**FLOOD SALES TAX COMMITTEE**

**NOVEMBER 4, 2019—1:00 PM**

1. **MEETING TO ORDER**

Commissioner Mary Scherling called a meeting of the Flood Sales Tax Committee to order on Monday, November 4, 2019, at 1:00 PM in the Commission Conference Room, Cass County Courthouse, with the following present: County Finance Director Michael Montplaisir; County Commissioner Mary Scherling; County Commissioner Rick Steen; County Administrator Robert Wilson; County Engineer Jason Benson via conference call; and Joint Water Resource District Representative Rodger Olson via conference call.

Also present were Commissioner Duane Breitling; Commissioner Ken Pawluk; Deputy County Engineer Tom Soucy; County Planner Barrett Voigt; Cass County Water Resource District Secretary-Treasurer Carol Lewis; Red River Basin Commission Executive Director Ted Preister; and Engineers Kurt Lysne and Andrew Aakre from Moore Engineering.

1. **MINUTES APPROVED**

***MOTION, passed***

**Mr. Steen moved and Mr. Montplaisir seconded to approve the meeting minutes from May 6, 2019, as presented. Motion carried.**

1. **FLOOD SALES TAX FUND UPDATE**

Mr. Montplaisir reviewed the Flood Sales Tax Fund, which has a current balance of $10,024,751.27, of which over $2,837,713.07 is designated for the Diversion project. Encumbrances for approved projects total $989,354.10, which leaves $6,197,684.10 available for county projects.

Mr. Montplaisir discussed the funding request in the amount of $1.4 million to build an earthen ring levee around Davenport, which was approved contingent on State Water Commission approval and funding participation.

1. **STATUS OF PREVIOUSLY APPROVED PROJECTS**

Mr. Montplaisir said there are $989,354.10 in encumbrances yet to be requested for reimbursement of previously approved projects.

Engineer Andrew Aakre of Moore Engineering provided brief updates on the status of city projects still open. He said $55,500 was approved this year for the Harwood Riverbank Rehabilitation project; however, after a geotechnical study was conducted, it was determined the project cost will be four or five times more than the original cost estimate. The study cost was $2,500 and he asked if that expense could be reimbursed. Mrs. Scherling said to submit the cost for consideration. Mr. Aakre said the intention is to submit an updated project scope and cost estimate for consideration by the committee.

Engineer Kurt Lysne of Moore Engineering gave brief updates on the status of several open projects located outside rural cities.

1. **REVIEW AND SELECTION OF ADDITIONAL PROJECTS TO BE FUNDED IN 2019**

Dan and Kathy Auka Ring Levee Project in Berlin Township

Mr. Lysne said Dan and Kathy Auka submitted a request to construct a ring levee around their property in Berlin Township. The Rush River Water Resource District submitted a request for cost share assistance to the State Water Commission. The total project cost is $45,000. The State Water Commission approved funding in the amount of $24,347.83. The remaining local share is $20,826.00.

Mr. Lysne said a 20% contingency was requested, but the state only approved a 10% contingency, which is the reason why the two figures do not total $45,000. The request of the committee is for a 50% cost share of $10,313.10.

Kathy Auka was present and said their property was flooded this past spring because of ice jams along the Rush River. Mr. Benson said this project will provide a benefit to this property that is located outside the Flood Diversion footprint.

***MOTION, passed***

**Mr. Steen moved and Mr. Montplaisir seconded to approve 50% of the local cost share in the amount of $10,313.10 for the Dan and Kathy Auka Ring Levee Project. On roll call vote, the motion carried unanimously.**

Maple River Dam Site T-180 Safety Improvements Project

Mr. Lysne discussed a request from the Maple River Water Resource District for the T-180 Dam, located on a tributary of the Maple River in Section 24 of Highland Township northeast of Enderlin. There are deficiencies in the dam and upgrades are needed to the principal spillway pipe to ensure stability of the dam. The total project cost is $320,000. A request for cost share assistance was submitted to the State Water Commission that will be addressed at their February 2020 meeting. The Red River Joint Water Resource District has also been asked for funding. Mr. Lysne said the project includes maintenance items, which are not covered by cost share funding through either the State Water Commission or Red River Joint Water Resource District. The request today is for a 75% cost share of $34,140.89.

***AMENDED MOTION, passed***

**Mr. Olson moved and Mr. Steen seconded to approve the Maple River Dam Site T-180 Safety Improvements Project at 75% of the local cost share in the amount of $34,140.89. Discussion: Mr. Steen said Cass County policy does not cover maintenance costs either and believes the motion should be amended to eliminate the maintenance costs from the local cost share. Mr. Lysne said these costs total $9,375.00.**

**Mrs. Scherling moved and Mr. Steen seconded to amend the motion and change the cost share to reflect the removal of maintenance costs of $9,375.00 for a total of $24,765.89. On roll call vote, the motion on the amendment to the main motion carried with Mrs. Scherling, Mr. Steen, Mr. Wilson, Mr. Montplaisir and Mr. Benson voting “Yes”; and Mr. Olson voting “No”.**

***MAIN MOTION, passed***

**On roll call vote, the motion carried on the main motion to approve the project with Mrs. Scherling, Mr. Steen, Mr. Wilson, Mr. Montplaisir and Mr. Benson voting “Yes”; and Mr. Olson voting “No”.**

1. **ADDITIONAL COSTS FOR PREVIOUSLY APPROVED PROJECTS**

Western Cass Flood Insurance Study Map Appeal

Mrs. Lewis said in March of this year the Cass County Commission approved a reimbursement to the Southeast Cass Water Resource District for 50% of an additional $181,346.08 in costs for the Western Cass Flood Insurance Study (FIS).

Mr. Lysne said since that time, the City of Arthur has submitted an appeal to the Revised Preliminary Flood Insurance Rate Map (FIRM) and FIS, resulting in additional modeling associated with the study. The total cost to date is $207,564.13 or $26,218.05 in additional expenses. Mr. Lysne said additional costs may be incurred as a result of the map appeal.

The committee again recommended this request be forwarded to the Cass County Commission since this project is not eligible for funding under the current flood sales tax policy for consideration by this committee.

Lake Bertha Flood Control Project No. 75

The committee approved a 50% cost share of $66,215.45 for Lake Bertha Flood Control Project No. 75 in 2016. The final cost exceeded the estimate by around $16,000 due to an abandoned railway line, CRP land, and flood easements that added to the project scope. The Cass County Joint Water Resource District is asking for an additional cost share on the local costs of $8,733.97.

***MOTION, passed***

**Mr. Steen moved and Mr. Wilson seconded to approve an additional cost share of $8,733.97 for the Lake Bertha Flood Control Project No. 75. On roll call vote, the motion carried unanimously.**

1. **OTHER BUSINESS**

Red River Basin Commission Executive Director Ted Preister provided a brief presentation on a drainage connectivity project, which is completely voluntary and if landowners are not interested, the project will not proceed. The Red River Basin Commission will not move forward unless enough money is raised to cover 25% of the tile cost for participating landowners. The proposed study area is between Drain 70 and Drain 30 in Berlin Township. He is not asking for funding assistance today, but may ask for the committee to consider funding the cost of 1½ miles of infrastructure in the future.

Mrs. Scherling said the county is in a unique position to demonstrate this type of project and perhaps some of the costs may be relative to the goals of this committee.

1. **ADJOURNMENT**

The chairwoman declared the meeting adjourned at 2:01 PM.

Minutes prepared by Heather Worden, Commission Administrative Assistant