



August 28, 2020

**Cass County  
Joint Water  
Resource  
District**

Chad Peterson  
Chair  
Cass County Commission  
P.O. Box 2806  
Fargo, ND 58108-2806

Dan Jacobson  
Chairman  
West Fargo, North Dakota

Rodger Olson  
Manager  
Leonard, North Dakota

Ken Lougheed  
Manager  
Gardner, North Dakota

Jacob Gust  
Manager  
Fargo, North Dakota

Keith Weston  
Manager  
Fargo, North Dakota

Dear Chair Peterson:

RE: Western Cass Flood Insurance Study

The Cass County Commission reimbursed the Cass County Joint Water Resource District for 50% (\$103,782.07) of costs to-date associated with the Western Cass Flood Insurance Study.

At the November 18, 2019, Cass County Commission meeting, the Commission requested the Water Resource District submit the estimated cost for any additional work required for the Letter of Map Revision (LOMR) for the City of Arthur and Noble / Wiser Townships.

Enclosed are the following proposals from Moore Engineering, Inc.:

- City of Arthur - \$38,054
- Noble / Wiser Townships - \$14,930

We respectfully request funding from the Cass County Commission to complete the project for the benefit of residents in Cass County and that the matter be placed on the September 8, 2020, Cass County Commission agenda for consideration.

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

Carol Harbeke Lewis  
Secretary-Treasurer

Sincerely,

1201 Main Avenue West  
West Fargo, ND 58078-1301

CASS COUNTY JOINT WATER RESOURCE DISTRICT

Carol Harbeke Lewis  
Secretary-Treasurer

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Enclosures



v6.12-13-2019

**Project Name:** Western Cass Revision - Arthur LOMR  
**Project Number:** 17197-100  
**Date:** 8/13/2020  
**Client:** Cass County Joint Water Resource District

TASK NO.	WORK TASK DESCRIPTION	SENIOR PE	PE II	PROJECT ENGINEER	ENGINEERING TECH III	LABOR TOTAL (WIP)	MISC EXPENSE	PER DIEM	TASK TOTAL
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**100 Studies & Reports**

100.001	<b>Hydraulic Modelling:</b> Convert existing HEC-RAS model to XPSWMM model as required by FEMA. Includes updated hydraulic report and new floodplain delineations.	64				\$11,520			\$11,520
100.002	<b>MT-2 Narrative:</b> Write memorandum detailing LOMR description and desired outcomes. Elaborate on MT-2 form data.		8	16		\$3,600			\$3,600
100.003	<b>MT-2 Forms:</b> Including Hydrologic, Hydraulic, and mapping background information.	4	8	40		\$7,680			\$7,680
100.004	<b>Mapping: Developing certified topographic work map and annotated FIRMs</b> as required by FEMA.	2	8			\$1,720			\$1,720
100.005	<b>Notices to Property Owners:</b> Assist County and Townships with floodway and floodplain revision notices required by FEMA	1	1		2	\$570			\$570
100.006	<b>FEMA Required LOMR Review Fee</b>						\$8,000		\$8,000
<b>SUBTOTAL - PHASE 100</b>		<b>71</b>	<b>25</b>	<b>56</b>	<b>2</b>		<b>\$8,000</b>		<b>\$33,090</b>

Phase		SENIOR PE	PE II	PROJECT ENGINEER	ENGINEERING TECH III	LABOR TOTAL (WIP)	MISC EXPENSE	PER DIEM	TOTAL HOURLY ESTIMATE
	<b>Preferred Billing Rates - 2020</b>	<b>COST/HOUR</b>	<b>\$180</b>	<b>\$170</b>	<b>\$140</b>	<b>\$110</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>
	<b>Studies &amp; Reports</b>	<b>100 HOURS</b>	<b>71</b>	<b>25</b>	<b>56</b>	<b>2</b>	<b>154</b>	<b>N/A</b>	<b>N/A</b>
		<b>COST</b>	<b>\$12,780</b>	<b>\$4,250</b>	<b>\$7,840</b>	<b>\$220</b>	<b>\$25,090</b>	<b>\$8,000</b>	<b>\$33,090</b>
	<b>TOTALS</b>	<b>HOURS</b>	<b>71</b>	<b>25</b>	<b>56</b>	<b>2</b>	<b>154</b>		
		<b>COST</b>	<b>\$12,780</b>	<b>\$4,250</b>	<b>\$7,840</b>	<b>\$220</b>	<b>\$25,090</b>	<b>\$8,000</b>	<b>\$33,090</b>
	<b>Contingencies</b>							<b>15%</b>	<b>\$4,964</b>
<b>PROJECT GRAND TOTAL</b>									<b>\$38,054</b>

Note: All items that contain no hours are EXCLUDED from the Proposal.  
 \mooreengineeringinc.com\root\Projects\Projects\17000\17100\17197\17197-101 City of Arthur\Proposals\LOMR\ArthurLOMR task hour .xlsx 8/12/2020



v6.12-13-2019

**Project Name:** Western Cass Revision - Noble & Wisser Townships Floodway LOMR  
**Project Number:** 17197-100  
**Date:** 8/13/2020  
**Client:** Cass County Joint Water Resource District

TASK NO.	WORK TASK DESCRIPTION	SENIOR PE	PE II	PROJECT ENGINEER	ENGINEERING TECH III	LABOR TOTAL (WIP)	TASK TOTAL
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100 Studies & Reports							
100.001	<b>MT-2 Narrative:</b> Write memorandum detailing LOMR description and desired outcomes. Elaborate on MT-2 form data.		16	16		\$4,960	\$4,960
100.002	<b>MT-2 Forms:</b> Including Hydrologic, Hydraulic, and mapping background information. Assumes no new modeling or updated hydrology completed by MEI. All information will be based upon Preliminary Flood Insurance Study by FEMA and modeling already completed.	4	8	40		\$7,680	\$7,680
100.003	<b>Mapping: Developing certified topographic work map and annotated FIRMs</b> as required by FEMA.	2	8			\$1,720	\$1,720
100.004	<b>Notices to Property Owners:</b> Assist County and Townships with floodway and floodplain revision notices required by FEMA	1	1		2	\$570	\$570
<b>SUBTOTAL - PHASE 100</b>		<b>7</b>	<b>33</b>	<b>56</b>	<b>2</b>		<b>\$14,930</b>

Phase		SENIOR PE	PE II	PROJECT ENGINEER	ENGINEERING TECH III	LABOR TOTAL (WIP)	TOTAL HOURLY ESTIMATE
Preferred Billing Rates - 2020	COST/HOUR	\$180	\$170	\$140	\$110	N/A	
Studies & Reports	100 HOURS	7	33	56	2	98	
	COST	\$1,260	\$5,610	\$7,840	\$220	\$14,930	\$14,930
<b>TOTALS</b>	<b>HOURS</b>	<b>7</b>	<b>33</b>	<b>56</b>	<b>2</b>	<b>98</b>	
	<b>COST</b>	<b>\$1,260</b>	<b>\$5,610</b>	<b>\$7,840</b>	<b>\$220</b>	<b>\$14,930</b>	<b>\$14,930</b>
							<b>\$14,930</b>

Note: All items that contain no hours are EXCLUDED from the Proposal.

***MOTION, passed***

**Mr. Breitling moved and Mr. Steen seconded to request the Flood Sales Tax Committee look at the use of sales tax funds for home buyouts. On roll call vote, the motion carried unanimously.**

Mr. Wilson and Mr. Benson will review the policy in the event that funding is not received through state grant dollars and bring the item back to the board.

**9. WESTERN CASS FLOOD INSURANCE STUDY, Additional costs**

Carol Lewis, Secretary-Treasurer for the Cass County Water Resource Districts, was present to discuss a request for reimbursement of additional costs associated with the Western Cass Flood Insurance Study. In March, the Cass County Commission approved a reimbursement to the Southeast Cass Water Resource District for 50% of \$181,346.08 for the Western Cass Flood Insurance Study (FIS). Since that time, additional costs of \$26,218.05 are due because additional modeling was needed for appeals submitted to FEMA for the Revised Preliminary Flood Insurance Rate Map (FIRM) and FIS. The total cost to date is \$207,564.13.

Mrs. Lewis said additional costs are a possibility but will not be known until comments are received back from FEMA.

***MOTION, withdrawn***

**Mr. Pawluk moved and Mr. Breitling seconded to reimburse the Southeast Cass Water Resource District for 50% of additional costs in the amount of \$26,218.05 for the Western Cass Flood Insurance Study. Discussion: The board was concerned about the cost of any additional expenses. Mr. Benson said flood insurance maps are being finalized, and there may be additional comments from FEMA; however, he does not foresee any large expenditures as a result. The board questioned whether the reimbursement should be 50% of \$26,218.05. The motion was withdrawn by Mr. Pawluk and Mr. Breitling.**

***MOTION, passed***

**Mr. Breitling moved and Mr. Pawluk seconded to reimburse the Southeast Cass Water Resource District for 50% of additional costs in the amount of \$13,109.03 for the Western Cass Flood Insurance Study. On roll call vote, the motion carried unanimously.**

The commissioners requested that any additional costs be submitted as soon as possible for consideration.

**10. HUMAN SERVICE ZONE AGREEMENT, Approved**

Chip Ammerman, Social Services Director, said earlier today the Social Services Board approved the Human Service Zone Agreement with a few revisions that include removal of three legislator names from the board membership, staggering board member terms, and correction of two small grammatical errors. The agreement needs to be submitted to the North Dakota Department of Human Services by December 1<sup>st</sup>.

***MOTION, passed***

**Mr. Peterson moved and Mr. Steen seconded to approve the Human Service Zone Agreement for submission to the North Dakota Department of Human Services. On roll call vote, the motion carried unanimously.**

**11. SOCIAL SERVICES, Agreement approved to conduct an independent review**

Robert Wilson, County Administrator, said last month a decision was made by the Social Services Board to contract with a consultant to conduct an independent review of the department. He contacted several agencies and is recommending the commission approve an agreement with the Center for Mediation and Consultation PLLC and Patricia R. Monson.

**REGULAR MEETING OF CASS COUNTY BOARD OF COMMISSIONERS  
MARCH 4, 2019**

**1. MEETING CALLED TO ORDER**

Chairwoman Mary Scherling called the meeting to order at 3:30 PM with all members present as follows: Rick Steen, Vern Bennett, Duane Breitling, and Mary Scherling. Chad Peterson was present via conference call.

**2. PLEDGE OF ALLEGIANCE**

Heather Worden led the Pledge of Allegiance.

**3. MINUTES APPROVED**

***MOTION, passed***

**Mr. Steen moved and Mr. Breitling seconded that the minutes of the previous meeting be approved as written. Motion carried.**

**4. AGENDA, Order approved**

***MOTION, passed***

**Mr. Steen moved and Mr. Bennett seconded to approve the order of the agenda with the addition of a contract to the consent agenda. Motion carried.**

**5. CONSENT AGENDA APPROVED**

***MOTION, passed***

**Mr. Bennett moved and Mr. Steen seconded to approve the consent agenda as follows, including a correction to the amount in the contract with Central Specialties based on an error found by the State's Attorney. On roll call vote, the motion carried unanimously.**

- a. Approve a special event permit for Brewtus' Brickhouse to serve alcoholic beverages from 4:00 PM to midnight on March 15, 2019, for a West Fargo Hockey Association benefit to be held at the Hartl Ag Building, Red River Valley Fairgrounds in West Fargo, North Dakota.
- b. Approve a fireworks display permit for Starr Fireworks to be held at 9:00 PM on May 4, 2019, at Starr Fireworks, 10908 38<sup>th</sup> Street South in Horace, North Dakota.
- c. Receive and file Indemnity Bond on Lost Instrument for Ashley Kasson Therapy LMFT PLLC; and authorize the county auditor and county treasurer to issue a duplicate check.
- d. Authorize the Red River Valley Fair Association to list Cass County as the fiscal agent on a grant application for funding through the Garrison Diversion Conservancy District.
- e. Authorize the chair to sign the North Dakota Department of Transportation Local Match Certification for Federal Aid Project BRO-0009(047) to certify the county has paid the local match for this bridge project in Section 3 of Dows Township.
- f. Contract approval
  - Central Specialties, Inc.—subgrade repair projects on three county highways.

**6. PUBLIC COMMENT**

Mrs. Scherling asked for public comment and hearing none, moved on to the regular agenda items.

**7. WESTERN CASS FLOOD INSURANCE STUDY, County to reimburse half of study costs**

Robert Wilson, County Administrator, was present for the meeting via conference call. The Commission received a funding request from the Cass County Joint Water Resource District for costs associated with the Western Cass Flood Insurance Study (FIS). This item was tabled at the last meeting so Carol Lewis, Secretary-Treasurer for the Cass County Water Resource Districts, could be present to answer questions.

In 2013 the Cass County Joint Water Resource District (CCJWRD) agreed to serve as the coordinating agency for the Western Cass FIS to update flood insurance rate maps to accurately illustrate flood risks. In 2013 the Cass County Commission authorized a 50% cost share to the CCJWRD not to exceed \$40,000 for the study.

Mr. Wilson said Mrs. Lewis provided an account of project-related expenses through March of 2018 which totaled \$141,346.08 plus an additional \$40,000 to cover remaining costs. The CCJWRD requests the Commission consider reimbursing previously incurred and future costs in the amount of \$181,346.08.

There was discussion on the significant increase in the cost over the past six years. County Engineer Jason Benson was present via conference call and said a lot of the changes to the flood insurance rate maps and modeling reviews added to the study costs since 2013.

Mr. Steen said \$127,000 was approved for study costs according to minutes from the Cass County Joint Water Resource District and questioned the disparity between this figure and the request of \$181,346.08. He also asked why the Commission did not hear about any additional costs since 2013.

Rodger Olson serves on the CCJWRD. He said water board members thought the expenses would be reimbursed through the Flood Sales Tax Committee and wanted to complete the project before expenses were submitted for consideration. This is why the issue was submitted to the Flood Sales Tax Committee last year and not submitted to the Cass County Commission.

Mrs. Lewis reviewed the amounts that were included in the Southeast Cass Water Resource District (WRD) General Fund budgets for the Western Cass FIS. The CCJWRD does not have its own budget, so funds were funneled through the Southeast Cass WRD. She said \$25,000 was budgeted in 2013 with \$8,550 spent; \$100,000 in 2014 with \$43,800 spent; \$23,675 in 2015 with \$50,620 spent; \$25,000 in 2016 with \$8,370 spent; \$25,000 in 2017 with \$19,170 spent; \$25,000 in 2018 with \$37,500 spent; and \$20,000 in 2019 with \$440 spent to date.

Mr. Steen said funds for the Western Cass FIS were included in the Southeast Cass WRD budgets, so he does not support the county contributing additional funds other than \$20,000 approved in 2013 as part of the 50/50 cost share with the CCJWRD.

Mr. Bennett questioned why the flood sales tax cannot be used for the project since it has provided a cost savings to residents who do not have to pay for flood insurance. Mr. Steen said the FIS does not fit the criteria outlined in county policy for projects eligible for sales tax funds. Mr. Steen said the cost should be paid through the General Fund or the Highway Fund.

Mr. Peterson said all the bills have been paid for the study, so to him it is a philosophical question. He has some difficulty in how it was presented and the significant cost increase from the original \$40,000 expense, but would not object to reimbursing the CCJWRD for 50% of the total cost. He said there is a broader benefit from the project beyond Southeast Cass WRD. Mr. Benson said the study has benefitted all of the water resource districts as well as rural townships and cities in Cass County.

***MOTION, passed***

**Mr. Peterson moved and Mrs. Scherling seconded to reimburse the Southeast Cass Water Resource District for 50% of the requested \$181,346.08 in costs for the Western Cass Flood Insurance Study. Discussion: Mr. Wilson said the county share would amount to \$90,673.04. Mr. Steen has issues with spending money that was already budgeted and requesting reimbursement from the county six years later. On roll call vote, the motion carried with Mr. Peterson, Mrs. Scherling, Mr. Bennett, and Mr. Breitling voting “Yes”; and Mr. Steen voting “No”.**