



County
Administrator

Keith Berndt

M E M O

TO: Cass County Commissioners
FROM: Keith Berndt *KB*
DATE: March 22, 2012
SUBJECT: Flood Sales Tax Committee Recommendation

The Flood Sales Tax Committee met on Monday, March 19th and reviewed project requests submitted by local entities to determine what projects should receive funding from the dollars raised through the Cass County sales tax.

Attached are minutes from the meeting as well as a spreadsheet of funding requests received in 2010 and 2011. The committee approved to help fund five county projects, which are listed on the enclosure.

SUGGESTED MOTION:

Move to approve a recommendation from the Flood Sales Tax Committee to fund five county flood control projects and authorize a total of \$731,987 in county sales tax dollars be allocated toward the projects.

MY DOCUMENTS\KEITH\FLOOD SALES COMM RECOMMENDATION MEMO.DOCX

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**FLOOD SALES TAX COMMITTEE
MARCH 19, 2012—11:00 AM**

1. MEETING TO ORDER

Commissioner Darrell Vanyo called a meeting of the Flood Sales Tax Committee to order on Monday, March 19, 2012, at 11:05 AM in the Commission Room, Cass County Courthouse, with the following present: County Commissioner Ken Pawluk; County Administrator Keith Berndt; County Auditor Michael Montplaisir; Joint Water Resource District Representative Rodger Olson; and County Commissioner Darrell Vanyo.

Also present were Jason Benson, Cass County Engineer; city officials; local residents; staff from engineering firms; and members of the local media.

2. MINUTES APPROVED

MOTION, passed

Mr. Berndt moved and Mr. Montplaisir seconded to approve the meeting minutes from May 18, 2011, as presented. Motion carried.

3. FLOOD SALES TAX FUND UPDATE

Mr. Vanyo said when the flood sales tax was approved by voters in 2010, the county estimated \$11 million in revenues would be raised per year. Based on that figure, \$10 million would be set aside for FM diversion expenses, and \$1 million for other county projects.

Mr. Montplaisir said the current balance of the Sales Tax Fund is approximately \$6.5 million. He estimates an additional \$9 million will be generated in the remaining nine months of 2012. He said about \$10.1 million will be available this year after payments are made for diversion design costs.

Mr. Vanyo suggested the committee consider the use of 2011 dollars as a guideline when reviewing project requests today. He said the committee could also consider using funds raised the past three months of 2012.

The sales tax raised \$7.6 million in 2011 and based on that figure, \$692,783 would be available for county projects.

4. PROJECTS REVIEWED AND APPROVED

Mr. Vanyo said a spreadsheet of all project requests received in 2010 and 2011 was prepared for review by the committee. He said one of the requirements for him to consider a project is whether construction is scheduled this year or has already begun.

Mr. Berndt reviewed the list with recommendations for the committee to consider. He suggested the county consider funding 50% of the local cost share along with each entity contributing 50%.

The committee was presented with information and discussed the following projects:

- City of Argusville levee recertification
- City of Oxbow flood control improvements
- City of Mapleton levee raise
- Round Hill Subdivision home acquisition
- Upper Red River Watershed retention plan
- Upper Maple River Dam environmental assessment

Mr. Pawluk supports the Upper Red River Watershed retention plan, but does not consider this a priority as it leads to more study, not an actual project.

Mr. Olson asked about the request from the Maple River Water Resource District for Pontiac Township Improvement District No. 73 to remove high water from flooded county and township roads. He believes construction may begin this fall on the project. He said safety and access are issues that need to be addressed.

Mr. Berndt considers this a road or mitigation project and said highway or county mitigation dollars could be considered for this project. He said last year the county spent significant funds to re-route two roads in the area because of flooding.

Mr. Vanyo said more definite numbers are needed regarding the local cost share before a decision is made on the request for this improvement district.

MOTION, passed

Mr. Pawluk moved and Mr. Montplaisir seconded to fund the county projects highlighted by the committee as follows:

- **\$168,925 for City of Argusville levee recertification**
- **\$140,000 for City of Oxbow flood control improvements**
- **\$ 52,500 for City of Mapleton levee raise**
- **\$350,000 for Round Hill Subdivision home acquisition**
- **\$ 20,562 for Upper Maple River Dam environmental assessment**

On roll call vote, the motion carried unanimously.

The committee approved a total of \$731,987 in sales tax proceeds be allocated for the projects.

Mr. Vanyo suggested that Mr. Benson and Mr. Montplaisir be involved with the project costs and construction schedules in order to release the funds to each entity.

The committee reviewed the requests from other entities. Mr. Berndt said the majority of those not chosen today either will not be constructed this year or did not identify detailed information on the local cost share.

5. OTHER BUSINESS

Mr. Montplaisir provided a map of the Heritage Hills area showing what lots are county owned and privately owned. He said the county may want to consider purchasing some of the lots in the future. Mr. Benson said the Sheriff's Office has expressed concern about activities occurring in the area since much of the county-owned lots are vacant. Mr. Berndt said one of the remaining homes may be purchased in the latest Hazard Mitigation Grant Program application submitted to the state.

Mr. Berndt asked about distribution of funds raised by the three mills levied for emergency and mitigation projects, and who will decide on how the dollars will be allocated. Mr. Vanyo said the directive on how to spend the funds should come from the county commission.

6. NEXT MEETING

Mr. Vanyo suggested the committee meet again in late summer to consider use of sales tax funds raised in 2012.

7. ADJOURNMENT

MOTION, passed

On motion by Mr. Pawluk, seconded by Mr. Berndt, and all voting in favor, the meeting was adjourned at 12:10 PM.

POTENTIAL AND REQUESTED SALES TAX MITIGATION PROJECTS

3/19/2012

	NO.	PROJECT DESCRIPTION	POINT OF CONTACT	TOTAL	COUNTY	OTHER	OWNERSHIP	COUNTY NOTES
				EST. COST	\$ REQUESTED	FUNDING		
\$168,925 approved by committee	1	Argusville Levee Recertification	Brandon Oye, Moore Eng.	\$20,000 - \$150,000	50%	State Water Commission (50%)	City of Argusville	Argusville has requested assistance with a number of items related to their recertification of their levee system. If the County participates, perhaps we should look at the project in total and provide some funding but total County participation not to exceed City contribution for project
	2	Argusville Leonard's Way Dike	Brandon Oye, Moore Eng.	\$95,000	50%	None	City of Argusville	
	3	Harwood Township Dike at Siebels Subdivision	Douglas Warnecke, Harwood Twp Flood Plain Admin	TBD		All Available		
	4	Larger Culverts at Cass 32 near Siebels Subdivision	Douglas Warnecke, Harwood Twp Flood Plain Admin	TBD		Cass County Highway Dept.	Cass County	
	5	Elevate and Install Culverts Cass 32 immediately west of I29	Douglas Warnecke, Harwood Twp Flood Plain Admin	TBD		Cass County Highway Dept.	Cass County	
	6	Construct earthen dike along west side of Lloyd Amundson Farmstead east of 28th St culverts	Douglas Warnecke, Harwood Twp Flood Plain Admin	TBD		SWC Ring Dike program, WR District, Land owner	Various	
	7	Elevate private roadway/dike in NW 1/4 of Section 28, Harwood Twp.	Douglas Warnecke, Harwood Twp Flood Plain Admin	TBD		SWC Ring Dike program, WR District, Land owner	Various	
	8	Elevate, straighten, & replace culverts with bridge structure 170th Ave, Section 29, Harwood Twp., Rush River Crossing	Douglas Warnecke, Harwood Twp Flood Plain Admin	TBD		Rush River WRD, Cass County, Harwood Twp, SWC	Various	
	9	Elevate low section of 170th Ave, 1/2 mile N from 30th St, Section 32, Harwood Twp.	Douglas Warnecke, Harwood Twp Flood Plain Admin	TBD		All Available	Various	
	10	Brooktree Park Ring Dike Raise and Interior Pump System	Douglas Warnecke, Harwood Twp Flood Plain Admin	TBD		All Available	Various	
	11	Raise and Install Culverts in 171st Avenue between 29th Street and 27th Street to Sheyenne River and Construct ring dikes.	Douglas Warnecke, Harwood Twp Flood Plain Admin	TBD		All Available	Various	
	12	Individual ring dikes on properties in Sections, 16, 15, 14, 11, 12, 13, 24, 25, 35, 36, & 34	Douglas Warnecke, Harwood Twp Flood Plain Admin	TBD		Cost share among all available sources	Various	
	13	Spot Location Raises of All County Township Roads within Harwood Twp.	Douglas Warnecke, Harwood Twp Flood Plain Admin	TBD			Various	
	14	Reditching water through the City of Arthur	Steve Perry, Mayor	\$130,000	1/3 of cost = \$43,333	Special Assessment, local business & grant funding	City of Arthur	
\$140,000 approved by committee	15	City of Oxbow Flood Control Improvements	Southeast Cass Water Resource District	\$530,000	All or a part of the non-State share	SEC WRD, 50% of non-State share up to \$87,500. WRD loan	City of Oxbow	
	16	Adding culverts (minimum of 2) on Cass 17, north of State 46	Brett Odegaard, Pleasant Twp Supervisor				State of ND/Cass Co.	
\$52,500 approved by committee	17	City of Mapleton Levee Raise	Brandon Oye, Moore Eng.	\$500,000	50%	State Water Commission (50%)	City of Mapleton	Total County Fund Participation not to exceed City contribution for project (Similar to Argusville approach)
	18	Maple River Slope Protection & Repair	Brandon Oye, Moore Eng.	\$450,000	50%	State Water Commission (50%)	City of Mapleton	
	19	Levee Closure Structures	Brandon Oye, Moore Eng.	\$150,000	50%	State Water Commission (50%)	City of Argusville	
	20	Diking around City of Kindred	Nick Gludt, Moore Engineering	\$300,000	50%	State Water Commission	City of Kindred	
	21	Southside Drainage Improvements, Horace Diversion	Kevin Bucholz, Barry Johnson	\$1,740,000.00			City of West Fargo, Southeast Cass WRD	City of West Fargo
\$350,000 approved by committee	22	Round Hill Home Acquisitions and Levee	Keith Berndt	\$450,000			Cass County	
	23	Forest River (27 Maple Prairie Homes) Ring Dike	Keith Berndt	TBD - \$500,000+/-			Cass County	
	24	Forest River and South Chrisan Home Acquisitions (18 homes)	Keith Berndt	\$5.8 Million			Cass County	
	25	North Chrisan Subdivision Home Acquisitions	Keith Berndt	\$1.8 Million			Cass County	
	26	North Chrisan Subdivision Ring Dike	Keith Berndt	TBD \$400,000+/-			Cass County	
	27	14th Street Road Raise in Raymond Township	Keith Berndt/Raymond Twp	TBD \$300,000 +/-			Raymond Twp	
	28	Lake Shore area Road Raise and Bridge Replacement	Keith Berndt	TBD \$1 Million +/-			Reed Twp	
	29	Willow Creek Suidivision Ring Dike	Keith Berndt	TBD \$200,000 +/-				
	30	Rush River WRD study of retention projects	Rush River WRD/Carol Harbeke Lewis	\$115,000	\$8,050.00	State Water Commission (60%) Red River Joint WRD (65% non-state) SE Cass WRD (Possible)		
	31	Maple River WRD water retention plan	Maple River WRD/Carol Harbeke Lewis	\$165,000	\$11,550.00	State Water Commission (60%) Red River Joint WRD (65% non-state) Maple River WRD		

	32	City of Harwood Flood Protection	John Shockley, Ohnstad Twichell	\$6,368,845		City sales tax & special assessments		updated request for Cass County and State Water Commission to split \$150,000 cost of feasibility study; total project cost between \$4 and \$5 million
	33	Kensington Subdivision Box culvert on 100th Ave, east of C-81	Kirk Cossette, John Erickson, & Scott Handy	n/a				
	34	Large Culvert Installation and Road Raise located South of Section 35, Tower Township	Mark Johnson, Tower Township Director	n/a			Tower Township	

POTENTIAL AND REQUESTED SALES TAX MITIGATION PROJECTS FALL 2011-SPRING 2012

Column1	Column2	Column3	Column4	Column5	Column6	Column7	Column8	Column9
	35	Upper Red River Watershed Retention Plan	Southeast Cass WRD/Carol Harbeke Lewis	\$1,000,000	\$43,750.00	State Water Commission \$250,000; Red River Joint WRD \$162,500; Southeast Cass WRD \$43,750; State of Minnesota \$500,000 (dependent on MN Legislature)		
\$20,562 approved by committee	36	Upper Maple River Dam environmental assessment	Maple-Steele Joint WRD/Carol Harbeke Lewis	\$230,000	\$20,562.50	State Water Commission (50%) Red River Joint WRD (65% non-state) Maple-Steele Joint WRD 50% local share		
	37	Elm River/Bell Township containment of breakouts	North Cass WRD/Carol Harbeke Lewis	TBD	local share			
	38	City of Mapleton storm sewer lift station	Brandon Oye, Moore Eng.	\$330,000	\$77,508 or 23.5%	CDBG \$172,492	City of Mapleton	Total County Fund Participation not to exceed City contribution for project
	39	Upper Swan Creek channel improvements	Harvey Morken/Chad Engels, Moore Eng.	\$3,400,000	\$3,400,000	not anticipating any funding from city or water district for several years	Maple River-Rush River Joint WRD	
	40	Move/reconstruct 700' stretch of 167th Avenue in Normanna Township	Mark Ottis, Normanna Twp Supervisor	TBD			Normanna Twp	
	41	Add 15' of culvert and embankment traversing 167th Ave near intersection of 50th St in Normanna Township	Mark Ottis, Normanna Twp Supervisor	TBD			Normanna Twp	
	42	Raise 300' stretch of road by one foot on 49th St between 166th Ave and 167th Ave in Normanna Township	Mark Ottis, Normanna Twp Supervisor	TBD			Normanna Twp	
	43	Gravel 2 miles of 169th Ave from 50th St to 52nd St in Normanna Township	Mark Ottis, Normanna Twp Supervisor	TBD			Normanna Twp	
	44	Pontiac Township Improvement District No. 73	Maple River WRD/Carol Harbeke Lewis	\$1,560,000	\$780,000 or 50% of local cost			
	45	Reed Township home buyouts (south of 19th Avenue and west of Co Rd 17)	Mark McAllister, Reed Twp Chairman	\$1,572,350				
	46	Creation of two spillways on 19th Ave NW	Mark McAllister, Reed Twp Chairman	\$130,000			Reed Twp	
	47	Creation of concrete spillway at 57th St South of Co Rd 20	Mark McAllister, Reed Twp Chairman	\$110,000			Reed Twp	
	48	Creation of 200' concrete spillway on 52nd Ave N	Mark McAllister, Reed Twp Chairman	applying to FEMA for grant to construct bridge			Reed Twp	
	49	Hydrology study on raising road and adding culverts at 64th Ave N, West of 57th St N	Mark McAllister, Reed Twp Chairman	\$30,000	\$7,500 for cost of study		Reed Twp	
	50	Road raise at 57th St south of 64th Ave	Mark McAllister, Reed Twp Chairman	\$75,000			Reed Twp	
	51	Road raise west of Co Rd 31 between Section 2 and 11 on 64th Ave	Mark McAllister, Reed Twp Chairman	\$20,000			Reed Twp	
	52	Install lift station in Highland Park	Mark McAllister, Reed Twp Chairman	\$200,000			Reed Twp	
	53	Road raise/overlay of blacktop on 62nd Ave, 64th Ave, and 13th St	Mark McAllister, Reed Twp Chairman	\$332,400			Reed Twp	
	54	Certify dike at Selberg's Subdivision	Mark McAllister, Reed Twp Chairman	TBD			Reed Twp	
	55	Install lift station in Selberg's development	Mark McAllister, Reed Twp Chairman	\$200,000			Reed Twp	
	56	Install lift station in Sunrise Acres Subdivision	Mark McAllister, Reed Twp Chairman	\$200,000			Reed Twp	

\$ 731,987 Total