

### Finance Committee Bills through September 21, 2018

Vendor	Description		
Cass County Joint Water Resource District	Diversion bills	\$	32,379.90
Dorsey & Whitney	Legal services rendered through July 31, 2018	\$	54,268.50
Cass County	Gravel for County Road 17 bypass	\$	5,054.40
Ohnstad Twichell, P.C.	Professional Services Rendered	\$	62,556.23
Cougar Tree Care, Inc.	Tree removal, Park East lot	\$	2,300.00
Cass County	Dust control	\$	4,682.24
Total Bills Received through September 21, 2018		\$	<u>161,241.27</u>



Cass County  
Joint Water  
Resource  
District

August 29, 2018

Diversion Authority  
P.O. Box 2806  
Fargo, ND 58108-2806

Dan Jacobson  
Chairman  
West Fargo, North Dakota

Rodger Olson  
Manager  
Leonard, North Dakota

Lance Yohe  
Manager  
West Fargo, North Dakota

Ken Lougheed  
Manager  
Gardner, North Dakota

Jacob Gust  
Manager  
Fargo, North Dakota

Greetings:

RE: Metro Flood Diversion Project  
Oxbow-Hickson-Bakke Ring Levee Project  
In-Town Levees Project

Enclosed please find copies of bills totaling \$32,379.90 regarding the above referenced projects. The breakdown is as follows:

Metro Flood Diversion	\$ 30,997.92
Oxbow-Hickson-Bakke Ring Levee	921.50
In-Town Levees	460.48

At this time, we respectfully request 100% reimbursement as per the Joint Powers Agreement between the City of Fargo, Cass County and Cass County Joint Water Resource District dated June 1, 2015.

According to our records, the previous request dated July 31, 2018, for \$69,524.07 remains outstanding.

If you have any questions, please feel free to contact us. Thank you.

Sincerely,

CASS COUNTY JOINT WATER RESOURCE DISTRICT

Carol Harbeke Lewis  
Secretary-Treasurer

Carol Harbeke Lewis  
Secretary-Treasurer  
1201 Main Avenue West  
West Fargo, ND 58078-1301

Enclosures

701-298-2381  
FAX 701-298-2397  
[wrđ@casscountynđ.gov](mailto:wrđ@casscountynđ.gov)  
[casscountynđ.gov](http://casscountynđ.gov)

METRO FLOOD DIVERSION RIGHT OF ENTRY/LAND ACQUISITION COST SHARE INVOICES

Updated 8/29/18

Invoice Paid	Invoice Date	Invoice No.	Project No.	Amount	Vendor	Description
8/17/2018	7/27/2018	157455	130007	5,154.50	Ohnstad Twichell, P.C.	Legal-Diversion ROW Acquisition
8/17/2018	7/27/2018	157481	170007	589.00	Ohnstad Twichell, P.C.	Legal-Upstream Mitigation Area
8/17/2018	7/27/2018	157446	90007	817.00	Ohnstad Twichell, P.C.	Legal-Basin Project 2009
8/17/2018	7/27/2018	157471	160007	4,581.00	Ohnstad Twichell, P.C.	Legal-Channel Phase I
8/17/2018	7/27/2018	157472	160007	2,714.50	Ohnstad Twichell, P.C.	Legal-Channel Phase II
8/17/2018	7/27/2018	157473	160007	283.35	Ohnstad Twichell, P.C.	Legal-Channel Phase III
8/17/2018	7/26/2018	1662	2001	2,650.50	Houston-Moore Group	Engineering - Right-of-Entry Services 2018
8/17/2018	7/26/2018	1663	2004	4,348.34	Houston-Moore Group	Engineering - Property Acquisition Services
8/17/2018	7/9/2018	75620	R12.00049	388.00	Ulteig Engineers	Engineering - Righ of Way Services
8/9/2018	7/25/2018	13618		32.00	Cass Rural Water Users	Service to 5021 171st Ave SE
8/9/2018	7/25/2018	994140		32.00	Cass Rural Water Users	Service to 17465 49th St SE
8/9/2018	7/25/2018	1249300		32.00	Cass Rural Water Users	Service to 17471 49 St S
8/9/2018	7/25/2018	662870		32.00	Cass Rural Water Users	Service to 17449 50th St SE
8/17/2018	8/6/2018	850.04		185.54	Red River Valley Coop Power Assoc	Service to 16678 3rd St S Moorehead
8/17/2018	8/6/2018			5,482.81	George and Niuris Leher	reimbursement of closing costs
8/23/2018	8/6/2018	1132078		88.26	Cass County Electric Cooperative	Service to 17449 50 St SE, 17568 Pfiffer Dr
8/23/2018	8/6/2018	1122560		326.79	Cass County Electric Cooperative	Service to 17471 49 St S
8/23/2018	8/6/2018	1123339		41.81	Cass County Electric Cooperative	Service to 17465 49 St S
8/23/2018	8/15/2018	1129748		43.52	Cass County Electric Cooperative	Service to 5021 171 Ave SE
8/24/2018	8/21/2018			3,175.00	Peter Beigler Jr.	Moving costs
<b>Total</b>				<b>30,997.92</b>		

OXBOW-HICKSON-BAKKE RING LEVEE INVOICES

Invoice Paid	Invoice Date	Invoice No.	Purchase Order No.	Project No.	Amount	Vendor	Description
8/17/2018	7/27/2018	157457		140007	494.00	Ohnstad Twichell, P.C.	Legal-Oxbow-Hickson-Bakke Levee project
8/23/2018	8/3/2018	8137788		B14-04209.05	427.50	Braun Intertec	Environmental and CMT services Oxbow
<b>Total</b>					<b>921.50</b>		

IN-TOWN LEVEES INVOICES

Invoice Paid	Invoice Date	Invoice No.	Project No.	Amount	Vendor	Description
8/9/2018	7/30/2018	601621817		147.25	Xcel Energy	Gas service to 419 3rd St N
8/9/2018	7/30/2018	601615703		211.83	Xcel Energy	Electric service to 419 3rd St N
8/23/2018	8/7/2018	6000052129		101.40	City of Fargo	Service to 419 3 St N
<b>Total</b>				<b>460.48</b>		

**Grand Total 32,379.90**



Office of the City Attorney

City Attorney  
Erik R. Johnson

Assistant City Attorney  
Nancy J. Morris

September 5, 2018

Kent Costin  
Finance Director  
City of Fargo  
200 North Third Street  
Fargo, ND 58102

**Re: Metro Flood Diversion Project**

Dear Kent:

I am enclosing a Summary Invoice dated August 28, 2018 from the Dorsey & Whitney Firm in Minneapolis for their professional services rendered through July 31, 2018 on the Metro Flood Diversion Project. If you have any questions, please feel free to contact me. Please remit payment directly to Dorsey Whitney.

Sincerely,

A handwritten signature in blue ink, appearing to be "ERJ", written over a blue circular stamp or seal.

Erik R. Johnson

ERJ/lmw  
Enclosure  
cc: Bruce Grubb





**RECEIVED**  
BY \_\_\_\_\_ DATE 8-30-18

MINNEAPOLIS OFFICE  
612-340-2600

(Tax Identification No. 41-0223337)

STATEMENT OF ACCOUNT FOR PROFESSIONAL SERVICES

Fargo-Moorhead Flood Diversion Bd of Authority  
c/o Erik R. Johnson & Associates, Ltd.  
Attn: Erik Johnson  
505 Broadway, Suite 206  
Fargo, ND 58102

August 28, 2018  
Invoice No. 3443448

Client-Matter No.: 491379-00001  
Red River Diversion Project

For Legal Services Rendered Through July 31, 2018

**INVOICE TOTAL**

Total For Current Legal Fees	\$54,130.50
Total For Current Disbursements and Service Charges	\$138.00
<b>Total For Current Invoice</b>	<b>\$54,268.50</b>

For your convenience, please remit payment to the address below or we offer the option of remitting payment electronically by wire transfer. If you have any questions regarding this information, please contact the lawyer you are working with on this project or Dorsey's Accounts Receivable Department at 1-800-861-0760. Thank you.

Mailing Instructions:  
Dorsey & Whitney LLP  
P.O. Box 1680  
Minneapolis, MN 55480-1680

Wire Instructions:  
U.S. Bank National Association  
800 Nicollet Mall  
Minneapolis, MN 55402

(This account is only for Wire/ACH payments)  
ABA Routing Number: 091000022  
Account Number: 1047-8339-8282  
Swift Code: USBKUS44IMT

Please make reference to the invoice number

Service charges are based on rates established by Dorsey & Whitney. A schedule of those rates has been provided and is available upon request. Disbursements and service charges, which either have not been received or processed, will appear on a later statement.

ALL INVOICES ARE DUE 30 DAYS FROM DATE OF INVOICE UNLESS OTHERWISE EXPRESSLY AGREED BY DORSEY & WHITNEY

CASS COUNTY GOVERNMENT  
 PO BOX 2806  
 211 9th STREET SOUTH  
 Fargo, ND 58108

DATE: 9/11/18

TO: DIVERSION AUTHORITY  
 PO BOX 2806  
 211 9TH ST S  
 FARGO, ND 58108

CUSTOMER NO: 3252/3308

TYPE: CE - COUNTY ENGINEER

CHARGE	DATE	DESCRIPTION	REF-NUMBER	DUE DATE	TOTAL AMOUNT
	8/23/18	BEGINNING BALANCE			10,072.48
6050	7/23/18	ADDITION OF GRAVEL ON COUNTY RD 17 BYPASS 324 YARDS OF CLASS 13 GRAVEL @ \$15.60/YD			5,054.40

Current	30 days	60 days	90 days
15126.88			

DUE DATE: 10/11/18

PAYMENT DUE: 15,126.88  
 TOTAL DUE: \$15,126.88

PLEASE DETACH AND SEND THIS COPY WITH REMITTANCE

DATE: 9/11/18 DUE DATE: 10/11/18  
 CUSTOMER NO: 3252/3308

NAME: DIVERSION AUTHORITY  
 TYPE: CE - COUNTY ENGINEER

REMIT AND MAKE CHECK PAYABLE TO:

CASS COUNTY TREASURER

211 9TH ST S

PO BOX 2806

FARGO

ND 58108-2806

(701) 241-5606

TOTAL DUE: \$15,126.88

**Cass County Highway Department**

**Summary of Reimbursable Work**

**Facility:** County Road 17 **WR #:** 1789

**Description:** Addition of Gravel

**Date completed:** 7/23/18

**Material:**

Item	Quantity	Unit	Price	Total
Class 13 Gravel	324	Yards	\$15.60	\$5,054.40

Total Material: \$5,054.40

**Total Amount: \$5,054.40**

**Bill to:**

**REPORT OF MATERIAL HAULED**

Cass County Highway Department

6-1-5 SFN 2353 (Rev. 10-84)

Sheet 1 of 1

Haul Sheet No. 1

Project C-17 Bypass

County Cass County

Contractor Cass County

Date 7/23/2018

Shift \_\_\_\_\_ Hours \_\_\_\_\_

Mat'l Hauled Class 13

Truck	78	63	66	67	65	64													
1	18.00	18.00	18.00	18.00	18.00	18.00													
2	18.00	18.00	18.00	18.00	18.00	18.00													
3	18.00	18.00	18.00	18.00	18.00	18.00													
4																			
5																			
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<b>Total</b>	54.00	54.00	54.00	54.00	54.00	54.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Pit or Plant Location Durbin

% Bitumen Added \_\_\_\_\_

Daily Total 324.00

% Water Added \_\_\_\_\_

Running Total 324 Yards

Material Placed \_\_\_\_\_

%Moisture in Aggr. \_\_\_\_\_

\_\_\_\_\_  
Resident Engineer-Inspector



**OHNSTAD TWICHELL, P.C.**  
**Attorneys at Law**

P.O Box 458  
 West Fargo, ND 58078-0458  
 701-282-3249

15-1395 JTS Invoice # 158124

Flood Diversion Board  
 Bond Counsel Work - PPP

Date: September 12, 2018

To: Flood Diversion Board  
 P.O Box 2806  
 Fargo, ND 58108-2806

**PROFESSIONAL SERVICES RENDERED**

	Hours	Hourly Rate	Totals
JTS	30.5	\$310.00	\$9,455.00
CMM	17	\$310.00	\$5,270.00
LDA	1.4	\$310.00	\$434.00
KJB	96.6	\$285.00	\$27,531.00
TJL	48.3	\$250.00	\$12,075.00
LWC	0.4	\$225.00	\$90.00
ABG	24.7	\$225.00	\$5,557.50
MPS	0.9	\$200.00	\$180.00
AJR	7	\$165.00	\$1,155.00
KJS	2.4	\$100.00	\$240.00
<b>Total Fees:</b>	<b>229.20</b>		<b>\$61,987.50</b>

AT&T Calls	\$11.73
Westlaw (max charge \$500)	\$500.00
Certified Copies	\$57.00
<b>Total Expenses:</b>	<b>\$568.73</b>

**Grand Total** **\$62,556.23**

**2018 Hourly Rates**

JTS	John T. Shockley, Partner, Supervising Attorney	\$310.00
CMM	Christopher M. McShane, Partner	\$310.00
ADC	Andrew D. Cook, Partner	\$310.00
SNW	Sarah M. Wear, Partner	\$310.00
KJB	Katie J. Bertsch, Associate	\$285.00
TJL	Tyler J. Leverington, Associate	\$250.00
CBC	Calley B. Campbell, Associate	\$225.00
LWC	Lukas W. Croaker, Associate	\$225.00
ABG	Bo Gruchala, Associate	\$225.00
MPS	Michael P. Sly, Associate	\$200.00
CAS	Carol A. Stillwell, Paralegal	\$165.00
JDR	Joshua D. Roaldson, Paralegal	\$165.00
AJM	Andrea J. Roman, Paralegal	\$165.00
LRK	Lisa R. Kilde, Paralegal	\$155.00
KJS	Kelsey J. Stock, Law Clerk	\$100.00

## PROFESSIONAL SERVICES RENDERED

15-1395 JTS Invoice # 158124		
Flood Diversion Board		Bond Counsel Work - PPP
FILE NUMBER	MATTER DESCRIPTION	INVOICE - TOTAL FEES
151395-1	General Topics (Includes General Governance Questions, Notices, etc.)	\$11,812.50
151395-2	Executive Director	\$124.00
151395-3	P3 Procurement	\$310.00
151395-4	Public Finance Issues	\$1,010.50
151395-5	Consultant Contract Review/Development	\$2,616.00
151395-6	Support of External Litigation Counsel	\$659.00
151395-8	MNDNR Permit Issues	\$11,030.50
151395-13	Third Party Utility MOU's	\$33,030.00
151395-14	ICS Issues	\$775.00
151395-15	Schmidt and Sons Litigation	\$620.00
<b>TOTAL</b>		<b>\$61,987.50</b>

COUGAR TREE CARE, INCORPORATED  
287 LIBERTY LANE  
HORACE, ND 58047-4589

# Invoice

Date 8/20/2018  
Invoice # 3109

**Bill To**

MR. SCOTT LIUDAHL, CITY FORESTER  
CITY OF FARGO FORESTRY DEPARTMENT  
402 23rd STREET NORTH  
FARGO ND 58102

**Ship To**

1 2nd St S  
Fargo ND 58102

P.O. #  
Terms Net 30

Ship Date 8/20/2018  
Due Date 9/19/2018  
Other

Description	Qty	Rate	Amount
Removed 5 Spruce, pruned 4 Green Ash, and 1 Spruce		2,300.00	2,300.00
		Subtotal	\$2,300.00
		Sales Tax (0.0%)	\$0.00
		Total	\$2,300.00
		Payments/Credits	\$0.00
		Balance Due	\$2,300.00

**COUGAR TREE CARE, INCORPORATED**  
cougartreecare@hotmail.com

701-729-7208

Payments/Credits \$0.00  
Balance Due \$2,300.00

CASS COUNTY GOVERNMENT  
 PO BOX 2806  
 211 9th STREET SOUTH  
 Fargo, ND 58108

DATE: 8/23/18

TO: DIVERSION AUTHORITY  
 PO BOX 2806  
 211 9TH ST S  
 FARGO, ND 58108

CUSTOMER NO: 3252/3308

TYPE: CE - COUNTY ENGINEER

CHARGE	DATE	DESCRIPTION	REF-NUMBER	DUE DATE	TOTAL AMOUNT
	8/16/18	BEGINNING BALANCE			5,390.24
6050	8/20/18	DUST CONTROL APPLIED			4,682.24

Current	30 days	60 days	90 days
10072.48			

DUE DATE: 9/24/18

PAYMENT DUE: 10,072.48  
 TOTAL DUE: \$10,072.48

PLEASE DETACH AND SEND THIS COPY WITH REMITTANCE

DATE: 8/23/18 DUE DATE: 9/24/18  
 CUSTOMER NO: 3252/3308

NAME: DIVERSION AUTHORITY  
 TYPE: CE - COUNTY ENGINEER

REMIT AND MAKE CHECK PAYABLE TO:  
 CASS COUNTY TREASURER  
 211 9TH ST S  
 PO BOX 2806  
 FARGO ND 58108-2806  
 (701) 241-5606

TOTAL DUE: \$10,072.48



PO Box 815  
 Moorhead, MN 56561  
 701-238-0307

**BILL TO**

Cass County Highway Dept  
 Attn: Blaine Laaveg  
 1201 Main Ave W.  
 West Fargo, ND 58078

**INVOICE 1482**

**DATE 08/21/2018**

DATE	ACTIVITY	QTY	RATE	AMOUNT
08/20/2018	<b>Dust Control Applied</b> Dust Control Product/ Applied Calcium Chloride 38% on Horace Road	3,968	1.18	4,682.24

Glacier Dust Control charges off the gallon meter, not by the running foot. This way you know what you're paying for. We use 38% Calcium Chloride at a standard rate of .30 gallons/square yard.

**TOTAL DUE**

**\$4,682.24**

*Handwritten signature*

*Diversion Bypass*

*MS 1002  
 WR # 5812/98  
 211-4001-431-45-01  
 8-22-18 BSL*

