

MINUTES OF VIRTUAL / CONFERENCE CALL MEETING
SOUTHEAST CASS WATER RESOURCE DISTRICT
ORIGINATING AT THE CASS COUNTY HIGHWAY DEPARTMENT
WEST FARGO, NORTH DAKOTA
NOVEMBER 8, 2022

A virtual / conference call meeting of the Southeast Cass Water Resource District was held on November 8, 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 M. Fredricks, Ohnstad Twichell, P.C.; Alexa Ducioame and Erik Gilbertson, Moore Engineering, Inc.; Mike Opat, Houston Engineering, Inc.; Jody Bertrand, Jim Hausauer, Roger Kluck and Donald Kress, City of Fargo; Mary Scherling and Duane Breitling, Cass County Commissioners; Tom Soucy, Cass County Highway Department; Stephanie S. Day, North Dakota State University; and Andrew Thill, Lowry Engineering.

Approval of agenda

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

Minutes

It was moved by Manager Weston, seconded by Manager Branson and unanimously carried to approve the minutes of the October 11, 17, 24 and November 2, 2022, meetings.

Sheyenne-Maple Flood Control District #2 – pending special assessment regarding West Fargo Improvement District No. 02-2250

Manager Weston 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. Manager Weston indicated he will be meeting with the land management team of the Metro Flood Diversion Project to discuss if the parcel may be beneficial to the Metro Flood Diversion Project. The matter will be discussed further at a future meeting.

Proposed sanitary sewer for Commerce on I-29

Jim Hausauer updated the Board on the proposed sanitary sewer for Commerce on I-29. The Fargo City Commission, staff and committees have discussed the proposed project. Providing sanitary sewer for only the Commerce on I-29 development has been placed on the next Fargo City Commission agenda for consideration. Sean Fredricks stated if the Fargo City Commission approves proceeding with the project, City of Fargo staff will work with Commerce on I-29 representatives to enter into an Agreement. Then the Water

Resource District will proceed with developing the assessment district for the project, including drafting a multi-party Agreement with the City of Fargo and the Commerce on I-29 property owners.

Drain #3 – Encroachment Agreement with new property owner south of Main Avenue

Discussion was held on the car dealership south of Main Avenue that has vehicles parked on Drain #3 right of way. The property owner reached out to the Water Resource District regarding installation of a fence and continued utilization of the property for parked vehicles. Mr. Fredricks noted the property owner has not responded concerning payment for the survey required for the *Encroachment Agreement* regarding the matter. The estimate for the survey is \$10,000.

It was moved by Manager Weston and seconded by Manager Branson to offer payment of 50% for the cost of a survey, not to exceed \$5,000, regarding installation of a fence and continued utilization of Drain #3 right of way for parked vehicles south of Main Avenue. The property owner of the car dealership has thirty days to respond to the offer. Upon roll call vote, the motion carried unanimously.

Drain #10 – slide repair north of 12th Avenue North

Alexa Ducioame discussed the Drain #10 slide north of 12th Avenue North. Braun Intertec Corporation completed the borings needed for the geotechnical evaluation for the project. Moore Engineering, Inc. will be conducting a survey and beginning the project design soon. The project involves replacing existing infrastructure, so it is anticipated no permits will be required for the project.

Drain #10 – slide repairs north of Cass County Highway 20

Ms. Ducioame reported Braun Intertec Corporation is currently working on the geotechnical evaluation of the Drain #10 slides north of Cass County Highway 20.

Drain #21C – channel cleanout in Sections 13, 23, 26 and 35 of Warren Township

Ms. Ducioame reported the contractor has approximately one-half mile to complete of the Drain #21C channel cleanout in Sections 13, 23, 26 and 35 of Warren Township.

Drain #27 – slides west of I-29 and west of 45th Street S

A motion was made by Manager Weston and seconded by Manager Branson to approve and authorize the Chairman to sign the proposal from Braun Intertec Corporation in the amount of \$27,787 for a geotechnical study regarding Drain #27 slide areas west of I-29 and west of 45th Street S. Upon roll call vote, the motion carried unanimously.

Drain #27 – improvement project from 64th Avenue S to 100th Avenue S (Cass County Highway 14)

Ms. Ducioame discussed scheduling a meeting in January with the City of Fargo, City of Horace and local property owners to discuss the proposed Drain #27 reconstruction project from 64th Avenue S to 100th Avenue S (Cass County Highway 14).

Drain #27 – detention pond south of City of Horace lagoons

Andrew Thill discussed a proposal to construct a detention pond east of Drain #27 south of the City of Horace lagoons. The pond would outlet into Drain #27 and would be owned by the City of Horace. Mr. Fredricks will prepare the requisite easements when more information is available for consideration at a future meeting.

Drain #35 – proposed intercept culvert and addition of a sluice gate at the west end of Section 10 in Normanna Township

Ms. Ducioame discussed a request from a property owner in Section 10 of Normanna Township to install a sluice gate on an intercept culvert at the west end of Drain #35 to help prevent debris from plugging the culvert. The property owner would operate the sluice gate when necessary. The Board directed Moore Engineering, Inc. to discuss options with the property owner regarding the matter.

Drain #45 – Gravender property and drain right of way

Mike Opat noted the property owner responded to the letter sent from the Water Resource District and expressed he is very interested in potential improvements to Drain #45. Mr. Opat will continue working with the property owner on the matter.

Drain #45 – animal damage control between 19th Avenue NW and 32nd Avenue NW

Tom Soucy stated Reed Township reported a beaver dam that is blocking drainage on Drain #45 between 19th Avenue NW and 32nd Avenue NW. Brady Woodard will investigate the matter.

Drain #47 – slides in the NE 1/4 of Section 10 and the NW 1/4 of Section 11 in Pleasant Township

Ms. Ducioame reported Braun Intertec Corporation has completed the field work and is currently working on the geotechnical evaluation of two slides along Drain #47 in the NE 1/4 of Section 10 and the NW 1/4 of Section 11 in Pleasant Township.

Drain #60 – Maintenance Agreement with the City of Kindred

Mr. Fredricks indicated the City of Kindred has inquired about existing Agreements with the City of Fargo and City of West Fargo regarding maintenance of urban legal assessment drains. The City of Kindred is considering a potential Agreement with the Water Resource District regarding maintenance of Drain #60.

Sheyenne River Bank Stabilization Study – email from Barnes County Water Resource District seeking input from public and private property owners with infrastructure along the Sheyenne River

Mr. Opat updated the Board on the Sheyenne River Bank Stabilization Study downstream of Baldhill Dam to the confluence of the Red River. Barnes County Water Resource District is the sponsor of the study and has received cost-share funding from the Red River Joint Water Resource District and the State Water Commission for the study. Barnes County Water Resource District is now seeking input from public and private property owners with infrastructure along the Sheyenne River to identify erosion and bank

failure issues, with an emphasis on threats to public and private structures, utilities and other facilities. Mr. Opat stated if Southeast Cass Water Resource District is aware of any erosion and bank failure issues, they can provide information through the online form. Mr. Opat said the responses received will be compiled with data collected from LiDAR and aerial photography. Ms. Ducioame noted Moore Engineering, Inc. will also identify erosion and bank failure issues along the Sheyenne River during the upcoming snagging and clearing projects.

Fargo Department of Planning and Development – December Preliminary Packet

Donald Kress reviewed the Fargo Department of Planning and Development December Preliminary Packet.

Roger Kluck updated the Board on the City of Fargo's planned flood protection for Laverne's Second Addition along Drain #40. Mr. Kluck said in addition to constructing a levee along the east side of Drain #40, there will be a variety of City of Fargo improvements, including a water main, stormwater detention pond with an outfall into Drain #40, a lift station and an access road to 32nd Avenue North. The Board directed Mr. Fredricks to prepare the requisite easements with the City of Fargo for the improvements regarding Laverne's Second Addition along Drain #40 for consideration at a future meeting.

City of Horace Community Development Department – Naseth Addition – part of the NE 1/4 NW 1/4 in Section 30 of Stanley Township

Ms. Ducioame briefly reviewed the Naseth Addition in part of the NE 1/4 NW 1/4 in Section 30 of Stanley Township.

It was moved by Manager Branson and seconded by Manager Weston to authorize the Secretary-Treasurer to submit comment on the following, with input from the Water Resource District Engineer:

- Fargo Department of Planning and Development December Preliminary Packet
- City of Horace Community Development Department – Naseth Addition

Upon roll call vote, the motion carried unanimously.

Letter from the Cass County Commission regarding potential flood risk reduction projects for Cass County Flood Sales Tax funding consideration (due by November 28, 2022)

Ms. Ducioame indicated she is not aware of any Southeast Cass Water Resource District projects to submit for Cass County Flood Sales Tax funding consideration at this time.

Transfer of principal and interest received to the construction fund and the general fund on Wild Rice Bank Stabilization and Improvement Project No. 2011-1

It was moved by Manager Weston and seconded by Manager Branson to approve the transfer of principal and interest received to the construction fund and general fund regarding Wild Rice Bank Stabilization and Improvement Project No. 2011-1. Upon roll call vote, the motion carried unanimously.

Bills

It was moved by Manager Branson and seconded by Manager Weston 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 Chairman declared the motion passed.

Drain #27 – City of Horace Water, Sewer, Storm and Street Improvement District No. 2022-11 - Cub Creek Second Addition

The Secretary-Treasurer discussed a letter received from the City of Horace regarding Water, Sewer, Storm and Street Improvement District No. 2022-11 for Cub Creek Second Addition. The information indicates Water Resource District property within the District has a \$0 assessment. An open house regarding the District will be held November 10, 2022.

Sheyenne-Maple Flood Control District #2 – sediment removal

Chairman Jacobson reported the contractor for the Sheyenne-Maple Flood Control District #2 sediment removal project is currently working north of 32nd Avenue S and the completed portion of the project south of 32nd Avenue S has been seeded. He said the contractor is doing great work.

Adjournment

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

APPROVED:

Dan Jacobson
Chairman

ATTEST:

Carol Harbeke Lewis
Secretary-Treasurer