

MINUTES OF VIRTUAL / CONFERENCE CALL MEETING  
SOUTHEAST CASS WATER RESOURCE DISTRICT  
ORIGINATING AT THE CASS COUNTY HIGHWAY DEPARTMENT  
WEST FARGO, NORTH DAKOTA  
APRIL 11, 2023

A virtual / conference call meeting of the Southeast Cass Water Resource District was held on April 11, 2023, at 8:30 a.m.

Present were Keith Weston, Chairman; Dave Branson, Manager; Rick Steen, Manager; Carol Harbeke Lewis, Secretary-Treasurer; Nina Stone, Accountant; Melissa Hinkemeyer, Administrative Assistant; Sean M. Fredricks, Ohnstad Twichell, P.C.; Kurt Lysne, Alexa Ducioame and Brady Woodard, Moore Engineering, Inc.; Mike Opat, Houston Engineering, Inc.; Jody Bertrand, Roger Kluck and Jim Hausauer, City of Fargo; Duane Breitling, Cass County Commissioner; George Grossman, City of West Fargo; Joel Luing, City of Horace; and Kellen Grubb, AE2S.

**Approval of agenda**

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

**Minutes**

It was moved by Manager Steen, seconded by Chairman Weston and unanimously carried to approve the minutes of the March 14, 2023, meeting.

**Proposed sanitary sewer for Commerce on I-29**

Sean Fredricks noted the Commerce on I-29 representatives have indicated they are ready to proceed with an Agreement with the City of Fargo regarding the proposed sanitary sewer project. When the Agreement is signed, 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. Brief discussion was held on right of way acquisition for the project.

Manager Branson joined the meeting at this time.

**Drain #10 – City of Fargo special assessment estimate and information regarding Paving and Utility Rehab / Reconstruction – Improvement District No. BR-23-H – Parcel 01-8690-00200-000 at 3173 Main Avenue (north of Main Avenue)**

Discussion was held on the City of Fargo special assessment estimate and information regarding Paving and Utility Rehab / Reconstruction – Improvement District No. BR-23-H – Parcel 01-8690-00200-000 at 3173 Main Avenue regarding Drain #10. Roger Kluck

noted the letter was sent to all property owners within the special assessment district and the City of Fargo will discuss the special assessment estimate related to Drain #10 and bring an update to a future meeting.

**Drain #27 Channel Improvements 2023 - 64th Avenue S to 100th Avenue S (Cass County Highway 14)**

Kurt Lysne said Moore Engineering, Inc. is working on the final project design and is in communication with the City of Fargo regarding the future plans for the 64th Avenue S corridor, and with the City of Horace regarding the 88th Avenue S corridor. Discussion was held on the right of way needed for the project. Mr. Lysne indicated the project could potentially be bid and construction started this year. The Corps of Engineers has indicated a Section 404 Permit is not necessary for the project. *Application for Surface Drain No. 6202* is currently being reviewed by the North Dakota Department of Water Resources (NDDWR).

**Drain #27 – Access Easement for the City of Fargo regarding water main installation in part of the SE 1/4 NE 1/4 of Section 5 in Stanley Township and Access Easement for Cass Rural Water Users District regarding water main installation in part of the NE 1/4 SE 1/4 and SE 1/4 NE 1/4 of Section 5 in Stanley Township**

Kellen Grubb discussed the coordination of a water main installation project for the City of Fargo and Cass Rural Water Users District in Section 5 of Stanley Township regarding Drain #27.

A motion as made by Manager Branson and seconded by Manager Steen to approve the following, contingent upon review and approval by the Water Resource District Engineer and the City of Fargo:

- *Access Easement* for the City of Fargo regarding water main installation in part of the SE 1/4 NE 1/4 of Section 5 in Stanley Township
- *Access Easement* for Cass Rural Water Users District regarding water main installation in part of the NE 1/4 SE 1/4 and SE 1/4 NE 1/4 of Section 5 in Stanley Township

Upon roll call vote, the motion carried unanimously.

**Utility Permits for Cass Rural Water Users District**

It was moved by Manager Branson and seconded by Manager Steen to approve the following *Utility Permits* for Cass Rural Water Users District, with input from the Water Resource District Engineer:

- To install a water supply pipeline south of 64th Avenue N along the north side of Drain #9 in Section 11 of Reed Township
- To install a water supply pipeline and water return pipeline along Drain #40, southwest of the drain centerline in Sections 4 and 9 of Reed Township

Upon roll call vote, the motion carried unanimously.

Mr. Lysne noted the *Utility Permit* for Cass Rural Water Users District to install a potable water pipeline under Drain #27 between the NW 1/4 of Section 4 and the NE 1/4 of Section 5 in Stanley Township that was submitted to the Water Resource District is no longer needed as the Water Resource District approved an *Access Easement* for the work earlier in the meeting.

It was moved by Manager Branson and seconded by Manager Steen to approve the following *Utility Permits* for Cass Rural Water Users District, with input from the Water Resource District Engineer:

- To install a water supply pipeline under Drain #10 south of 52nd Avenue N in Section 13 of Reed Township
- To install a potable water pipeline under Drain #35 east of 167th Avenue SE in Section 2 of Normanna Township
- To install a water supply pipeline and water return pipeline under Drain #40 south of the north boundary line of Section 9 in Reed Township

Upon roll call vote, the motion carried unanimously.

**Utility Permit for KPH, Inc. to install a temporary crossing over Drain #27 on the north side of Lots 13 and 14, Block 1, Cub Creek Second Addition**

A motion was made by Manager Branson and seconded by Manager Steen to deny the *Utility Permit* for KPH, Inc. to install a temporary crossing over Drain #27 on the north side of Lots 13 and 14, Block 1, Cub Creek First Addition. Upon roll call vote, the motion carried unanimously.

The Board will consider the *Utility Permit* upon receipt of plans and specifications from KPH, Inc. and directed Moore Engineering, Inc. to review the matter with the City of Horace.

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

The Board directed the Secretary-Treasurer to respond to the solicitation of views from Apex Engineering Group regarding the Fargo Water Treatment Facility filter improvements, with input from the Water Resource District Engineer.

Discussion was held on the Fargo Department of Planning and Development May Preliminary Packet. Mr. Kluck noted the Southwest Fargo Mission Second Addition is adjacent to Drain #27 and the City of Fargo intends to maintain the 175-foot standard setback from the Drain #27 centerline. Mr. Lysne updated the Board on the Interstate Business Park Addition adjacent to Drain #40 in Section 15 of Reed Township. Moore Engineering, Inc. sized the crossing in this area. Mr. Kluck said there are future plans for a detention pond and lift station structure that they will bring back to the Board for review and consideration later this year.

A motion was made by Manager Steen and seconded by Manager Branson 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
  - May Preliminary Packet
- West Fargo Planning and Zoning Commission
  - Saucke Subdivision

Upon roll call vote, the motion carried unanimously.

### **2023 spring melt / flood outlook**

Discussion was held on the spring operation and flood outlook regarding Sheyenne-Maple Flood Control Projects #1 and #2. Snow removal was completed to gain access to the facilities and clear a staging area for equipment that is currently on standby. Intercept culverts will be inspected soon. Mr. Woodard said the gates are operational and the facilities are operating as designed. Moore Engineering, Inc. and the City of West Fargo will continue to monitor the facilities, especially for ice jams during the 2023 spring melt. The Water Resource District maintains close communication with the City of West Fargo and the North Dakota Department of Transportation throughout the spring melt to coordinate efforts.

Drain #40 is filling up west of I-29. Moore Engineering, Inc. will continue to monitor the facility.

The Board directed Mr. Lysne to inquire about the possibility of installing NDDWR PRESENS gages at various Southeast Cass Water Resource District facilities. Mr. Lysne will do so and bring more information to a future meeting for further discussion.

### **North Dakota Insurance Reserve Fund – proxy for annual meeting**

A motion was made by Manager Steen 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 2022 audit services**

A motion was made by Manager Branson and seconded by Manager Steen to approve the letter of engagement to the Office of the State Auditor for 2022 audit services for Southeast Cass Water Resource District. Upon roll call vote, the motion carried unanimously.

### **Bills**

It was moved by Manager Steen 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: Weston, Branson and Steen. The Chairman declared the motion passed.

**Adjournment**

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

APPROVED:

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Keith Weston  
Chairman

ATTEST:

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Carol Harbeke Lewis  
Secretary-Treasurer