

MINUTES OF VIRTUAL / CONFERENCE CALL MEETING
CASS COUNTY JOINT WATER RESOURCE DISTRICT
ORIGINATING AT THE CASS COUNTY HIGHWAY DEPARTMENT
HERITAGE CONFERENCE ROOM
WEST FARGO, NORTH DAKOTA
JUNE 27, 2024
8:00 A.M.

A virtual / conference call meeting of the Cass County Joint Water Resource District was held on June 27, 2024, at 8:00 a.m.

Present were Rodger Olson, Maple River Water Resource District; Keith Weston, and Rick Steen, Southeast Cass Water Resource District; Jacob Gust, Rush River Water Resource District; Ken Lougheed, North Cass Water Resource District; Melissa Hinkemeyer, Director, Secretary; Leilei Bao, Treasurer; Carolyn Fiechtner, Administrative Assistant; Sean M. Fredricks, Chris McShane, Lukas Andrud, and Katie Schmidt, Ohnstad Twichell, P.C.; Rob Stefonowicz, Larkin Hoffman; Kurt Lysne, Lyndon Pease, and Brady Woodard, Moore Engineering, Inc.; Mike Opat, Houston Engineering, Inc.; Duane Breitling and Mary Scherling Cass County Commissioners; Jodi Smith, Tom Fuchs, Jessica Warren, and Madeline Daudt, Metro Flood Diversion Authority; Eric Dodds, Dean Vetter, Sabrina Tusa, and Kellen Grubb, AE2S; Scott Stenger and Dale Ahlsten, ProSource Technologies, LLC; Ken Helvey and Katie Laidley, SRF Consulting Group, Inc.; Oly Olafson, Kelsey Lee, and Wade Whitworth, HDR, Inc.; Brian Fuder, Red River Retention Authority; and Leo Richard, Stanley Township property owner.

Approval of agenda

It was moved by Manager Steen, seconded by Manager Gust, and unanimously carried to approve the order of the agenda, as amended.

Minutes

It was moved by Manager Steen, seconded by Manager Lougheed, and unanimously carried to approve the minutes of the June 13 and 17, 2024, meetings, as presented.

Metro Flood Diversion Project – project updates and general topics

Chris McShane reported on the status of formal negotiations regarding the Metro Flood Diversion Project.

Eric Dodds discussed the Property Acquisition Status Report regarding the Metro Flood Diversion Project and reported on key activities regarding property rights acquisitions and Rights of Entry for the project. Mr. Dodds shared a major milestone achieved, the final two parcels for the Diversion Channel and Associated Infrastructure of the Metro Flood Diversion Project have been acquired.

Metro Flood Diversion Project – weed control

Brief discussion was held on weed control efforts on properties owned by the Cass County Joint Water Resource District for the Metro Flood Diversion Project. Jodi Smith noted the weed control concerns in Raymond Township are being addressed and the Metro Flood Diversion Authority has a long-term contract with a contractor for weed control on various properties related to the Metro Flood Diversion Project.

Metro Flood Diversion Project – excess land recommendations

Ms. Smith presented to the Board properties deemed as excess land by the Metro Flood Diversion Authority Co-Executive Directors and to request the Board consider approval of the properties as excess land and authorize the sale of the properties per the Metro Flood Diversion Project *Policy on the Disposition and Management of Comprehensive Project Lands*. The following OINs have been identified as excess land:

- OIN 9191Y
- OIN 9741
- OIN 7234B

It was moved by Manager Gust and seconded by Manager Steen to declare OIN 9191Y as excess land regarding the Metro Flood Diversion Project and authorize the sale of the property as per the *Policy on the Disposition and Management of Comprehensive Project Lands*. Upon roll call vote, the motion carried unanimously.

It was moved by Manager Steen and seconded by Manager Gust to declare OIN 9741 as excess land regarding the Metro Flood Diversion Project and authorize the sale of the property as per the *Policy on the Disposition and Management of Comprehensive Project Lands*. Upon roll call vote, the motion carried unanimously.

Jodi Smith stated based on direction received from the Metro Flood Diversion Authority Land Management Committee at their meeting yesterday regarding the declaration of OIN 7234B as excess land, no action is needed regarding OIN 7234B at this time.

Metro Flood Diversion Project – land agent reports

Ken Helvey, Oly Olafson, Wade Whitworth, and Scott Stenger reported on activities, meetings, and discussions with various property owners regarding the Metro Flood Diversion Project.

Metro Flood Diversion Project – relocation and RHDP reimbursement review / approval

It was moved by Manager Lougheed and seconded by Manager Gust to approve the relocation and replacement housing payment for OIN 2014, as outlined in the letter dated June 27, 2024, regarding the Metro Flood Diversion Project. Upon roll call vote, the motion carried unanimously.

Metro Flood Diversion Project – property management

Madeline Daudt discussed a lease termination letter of the *Rental Agreement* for OIN

1130 regarding the Metro Flood Diversion Project.

It was moved by Manager Steen and seconded by Manager Lougheed to approve and authorize the Secretary to send a letter to the tenant of OIN 1130 notifying them of the termination of the associated *Rental Agreement* effective December 31, 2024. Upon roll call vote, the motion carried unanimously.

Metro Flood Diversion Project – contracting actions

It was moved by Manager Steen and seconded by Manager Lougheed to approve and authorize the Chairman to sign *Task Order No. 1 – Amendment 5* with SRF Consulting Group, Inc., with no associated cost, regarding property acquisition and relocation services for the Metro Flood Diversion Project. Upon roll call vote, the motion carried unanimously.

Metro Flood Diversion Project – Pipeline Easement with Cass Rural Water Users District on OINs 1194 and 221

Kellen Grubb discussed a *Pipeline Easement* with Cass Rural Water Users District on OINs 1194 and 221 regarding the Metro Flood Diversion Project.

It was moved by Manager Gust and seconded by Manager Lougheed to approve and authorize the Chairman to sign the *Pipeline Easement* with Cass Rural Water Users District on OINs 1194 and 221 regarding the Metro Flood Diversion Project. Upon roll call vote, the motion carried unanimously.

Metro Flood Diversion Project and Maple River Dam – electronic posting of land

The Board directed the Secretary to electronically post all properties owned by the Cass County Joint Water Resource District.

Maple River Dam – Emergency Action Plan update

Discussion was held on updating the Emergency Action Plan for the Maple River Dam. The Plan was last updated in 2013. The Board directed Mike Opat, Houston Engineering, Inc. to prepare a proposal to update the Maple River Dam – Emergency Action Plan and bring the proposal to the next meeting for consideration.

Sheldon Flood Protection Project No. 2019-01

Kurt Lysne reported the North Dakota Department of Water Resources recently approved Construction Permit No. 2604 for Sheldon Flood Protection Project No. 2019-01. The material needed for the project is currently on site. The project can be bid once the remaining right of way easement is acquired for the project.

Regional Conservation Partnership Program (RCPP)

Mr. Lysne reported the Natural Resources Conservation Service will be touring RCPP project areas soon.

Mr. Lysne briefly discussed the RCPP – Rush River Watershed Project. Moore

Engineering, Inc. is working on final updates to the Plan.

Cornell Township Drainage Improvement Project No. 80 – joint water resource district with Barnes County Water Resource District

Sean Fredricks discussed the need to enter into a joint water resource district with Barnes County Water Resource District for the Cornell Township Drainage Improvement District No. 80. The Board discussed the option of forming a Barnes – Cass Joint Water Resource District to cover all future projects with benefits in Cass and Barnes Counties, including the Cornell Township Drainage Improvement Project No. 80.

A motion was made by Manager Weston and seconded by Manager Gust to direct the Water Resource District Attorney to draft documents to form a Barnes – Cass Joint Water Resource District. The Board suggested membership be 3 Barnes County Water Resource District members and 3 Cass County Joint Water Resource District members. Upon roll call vote, the motion carried unanimously.

2024 maintenance levy assessments

A motion was made by Manager Steen and seconded by Manager Gust to amend the motion from the June 13, 2024, Cass County Joint Water Resource District meeting setting the 2024 maintenance levy for Lake Bertha Flood Control Project at the \$0.50 level to now set the 2024 maintenance levy for Lake Bertha Flood Control Project at the \$0.75 level. Upon roll call vote, the motion carried unanimously.

Bills

It was moved by Manager Steen and seconded by Manager Lougheed to approve payment of Check #15342 and the wire transfers, as presented. Upon roll call vote, the following Managers voted in favor: Olson, Steen, Gust, Lougheed, and Weston. The Chairman declared the motion passed.

Red River Retention Authority Partner Summit

Brian Fuder discussed the Red River Retention Authority Partner Summit with the Red River Joint Water Resource District and the Red River Watershed Management Board. The Summit is scheduled for July 31, 2024, starting at 10:00 am. RSVP information has been sent out and Managers are encouraged to attend the Summit.

Adjournment

There being no further business to be considered by the Board, Manager Loughheed motioned, and Manager Gust seconded to adjourn the meeting. The meeting adjourned without objection.

APPROVED:

Rodger Olson
Chairman

ATTEST:

Melissa Hinkemeyer
Secretary