

MINUTES OF MEETING
CASS COUNTY JOINT WATER RESOURCE DISTRICT
CASS COUNTY HIGHWAY DEPARTMENT
WEST FARGO, NORTH DAKOTA
MARCH 24, 2010

The Cass County Joint Water Resource District met on March 24, 2010, at 8:00 a.m. at the Cass County Highway Department, West Fargo, North Dakota.

Present were Thomas L. Fischer, Chairman; Mark Brodshaug and Mark Thelen, Southeast Cass Water Resource District; Rodger Olson, Maple River Water Resource District; Michael R. Buringrud and Robert Thompson, North Cass Water Resource District; Raymond Wolfer, Rush River Water Resource District; Carol Harbeke Lewis, Secretary-Treasurer; Kimberly Bomstad, Accounting Tech/Administrative Assistant; Sean M. Fredricks, Attorney for the Board; Lee Beauvais, Engineer for the Board; Dennis Ertelt, Maple River Dam Land Manager and those whose names appear on the attached roster.

Fargo-Moorhead Metropolitan Feasibility Study - support for selection of the locally preferred plan

Chairman Fischer said Cass County, Clay County, the City of Fargo and the City of Moorhead have indicated their support for the North Dakota 35,000 cfs Diversion. Lee Beauvais said funding would be the driving factor for the North Dakota Diversion. The Corps of Engineers will have to continue to study the Minnesota NED plan as well as the locally preferred plan. Mr. Beauvais said more design is needed to get through the authorization process, at an estimated cost of \$2.6 million.

Manager Olson asked about Water Resource District benefits from the North Dakota Diversion. Mr. Beauvais said the largest concentration of people with flooding problems would be protected and there would be drainage benefits, not just during flood events. The impacts of the North Dakota Diversion will be identified so local entities can address them. Manager Buringrud asked about involvement by Cass County regarding downstream effects. Keith Berndt said Cass County Commissioners are concerned about the downstream impacts and a solution might be ring dikes, road raises or buyouts.

Manager Buringrud said downstream property owners are concerned about backup water from the Red River. The legal drains are not a problem. Manager Brodshaug would like to see the Water Resource District Board involved in the design process.

A property owner present asked about running drain tile into the channel. Manager Brodshaug said there would be an opportunity to do so.

Funding for the project was discussed. Chairman Fischer said property benefitting from the project could be assessed. Everyone that is assessed will get to vote on the project. A maintenance assessment would be ongoing. Cass County could pursue a sales tax or a mill levy increase.

Russell Ruffson said if a North Dakota Diversion is built, land will be taken away from property owners and the tax from that land would be lost and the same property owners would be asked to pay a sales tax.

Discussion was held with regard to the local sponsor for the project. Sean Fredricks said the Board could enter into a Joint Powers Agreement after more is known about the project.

The permitting process was discussed.

It was moved by Manager Olson and seconded by Manager Brodshaug to support the *Resolution of Support for North Dakota 35,000 C.F.S Diversion* attached to these minutes. Upon roll call vote, the following Managers voted in favor: Fischer, Olson, Brodshaug and Buringrud. Manager Wolfer abstained from voting. The Chairman declared the motion carried.

Funding for further study by the Corps of Engineers

It was moved by Manager Brodshaug and seconded by Manager Olson to approve funding for further study of the North Dakota 35,000 cfs Diversion, as suggested. Upon roll call vote, the motion carried unanimously.

Sean Fredricks was contacted by Manager Hejl about meeting with the Congressional Delegation in Washington, D.C. to discuss funding for the North Dakota 35,000 cfs Diversion. Manager Olson thought it would be too early to do so. Mr. Fredricks suggested the entities involved should be on the same page before meeting with the Congressional Delegation.

Cass County Dams Information Brochure

Mr. Beauvais will put together an informational brochure on the dams in Cass County.

Maple River Dam review of Land Management Agreement

The Board asked Dennis Ertelt to provide rates for various maintenance work regarding the Maple River Dam.

Maple River Dam – lift station between State Highway 46 and the Maple River Dam levee

The Board asked the Water Resource District Engineer to look into constructing a lift station between State Highway 46 and the Maple River Dam levee located north of the highway.

Minutes

It was moved by Manager Olson and seconded by Manager Brodshaug to approve the minutes of the February 25 and 26, March 4, 5, 9 and 11, 2010, meetings. Upon roll call vote, the motion carried unanimously.

Bills

It was moved by Manager Buringrud and seconded by Manager Wolfer to approve payment of Checks #9400 through #9408, as presented. Upon roll call vote, the following Manager voted in favor: Fischer, Olson, Brodshaug, Buringrud and Wolfer. The Chairman declared the motion carried.

2010 Spring Flood

It was moved by Manger Olson and seconded by Manager Buringrud to appoint the following people in the designated capacities, representing Cass County Joint Water Resource District, to work with FEMA on the disaster declared for the 2010 Spring Flood:

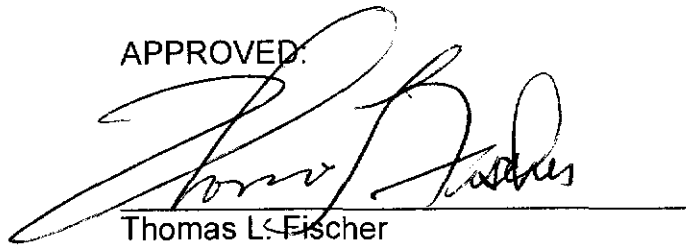
- Carol Harbeke Lewis, Authorized Representative
- Kurt Lysne, Technical Representative
- Brady Woodard, Field Representative

Upon roll call vote, the motion carried unanimously.

Adjournment

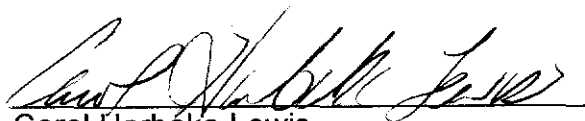
There being no further business to be considered by the Board, the meeting adjourned without objection.

APPROVED:



Thomas L. Fischer
Chairman

ATTEST:



Carol Harbeke Lewis
Secretary-Treasurer