

MINUTES OF SPECIAL MEETING  
CASS COUNTY JOINT WATER RESOURCE DISTRICT  
CASS COUNTY HIGHWAY DEPARTMENT  
WEST FARGO, NORTH DAKOTA  
JULY 9, 2010

The Cass County Joint Water Resource District met on July 9, 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 and Wesley Beilke, Maple River Water Resource District; Michael R. Buringrud, Robert Thompson and Wesley Ecker, North Cass Water Resource District; Raymond Wolfer and William A. Hejl, 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; Tim Mahoney and Brad Wimmer, Fargo City Commissioners; Darrell Vanyo, Cass County Commissioner; Mark Bittner, Fargo City Engineer; April Walker, Senior Engineer for the City of Fargo; Lance Yohe, Red River Basin Commission; Keith Berndt, Cass County Engineer; Craig Hakanson, City of Horace and Richard Lewis, West Fargo resident.

**Fargo-Moorhead Metropolitan Feasibility Study**

Discussion was held on the Cass County / Fargo Flood Protection Cooperation Agreement regarding the proposed Red River Diversion. The Board would like to see the agreement limited to financial sponsorship and sales tax relating to the project.

Mark Brodshaug suggested the Water Resource District send a letter to the City of Fargo and Cass County Commission explaining the Water Resource District's position and to provide background information.

**Mark Bittner would like to see a special assessment district pursued. Chairman Fischer said the Board is not proposing to replace a sales tax with a special assessment.**

Manager Hejl questioned the Water Resource District working on property access if it does not have a role in the project. Fargo City Commissioner Mahoney said the Fargo City Commission has always intended that the Cass County Joint Water Resource District would be responsible for maintenance on the project and would be a very important part of the project. Fargo City Commissioner Wimmer agreed. **Fargo City Commissioner Mahoney said a special assessment district could make up the difference between the funding needed and what is generated by sales tax.** Commissioner Mahoney apologized for any misunderstanding between the City of Fargo and the Water Resource District.

Fargo City Commissioner Mahoney suggested that the technical committee would guide the Joint Powers Agreement Board. Manager Hejl said this involves far more than the number of votes on the Joint Powers Agreement Board and went on to say if the Water Resource District is going to be in charge of maintenance, they have to have a major role in the design and construction of the project and therefore, the Water Resource District Engineer should lead the technical committee. Mark Bittner pointed out that the agreement does not define the City of Fargo as the lead agency. He would like to be involved and does not have a problem if the Water Resource District leads the technical committee. Manager Hejl said the Water Resource District would want input from not only the City of Fargo and Cass County, but from the City of Moorhead and Clay County, as well.

Commissioner Vanyo said the Cass County / Fargo Flood Protection Cooperation Agreement grew beyond sponsorship and sales tax. He said the responsibilities on the North Dakota side should be split three ways all the time. He noted the only thing not in the agreement is what sponsorship means. He said the agreement should not be burdened with superfluous things. Manager Olson agreed that the agreement should be limited to financial sponsorship.

Commissioner Mahoney suggested keeping the agreement simple and that everyone work together. Manager Olson agreed and pointed out if the Water Resource District is not at the table, it will affect the people they represent. He suggested the three entities meet on a regular basis.

The need to include comments from West Fargo, Horace and Harwood was discussed. Downstream impacts also need to be addressed.


The Water Resource District will continue working on retention, separate from the Red River Diversion.

It was moved by Manager Brodshaug and seconded by Manager Olson to propose deletion of the voting section from the Cass County / Fargo Flood Protection Cooperation Agreement regarding the proposed Red River Diversion and that it include what sponsorship will mean, and that upon completion of the agreement, negotiation of a three-party North Dakota agreement is scheduled. Upon roll call vote, the motion carried unanimously.

**Adjournment**

There being no further business to be considered by the Board, it was moved by Manager Olson, seconded by Manager Brodshaug and unanimously carried to adjourn the meeting

APPROVED:

  
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Thomas L. Fischer  
Chairman

ATTEST:

  
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Carol Harbeke Lewis  
Secretary-Treasurer