

MINUTES OF VIRTUAL / CONFERENCE CALL MEETING
SOUTHEAST CASS WATER RESOURCE DISTRICT
ORIGINATING AT THE CASS COUNTY HIGHWAY DEPARTMENT
WEST FARGO, NORTH DAKOTA
APRIL 12, 2022

A virtual / conference call meeting of the Southeast Cass Water Resource District was held on April 12, 2022, at 8:30 a.m.

Present were Dan Jacobson, Chairman; Keith Weston, Manager; Dave Branson, Manager; Carol Harbeke Lewis, Secretary-Treasurer; Nina Stone, Accountant; Melissa Maertens, Administrative Assistant; Sean M. Fredricks, Ohnstad Twichell, P.C.; Kurt Lysne, Alexa Ducioame and Brady Woodard, Moore Engineering, Inc.; Mike Opat, Houston Engineering, Inc.; Mary Scherling, Cass County Commissioner; Tom Soucy, Cass County Highway Department; Jody Bertrand, Jim Hausauer and Scott Olson, City of Fargo; George Grossman, City of West Fargo; Jace Hellman, City of Horace Community Development Director; Paul Bervik, Interstate Engineering; and Steve Larson, Fargo.

Approval of agenda

It was moved by Manager Branson, seconded by Manager Weston and unanimously carried to approve the order of the agenda, as presented.

Minutes

It was moved by Manager Weston, seconded by Manager Branson and unanimously carried to approve the minutes of the March 8, 2022, meeting.

Sheyenne-Maple Flood Control Districts #1 and #2 – appointment of Superintendent / Deputy Superintendent and approval of City of West Fargo 2022 equipment rates

George Grossman discussed the City of West Fargo 2022 equipment rates regarding Sheyenne-Maple Flood Control Districts #1 and #2. A motion was made by Manager Branson and seconded by Manager Weston to amend Exhibit A to the *Maintenance Agreement* with the City of West Fargo to appoint George Grossman as the Superintendent and Matt Andvik as Deputy Superintendent and to approve the City of West Fargo Public Works Department 2022 *Diversion Equipment Expense List*, as presented, regarding Sheyenne-Maple Flood Control Districts #1 and #2. Upon roll call vote, the motion carried unanimously.

Sheyenne-Maple Flood Control District #2 – Jackson Alley Addition

Kurt Lysne reviewed the proposed modifications to Sheyenne-Maple Flood Control District #2 regarding the Jackson Alley Addition. The developer has provided a

geotechnical report and settlement analysis for the project. The Section 408 modification request letter can be sent to the Corps of Engineers after plans and specifications for the development are received.

Sheyenne-Maple Flood Control District #2 – Lost River 7th Addition – proposed modifications

Kurt Lysne reviewed the proposed modifications to Sheyenne-Maple Flood Control District #2 regarding the Lost River 7th Addition. The Section 408 modification request letter has been submitted to the Corps of Engineers for the project.

Drain #9 – channel cleanout

Brady Woodard reported the high spots in the Drain #9 channel are outside of the legal assessment drain area. The Drain #9 channel survey information has been given to the City of Fargo so they can determine if they would like to proceed with a cleanout in that area.

Drain #10 – slide near 12th Avenue North

Mr. Lysne stated the capital improvement plan and cost estimate to replace the concrete channel liner where needed on Drains #3 and #10 will be prepared following the inspections of Drains #3 and #10 as part of the biennial Southeast Cass Water Resource District facility inspections.

Drain #21C – damage to culverts and control structure in the NE 1/4 of Section 23 in Warren Township

Mr. Woodard reported the new structure for Drain #21C in the NE 1/4 of Section 23 in Warren Township has arrived. The contractor will install the structure when there is less water in the channel.

Drain #27 – Access Easement with the City of Fargo to construct, operate and maintain sanitary sewer and potable water supply lines along 42nd Street South

Sean Fredricks stated Easements were drafted to allow the City of Fargo to construct, operate and maintain sanitary sewer and potable water supply lines through Drain #27 along 42nd Street South.

A motion was made by Manager Weston and seconded by Manager Branson to approve and authorize the Chairman to sign the *Access Easement* with the City of Fargo regarding construction, operation and maintenance of sanitary sewer and potable water supply lines through Drain #27 along 42nd Street South. Upon roll call vote, the motion carried unanimously.

Reassessment of Drain SC-1 (Drains #3, #9 and #10)

Discussion was held regarding the potential reassessment of Drain SC-1. It was moved by Manager Branson and seconded by Manager Weston to authorize Moore Engineering, Inc. to begin the process for the 2022 reassessment of Drain SC-1. Upon roll call vote, the motion carried unanimously.

City of Fargo Landfill – Utility Permit to install storm water piping into Drain #40 south of 7th Avenue North

Scott Olson discussed the City of Fargo’s plans to install storm water piping into Drain #40 south of 7th Avenue North regarding Landfill Cell 20. Mr. Olson noted Landfill Cell 20 is the final stormwater pond outfall into Drain #40 for the City of Fargo Landfill. Mr. Lysne indicated the City of Fargo provided a slope stability analysis for the project.

It was moved by Manager Weston and seconded by Manager Branson to approve the *Utility Permit* for the City of Fargo Landfill to install storm water piping into Drain #40 south of 7th Avenue North, with input from the Water Resource District Engineer. Upon roll call vote, the motion carried unanimously.

Drain #40 – future crossings

Mr. Lysne discussed future road crossings planned across Drain #40 at 28th Avenue North, 32nd Avenue North and south of 52nd Avenue North that would serve future development in the area. Removal of the crossing on the old alignment of 19th Avenue North is also being considered. Discussion was held about conducting a hydraulic study to appropriately size the crossings and analyze potential impacts.

It was moved by Manager Weston and seconded by Manager Branson to authorize Moore Engineering, Inc. to complete a hydraulic analysis to size future Drain #40 crossings at 28th Avenue North, 32nd Avenue North and south of 52nd Avenue North, and analyze potential impacts from the removal of the non-utilized crossing from the old alignment of 19th Avenue North. Upon roll call vote, the motion carried unanimously.

Drain #45 – Gravender property and drain right of way

Mike Opat reported on ongoing discussions with property owners regarding right of way acquisition and a potential improvement project along Drain #45 in Sections 9, 16, 17, 20 and 21 of Reed Township. Mr. Opat has not received any updates since the last meeting from the Gravender family regarding the potential project to restore native grasses along Drain #45 in the NW 1/4 of Section 21 in Reed Township. Mr. Opat will bring more information on the matters to a future meeting.

Drain #60 – enclosure along 53rd Street SE

Mr. Lysne reported Moore Engineering, Inc. has completed the modeling and information has been provided to the City of Kindred regarding enclosing Drain #60 along 53rd Street SE. The City of Kindred is reviewing the information to determine how they want to proceed.

Utility Permit for Northern States Power Company to install natural gas service under Drain #40 at 4401 15th Avenue North

A motion was made by Manager Branson and seconded by Manager Weston to approve the *Utility Permit* for Northern States Power Company to install natural gas service under

Drain #40 at 4401 15th Avenue North, with input from the Water Resource District Engineer. Upon roll call vote, the motion carried unanimously.

Items for review and comment, with input provided by the Water Resource District Engineer

A motion was made by Manager Weston and seconded by Manager Branson to authorize the Secretary-Treasurer to submit comment on the solicitation of views and comments from Barr Engineering Co. regarding a proposed slide repair project on the north side of Main Avenue near the intersection of Sheyenne Street, with input from the Water Resource District Engineer. Upon roll call vote, the motion carried unanimously.

Brief discussion was held on Laverne's Second Addition regarding Drain #40. A motion was made by Manager Weston and seconded by Manager Branson to approve and authorize the Chairman to sign the *Agreement (Proximity of Airport and Noise Attenuation)* for Laverne's Second Addition regarding Drain #40. Upon roll call vote, the motion carried unanimously.

A motion was made by Manager Branson and seconded by Manager Weston to authorize the Chairman to sign the plat for Laverne's Second Addition regarding Drain #40. Upon roll call vote, the motion carried unanimously.

The Board directed the Secretary-Treasurer to submit comment on the following, with input from the Water Resource District Engineer:

- Fargo Department of Planning and Development
 - May Preliminary Packet
- West Fargo Planning and Zoning Commission
 - Interstate Corridor Overlay District Lot 1, Block 1, North Pond at the Preserve First Addition

2023-2025 Water Development Plan – request from the North Dakota Department of Water Resources (NDDWR) / State Water Commission to identify potential water development projects, the timing of their implementation and estimated costs

Mr. Lysne briefly reviewed a list of Southeast Cass Water Resource District projects to submit to the NDDWR for the 2023 Water Development Plan. A motion was made by Manager Branson and seconded by Manager Weston to authorize Moore Engineering, Inc. to submit the list of Southeast Cass Water Resource District projects to the NDDWR for the 2023 Water Development Plan. Upon roll call vote, the motion carried unanimously.

North Dakota Insurance Reserve Fund – proxy for annual meeting

A motion was made by Manager Weston and seconded by Manager Branson to authorize the Secretary-Treasurer to sign and return the North Dakota Insurance Reserve Fund proxy for Southeast Cass Water Resource District. Upon roll call vote, the motion carried unanimously.

Letter of engagement to the Office of the State Auditor for 2021 audit services

A motion was made by Manager Branson and seconded by Manager Weston to approve the letter of engagement to the Office of the State Auditor for 2021 audit services for Southeast Cass Water Resource District. Upon roll call vote, the motion carried unanimously.

Bills

It was moved by Manager Weston and seconded by Manager Branson to approve payment of the wire transfers and the electronic funds transfers, as presented. Upon roll call vote, the following Managers voted in favor: Jacobson, Weston and Branson. The motion carried unanimously.

Drain #21 – City of West Fargo project to replace / rehabilitate sanitary sewer manholes

Mr. Lysne reported the contractor for the City of West Fargo project to replace / rehabilitate sanitary sewer manholes is currently working in the Drain #21 right of way. The contractor is installing a temporary sanitary sewer bypass above grade for the project. The Water Resource District previously approved an *Access Agreement* with the City of West Fargo for the project.

Legislative updates

Mr. Fredricks briefly updated the Board on legislative items regarding water resource districts.

Adjournment

There being no further business for the Board to consider, it was moved by Manager Weston, seconded by Manager Branson and unanimously carried to adjourn the meeting.

APPROVED:

Dan Jacobson
Chairman

ATTEST:

Carol Harbeke Lewis
Secretary-Treasurer