

MINUTES OF VIRTUAL / CONFERENCE CALL SPECIAL MEETING
SOUTHEAST CASS WATER RESOURCE DISTRICT
ORIGINATING AT THE CASS COUNTY HIGHWAY DEPARTMENT
WEST FARGO, NORTH DAKOTA
OCTOBER 24, 2022

A virtual / conference call special meeting of the Southeast Cass Water Resource District was held on October 24, 2022, at 8:00 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 and Luke Andrud, Ohnstad Twichell, P.C.; Kurt Lysne, Moore Engineering, Inc.; Duane Breitling and Mary Scherling, Cass County Commissioners; Eric Dodds, AE2S; Tony Sager, MBN Engineering, Inc.; and Troy Mallow, Olaf Anderson Construction.

Sheyenne-Maple Flood Control District #1 – License Agreement for 9th and Main, LLC regarding the driveway at 1201 55th Street North

Kurt Lysne discussed a proposed driveway at 1201 55th Street North for 9th and Main, LLC. The proposed driveway is located on Southeast Cass Water Resource District property owned for the north tieback levee of Sheyenne-Maple Flood Control District #1. The driveway would not require a Section 408 Permit from the Corps of Engineers as it is located outside of the footprint of the levee. Sean Fredricks indicated a *License Agreement* has been drafted with 9th and Main, LLC regarding the driveway for consideration by the Board. The survey and legal description needed for the Agreement has been prepared by MBN Engineering, Inc. on behalf of 9th and Main, LLC.

It was moved by Manager Weston and seconded by Manager Branson to approve and authorize the Chairman to sign the *License Agreement* with 9th and Main, LLC regarding a driveway at 1201 55th Street North regarding Sheyenne-Maple Flood Control District #1. Upon roll call vote, the motion carried unanimously.

Sheyenne-Maple Flood Control District #2 – Access Easement for Frank G. Gokey and Mary J. Gokey regarding the driveway at 1604 32nd Avenue West

Eric Dodds stated the Diversion Channel of the Metro Flood Diversion Project will be constructed adjacent to Frank and Mary Gokey's property at 1604 32nd Avenue West in West Fargo. The property was not initially impacted by the Metro Flood Diversion Project; however, it was determined additional right of way is needed on the south side of the property for future improvements to adjacent 32nd Avenue South. Mr. Dodds said as part of the right of way negotiations, the Gokey's are requesting a driveway Easement be granted across Southeast Cass Water Resource District property where their driveway is currently located to ensure long-term access to their property. Mr. Fredricks indicated an

Access Easement has been prepared for the Board's consideration regarding the driveway across Water Resource District owned property at 1604 32nd Avenue West. Mr. Dodds stated the property has a ring levee surrounding it for flood protection and it will also be protected by the Metro Flood Diversion Project following project completion.

It was moved by Manager Branson and seconded by Manager Weston to approve and authorize the Chairman to sign the *Access Easement* for Frank G. Gokey and Mary J. Gokey regarding the driveway at 1604 32nd Avenue West, regarding Sheyenne-Maple Flood Control District #2. Upon roll call vote, the motion carried unanimously.

Utility Permit for Cass County Electric Cooperative to install underground power conduits and cables under Drain #40 on the south side of 12th Avenue North

It was moved by Manager Weston and seconded by Manager Branson to approve the *Utility Permit* for Cass County Electric Cooperative to install underground power conduits and cables under Drain #40 on the south side of 12th Avenue North, with input from the Water Resource District Engineer. Upon roll call vote, the motion carried unanimously.

Cass County Planning

A motion was made by Manager Branson, seconded by Manager Weston and unanimously carried to authorize the Secretary-Treasurer to submit comment on the Cliffhanger Landing Third Subdivision application to Cass County Planning, with input from the Water Resource District Engineer.

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