



RECEIVED

DEC 29 2014

CASS COUNTY COMMISSION

December 26, 2014

## Auditor

Michael Montplaisir, CPA  
701-241-5601

## Treasurer

Charlotte Sandvik  
701-241-5611

## Director of Equalization

Frank Klein  
701-241-5616

Board of County Commissioners  
Cass County Government  
211 9<sup>th</sup> Street South  
Fargo ND 58103

Re: Revised Diversion Billing

Dear Commissioners:

On the agenda for January 5, 2015 for consideration is a revised Diversion Authority billing for the month of October 2014. When this billing was originally received and approved, the contract for Oxbow replacement infrastructure in the new development area was partially billed to the State Water Commission, land easements for El Zagal and Oxbow, and the land portion of a home purchase in Oxbow. The SWC has disallowed the claim except for the land easements for El Zagal and Oxbow.

Enclosed is the revised billing showing the additional amount to be remitted to the city of \$1,152,687.29 from the diversion loan funds (Cass County, Fargo, and Minnesota shares), the original October billing, and the original SWC #6 request for funding.

This is consistent with the way we handled the August and September revised billings.

Sincerely,

Michael Montplaisir, CPA  
Cass County Auditor

### SUGGESTED MOTION:

Move remit to the City of Fargo \$1,152,687.29 for the revised October billing for the Diversion Authority from the loan funds on hand for the Diversion Authority.

Box 2806  
211 Ninth Street South  
Fargo, North Dakota 58103

Fax 701-241-5728

[www.casscountynynd.gov](http://www.casscountynynd.gov)

**Montplaisir, Michael**

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**From:** Jamie Bullock <JBullock@cityoffargo.com>  
**Sent:** Friday, December 26, 2014 2:39 PM  
**To:** Montplaisir, Michael  
**Cc:** Matheson, Mary; Costin, Kent  
**Subject:** FMDA - Revised October Billing  
**Attachments:** 2014 10 Cass County Invoice - REVISED.pdf

Hi –

Please find attached to this email a revised FMDA invoice for October 2014. This is due to items found ineligible by the State Water Commission on request #6.

Feel free to contact me if you have any questions.

Thanks!

**JAMIE BULLOCK, CPA** | Grants Accountant | **City of Fargo, North Dakota** | 200 3rd St N Fargo, ND 58102  
o: 701-241-1358 | f: 701-476-6754 | e: [jbullock@cityoffargo.com](mailto:jbullock@cityoffargo.com)



INVOICE

*Revised  
8.11.14*

CITY OF FARGO, NORTH DAKOTA  
CITY AUDITORS OFFICE  
PO BOX 1607  
FARGO, ND 58107

(701) 241-1333

TO: Cass County Auditors Office  
Michael Montplaisir  
PO Box 2806  
FARGO, ND 58107

INVOICE NO: 251508  
DATE: 12/26/14

CUSTOMER NO: 899/17916

TYPE: DV - DIVERSION AUTHORITY

QUANTITY	DESCRIPTION	UNIT PRICE	EXTENDED PRICE
1.00	FM Diversion Authority Revise Oct 2014 Billing	518,709.28	518,709.28

\*DUE UPON RECEIPT. LATE PAYMENT CHARGE OF 1.5%/MO  
WILL BE APPLIED 30 DAYS AFTER INVOICE DATE.

TOTAL DUE: \$518,709.28

PLEASE DETACH AND SEND THIS COPY WITH REMITTANCE

DATE: 12/26/14 DUE DATE: 12/26/14  
CUSTOMER NO: 899/17916

NAME: Cass County Auditors Office  
TYPE: DV - DIVERSION AUTHORITY

REMIT AND MAKE CHECK PAYABLE TO:  
CITY OF FARGO, NORTH DAKOTA  
CITY AUDITORS OFFICE  
PO BOX 1607  
FARGO ND 58107

INVOICE NO: 251508  
TERMS: NET 0 DAYS

AMOUNT: \$518,709.28

FM DIVERSION AUTHORITY  
 LOCAL AGENCY BILLINGS (Cash Disbursement Basis)

BILLING PERIOD:	Oct-14
INVOICE DATE:	11/10/2014
TOTAL INVOICED AMOUNTS:	\$ 3,808,418.61

DETAILS OF COSTS BILLED:

Revenues Received During Period	Amount
361.85-00 Lease/Rental Payments	\$ 2,730.00

<b>Total Received</b>	<b>2,730.00</b>
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Expenses Disbursed During Period	Amount
----------------------------------	--------

33-05 Engineering Services	\$ 1,008,670.54
33-20 Accounting Services	800.00
33-25 Legal Services	155,418.22
33-79 Construction Management Services	317,083.33
34-65 Right of Entry Requests	82.00
38.95 Mowing Services	105.00
38-99 Other Services	112.40
71-30 Land Purchases	68,040.72 **
71-31 Easements	55,500.00 ***
73-53 Dams/Reservoirs/Diversion	2,175,181.81 *
80-20 Interest on Bonds	25,723.56

<b>Total Expense</b>	<b>3,806,717.58</b>
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206-10 Retainage Withheld	4,431.03 *
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<b>Total Disbursed</b>	<b>3,811,148.61</b>
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<b>TOTAL TO BILL FOR PERIOD</b>	<b>\$ 3,808,418.61</b>
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FM Diversion Cost Allocation	A/R Type	A/R Code	Cust. ID #	Agency Cost Share	Billed Amounts	Revised Amounts	Revised Billing
334-10-00 State Water Commission	DV	FMDV3	10427	100% - Of eligible expense	\$ 249,303.00	\$ 123,541.00	\$ (125,762.00)
334-10-00 State Water Commission	DV	FMDV3	10427	50% - Of eligible expense	1,026,925.28	-	(1,026,925.28)
337-80-20 City of Fargo				45%	1,139,485.65	1,658,194.92	518,709.28
337-80-25 City of Moorhead	DV	FMDV1	1969	10%	253,219.03	368,487.76	115,268.73
337-80-30 Cass County	DV	FMDV2	899	45%	1,139,485.65	1,658,194.92	518,709.28
<b>Total Partnership A/R Billing Totals</b>					<b>\$ 3,808,418.61</b>	<b>\$ 3,808,418.60</b>	<b>\$ -</b>

\$ 1,152,687.29

\* - Eligible for State Water Commission reimbursement as it is construction work pertaining to the O/H/B Ring Levee Project.

\*\* - Eligible for State Water Commission reimbursement as it is an easement associated with the El Zagal Levee.

\*\*\* - Eligible for State Water Commission reimbursement as it is an easement purchased for Storm Sewer within the O/H/B Ring Levee Project.

Payment Date: 12/22/2014

Reference: 02043047

Invoice Number	Invoice Date	Voucher ID	Gross Amount	Discounts	Late Charges	Paid Amount
SWC #1928/01 Flood Control #6	Dec/19/2014	00023771	238,241.00	0.00	0.00	238,241.00

Breen Land Purchase -	\$114,700.00
October 2014 Billing -	\$123,541.00
<b>Total Paid</b>	<b>\$238,241.00</b>

Vendor Number	Name	Bank Charge	Transfer Cost Cd
0000000780	FARGO,CITY OF	\$0.00	

  

Reference	Date	Total Gross Amt	Total Discounts	Total Late Charges	Total Paid Amt
02043047	Dec/22/2014	\$238,241.00	\$0.00	\$0.00	\$238,241.00

**WATER COMMISSION, ND STATE**  
 State Water Commission  
 Bismarck, ND 58505-0850

**ELECTRONIC PAYMENT ADVICE**

Electronic Payment (ACH/EFT/Wire) deposited to your account

Date	Payment Amount	Reference
Dec/22/2014	\$238,241.00	02043047

**FARGO,CITY OF**  
 AUDITORS OFFICE  
 PO BOX 1607  
 FARGO, ND 58107-2083



INVOICE

*Orig B. 11.02*

CITY OF FARGO, NORTH DAKOTA  
CITY AUDITORS OFFICE  
PO BOX 1607  
FARGO, ND 58107

(701) 241-1333

TO: Cass County Auditors Office  
Michael Montplaisir  
PO Box 2806  
FARGO, ND 58107

INVOICE NO: 248906  
DATE: 11/10/14

CUSTOMER NO: 899/17916

TYPE: DV - DIVERSION AUTHORITY

QUANTITY	DESCRIPTION	UNIT PRICE	EXTENDED PRICE
1.00	FM Diversion Authority OCTOBER 2014 BILLING	1,139,485.65	1,139,485.65
1.00	FM Diversion Authority REVISE BREEN BILLING	51,615.00-	51,615.00-

*Cass 51,615*  
*Fgo 51,615*  
*NIAD 11,470*  


---

*114,700*

\*DUE UPON RECEIPT. LATE PAYMENT CHARGE OF 1.5%/MO  
WILL BE APPLIED 30 DAYS AFTER INVOICE DATE.

TOTAL DUE: \$1,087,870.65

PLEASE DETACH AND SEND THIS COPY WITH REMITTANCE

DATE: 11/10/14 DUE DATE: 11/10/14  
CUSTOMER NO: 899/17916

NAME: Cass County Auditors Office  
TYPE: DV - DIVERSION AUTHORITY

REMIT AND MAKE CHECK PAYABLE TO:  
CITY OF FARGO, NORTH DAKOTA  
CITY AUDITORS OFFICE  
PO BOX 1607  
FARGO ND 58107

INVOICE NO: 248906  
TERMS: NET 0 DAYS

AMOUNT: \$1,087,870.65

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BILLING PERIOD:	Oct-14
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73-53 Dams/Reservoirs/Diversion	2,175,181.81 *
80-20 Interest on Bonds	25,723.56
<b>Total Expense</b>	<b>3,806,717.58</b>

206-10 Retainage Withheld 4,431.03 \*

**Total Disbursed 3,811,148.61**

**TOTAL TO BILL FOR PERIOD \$ 3,808,418.61**

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337-80-30 Cass County	DV	FMDV2	899	45%	1,139,485.65
<b>Total Partnership A/R Billing Totals</b>					<b>\$ 3,808,418.61</b>

*Handwritten notes:*  
 \$ 2,532,190.33  
 - 114,700.00  
 -----  
 \$ 2,417,490.33  
 Pd  
 11/17/14

\* - Eligible for State Water Commission reimbursement as it is construction work pertaining to the O/H/B Ring Levee Project.

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## Finance Office

P.O. Box 2083  
200 3rd Street North  
Fargo, North Dakota 58107-2083  
Phone: 701-241-1333  
Fax: 701-241-1526

November 10, 2014

Dave Laschkewitsch  
North Dakota State Water Commission  
900 East Boulevard Avenue, Dept 770  
Bismarck, ND 58505-0850

Dear Dave,

The FM Diversion Authority is submitting eligible costs for reimbursement request # 6 pursuant to the terms and conditions of Senate Bill 2020. These costs are for construction related to the Oxbow/Hickson/Bakke ring levee and an easement for the El Zagal levee. Cost summaries and detailed disbursement records are included within this submission. This submission represents costs incurred from October 1, 2014 to October 31, 2014

The total amount of the claim for reimbursement is \$1,390,928.

We certify that \$449,491 has been expended on the acquisition of homes and that these costs are eligible for the local matching share requirements of SB 2020. Records relating to these costs are on file with the City of Fargo in the Office of the City Auditor.

The City of Fargo, Cass County Commission, and the Cass County Joint Water Resource Board have approved our request for funds as required in SB 2020. Copies of their approval letters are included.

If you have any questions relating to our request, please contact me directly.

Sincerely,

A handwritten signature in cursive script that reads "Kent Costin".

Kent Costin  
Director of Finance, City of Fargo  
Fargo-Moorhead (FM) Area Diversion Project

Required Local Approvals:

\_\_\_\_\_  
City of Fargo

\_\_\_\_\_  
Cass County Commission

\_\_\_\_\_  
Cass County Joint Water Resource Dist.



FM Diversion Authority  
 State Water Commission Funds Reimbursement Worksheet  
 Fargo Flood Control Project Costs

Time Period for This Request: October 1, 2014 - October 31, 2014

Drawdown Request No: 6	
<b>Requested Amount:</b>	<b>\$ 1,390,928</b>
Total Funds Expended This Period:	\$ 2,417,854
Total Funds Requested at 100% Match	364,003
Remaining Funds Requested at 50% Match	2,053,851
SB 2020 Matching Requirements	50%
Total Funds Requested at 50% Match	\$ 1,026,925
<b>Total Funds Requested:</b>	<b>\$ 1,390,928</b>

<b>STATE AID SUMMARY:</b>	
Summary of State Funds Appropriated	
Appropriations from 2009 Legislative Session	\$ 45,000,000
Appropriations from 2011 Legislative Session	30,000,000
Appropriations from 2013 Legislative Session	100,000,000
<b>Total State Funds Appropriated</b>	<b>\$ 175,000,000</b>
Less: Payment #1 through #32 - City of Fargo	(49,540,326)
Less: Payment #1 - Cass County	(136,039)
Less: Payment #1 - FM Diversion Authority	(18,600)
Less: Payment #2 - FM Diversion Authority - REVISED	(782,908)
Less: Payment #3 - FM Diversion Authority - REVISED	(293,590)
Less: Payment #4 - FM Diversion Authority	(861,162)
Less: Payment #5 - FM Diversion Authority	(1,799,198)
Less: Payment #6 - FM Diversion Authority	(1,390,928)
<b>Total Funds Reimbursed</b>	<b>\$ (54,822,751)</b>
<b>Total State Fund Balances Remaining</b>	<b>\$ 120,177,249</b>

<b>LOCAL MATCHING FUNDS SUMMARY:</b>	
Matching Funds Expended To Date - City of Fargo	\$ 47,071,452
Matching Funds Expended To Date - Cass County	291,500
Matching Funds Expended To Date - FM Diversion Authority	449,491
<b>Total Matching Funds Expended To Date</b>	<b>\$ 47,812,443</b>
Less: Match Used on Payment #1 through #32 - City of Fargo	(37,377,927)
Less: Match used on Payment #1 - Cass County	(136,039)
Less: Match Used on Payment #1 - FM Diversion Authority	(18,600)
Less: Match Used on Payment #2 - FM Diversion Authority	(66,888)
Less: Match Used on Payment #6 - FM Diversion Authority	(364,003)
<b>Balance of Local Matching Funds Available</b>	<b>\$ 9,848,986</b>

Handwritten note: \$449,491

**FM Diversion Authority  
 Schedule of Expenditures Eligible for State of North Dakota Funding  
 October 2014**

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description 1	Project Number	Project Description
790-0000-206.10-00	10/29/2014	253394	OXBOW, CITY OF	\$ 4,431.03	Pay Retainage, PO #172163	V02409	OXBOW MOU-CONST RPLM AREA
<b>Total - Retainage Paid</b>				<b>4,431.03</b>			
790-7952-429.73-53	10/29/2014	253394	OXBOW, CITY OF	2,175,181.81	WATER/SEWER/DRAINAGE GRAD	V02409	OXBOW MOU-CONST RPLM AREA
<b>Total O/H/B Construction - Dams/Reservoirs/Diversion</b>				<b>2,175,181.81</b>			
<b>Total Disbursed for Period</b>				<b>\$ 2,179,612.84</b>			

+ 238,241.00 - Land Expense <i>41</i> \$2,417,853.84 - Total Expense for Period
--

Payment Date: 12/22/2014

Reference: 02043047

Invoice Number	Invoice Date	Voucher ID	Gross Amount	Discounts	Late Charges	Paid Amount
SWC #1928/01 Flood Control #6	Dec/19/2014	00023771	238,241.00	0.00	0.00	238,241.00

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**WATER COMMISSION, ND STATE**  
 State Water Commission  
 Bismarck, ND 58505-0850

**ELECTRONIC PAYMENT ADVICE**

Electronic Payment (ACH/EFT/Wire) deposited to your account

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**FARGO, CITY OF**  
 AUDITORS OFFICE  
 PO BOX 1607  
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SWC #6 original

**Finance Office**

P.O. Box 2083  
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Sincerely,

Kent Costin  
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\_\_\_\_\_  
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FM Diversion Authority  
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<p><b>+ 238,241.00 - Land Expense</b>  <b>\$2,417,853.84 - Total Expense for Period</b></p>
---

**State Water Commission Funds**  
**Summary of Costs In Support of Local Match Requirements**  
**FM Diversion Authority**  
**As of 10/31/2014**

 Indicates property purchased in this reporting period

PROPERTY OWNERS	PROPERTY ADDRESS	PURCHASE AMOUNT	DATE CLOSED	Eligible Land Cost Included in Closing
<b>CLOSED - 2013</b>				
1 Federal Home Loan Mortgage Corporation	333 Schnell Dr, Oxbow ND	\$ 104,088	9/20/2013	\$ 18,600
1 2013 Totals		104,088		18,600
<b>CLOSED - 2014</b>				
1 El Zagal Temple Holding Co	1429 3rd St N, Fargo ND - Easement	68,041	10/9/2014	68,041
2 Pearson, Frank	Oxbow Parcel: 57-0000-10356-070 - Storm Sewer Easement	55,500	10/15/2014	55,500
3 Breen, Paul & Michelle	345 Schnell Dr, Oxbow ND	478,703	10/24/2014	114,700
3 2014 Totals		602,244		238,241
Total Number of Homes Acquired for Permanent Flood Control Projects			4	
<b>Totals Homes Acquired and Land Cost Included in Acquisitions</b>		<b>\$ 706,331</b>		<b>\$ 256,841</b>
Total Spent in Support of Local Match Requirements		\$ 706,331		
Less: Expenses included that qualify for State Funding		(256,841)		
<b>Net Local Match Funds Eligible</b>		<b>\$ 449,491</b>		

# LAND ACQUISITION COST SHARE REQUEST - 11/6/2014

## Oxbow Hickson Bakke Ring Levee Project



### LANDS

- Current Cost Share Request
- Approved Cost Share Request

### LEVEE

- Levee
- Road Raise
- Ponds



Maps are for graphical purposes only. They do not represent a legal survey. While every effort has been made to ensure that these data are accurate and reliable, the Diversion Authority does not guarantee the accuracy of the information, and waives any warranty or guarantee of any kind, express or implied. The data involved in the project is continuously refined and revised, you should not rely on this information for technical purposes or accuracy.