

MINUTES OF SPECIAL VIRTUAL / CONFERENCE CALL MEETING
SOUTHEAST CASS WATER RESOURCE DISTRICT
ORIGINATING AT THE CASS COUNTY HIGHWAY DEPARTMENT
WEST FARGO, NORTH DAKOTA
OCTOBER 17, 2022

A virtual / conference call special meeting of the Southeast Cass Water Resource District was held on October 17, 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 Hinkemeyer, Administrative Assistant; Sean Fredricks, Ohnstad Twichell, P.C.; Kurt Lysne and Brady Woodard, Moore Engineering, Inc.; Roger Kluck, City of Fargo; and Dan Kleist, Gehrtz Construction Services.

Drain #10 - License Agreement with Case Corporation, aka Case Equipment Corporation, regarding the installation of pavement and related improvements over drain right of way for parking and storage of equipment at its facility located at 3401 1st Avenue North in Fargo

Dan Kleist discussed the proposed installation of pavement and related improvements over Drain #10 right of way for parking and storage of equipment at the Case Corporation facility located at 3401 1st Avenue North in Fargo. Mr. Kleist indicated Case Corporation is aware the pavement may need to be removed at their cost if maintenance is needed on Drain #10 in that area. Sean Fredricks discussed the *License Agreement* that was drafted regarding the project and indicated if Case Corporation moves forward with installation of pavement this week as they have planned, an as-built survey will need to be provided to the Water Resource District to attach to the Agreement. Case Corporation is also responsible for the Water Resource District costs associated with the project.

A motion was made by Manager Weston and seconded by Manager Branson to approve and authorize the Chairman to sign the *License Agreement* with Case Corporation, aka Case Equipment Corporation regarding the installation of pavement and related improvements over Drain #10 right of way for parking and storage of equipment at its facility located at 3401 1st Avenue North in Fargo, with the understanding Case Corporation will provide an as-built survey to the Water Resource District within 45 days of completion of the project. Upon roll call vote, the motion carried unanimously.

Sheyenne-Maple Flood Control District #2 – Assessment on parcel 02-3000-01240-012 for West Fargo Improvement District No. 02-2250

The Secretary-Treasurer updated the Board on the pending special assessment on Sheyenne-Maple Flood Control District #2 parcel 02-3000-01240-012 for West Fargo Improvement District No. 02-2250. The proposed assessment has not changed. The

Secretary-Treasurer sent an email on August 5, 2022, to the West Fargo Special Assessment Commission / West Fargo City Commission outlining concerns and appealing the proposed assessment. The matter was before the West Fargo City Commission at its October 13, 2022, meeting. The Secretary-Treasurer indicated the City of West Fargo has approved the special assessment list and has not yet responded regarding the appeal of the special assessment. The Board discussed inquiring with the Metro Flood Diversion Authority if they may have use for the parcel. Manager Weston stated he will reach out to the Metro Flood Diversion Authority regarding the matter and bring more information to a future meeting for further discussion.

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