (see attached letter).

On October 21st, 2011 the city of Harwood made a request to the Flood Sales Tax Committee for assistance in funding a feasibility study to investigate flood damage reduction alternatives. The previous request was for 50% of the estimated \$100,000 - \$150,000 cost and the remaining amount needed would be funded through a request to the North Dakota State Water Commission (NDSWC). As an update, the NDSWC has granted the city up to \$75,000 for the completion of the study; therefore, the remaining 50% is still needed and hopefully is considered for funding by Flood Sales Tax Committee.

Your consideration into this vital matter is greatly appreciated.

Sincerely,

HOUSTON ENGINEERING, INC.

Bill Rohrich, Mayor

Attachments



P.O. Box 65
108 Main Street
Harwood, ND 58042-0065

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November 28, 2012

Keith Berndt, PE
Administrator, Cass County
PO Box 2806
Fargo, ND 58108-2806

Attention: Flood Sales Tax Review Committee

Dear Mr. Berndt:

As you are likely well aware, the potential for significant flood damage to the city of Harwood is unfortunately nearly an annual event (i.e. 2009, 2010, 2011...). The most critical location for potential levee failure protecting the city is along the Sheyenne River north of Cass County Road 20 (see attachment). A portion of this section of levee is continuously sloughing and is in need of repair each year. The integrity and stability of the levee is a concern to the citizens of Harwood.

Existing repair and maintenance to this section of levee is unrealistic and impractical due to the location of homes/property adjacent to the river.

1. Project Description – The proposed project consist of the buy-out of three existing homes along the Sheyenne River. The buyout of the homes noted below will make repair, maintenance and/or improvement to this critical section of feasible.
 - a. 200 Stennes Drive
 - b. 116 Oak Circle
 - c. 114 Oak Circle
2. Point of Contact – Sherry Morris, City Auditor 701.281.0314 or Jeff LeDoux, City Engineer 701.237.5065
3. Estimated total cost of project

Buyout	\$600,000
Demo/relocation	\$75,000
Repair/Improvement (future)	<u>\$125,000</u>
	\$800,000

4. Funding Assistance Amount - \$600,000

5. Other Funding Sources – City funds

6. O & M responsibility – The city will be responsible for operation and maintenance

The city of Harwood has the authority pursuant to N.D.C.C. § 40-22-01 to construct flood control improvements within and outside of the city. The city intends to cover its share of the costs of project construction through a combination of sales tax revenue and special assessments.

Your consideration into this vital matter is greatly appreciated.

Sincerely,

HOUSTON ENGINEERING, INC.





Bill Rohrich, Mayor

Attachments



City of Harwood

-  Proposed Buyouts
-  Parcels



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108 Main Street
Harwood, ND 58042-0065

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(701) 282-0543 (Fax)
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FILE COPY

October 21, 2011

Keith Berndt, PE
Administrator, Cass County
PO Box 2806
Fargo ND 58108-2806

Attention: Flood Sales Tax Review Committee

Dear Mr. Berndt:

As you are likely well aware, the potential for significant flood damage to the city of Harwood is unfortunately nearly an annual event (i.e. 2009, 2010, 2011...). The city of Harwood is at risk of flooding from many sources such as overland flow from the Sheyenne River and the Red River of the North, as well as Clay County Drains 40 and 45. Essentially, each year the city has had to undertake emergency measures to protect the lives and property of its citizens. This has strained local budgets and required multiple applications to state and federal agencies for possible reimbursement of disaster relief expenses.

Flood threat to the city of Harwood has been experienced mostly during spring runoff. In these events, emergency dikes, ditch blocks, pumps, road raises, railroad track removal/diking and sandbagging are needed measures for flood protection, resulting in substantial costs. These efforts require emergency authorization and action from the North Dakota Department of Transportation to work within the right-of-way for the construction of ditch blocks, dikes, and pumps, which in turn interrupts traffic on Interstate 29; from Cass County for the raising and closure of County Highway 81 and Chapin Drive; and also from BNSF for the removal of track to construct a dike and shut down the rail transportation for an extended period of time. Many of these efforts, along with the actual flood water, make the city of Harwood an island with limited (or no) access. Safety and wellbeing of its citizens is then also a concern.

Flooding has also occurred during the summer months (i.e 1975, 1993...) from breakout flows from the Sheyenne River that inundate County Drains 40 and 45, which also is combined with backwater from the Red River.

Significant major damage to the city has only been avoided through emergency efforts from the U.S. Army Corps of Engineers, State of ND, Cass County, and though courageous efforts by city staff and local residents under strenuous emergency conditions.

Keith Berndt, PE
October 21, 2011
Page 2

The city of Harwood engineer, Jeff LeDoux of Houston Engineering, has provided preliminary schematics of flood mitigation alternatives, but completing a detailed feasibility plan has been cost prohibited. It is in all likelihood that a project will need to be considered a special project since it will involve acquisition of homes located along the Sheyenne River, increasing the height of the city's existing dikes, adding additional dikes to the northwestern side of Harwood, improvements/raising to Highway 81 (which serves as a dike), and other infrastructure improvements. A detailed feasibility study, however, is needed to determine the most cost-effective/best solution for the city of Harwood. Preliminary estimates indicate a probable cost of \$4M - \$5M for an effective flood control project.

This letter is our request for funding assistance to complete the needed feasibility study to investigate flood damage reduction alternatives for construction of a flood risk reduction project. Due to budget constraints at the local level, it is the city's desire that the cost of the feasibility study be split 50% -50% between Cass County (Flood Sales Tax Review Committee) and the State Water Commission. It is estimated that the cost to complete a detailed study is approximately \$100,000 - \$150,000. Please note that on October 14, 2011, the city also submitted a request to the North Dakota State Water Commission for assistance

The city of Harwood has the authority pursuant to N.D.C.C. § 40-22-01 to construct flood control improvements within and outside of the city. The city intends to cover its share of the costs of project construction through a combination of sales tax revenue and special assessments.

Your consideration into this vital matter is greatly appreciated.

Sincerely,

CITY OF HARWOOD, NORTH DAKOTA

A handwritten signature in black ink that reads "Bill Rohrich". The signature is written in a cursive style with a large, prominent "B" and "R".

Bill Rohrich, Mayor

Attachments

HARWOOD TOWNSHIP
CASS COUNTY, NORTH DAKOTA
% 126 BROOKTREE PARK
HARWOOD, ND 58042-4304

Wayne D. Freedland, Chairman
Steven M. Cossette, Supervisor
Lucas M. Steinberger, Supervisor

Jann Monson, Treasurer
Douglas A. Warnecke, Clerk/Assessor
Douglas A. Warnecke, Zoning/Flood

dwjwdakota@earthlink.net

9 November 2012

Mr. Scott Wagner, Chairman
Cass County ND Commission
P O Box 2806
Fargo, ND 58108-2806

RECEIVED

DEC 3 2012

REF: Flood Risk
Reduction Projects

CASS COUNTY COMMISSION

Dear Chairman Wagner:

Reference your inquiry letter of 8 September 2010 and the anticipated ½ cent, 20 year flood risk reduction sales tax. On behalf of the Harwood Township residents and the Township Board of Supervisors, the following considerations, observations and opinions are offered:

1. **Point of Contact (POC):** Douglas A. Warnecke, Flood Plain Admin. Hwd Twp.
2. **Funding Sources:** Federal Emergency Mgmt Agency, Soil Conservation Service, State Water Commission, Water Resource Districts, ND Disaster Agency, Sales Tax and Landowners among any other available source(s).
3. **Project (site) Ownership/Maintenance :** Individual benefactor(s) and legal Owner associations on private property. Cass County and/or Harwood Township on road and bridge/culvert projects.
4. **Project Descriptions:** Please see attached suggestions for serious consideration.

Consideration and observations are based on protection of health and safety, population aging/abilities, existing infra-structure, government entities and individual financial burdens, U. S. Postal Service delivery delays, ingress and egress from all Township points to services, educational facilities, etc..

HARWOOD TOWNSHIP

/S/

Douglas A. Warnecke
Flood Plain Administrator
Zoning Administrator
Township Assessor
Township Clerk
701-282-0356
dwjwdakota@earthlink.net

5 Attachments:
Contents/Abbreviations
Projects 1-12
Township Map
Siebels Subd Plat
Brooktree Pk Plat

Cc: Twp Bd Members
File - Residents

ATTACHMENT CONTENTS

<u>LOCATION NUMBER</u>	<u>PHYSICAL LOCATION</u>	<u>PAGE NUMBER</u>
1	N ½ S ½ Sec 30, 28 th and 29 th St's (CC 32)	1
2	N ½ S ½ Sec 30, 28 th and 29 th St's (CC 32)	1
3	Sections 30 & 19 & Sec's 29 & 20. (CC 32)	1
4	Sections 29 & 20 - east side. (CC 32)	2
5	South East ¼ Section 20 Harwood Twp	2
6	NW¼ Sec 28 S of 28 th St E of I-29 & W of BNSF	3
7	E end Sec 29 170 th Ave-Rush River Crossing	3
8	E edge Sec 32, ½ mile N on 170 th Ave - 30 th St	4
9	NW ¼ Section 28 - Brooktree Pk Subdivisions	4 & 5
10	171 st Ave/29 th St & 27 th St/Sheyenne River. (Between Sections 21/22 and 28/27)	5
11	Sec's 16,15, 14, 11, 12, 13 /24, 25, 35, 36, 34	6
12	CC roads in Harwood Twp, all Hwd Twp roads	6 & 7

ABBREVIATIONS

BFE	Base Flood Elevation - 100 year water elevation.
BNSF	Burlington Northern Santa Fe Railroad.
CC	Cass County
FEMA	Federal Emergency Management Agency
I-29	Interstate Hiway # 29
NDCC	North Dakota Century Code
N	North
NFIP	National Flood Insurance Program
S	South
SEC	Section
SWC	State Water Commission
TWP	Township
WRD	Water Resource District

Atch 1 Pg 1 of 7 - CCC/Vanyo - 1Oct10.

SUGGESTED FLOOD RISK REDUCTION PROJECTS
HARWOOD TOWNSHIP, ND

NOTE: PROJECTS NOT PRIORITIZED

LOCATION 1 & 2:

Part of the N ½ and S ½ of Sec 30 between 28th Street (CC Hiway 32) and 29th Street:

BENEFITTED:

Individual landowners and Formal Association (to be formulated) Siebels 1st and 2nd Subdivisions. Township road 169th Avenue. Cass County Hiway 32. Cass County, Federal Emergency Mgmt Agency and National Flood Insurance Program.

PROJECT DESCRIPTION:

Construct earthen dike south of and north of Rush River channel. Approximately .5 mile in length and 2' above base flood elevation.

PROJECT COST: To be determined upon completion of comprehensive study.

FUNDING SOURCES: All Available...

COMMENT:

This project would alleviate immediate flooding concerns in the interim to a possible diversion project - it would also be a long term backup in the event of a diversion failure. (New Orleans Levy and central states Mississippi River levies!)

LOCATION 3:

Between Sections 30 and 19 and Section 29 and 20. (CC Hiway 32)

BENEFITTED:

All individual residents upon sections 29 and 30. CC Hiway Dept., Harwood Township

PROJECT DESCRIPTION:

Install additional - larger flow culvert(s) under 28th Street (CC Hiway 32) oriented north and south on both the east and west sides of 169th Avenue. Large Tax base Contributor

PROJECT COST: To be determined.

FUNDING SOURCE: Cass County Hiway Department.

COMMENT:

Peak flood period photo's are available to show water levels at this site and on Sections 19 and 20 (Dry!)

HARWOOD TOWNSHIP, ND

NOTE: PROJECTS NOT PRIORITIZED

LOCATION: 4

Between Sections 29 and 20 - east side. (CC Hiway 32).

BENEFITTED:

Cass County Hiway Dept., Harwood Township and residents on Section 29.

PROJECT DESCRIPTION:

Elevate 28th Street (CC Hiway 32) at west terminus of paved section on the west side of I-29 overpass and install additional, larger flow culverts.

PROJECT COST: To be Determined.

FUNDING SOURCE: Cass County Hiway Department.

COMMENT:

Peak flood period photo's are available to show water levels at this site and on Sections 19 and 20 (Dry!)

LOCATION 5:

SE ¼ Section 20 Harwood Twp

BENEFITTED:

Farmstead owner - Lloyd Amundson

PROJECT DESCRIPTION:

Construct earthen dike along west side of farmstead site - east of 28th street culverts.

PROJECT COST: To be determined

FUNDING SOURCE:

Individual ring dike program, SWC, Soil Conservation Service, Water Resource Dist., Owner.

HARWOOD TOWNSHIP, ND

NOTE: PROJECTS NOT PRIORITIZED

LOCATION 6:

NW ¼ Section 28 - south of 28th street and east of I-29 and west of BNSF tracks.

BENEFITTED:

Two Residences and a farming related business entity.

PROJECT DESCRIPTION:

Elevate private roadway/dike to 2' above 100 year flood level. Provide adequate culvert controls for internal water collection.

PROJECT COST: To be determined.

FUNDING SOURCE:

Individual Ring Dike program - Soil Conservation Svc, Water Resource Dist. SWC, Owners.

LOCATION 7:

East end of Section 29 under 170th Avenue. Rush River Crossing.

BENEFITTED:

All residents west of I-29 in Harwood Township. Harwood Township. Rush River Water Resource District.

PROJECT DESCRIPTION:

Elevate road to 1' above 100 year Base Flood Elevation. Remove the "S" curve in 170th Avenue - straighten and replace culverts with a bridge structure and proper guardrails and signage.

PROJECT COST: To be determined.

FUNDING SOURCE: Rush River Water Resource District, Cass County, Harwood Twp, SWC et al.....

COMMENT:

Without providing elevation and suitable drainage under 28th Street (CC 32) to section 20 - this site is subject to flood failure and is the only routine as well as emergency vehicle roadway available to all areas west of I-29 in Harwood Township. It is currently an extremely dangerous culvert crossing whether flooding or not, day/nite, clear, stormy

HARWOOD TOWNSHIP, ND

NOTE: PROJECTS NOT PRIORITIZED

LOCATION 8:

East edge of Section 32, Approximately ½ mile north on 170th Ave from 30th St.

BENEFITTED:

All residents along and west of 170th Ave., Harwood Township, FEMA, et al.

PROJECT DESCRIPTION:

Elevate low section of road to 1' above 100 year Base Flood Elevation. Install suitable culverts or bridge structure to alleviate road overtopping and drainage for Section 32.

PROJECT COST: To be Determined

FUNDING SOURCE: All Available.

COMMENT:

This is a primary service road to all residents west of I-29 and is closed due to high water during flood periods.

LOCATION 9:

Brooktree Park and Brooktree Park 1st Subdivisions on NW ¼ Section 28 - North of 28th Street and East of CC Hiway 81, west and north of and on the Sheyenne River.

BENEFITTED:

Formal Association of Twenty Five family households, Harwood Township, West Fargo School District, City of Harwood and Cass County, Federal Emergency Mgmt Agency, ND Disaster Services and the National Flood Insurance Program.

PROJECT DESCRIPTION:

Raise north and east earthen dikes to 2' above 100 year Base Flood Elevation. Elevate east approach into development from CC hiway 81 by a minimum of 1 foot. Develop and provide a permanent water pumping system to drain "Park area" during river flood periods when culverts are closed. The "Park Area" contains development electrical and telephone services, a municipal sewage lift/pumping station to Harwood City; a swimming pool, ball diamond and playground equipment. Additionally, it is the central collection point for all interior snow melt/excess rainfall which must be pumped out to alleviate threat to the lift station and sewer manholes.

PROJECT COST: To be determined.

FUNDING SOURCE: All Available Programs.

ATCH 1 PG 5 of 7 - CCC/VANYO - 1Oct10

HARWOOD TOWNSHIP, ND

NOTE: PROJECTS NOT PRIORITIZED

LOCATION 9: (Cont'd)

COMMENT:

The road/dike is utilized by all residents and West Fargo and Northern Cass School District buses. It is owned and maintained by Harwood Township. Brooktree Park represents a substantial contributor to the tax base of Harwood Township and Cass County.

LOCATION 10:

Low portions of 171st Ave between 29th St and 27th Street to the Sheyenne River.
(Between Sections 21/22 and 28/27 Harwood Twp.

Additionally, there are several residences bordered on one side by the Sheyenne River which could be ring diked and are not included individually herein as "Location Sites".

BENEFITTED:

Residences, FEMA, ND Disaster Svcs, W Fargo School District, US Postal Svc, Harwood Twp, et al.

PROJECT DESCRIPTION:

Install proper culverts to aid drainage. Raise roadway by approximately 6" in low areas. Construct ring dikes

PROJECT COST: To be determined.

FUNDING SOURCE: All available.

COMMENT:

This is a critical emergency vehicle, school bus, mail delivery roadway serving several residents and a commercial farming business along the west and east sides thereof. This is the only ingress/egress roadway, during peak flood periods, as 28th St. east to 173rd Avenue (CC 32) is virtually impassable due to overland, Sheyenne flood and Red River back waters.

HARWOOD TOWNSHIP, ND

NOTE: PROJECTS NOT PRIORITIZED

LOCATION: 11:

Residents and Farmsteads in Sections 16,15, 14, 11, 12 and 13 as well as 24 and 25, 35, 36 and 34.

BENEFITTED:

Individual Owners, FEMA, NFIP, ND Disaster Svcs, Harwood Twp, et al.

PROJECTS DESCRIPTION:

Individual Ring Dikes constructed to a minimum of 2' over 100 year Base Flood Elev.

PROJECTS COST: To be determined on an individual site basis.

FUNDING SOURCE: Cost share among all available sources.

COMMENT:

The flooding in Harwood Township is reaching epic proportions and are increasing on an annual basis. The hardships, health and safety hazards, inconvenience, loss of individual productivity by employees and employers alike and loss of local business revenues are seriously impacted by these on-going events.

Additionally, the constant drain on Federal, State, County, Township and resident budgets can only worsen with additional events.

LOCATON 12:

All Cass County roads in Harwood Township and all Township roads with spot elevations below the 100 year BFE as mapped and as revised from time to time need to be elevated with the addition of suitable cap controlled culverts installed. As an example of a primary essential services roadway 173rd Ave, (CC 31) in several places should be raised with additional capped culverts added as required to continue adequate drainage and prevent backwater inundation.

COMMENTS:

Additionally, with the raising of I-29 and the increased flow thru new bridge structures there-under as well as the BNSF tracks - CC 81 will experience greater overtopping and shoulder erosion in Reed Township at the south edge of the City of Harwood.

Further, great concerns are being expressed with the prospect of Devils Lake waters into the Sheyenne River - which is already at capacity in these wet periods. Increased diking by Moorhead and Minnesota - narrowing the Red River Channel and forcing those waters to the west can only increase the levels in ND bordering areas.

HARWOOD TOWNSHIP, ND

NOTE: PROJECTS NOT PRIORITIZED

LOCATON 12: COMMENTS: (Cont'd)

More concerns are being expressed with the as planed termination of the proposed US Army Corps of Engineers ND Diversion project near Argusville. The concerns are with the backwaters from this terminus, in addition to the Sheyenne River terminus with the Red River in close proximity. It would appear, during peak floods, I.e., 1975, 1997, 2009 and 2010, diversion backwaters would aggravate flood conditions all along the Sheyenne River east of the BNSF tracks (CC 81) and along the Red River to Section 24 in Harwood Twp.

Further detailed clarifications and study are needed to refute or substantiate these expressed concerns.

A couple of substantial farm site ring dikes are in planning or progress stages in Harwood Township in Section 1 and 17.

A short road mitigation project on 27th St. at the SE corner of Section 16 has been approved by the State of ND - currently pending FEMA approval.

I recall the NDCC addresses and does not allow the using of roads as water dikes - however, with the installation of suitable culverts and elevating the roads in those areas - it would not impede the flow of water, which I believe is the purpose of the law.

Also, there are several farm fields which are diked and dry during flood periods and could hold substantial water for short durations. (Section 19 et al).

ADDITIONAL COMMENT:

A comprehensive approach should be taken by the Water resource District(s), Cass County, State of North Dakota, and Soil Conservation Service to cleaning all drainage ways, ditches and rivers/streams of wild trees, cattails, bush, top soils and other debris which has accumulated over several decades of neglect. (I.e. Sheyenne River corridor, bottoms of county drains, north and south side ditches along 28th Street from CC 81 to the Sheyenne River between sections 21 and 28.

This action alone would enable a smoother flow of flood water as well as increased storage capacity when required.



Project #58

December 5, 2012

Maple River
Water Resource
District

Darrell Vanyo
Chairman
Cass County Flood Sales Tax Committee
P.O. Box 2806
Fargo, ND 58108

RECEIVED
DEC 7 2012
CASS COUNTY COMMISSION

Rodger Olson
Chairman
Leonard, North Dakota

Dear Chairman Vanyo:

Jurgen Suhr
Manager
Page, North Dakota

RE: Pontiac Township Improvement District No. 73

Gerald Melvin
Manager
Buffalo, North Dakota

As you are aware, the Maple River Water Resource District received a Petition, along with the required deposit of funds, to pursue a flood reduction project in Pontiac, Clifton, Highland and Eldred Townships. The purpose of the project is to drain water from isolated depressions into the Maple River, which will remove high water from flooded county and township roads.

The Water Resource District has taken the project to a vote and of the votes returned, 50.40 percent were in favor of the project and 49.60 percent were against the project. As a result of the favorable vote, the Water Resource District will proceed with creation of an assessment district for purposes of financing the local share of the project. The project will be constructed in 2013.

This project will provide much needed relief for many residents and landowners in southwest Cass County, along with added benefits to Cass County roadways affected by the high water. The proposed design includes control gates throughout the system that offer retention capabilities once the excessively high water has been removed which would provide additional benefit to downstream landowners.

Enclosed please find a copy of the *Engineer's Opinion of Probable Cost* and a map of the project. At this time, we respectfully request cost share from the Cass County Flood Sales Tax Committee for the Pontiac Township Improvement District No. 73 Project. We greatly appreciate your time and consideration in this matter.

If you have any questions on this project or need any additional information, please feel free to contact us.

Carol Harbeke Lewis
Secretary-Treasurer

Sincerely,

1201 Main Avenue West
West Fargo, ND 58078-1301

MAPLE RIVER WATER RESOURCE DISTRICT

Carol Harbeke Lewis
Secretary-Treasurer

701-298-2381
FAX 701-298-2397
wrld@casscountynynd.gov
www.casscountynynd.gov

Enclosures



Consulting Engineering
Land Surveying

PONTIAC TOWNSHIP IMPROVEMENT DISTRICT NO. 73 MAPLE RIVER WATER RESOURCE DISTRICT


Engineer's Report

The Pontiac Township Improvement District No. 73 Project would include the creation and construction of a drainage system to drain features in Pontiac, Highland, Eldred, and Clifton Townships in Cass County, North Dakota. The purpose of the Project is to remove high water from a complex of flooded lakes, ponds, and sloughs which have overtopped Cass County Highway 38, Cass County Highway 16, and many township roads, as well as caused impacts to structures and other property. The Project would include the installation of a system of buried pipe to connect each flooded water body to a common outlet that will eventually discharge into the Maple River. This system will include control structures, riprap for erosion control, construction of open channels, purchasing of right-of-way along the course of the project, and other related improvements. Attached hereto is a map of the Proposed Assessment District for the Pontiac Township Improvement District No. 73. Below is a summary of the estimated costs for this project.

Pontiac Township Improvement District No. 73 Engineer's Opinion of Probable Cost

Total Construction	\$1,703,760.00
Preliminary Engineering	\$40,000.00
Engineering	\$270,000.00
Contingencies	\$352,990.00
Legal & Administration	\$15,000.00
Right-of-Way	\$98,250.00
Wetland Mitigation	\$15,000.00
Right-of-Way Negotiations	\$10,000.00
Easements & Monumenting	\$20,000.00
Utility Relocation	\$80,000.00
Fiscal	\$85,000.00
Total Estimated Project Cost	\$2,690,000.00
Less Estimated ND SWC Funding	\$500,000.00
Estimated Project Cost to Assess	\$2,190,000.00

Dated this 2nd day of August, 2012


Michael M. Opat P.E.
No. Dak. P.E. #6513
Engineer for the Maple River WRD



925 10th Avenue East
West Fargo, ND 58078

T: 701.282.4692
F: 701.282.4530

www.mooreengineeringinc.com



Consulting Engineering
Land Surveying

December 11, 2012

DEC 11 2012

CASS COUNTY COMMISSION

Keith Berndt
Cass County
211 9th Street South
Fargo, ND 58103

**RE: Cost Share Request No. 2
Cass County Flood Sales Tax Funds
Levee Improvement District No. 2011-1
Mapleton, ND**

Dear Keith:

Enclosed please find copies of all invoices to date since the last request made on October 10, 2012. We have also enclosed a detailed breakdown of all expenses and funding sources. Below is a breakdown of this cost share request.

Total Cost Share Eligible	= \$144,174.71
<u>Less Previous Payments</u>	<u>= \$49,882.93</u>
Request No. 2	= \$94,291.78

At this time, the city of Argusville respectfully requests 50% cost share of the remaining local share. The total requested payment is \$94,291.78.

If you have any questions, please contact us.

Sincerely,

MOORE ENGINEERING, INC.


Brandon Oye, PE
Project Engineer

Cc: Gary Tandsater – City of Argusville

Enclosures

925 10th Avenue East
West Fargo, ND 58078

T: 701.282.4692
F: 701.282.4530

www.mooreengineeringinc.com

Worden, Heather

From: Berndt, Keith
Sent: Tuesday, December 11, 2012 3:26 PM
To: Worden, Heather
Subject: FW: Argusville - County Sales Tax Fund Request
Attachments: 0499_001.pdf

From: Brandon Oye [<mailto:BOye@mooreengineeringinc.com>]
Sent: Tuesday, December 11, 2012 3:15 PM
To: Berndt, Keith
Cc: 'Mary Howatt'
Subject: Argusville - County Sales Tax Fund Request

Keith:

The city of Argusville will be making another request for funds for the Levee project. You will receive it in the mail tomorrow (see attached cover letter). The city only received half of the funds on the previous request. There was just a misunderstanding on what was being requested. We requested a payment of \$99,765.86 which already was 50% of the local share, but only received \$49,882.93.

On this next request, we are showing that there is \$144,174.71 of total eligible cost share (50% of the local share), and the city has currently received \$49,882.93. So the payment request is the remaining \$94,291.78.

Let me know if you have any questions on this.

Brandon Oye, PE
moore engineering, inc.
925 10th Ave E
West Fargo, ND 58078
Direct: (701) 499-5835
Cell: (701) 306-3951
Office: (701) 282-4692
Fax: (701) 282-4530
Email: boye@mooreengineeringinc.com
Web: www.mooreengineeringinc.com

Worden, Heather

From: Berndt, Keith
Sent: Friday, January 11, 2013 7:22 AM
To: Worden, Heather
Subject: FW: County Flood Sales Tax 2013 Projects

Heather,
Please print this out and keep it with the sales tax project file

From: Brandon Oye [<mailto:BOye@mooreengineeringinc.com>]
Sent: Thursday, January 10, 2013 2:28 PM
To: Berndt, Keith
Cc: 'Kevin Mayer (publicworks@casselton.org)'
Subject: RE: County Flood Sales Tax 2013 Projects

Keith:

We are working with the city on a cost estimate for the project. The city is currently waiting on some quotes to do some utility relocation that may be necessary. We will send over the cost estimate and description of the project as soon as we get it prepared, hopefully within a couple weeks.

Brandon Oye, PE
moore engineering, inc.
925 10th Ave E
West Fargo, ND 58078
Direct: (701) 499-5835
Cell: (701) 306-3951
Office: (701) 282-4692
Fax: (701) 282-4530
Email: boye@mooreengineeringinc.com
Web: www.mooreengineeringinc.com

From: Berndt, Keith [<mailto:BerndtK@casscountynd.gov>]
Sent: Thursday, December 27, 2012 8:17 AM
To: Brandon Oye
Subject: RE: County Flood Sales Tax 2013 Projects

Brandon,
Yes if you can get some information to us soon, we'll add it to the list.
Keith

From: Brandon Oye [<mailto:BOye@mooreengineeringinc.com>]
Sent: Friday, December 21, 2012 12:16 PM
To: Berndt, Keith
Subject: County Flood Sales Tax 2013 Projects

Keith:

Is there still time to allow for flood control projects to be considered for funding this coming year? The city of Casselton recently was contacted by the USACE to make repairs on their dike system and survey it to stake right-of-way/easement

limits. These repairs need to be completed by the end of November 2013, or they could be removed from their inspection program. We would like to submit on this project if it is still possible for this coming year.

Thanks,

Brandon Oye, PE

moore engineering, inc.

925 10th Ave E

West Fargo, ND 58078

Direct: (701) 499-5835

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Office: (701) 282-4692

Fax: (701) 282-4530

Email: boye@mooreengineeringinc.com

Web: www.mooreengineeringinc.com