

**FLOOD SALES TAX COMMITTEE
AGENDA FOR DECEMBER 7, 2020**

Microsoft Teams Virtual Meeting

1:00 PM

1. Call to Order
2. Approve minutes from previous meeting
3. Flood sales tax fund update
4. Status of previously approved projects
5. Consider additional project requests for 2020
 - a. Dan and Kathy Auka additional request for ring levee cost
 - b. Elm River Watershed Study
6. Other business
7. Adjournment

cc: Local Media

**FLOOD SALES TAX COMMITTEE
JUNE 1, 2020—1:00 PM**

1. MEETING TO ORDER

Commissioner Mary Scherling called a virtual meeting of the Flood Sales Tax Committee to order on Monday, June 1, 2020, at 1:00 PM, with the following present: County Engineer Jason Benson; County Finance Director Michael Montplaisir; Joint Water Resource District Representative Rodger Olson; County Commissioner Mary Scherling; County Commissioner Ken Pawluk; and County Administrator Robert Wilson.

Also present were County Commissioner Rick Steen; Casselton Auditor Sheila Klevgard; and Engineer Brandon Moore, Moore Engineering.

2. MINUTES APPROVED

MOTION, passed

Mr. Olson moved and Mr. Pawluk seconded that the minutes of the previous meeting be approved as written. Motion carried.

3. FLOOD SALES TAX FUND UPDATE

Mr. Montplaisir reviewed the Flood Sales Tax Fund, which has a current balance of \$7.6 million for county projects. Encumbrances for approved projects total \$950,148.34, which leaves \$6.7 million available for county projects.

Mr. Montplaisir said an approved funding request in the amount of \$1.4 million to build an earthen ring levee around Davenport is not included on the approved projects list. The request is contingent on State Water Commission approval and funding participation, which is still under consideration. If the project is approved, the available balance for county projects would be \$5.2 million.

Mr. Benson said the State Water Commission did approve the Davenport project about a month ago, and it is still working its way through the process. Mr. Benson is unsure when the cost share will be finalized, but he expects Davenport to bring a finalized request back to this committee once they have the information.

Mr. Montplaisir said sales tax revenues through May have remained strong at about 5.5% over the previous year. There is about a two-month lag from the point of sale to when the county receives the funds, so the effects of the COVID-19 pandemic have not been realized yet. Mr. Montplaisir expects to see revenues begin dropping in June and July.

4. STATUS OF PREVIOUSLY APPROVED PROJECTS

Mr. Montplaisir said as noted earlier, there are \$950,148.34 in encumbrances yet to be requested for reimbursement for previously approved projects.

County Commissioner Rick Steen said it was discussed at a previous meeting that some of the unexpended funds for approved projects date as far back as 2013, and efforts should be put forth to closeout completed projects.

Engineer Brandon Oye from Moore Engineering was present. Mr. Oye is the City

Engineer for Casselton. Mr. Oye said Casselton has two projects with outstanding balances that will be requested to be rolled into a new request today.

Mr. Benson said he is aware that some of the projects from previous years are still moving forward, but some of the Water Resource District detention studies with outstanding encumbrances have ended.

Mrs. Scherling asked Mr. Benson to work with the Water Resource District to identify any projects that have ended so they can be closed out.

Mr. Pawluk said if a project has been completed and there are unexpended funds remaining, the funds should be turned back instead of requesting to rededicate them to another project. New requests can be submitted for new projects.

Mr. Montplaisir said for financial reporting purposes, he also prefers this method.

MOTION, passed

Mr. Pawluk moved and Mr. Montplaisir seconded that unexpended funds for completed county flood risk reduction projects be returned to the Flood Sales Tax Fund. On roll call vote, the motion carried unanimously.

Mr. Montplaisir asked that requesting agencies send letters to the Finance Office to close out any completed projects with unexpended funds.

5. REVIEW AND SELECTION OF PROJECTS TO BE FUNDED IN 2020

Hofer Home Buyout

Mr. Benson said there are two properties to discuss today for potential acquisitions and demolition. Both properties were built prior to the current 100-year floodplain, floodway, and Minimal/Limited Disturbance Zones along the river, and both properties are located in these areas.

Mr. Benson said due to lower elevations, both properties will also still flood with the FM Diversion Project in place.

Mr. Benson said the first property is the Hofer property, which is located on the Wild Rice River near the confluence of the Red River. The entire parcel is in the FEMA floodway, and the property owner had to file claims with FEMA after the 2009 and 2011 floods.

In addition, the property faces significant access issues as their primary access is a county bridge that has been closed due to flood damage and a ND Department of Transportation inspection identifying critical deficiencies. The wood structure has sustained significant damage over the years, and the road was washed away during the 2020 spring flood. Even if the roadways are rebuilt, the bridge is not load-rated to allow any vehicle larger than a pick-up truck, which would hinder emergency vehicles.

Mr. Benson said it has also become a significant yearly event to clean debris that gets hung up on this bridge, even during lesser flood years. To replace the bridge would cost approximately \$1.0 to \$1.5 million; the only property the bridge serves

is the Hofer property.

Mr. Benson said the Hofer property was submitted for a FEMA acquisition for pre-disaster mitigation funding, but it was not approved as it is a nationwide program with limited funding.

Mr. Benson also discussed the property with land acquisition representatives for the diversion project, but a diversion buyout necessitates a federal acquisition process, including multiple appraisals and relocation assistance. It was determined that a county buyout is the most viable option at this time.

MOTION, passed

Mr. Pawluk moved and Mr. Montplaisir seconded to approve the Hofer Home Buyout in accordance with the County Sales Tax for Flood Risk Reduction and Recovery Projects Policy. Discussion: Mr. Montplaisir asked what will be done with the bridge. Mr. Benson said removal of the bridge is in the Highway Department budget. Depending on when the home is removed, the bridge will be demoed this fall or winter.

Mr. Benson said the homeowner has concerns about an alternate route to the home as the road is up against the Wild Rice River and there are slumping concerns, in addition to a 20-foot drop. Additional work will have to be completed to make sure there is a safe egress route for the demo contractor.

Mr. Steen clarified that none of the potential flooding issues are due to the diversion project. Mr. Benson said no.

Mr. Steen asked if the county is required to buy out the property.

Mr. Benson said the county is not required to buy out the property; however, the county has never removed a road or structure and left a homeowner with no alternate access to their property. As the only alternate access for this property is squeezed between a river and has soil stability issues, the cheapest alternative is an acquisition.

Mr. Steen said according to the policy, buyouts are funded at 90% of the project cost. Mr. Steen asked why the acquisition value used in this instance is 110% of the assessed property value.

Mrs. Scherling said assessed values are rarely more than what a property is worth, and 110% of the assessed value is probably in line with what an appraisal would be.

Mr. Steen said as 100% of the demo costs are included in the overall request total, it is not in line with the policy.

Mr. Pawluk clarified that his motion is to follow the policy and to pay up to 90% of the total project cost of \$569,202. Mrs. Scherling said the property needs to be bought out. On roll call vote, the motion carried unanimously.

Phillips Home Buyout

Mr. Benson said the Phillips property is located on the confluence of the Sheyenne and Red Rivers. The property falls within the 100-year floodplain and the FEMA floodway.

Mr. Benson said beyond the floodplain and floodway issues, the home on the property has visible cracks that have formed in the foundation, which is starting to shift significantly. The cracks are visible from both outside and inside the home and are wide open. Slumping has occurred almost down to the bottom of the basement, which is beginning to flex towards the river.

Mr. Benson said this property has been submitted for FEMA pre-disaster mitigation funding and an update on the request is expected in June or July. After discussions with the property owner about the safety of the structure, Mr. Benson thought it was prudent to also bring a request to this committee if the FEMA request is ultimately denied.

Mr. Wilson said he recalls hearing about the property in question during a previous meeting, at which point there was no action requested. He asked if the amount of slumping that occurred over the past year was the reason for putting forth a request at this time.

Mr. Benson said yes; heavier rain and higher water last fall started moving the foundation and land around the structure. As the water has gone down this spring, the slumping has exacerbated itself, which is something that can be seen in several areas along the tributary rivers.

MOTION, passed

Mr. Pawluk moved and Mr. Montplaisir seconded to approve the Phillips Property Buyout in accordance with the County Sales Tax for Flood Risk Reduction and Recovery Projects Policy, up to 90% of the total project cost of \$303,882. On roll call vote, the motion carried unanimously.

Casselton Industrial Park Corrective Work

Mr. Oye said Casselton completed a flood protection project for their industrial park in 2016 to protect the industrial park from floodwaters entering the city from the west; the project was partially funded by this committee.

In the spring of 2019, it was identified that a portion of the flood protection dike was not properly constructed, allowing floodwaters to potentially enter the city's storm sewer system. A plugged culvert stopped the floodwaters at the time, but water did flood an adjacent underpass.

The contractor that completed the original project is no longer in business, and the performance bond has expired. Plans were drawn up to correct the issue and a

contractor completed much of the repairs last fall, with final stabilization to be verified next spring.

Mr. Oye said Casselton is requesting a 50% cost share of the \$60,000 project cost. A cost share was not able to be requested prior to beginning the work as it needed to be completed as soon as possible.

Mr. Pawluk asked if the project meets the criteria of the policy. Mr. Benson said yes.

MOTION, passed

Mr. Olson moved and Mr. Wilson seconded to approve the Casselton Industrial Park Corrective Work Project, up to 50% of the total project cost of \$60,000. On roll call vote, the motion carried unanimously.

Harwood Township and City Projects

Mr. Benson said he has not spoken with any representatives from Harwood since the agenda was sent out, but over the past year he has had several discussions with Harwood Township concerning flooding east and west of I-29. Multiple factors fall into potential projects brought forth by Harwood for consideration by this committee, including the diversion project and transportation improvements in the area.

Mr. Benson said in lieu of identifying specific projects to fund at this time, he would like to work with Harwood Township representatives and Diversion Authority staff to identify what improvements are viable, what will no longer be necessary once the diversion is constructed, and what could be incorporated into the diversion project itself. After this more detailed analysis, a formal request could be brought back to this committee.

Mr. Pawluk asked that the final list of project requests also be prioritized.

MOTION, passed

Mr. Pawluk moved and Mr. Benson seconded to direct the County Engineer to engage in talks with representatives from Harwood regarding potential flooding projects, and to bring a recommendation back to this committee. Motion carried.

6. OTHER BUSINESS

Agenda preparation

Mrs. Scherling asked that in the future the agenda for this meeting be prepared with a listing of the current project requests so projects can be easily identified by committee members, citizens, and any other interested parties.

7. ADJOURNMENT

There being no further business, the meeting was adjourned at 1:56 PM.

Cass County Sales Tax Activity (420)			
Cash Basis - 2020			
11/24/2020			
Date	Description	Amount	Balance
	Balance Forward		8,512,304.61
2020	Sales Tax	14,230,705.41	22,743,010.02
2020	Interest	125,300.98	22,868,311.00
1/17/2020	Diversion Board of Authority	(990,276.07)	21,878,034.93
2/14/2020	Diversion Board of Authority	(1,659,957.84)	20,218,077.09
3/20/2020	Diversion Board of Authority	(1,698,324.84)	18,519,752.25
4/9/2020	Diversion Board of Authority	(820,938.90)	17,698,813.35
1/28/2020	County Projects	(8,733.97)	17,690,079.38
3/10/2020	County Projects	(887.22)	17,689,192.16
4/28/2020	County Projects	(24,147.39)	17,665,044.77
5/8/2020	Diversion Board of Authority	(1,227,822.58)	16,437,222.19
8/4/2020	Buyout Reimbursement	100.00	16,437,322.19
7/2/2020	County Projects	(37,068.77)	16,400,253.42
7/2/2020	County Projects	(34,422.58)	16,365,830.84
6/12/2020	Diversion Board of Authority	(1,215,487.70)	15,150,343.14
7/8/2020	Diversion Board of Authority	(808,939.62)	14,341,403.52
8/5/2020	Diversion Board of Authority	(1,464,394.25)	12,877,009.27
8/28/2020	County Projects	(984.60)	12,876,024.67
10/1/2020	County Projects	(156.65)	12,875,868.02
10/7/2020	County Projects	(1,560.00)	12,874,308.02
10/23/2020	County Projects	(65,597.26)	12,808,710.76
11/4/2020	County Projects	(21,030.00)	12,787,680.76
11/9/2020	County Projects	(2,139.00)	12,785,541.76
11/9/2020	County Projects	(152,423.00)	12,633,118.76
11/18/2020	County Projects	(27,352.54)	12,605,766.22
9/10/2020	Diversion Board of Authority	(1,508,789.98)	11,096,976.24
10/8/2020	Diversion Board of Authority	(1,379,840.97)	9,717,135.27
11/9/2020	Diversion Board of Authority	(1,592,366.41)	8,124,768.86
			8,124,768.86
			8,124,768.86

Reserved for County Projects - Cash	7,782,859.44	
Reserved for Diversion Project	341,909.42	8,124,768.86

Summary

2020 Receipts

Transfer	100.00
Sales Tax Revenue	14,230,705.41
Interest Revenue	125,300.98
Total Receipts	<u>14,356,106.39</u>

2020 Expenditures

Diversion Board of Authority	(14,367,139.16)
City of Fargo - Cash Flow Other Sources	-
County Projects	(376,502.98)
Land Purchase	-
Total Expenditures	<u>(14,743,642.14)</u>

Receipts over Expenditures (387,535.75)

Balance from 2019 8,512,304.61

Balance Current 2020 8,124,768.86

Sales Tax by Year

Year	Amount	Change
2011	7,612,423	
2012	14,494,309	
2013	14,964,867	470,558
2014	15,986,941	1,022,074
2015	16,929,904	942,963
2016	16,179,223	(750,681)
2017	15,530,079	(649,144)
2018	15,582,873	52,794
2019	16,031,097	448,224
2020	14,230,705	(1,800,392)

Current County Projects			
11/24/2020			
Project	Total Approved	Paid	Left to Pay
Round Hill Project	\$ 350,696.00	\$ 350,696.00	\$ -
City of Oxbow Diking	\$ 105,284.29	\$ 105,284.29	\$ -
2012 City of Argusville Diking	\$ 168,925.00	\$ 168,925.00	\$ -
2012 Maple-Steele WRD Study	\$ 20,562.00	\$ 20,562.00	\$ -
2012 City of Mapleton - Lift Station	\$ 52,500.00	\$ 52,500.00	\$ -
2013 Pontiac Township - Project No 73	\$ 448,000.00	\$ 448,000.00	\$ -
2013 City of Argusville - Levee improvement	\$ 23,874.73	\$ 23,874.73	\$ -
2013 City of Casselton - Levee Repairs	\$ 19,598.17	\$ 19,598.17	\$ -
2013 Maple-Steele - Dam Project	\$ 17,500.00	\$ 1,793.70	\$ 15,706.30
2014 City of Mapleton Levee Recertification 2012-1	\$ 543,324.58	\$ 543,324.58	\$ -
2014 Pontiac township Project no 73 additional	\$ 52,000.00	\$ 52,000.00	\$ -
2014 Upper Maple River Dam	\$ 706,000.00	\$ 706,000.00	\$ -
2014 Lake Bertha Flood Water Detention (reduced from 242500)	\$ 74,949.42	\$ 74,949.42	\$ -
2014 Detention project Development	\$ -	\$ -	\$ -
2015 Normanna Township Slide Repair and Road Move	\$ 40,500.00	\$ 40,500.00	\$ -
2015 Upper Maple River Detention Study Phase II	\$ 45,500.00	\$ 37,068.77	\$ 8,431.23
2015 Rush River Detention Study Phase II	\$ 45,500.00	\$ 34,422.58	\$ 11,077.42
2015 Swan Creek Detention Study Phase II	\$ 10,990.59	\$ 10,990.59	\$ -
2015 Harwood Levee Improvements	\$ 556,935.00	\$ 454,785.47	\$ 102,149.53
2015 Casselton Industrial Park Improvements	\$ 253,000.67	\$ 253,000.67	\$ -
2015 Reed Township Road Raise	\$ 60,308.18	\$ 60,308.18	\$ -
2016 City of Mapleton Levee Raise	\$ 99,812.68	\$ 88,057.80	\$ 11,754.88
2016 City of Mapleton Levee Recert change order	\$ 14,867.00	\$ 14,867.00	\$ -
2016 Erie Dam Repairs (25,000 removed)	\$ -	\$ -	\$ -
2016 Absaraka Dam Repairs	\$ 11,183.50	\$ 11,183.50	\$ -
2016 Garsteig Dam Repairs	\$ 12,202.64	\$ 12,202.64	\$ -
2016 Embden Dam Repairs	\$ 10,263.87	\$ 10,263.87	\$ -
2016 Drain 77 Study Maple River Water Resource	\$ 20,000.00	\$ 20,000.00	\$ -
2017 Upper Maple River Dam Project	\$ 361,500.00	\$ 361,500.00	\$ -
2017 Erie Dam Project (10,000 removed)	\$ -	\$ -	\$ -
2017 Casselton Map Revision Project	\$ 12,472.45	\$ 12,472.45	\$ -
2017 Davenport Flood Risk Reduction Project	\$ 32,500.00	\$ 32,500.00	\$ -
2017 Sheldon Addition Ring Levee Project	\$ 462,750.00	\$ -	\$ 462,750.00
2017 Casselton Storm Water Improvements Projects	\$ 128,762.04	\$ 128,762.04	\$ -
2018 City of Arthur Storm Sewer	\$ 266,250.00	\$ 264,404.73	\$ 1,845.27
2018 City of Hunter Dam Projects	\$ 23,582.80	\$ 9,733.39	\$ 13,849.41
2018 Red River Basin Commission	\$ 125,000.00	\$ 122,300.00	\$ 2,700.00
2018 Mapleton Levy Recertification	\$ 30,323.00	\$ -	\$ 30,323.00
2019 Harwood Riverbank Rehabilitation Project	\$ 55,500.00	\$ -	\$ 55,500.00
2019 Upper Maple River Dam Improvements	\$ 21,233.13	\$ -	\$ 21,233.13
2019 Auka Ring Levy	\$ 10,313.10	\$ -	\$ 10,313.10
2019 T-180 Dam Safety Improvements	\$ 24,765.89	\$ -	\$ 24,765.89
2020 Hofer Property	\$ 512,281.80	\$ -	\$ 512,281.80
2020 Phillips Property	\$ 273,493.80	\$ -	\$ 273,493.80
2020 Casselton Industrial Park Corrective Work	\$ 30,000.00	\$ -	\$ 30,000.00
Total	\$ 6,135,006.33	\$ 4,546,831.57	\$ 1,588,174.76

Reserve for County Projects 2020 Activity

Balance of Cash Carried forward from 2019	\$ 7,298,002.04
2020 Reserves	861,360.38
Total	8,159,362.42
Paid in 2020	376,502.98
Encumbrances	1,588,174.76
Un-encumbered Balance	\$ 6,194,684.68

SUBJECT: COUNTY SALES TAX FOR FLOOD RISK REDUCTION AND RECOVERY
PROJECTS

ADOPTED DATE: DECEMBER 4, 2017

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PURPOSE

The purpose of this policy is to provide guidance for the administration and funding of projects with Cass County Flood Control Sales Tax funds.

GENERAL PROVISIONS

As passed during the 2010 election and extended in the 2016 election, the voters approved the following: The Cass County Home Rule Charter be amended to extend the existing flood-protection-related sales, use, and gross receipts tax of one-half of one percent (1/2%) to be used solely for the engineering, land purchase, construction, and maintenance of flood control measures including the Metro Flood Diversion Project including associated special assessments and indebtedness, through December 31, 2084, and shall be rescinded when all of the costs, obligations, and debt for said project have been paid in full and satisfied, whichever event occurs first as provide in Resolution #2016-20.

Cass County Commission Policy 38.23 outlines Ordinance #2010-2 Amended (Flood Control Sales Tax) which serves as the ordinance for the establishment and regulation of the Cass County Flood Control Sales Tax.

This policy governs expenditures of funds from a one half percent County sales tax that started in 2011 and will end in 2084 to fund flood risk reduction projects. The primary purpose of the sales tax measure is to fund local costs associated with a planned Fargo Moorhead Area Flood Diversion project in either Minnesota or North Dakota. The planned diversion project will not address all flood damage risks in Cass County. Additional measures are necessary to reduce risk to areas within and outside of the diversion perimeter. Sales tax proceeds may also be expended for the Diversion and other flood risk reduction or recovery projects subject to funding availability and approval by the County Commission. The County sales tax proceeds should be used to leverage other sources of funding when possible.

County sales tax funds expended within incorporated cities: The County Commission through the Flood Sales Tax Committee may consider requests for flood risk reduction and recovery funding from cities within Cass County. The city will be responsible for planning and engineering costs associated with the project. Plans and specifications should be prepared by a professional engineer registered within the State of North Dakota. Projects won't be considered if they are strictly for new city development, especially cases where a developer would be shifting their cost to the County Flood Sales Tax. The city should also be able to demonstrate that other revenue sources for the project have been actively sought out. The preferred funding split is that City funds match the County sales tax proceeds on a 1:1 basis. Other funding splits may be considered by the Commission on a case by case basis to allow consideration to be given to unique circumstances and the ability of the City to pay 50% of the local cost share.

SUBJECT: COUNTY SALES TAX FOR FLOOD RISK REDUCTION AND RECOVERY
PROJECTS

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County sales tax funds expended outside of incorporated cities: The County Commission, through the Flood Sales Tax Committee, may also consider flood risk reduction and recovery projects recommended by the County Engineer or requested by townships, neighborhood groups, or individuals for areas within and outside of the diversion protected area. Projects won't be considered if they are strictly for new rural development, especially cases where a developer would be shifting their cost to the County Flood Sales Tax. Special assessments may be considered as a local match to County sales tax funds. Funds may be expended for projects that provide benefit to Cass County residents but are physically constructed outside of the County boundaries such as retention projects. Funds may also be spent to assist property owners downstream from the diversion channel in offsetting diversion project impacts.

ADMINISTRATION

The Cass County Commission will organize and appoint members to a Flood Sales Tax Committee. This will be a six-member committee made up of the following members:

1. Two members of the Cass County Commission
2. Cass County Auditor
3. Cass County Administrator
4. Cass County Engineer
5. One member from either the Southeast Cass, Maple River, Rush River, or North Cass Water Resource District.

The Flood Sales Tax Committee will solicit project requests on a bi-annual basis. Meetings to review project requests will generally be held with one meeting in the fall (October-November) and one meeting in the spring (March-April). Requests received from political subdivisions and county staff for cost effective projects will be prioritized and considered for funding by the County Commission as funds available allow.

FUNDING ELIGIBILITY

Entities eligible for funding: Funding should generally be for flood protection for communities or individuals that live outside of the Diversion protected area or those within the Diversion protected area that do not receive a significant benefit from the Diversion. This includes:

1. Cities
2. Townships
3. Water Resource Districts
4. Farmsteads and Homesteads

SUBJECT: COUNTY SALES TAX FOR FLOOD RISK REDUCTION AND RECOVERY
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Types of projects eligible for funding:

1. Levee construction or recertification for cities or rural subdivisions. Generally levee projects should be constructed to FEMA and/or US Army Corps of Engineer standards and be able to bring the benefited area out of the 1% chance (100 year) floodplain. These levees would also need to be maintained at that standard by either the city or township that is a member of the National Flood Insurance Program. Rural subdivisions seeking this funding would need to complete an agreement with the township and form an assessment district for the long term maintenance of the levee.
2. Flood control projects.
3. Water retention or detention projects.
4. Dam construction or maintenance.
5. Lift Stations for removing storm water from within a levee protected area.
6. Rural Farmstead Ring Levees (in conjunction with the ND State Water Commission 50% cost share) as outlined on the ND State Water Commission website under "Cost Share" at http://www.swc.state.nd.us/project_development/cost_share.html. Generally levee projects should be constructed to FEMA and/or US Army Corps of Engineer standards. However, individual rural farmsteads cannot be "certified" by FEMA or the US Army Corps of Engineers as they not maintained by either a city or township that is a member of the National Flood Insurance Program.
7. Road Projects that provide infrastructure protection to prevent significant future flood damage. These requests may be standalone projects or in conjunction with post-flood damage repair with or without FEMA cost share.
8. Road access (road raises or other infrastructure improvements that will allow access to a city, subdivision, or rural residence/farmstead).
9. Embankment slumping along the Red River, Wild Rice River, Sheyenne River, Maple River, Rush and Lower Rush Rivers, and Legal Drains. River slumping projects may include road and infrastructure repair, home buyouts, and repair to legal drains.
10. Home buyouts for flooding and bank slumping.
11. Flood Recovery projects to include: Levee repair, road repair, bridge repair, and other infrastructure related repair projects. None infrastructure flood recovery such as debris removal and sandbag cleanup will not be eligible.

Cass County Sales Tax Cost Share:

1. Generally the cost share will be 50% of the "local" share of the non-retention projects, i.e. if a \$100,000 project had a 50% state cost share, the local share would be \$50,000 and the County cost share would be \$25,000.
2. Policy for Retention Projects: Cost share is 75% of the "local" share if they are approved by the Red River Joint Water Resource District.
3. Home buyouts for flooding and bank slumping: Cost share is 90% of the "local" cost with the homeowner paying 10% of the "local" cost.

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PROJECTS

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4. If significant funds are available compared to the project requests, the County may authorize a cost share above 50% for non-retention projects and above 75% for Retention Projects.

PROJECT PRIORITIES

Priority of projects will be based on the following:

1. Population benefited by the project
2. Distribution of funds by location
3. Disbursement percentage determined by the number of people benefited
4. Cost effectiveness of the project
5. Permanency of the project
6. Effect of the diversion on the project
7. Does the project have long-term merit (benefits extend beyond 10 years)
8. Other sources of funding from local, state, or federal cost share programs.

Evaluation Criteria: The County Commission and/or Flood Sales Tax Committee may use some or all of the following criteria in determining funding priorities:

1. Benefit cost ratio
2. Land area benefited
3. Population benefited
4. Downstream flood reduction
5. Total acre-feet of retention storage

HISTORICAL REFERENCE: AUGUST 2, 2010

Flood Sales Tax Committee

Cass County Commission Office
Po Box 2806
Fargo, ND 58108
August 19, 2020

RECEIVED
CASS COUNTY COMMISSION

AUG 25 2020

Flood Sales Tax Committee,

We are requesting to be on the upcoming agenda of the Flood Sales Tax Committee meeting to review the proposed funding for the Ring Dike at 16651 30th St SE Harwood, ND. 58042 for Dan and Kathy Auka.

November 2019 meeting Mr. Lysne presented to the Flood Sales Tax Committee the estimated cost of building the Ring Dike of \$ 45,000. Of which \$24,347.83 from the State Water Commission approved, leaving local share of \$ 20,826.00 and the Committee approved a 50% cost share.

The project bids from local contractors have been returned at a much higher cost than estimated, ranging from \$69,000 to \$226,000 leaving more than 50% for this project to us.

Thank you,
Dan and Kathy Auka
16651 30th St. SE
Harwood, ND. 58042
320-309-4181
khdiamond641@gmail.com

Daniel Auka
Kathy Auka

Worden, Heather

From: Lewis, Carol
Sent: Wednesday, June 24, 2020 8:15 PM
To: Worden, Heather
Subject: North Cass WRD - Elm River Watershed Study cost-share request
Attachments: 2020-06-25 - CCFSTC cost-share request.pdf; Elm River Watershed Study-C1010568.pdf

Hi Heather,

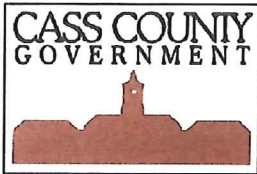
Attached is a Cass County Flood Sales Tax cost-share request for the Elm River Watershed Study.

Please feel free to contact us if you have any questions or need anything further. Thank you.

Carol

Carol Harbeke Lewis
Secretary-Treasurer
Cass County Water Resource Districts
1201 Main Avenue West
West Fargo, ND 58078-1301
Phone: 701-298-2381
Fax: 701-298-2397
Lewisc@casscountynd.gov





RECEIVED
CASS COUNTY COMMISSION

SENT VIA EMAIL

JUN 29 2020

June 25, 2020

North Cass
Water Resource
District

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

Wesley Ecker
Chairman
Grandin, North Dakota

Robert Thompson
Manager
Page, North Dakota

Ken Lougheed
Manager
Grandin, North Dakota

Dear Chair Peterson:

RE: Elm River Watershed Study

North Cass Water Resource District is a member of the Elm River Joint Water Resource District. The Elm River Joint Water Resource District currently owns and operates three dams in Cass, Steele and Traill Counties. Two of the dams have been determined to be in disrepair or insufficiently sized for the watershed draining into them.

The Elm River Joint Water Resource District plans to conduct the Elm River Watershed Study (the "Project"), the purpose of which is to evaluate alternatives to address the deficiencies of the existing dams. The alternatives to be evaluated will include breaching of one or both of the dams to meet current North Dakota dam design standards, and potential relocation of the upstream dam (Elm River Dam No. 1) to increase its storage potential. The Project will include the development of a HEC-RAS model to evaluate the downstream impacts of the various alternatives. Studies have been completed previously to determine watershed hydrology and sizing requirements of the dams; however, a downstream impact analysis has never been conducted. Depending on the alternative(s) chosen by the Water Resource District at the completion of the Project, regulatory guidelines will require the Water Resource District to identify downstream impacts prior to constructing any improvements. The Project will utilize as much of the existing past study information as possible to minimize the efforts needed for this analysis.

Carol Harbeke Lewis
Secretary-Treasurer

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West Fargo, ND 58078-1301

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The total estimated cost of the Project is \$120,000. Cost-share requests have been submitted to the North Dakota State Water Commission for \$72,000 and the Red River Joint Water Resource District for \$31,200, leaving a local cost of \$16,800. Elm River Joint Water Resource District has asked North Cass Water Resource District to contribute \$4,000 to the local share for the benefit it receives from the Project.

Chad Peterson
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June 25, 2020

North Cass Water Resource District respectfully requests consideration by the Cass County Flood Sales Tax Committee for cost-share assistance on the \$4,000 share of the local project cost requested by Elm River Joint Water Resource District.

Enclosed is a project location map. If you have any questions, please feel free to contact us or the district's engineer, Kurt Lysne, Moore Engineering, Inc., at 701-282-4692.

Thank you.

Sincerely,

NORTH CASS WATER RESOURCE DISTRICT



Carol Harbeke Lewis
Secretary-Treasurer

Enclosure

