

MINUTES OF SOUTHEAST CASS WATER RESOURCE DISTRICT  
ORIGINATING AT THE CASS COUNTY HIGHWAY DEPARTMENT  
HERITAGE CONFERENCE ROOM  
WEST FARGO, NORTH DAKOTA  
MARCH 11, 2025  
8:30 A.M.

A meeting of the Southeast Cass Water Resource District was held on March 11, 2025, at 8:30 a.m.

Present were Dave Branson, Manager; Rick Steen, Manager; Melissa Hinkemeyer, Director, Secretary-Treasurer; Amy Hepper, Accountant; Elizabeth Smith, Administrative Assistant; Rita Nelson, Accounting Assistant; Sean Fredricks and Katie Schmidt, Ohnstad Twichell, P.C.; Kurt Lysne, Alexa Ducioame, Brady Woodard, and Levi Hanson, Moore Engineering, Inc.; Mike Opat, Houston Engineering, Inc.; Tom Soucy, Cass County Highway Department; Kris Bakkegard, Metro Flood Diversion Authority; Donald Kress, Jim Hausauer, and Jody Bertrand, City of Fargo; and Joel Luing, City of Horace. Chairman Keith Weston was absent.

**Approval of agenda**

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

**Minutes**

It was moved by Manager Branson, seconded by Manager Steen, and unanimously carried to approve the minutes of the February 11 and 13, 2025, meeting as presented.

**Introduction of Accountant/Treasurer**

The Secretary introduced Amy Hepper, the new Accountant/Treasurer to the Board.

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

Donald Kress reviewed the Fargo Department of Planning and Development April preliminary packet. The Board had no comments on the items in the preliminary packet.

Kurt Lysne reviewed the Oak Ridge 20<sup>th</sup> Addition, proposed DMF Addition, and the Brooks Harbor proposed planned unit development regarding West Fargo Planning and Zoning.

Joel Luing discussed the City of Horace Planning and Zoning activities that impact Water Resource District facilities.

Mr. Lysne reviewed the Carpenter's Subdivision Application and the Sheyenne Valley Farm Third Subdivision Application regarding Cass County Planning. The Board had no comments to submit.

### **Sheyenne-Maple Flood Control Project No. 1 – renewal of Lease Agreement with Adam Rutten**

Brady Woodard reviewed the Lease Agreement with Adam Rutten regarding the Sheyenne-Maple Flood Control Project No. 1.

A motion was made by Manager Branson and seconded by Manager Steen to approve and authorize the Chairman to sign the *Lease Agreement* with Adam Rutten in the NW 1/4 of Section 12 in Mapleton Township for 2024 regarding Sheyenne-Maple Flood Control District #1 with payment due upon signing. Upon roll call vote, the motion carried unanimously.

### **Sheyenne-Maple Flood Control Projects No. 1 and 2 – Lease Agreement with Scott Beaton for new borrow site (OINs 726Y and 730Y)**

Mr. Woodard reviewed the Lease Agreement with Scott Beaton regarding the Sheyenne-Maple Flood Control Projects No. 1 and 2. Mr. Woodard reported that OINs 726Y and 730Y were purchased from the Metro Flood Diversion Authority. The Board discussed renting the property to an adjacent landowner for 2025.

A motion was made by Manager Branson and seconded by Manager Steen to approve and authorize the Chairman to sign the *Lease Agreement* with Scott Beaton for OINs 726Y and 730Y regarding Sheyenne-Maple Flood Control Projects No. 1 and 2. Upon roll call vote, the motion carried unanimously.

### **Drain #3 – Main Avenue Improvements**

Discussion was held on a City of Fargo improvement project for Main Avenue from 25th Street to University Drive. The Water Resource District Attorney prepared two agreements with the North Dakota Department of Transportation (NDDOT) to allow work in Water Resource District right of way and connection of infrastructure to Drain #3. NDDOT is currently reviewing the agreements.

### **Drain #21 – Slides between 12th and 19th Avenues NW**

Alexa Ducioame reported Moore Engineering, Inc. is working with Braun Intertec Corporation on the repair method of the Drain #21 slide repairs between 12th and 19th Avenues NW. Braun Intertec Corporation finalized the report for the project on February 24, 2025. Moore Engineering, Inc. is working on final design.

### **Drain #21 – Slide north of Main Avenue W**

Ms. Ducioame reported that Moore Engineering, Inc. is getting quotes from potential contractors for the slide repair north of Main Avenue W using the rip rap design.

### **Drain #27 – Slide near the confluence of Drain #53**

Ms. Ducioame reported that Moore Engineering, Inc. is working with the City of Fargo to secure access to the project area for the Drain #27 slide near the confluence of Drain #53. Mr. Woodard reported they are working with potential contractors to get quotes for the project. The quotes will be brought to the board for review at a future meeting.

### **Drain #27 - Willow Grove Second Addition**

Mr. Lysne reported that the developer is updating the proposed plat for the Willow Grove Second Addition and Sean Fredricks is drafting an easement that will include a 20-foot limited use area in the drain setback similar to other developments adjacent to Drain #27.

### **Drain #27 – Encroachment Agreement – 52<sup>nd</sup> Avenue Investments**

Sean Fredricks discussed the Drain #27 *Encroachment Agreement* with 52<sup>nd</sup> Avenue Investments. Mr. Fredricks reported they have an *Encroachment Agreement* for their existing parking lot and are now looking to put up a fence for their dog park that will require an additional *Encroachment Agreement* with the Board.

A motion was made by Manager Branson and seconded by Manager Steen to approve and authorize the Chairman to sign the Drain #27 *Encroachment Agreement* with 52<sup>nd</sup> Avenue Investments. Upon roll call vote, the motion carried unanimously.

### **Drain #27 – Public outreach**

Ms. Ducioame reviewed the informational document and social media graphic regarding Drain #27. Ms. Ducioame reported that the City of Horace offered to post the document and graphic on their Facebook as well as post the document on their website.

### **Drain #40 – Slide south of County Road 20 at 38th Avenue N (Reile's Acres)**

Ms. Ducioame reported that Moore Engineering, Inc. is waiting for Braun Intertec Corporation to complete the geotechnical analysis for the Drain #40 slide south of County Road 20 at 38th Avenue North before moving forward. Mr. Lysne reported that the surveyors are drafting an exhibit document that depicts the existing right of way for Drain #40 in this area.

### **Drain #40 – Access Agreement with Integrity Windows, LLC d/b/a Integrity Windows, Inc. and the Marvin Companies, Inc.**

Mr. Fredricks noted that all parties have signed the *Access Agreement* with Integrity Windows, LLC regarding Drain #40 and the Agreement will be recorded. This concludes the matter regarding Drain #40.

### **Metro Flood Diversion Project transitions – First Amendment to MOU**

Discussion was held on the First Amendment to the Memorandum of Understanding with the Metro Flood Diversion Authority regarding the Metro Flood Diversion Project transitions.

A motion was made by Manager Branson and seconded by Manager Steen to approve and authorize the Chairman to sign *the First Amendment to District Memorandum of Understanding* with the Metro Flood Diversion Authority regarding impacts to Southeast Cass Water Resource District facilities. Upon roll call vote, the motion carried unanimously.

### **Sheyenne River and Wild Rice River Snagging and Clearing 2024-2025**

Mr. Woodard updated the Board on the Sheyenne River and Wild Rice River Snagging and Clearing efforts for 2024-2025. These projects are complete. Mr. Woodard reported that it was a very successful year. The contractor is finishing the debris removal work for the Metro Flood Diversion Authority in Horace.

### **Wild Rice River low head dam hazard mitigation project**

Ms. Ducioame reported that the survey for the Wild Rice River low head dam hazard mitigation project was collected in January. Moore Engineering, Inc. worked with Braun Intertec Corporation as they did their analysis. Moore Engineering, Inc. will start working on the preliminary design to present to the Board at a future meeting.

### **Sheyenne River Mitigation Project**

Mr. Lysne reviewed the Sheyenne River Mitigation Project for the Metro Flood Diversion Project. The Board previously entered into a *Memorandum of Understanding* with the Metro Flood Diversion Authority in 2020 regarding the Project. The Project consists of removing gates in the Sheyenne River that currently isolate the river during high flow events. The project would improve fish passage throughout the river. Mr. Lysne noted flows in the Sheyenne River will greatly reduce to where the gates are no longer needed for the Sheyenne-Maple Flood Control Project No. 1. The Corp of Engineers is working on modeling for the project and need access to Water Resource District property for soil borings and other investigations.

A motion was made by Manager Branson and seconded by Manager Steen to approve and authorize the Secretary to sign the *Right of Entry Agreement* regarding the Sheyenne River Mitigation Project. Upon roll call vote, the motion carried unanimously.

### **Horace Shared Use Path – SOV**

Mr. Lysne briefly discussed the Horace Shared Use Path. Mr. Lysne did not have any concerns about the project as it does not affect Water Resource District facilities.

A motion was made by Manager Branson, seconded by Manager Steen, and unanimously carried to authorize the Secretary to respond with input from the Water Resource District Engineer regarding the Horace Shared Use Path.

### **Flood Risk Reduction Project Request Letter – Spring 2025**

Brief discussion was held on the letter from the Cass County Flood Sales Tax Committee regarding projects to submit for their upcoming meeting. The Board does not have any projects to submit at this time.

### **Letter of engagement to the Office of the State Auditor for 2024 audit services**

Brief discussion was held on the letter of engagement provided by the Office of the State Auditor. The Board determined they would like to see the agreed upon not to exceed amount included in the letter.

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 2024 audit services for the Southeast Cass Water Resource District conditional on the addition of the do not exceed amount as quoted being included in the Letter. Upon roll call vote, the motion carried unanimously.

**Bills**

It was moved by Manager Branson and seconded by Manager Steen to approve the wire transfers and electronic funds transfers, as presented. Upon roll call vote, the following Managers voted in favor: Steen, and Branson. Chairman Weston was absent. The motion passed.

**Adjournment**

There being no further business to be considered by the Board, the meeting adjourned without objection.

APPROVED:

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Keith Weston  
Chairman

ATTEST:

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Melissa Hinkemeyer  
Secretary