

**FLOOD SALES TAX COMMITTEE**  
**AGENDA FOR OCTOBER 18, 2021**  
**1:00 PM**

1. Call to order
2. Approve minutes from previous meeting held April 5, 2021
3. Flood sales tax fund update
4. Status of previously approved projects
5. Dan and Kathy Auka ring levee
6. Other business
7. Adjournment

cc: Local Media

**FLOOD SALES TAX COMMITTEE  
APRIL 5, 2021—1:00 PM**

**1. MEETING CALLED TO ORDER**

Commissioner Mary Scherling called a virtual meeting of the Flood Sales Tax Committee to order on Monday, April 5, 2021, at 1:03 PM, with the following present: County Finance Director Michael Montplaisir; County Commissioner Mary Scherling; County Commissioner Rick Steen; County Administrator Robert Wilson; and Joint Water Resource District Representative Rodger Olson. County Engineer Jason Benson was absent.

Also present were Deputy County Engineer Tom Soucy; Engineers Kurt Lysne and Brandon Oye of Moore Engineering; Corey Hoglund of Maple River Township, Dallas Hoffman and Todd Weber of Gill Township, and project applicant Kathy Auka.

**2. MINUTES APPROVED**

***MOTION, passed***

**Mr. Steen moved and Mr. Montplaisir 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 \$8.5 million. He said in the last 10 years a few years saw a decrease; however, last year there was a 5% increase. Encumbrances for approved projects total \$2,807,528.97, which leaves \$5,712,431.50 of uncommitted funds available for county projects.

Mr. Soucy gave an update on the Hofer Home Buyout that was approved at the June 1, 2020, meeting to pay up to 90% of the total project cost of \$569,202. He said funds were granted through the North Dakota Department of Emergency Services in the amount of \$512,281.80 and if funds are approved through the Hazard Mitigation Grant Program, they would get another \$85,000 to fund the project, thus significantly reducing the amount of funds needed from the Flood Sales Tax to only about \$8,500.

**4. STATUS OF PREVIOUSLY APPROVED PROJECTS**

Mr. Lysne and Mr. Soucy gave updates on the status of various projects they were familiar with.

Mr. Lysne said the 2013 Maple-Steele Dam project has been completed and no further funds will be requested.

***MOTION, passed***

**Mr. Montplaisir moved and Mr. Steen seconded to de-obligate funds from the 2013 Maple-Steele Dam project. Motion carried.**

Mr. Lysne said the 2015 Harwood Levee Improvements project has been completed and no other cost reimbursements will be requested.

***MOTION, passed***

**Mr. Montplaisir moved and Mr. Steen seconded to de-obligate**

**funds from the 2015 Harwood Levee Improvements project.  
Motion carried.**

Mr. Lysne said the City of Harwood is not proceeding with the 2019 Harwood Riverbank Rehabilitation project because after soil research the project would be much larger than they anticipated.

***MOTION, passed***

**Mr. Montplaisir moved and Mr. Steen seconded to de-obligate funds from the 2019 Harwood Riverbank Rehabilitation project.  
Motion carried.**

## **5. CONSIDER ADDITIONAL PROJECT REQUESTS FOR 2021**

Dan and Kathy Auka ring levee

Mr. Lysne said the Rush River Water Resource District is the entity helping the Auka's with the cost share request from the State Water Commission (SWC).

Ms. Auka said when the project was approved the estimated total project cost was \$45,000, of which the SWC approved funding of \$24,347.83. This committee then approved up to 50% of the local cost share, in the amount of \$10,313.10. After recently receiving bids from three contractors, the project total will be \$114,959.15, leaving a much higher cost left to the Auka's to pay. Ms. Auka requested the committee approve a higher amount of funding given the higher project cost.

Mrs. Scherling asked if the project could be brought back to the SWC for consideration of additional funding. Mr. Lysne said it could be brought back; however, the SWC has had budget cuts due to COVID 19 and additional funding is not favorable. He said the SWC Share Policy is that funds may be given for up to 65% of eligible items with a limit of \$55,000. Ms. Auka said her recent conversations with the SWC indicate they will not grant additional funding.

Mr. Steen asked if there are any options for the county such as a buyout. Mr. Soucy said recent attempts for FEMA funds for a buyout have been unsuccessful. Mr. Montplaisir said in the past the County has not used funds for flood buyouts without FEMA funds unless it was necessary for road access.

Ms. Auka asked the committee to fund up to 80% of the local cost share in the amount of \$90,611.32.

Mr. Steen and Mrs. Scherling are concerned if additional funding for this project is approved, it will set an unwanted precedent for other County residents with similar flooding issues. Mrs. Scherling said there are many private homeowners in the area who have personally funded a ring levy on their property. The previous committee approval for up to 50% of the local cost share, in the amount of \$10,313.10 still stands.

***MOTION, passed***

**Mr. Steen moved and Mr. Montplaisir seconded to get information from the State Water Commission to determine their cost share before approving additional funding. Motion carried.**

Gill Township slide repair

Mr. Soucy said Gill Township was originally requesting \$6,400; however, last week they received information that they are likely to receive \$5,300 in FEMA funding. He said there is an opportunity for a larger project in the area that will create a long-term fix.

Dallas Hoffman from Gill Township was present and requested 75% of \$19,000 which is \$14,250 to complete the larger solution project.

***MOTION, passed***

**Mr. Montplaisir moved and Mr. Steen seconded to approve the Gill Township Slide Repair Project for \$14,250 with the understanding that Gill Township will pursue the \$5,300 in FEMA funds. Motion carried.**

Maple River Township road realignment

Mr. Soucy said Maple River Township is requesting funding for a road that is being eroded by the Maple River Dam on 47<sup>th</sup> Street Southeast which is causing maintenance and safety issues. Corey Hogle of Maple River Township was present and said the township is requesting the committee fund \$64,970 which is 75% of the total project cost at \$81,626.67.

***MOTION, passed***

**Mr. Steen moved and Mr. Olson seconded to approve the Maple River Township Flood Risk Reduction project in the amount of \$64,970.**

County Highway 15 Bridge on Drain 14

Mr. Soucy said the Cass County Highway Department is requesting the committee fund 75% of \$2,286,000 to repair County Highway 15 to allow better road access for area residents during times of flooding.

***MOTION, passed***

**Mr. Steen moved and Mr. Montplaisir seconded to approve a 50% cost share of \$2,286,000 which is \$1,143,000 with the understanding that the Highway Department reimburse the funds using CARES Act funds.**

**6. ADJOURNMENT**

There being no further business, the meeting was adjourned at 2:14 PM.

Cass County Sales Tax Activity (420)			
Cash Basis - 2021			
10/12/2021			
Date	Description	Amount	Balance
	Balance Forward		9,844,465.65
2021	Sales Tax	15,225,851.33	25,070,316.98
2021	Interest	41,108.62	25,111,425.60
1/7/2021	Diversion Board of Authority	(1,533,118.05)	23,578,307.55
2/4/2021	Diversion Board of Authority	(1,492,664.53)	22,085,643.02
1/26/2021	County Projects	(4,000.00)	22,081,643.02
3/3/2021	Diversion Board of Authority	(1,359,047.18)	20,722,595.84
4/7/2021	Diversion Board of Authority	(1,342,523.91)	19,380,071.93
5/7/2021	Diversion Board of Authority	(1,492,973.10)	17,887,098.83
6/3/2021	Diversion Board of Authority	(1,808,835.10)	16,078,263.73
6/22/2024	Diversion Board of Authority	(1,172,992.33)	14,905,271.40
6/24/2021	County Projects	(2,700.00)	14,902,571.40
7/23/2021	Diversion Board of Authority	(2,006,033.58)	12,896,537.82
8/23/2021	Diversion Board of Authority	(1,812,345.36)	11,084,192.46
9/23/2021	Diversion Board of Authority	(1,824,885.15)	9,259,307.31
			9,259,307.31
			9,259,307.31

Reserved for County Projects - Cash	9,250,614.38	
Reserved for Diversion Project	8,692.93	9,259,307.31

**Summary**

2021 Receipts

Transfer	-
Sales Tax Revenue	15,225,851.33
Interest Revenue	41,108.62
Total Receipts	<u>15,266,959.95</u>

2021 Expenditures

Diversion Board of Authority	(15,845,418.29)
City of Fargo - Cash Flow Other Sources	-
County Projects	(6,700.00)
Land Purchase	-
Total Expenditures	<u>(15,852,118.29)</u>

Receipts over Expenditures (585,158.34)

Balance from 2020 9,844,465.65

Balance Current 2021 9,259,307.31

**Cass County 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	17,258,004	1,226,907
2021	15,225,851	

Current County Projects			
10/12/2021			
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	\$ -	\$ -	\$ -
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	\$ 454,785.47	\$ 454,785.47	\$ -
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	\$ 11,527.09	\$ 12,055.71
2018 Red River Basin Commission	\$ 125,000.00	\$ 125,000.00	\$ -
2018 Mapleton Levy Recertification	\$ 30,323.00	\$ -	\$ 30,323.00
2019 Harwood Riverbank Rehabilitation Project	\$ -	\$ -	\$ -
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	\$ 178,293.25	\$ 95,200.55
2020 Casselton Industrial Park Corrective Work	\$ 30,000.00	\$ 27,352.54	\$ 2,647.46
2020 Davenport Levee	\$ 1,425,000.00	\$ -	\$ 1,425,000.00
2020 Elm River Watershed Study	\$ 4,000.00	\$ 4,000.00	\$ -
2021 Gill Township Road	\$ 14,250.00	\$ -	\$ 14,250.00
2021 Maple River Township Road	\$ 64,970.00	\$ -	\$ 64,970.00
2022 Cass 15 Bridge	\$ 1,143,000.00	\$ -	\$ 1,143,000.00
		\$ -	
Total	\$ 8,611,076.80	\$ 4,759,177.36	\$ 3,851,899.44

**Reserve for County Projects 2021 Activity**

Balance of Cash Carried forward from 2020	\$ 8,341,296.79
2021 Reserves	916,017.60
Total	9,257,314.38
Paid in 2021	6,700.00
Encumbrances	3,851,899.44
Un-encumbered Balance	\$ 5,398,714.94

## Albrecht, Taylor

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**From:** kathy auka <khdiamond641@gmail.com>  
**Sent:** Friday, July 2, 2021 11:43 AM  
**To:** Albrecht, Taylor  
**Subject:** Flood Sales Tax Committee Meeting Agenda Request

**CAUTION: EXTERNAL EMAIL**

Flood Sales Tax Committee,  
July 2, 2021

Requesting to be on the Agenda for the upcoming meeting.

Dan and Kathy Auka ring levee.

North Dakota State Water Commission funding as requested. They have awarded an additional \$30,626 with a total cost not to exceed \$55,000.

Thank you.

Dan and Kathy Auka  
16651 30Th St SE  
Harwood ND.  
320-309-4181

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# NORTHERN STATES EXCAVATING INC



Final Bill From Northern States Excavating Inc.  
Flood Sales Tax Committee October 18, 2021 Meeting

5102 16th St N  
Fargo ND 58102  
Office: 701-232-1279  
Cell: 701-238-8403

September 22, 2019

Breakdown of Auka ring dike bill

Common Excavation 1,926yd \$3,852.00  
Earth fill Clay placed 6,369yd \$82,797.00  
Class 5 Gravel 99yd placed \$2,772.00  
Topsoil 955yd placed \$2,387.50  
24" CMP 92'&gate C-10. \$11,116.00  
12" CMP 42'&gate C-10. \$2,249.00  
4 Acres seeding. \$6,000.00

Final Bill \$111,173.50