Item 9d.

Finance Committee Bills for September 2016

Vendor	Description		
Cass County Joint Water Resource District	Reimburse Diversion bills	$	1,177,607.02
Dorsey & Whitney LLP	Legal Services Rendered through July 31, 2016	$	82,348.34
Erik Johnson & Associates, Ltd.	General Legal Matters through August 25, 2016	$	9,813.29
Ohnstad Twichell, P.C.	Bond Counsel Work-PPP Research	$	82,900.04
Ohnstad Twichell, P.C.	4th Street Pump Station Litigation	$	38.88
Total Bills Received in August		$	1,352,707.57

CASS COUNTY
GOVERNMENT

Cass County
Joint Water
Resource
District

Mark Brodshaug
Chairman
West Fargo, North Dakota

Rodger Olson
Manager
Leonard, North Dakota

Dan Jacobson
Manager
West Fargo, North Dakota

Ken Lougheed
Manager
Gardner, North Dakota

Jacob Gust
Manager
Fargo, North Dakota

Carol Harbeke Lewis
Secretary-Treasurer

1201 Main Avenue West
West Fargo, ND 58078-1301

701-298-2381
FAX 701-298-2397
wrd@casscountynd.gov
casscountygov.com

August 29, 2016

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

Greetings:

RE: Metro Flood Diversion Project
In-Town Levees Project
Oxbow-Hickson-Bakke Ring Levee Project
Oxbow Golf and Country Club Project

Enclosed please find copies of bills totaling $1,177,607.02 regarding the above referenced projects. The breakdown is as follows:

Metro Flood Diversion	$ 32,123.58
In-Town Levees	146,827.93
Oxbow-Hickson-Bakke Ring Levee	627,215.40
Oxbow Golf and Country Club	371,440.11

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.

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

Enclosures

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

Updated 8/29/16

Invoice Paid	Invoice Date	Invoice No.	Project No.	Amount	Vendor	Description
8/25/2016	8/22/2016	144150	100007	2128.64	Ohnstad Twichell, P.C.	Legal-Right of Entry
8/25/2016	8/22/2016	144155	130007	18819.93	Ohnstad Twichell, P.C.	Legal-Diversion ROW Acquisition
8/25/2016	8/22/2016	144191	160007	1080.00	Ohnstad Twichell, P.C.	Legal-MOU regarding drains
8/25/2016	8/22/2016	144189	160007	144.00	Ohnstad Twichell, P.C.	Legal - 1099 preparation
8/25/2016	8/22/2016	144188	160007	2108.01	Ohnstad Twichell, P.C.	Legal-Inlet Right of Entry
8/25/2016	8/9/2016	695119	38810.00001	7,843.00	Larkin Hoffman Attorneys	Legal-Stefonowicz - Sauvageau property
			Total	**32,123.58**		

IN-TOWN LEVEES INVOICES

Invoice Paid	Invoice Date	Invoice No.	Project No.	Amount	Vendor	Description
8/11/2016	7/19/2016			1995.00	Samuel Smith	final rental assistance
08/25/16	05/24/16			1,216.00	Erin and Elizabeth LaVenuta	partial residential moving costs
08/25/16				51,846.35	Cass County Treasurer	2015 tax and penalty on Howard Johnson property
8/25/2016	8/22/2016	381075907	479407	91,770.58	CH2M Hill	Land acquisition Mgmt services for July (78%)
			Total	**146,827.93**		

DIVERSION PROJECT ASSESSMENT DISTRICT (DPAC) INVOICES

Invoice Paid	Invoice Date	Invoice No.	Project No.	Amount	Vendor	Description
			Total	**0.00**		

OXBOW-HICKSON-BAKKE RING LEVEE INVOICES

Invoice Paid	Invoice Date	Invoice No.	Purchase Order No.	Project No.	Amount	Vendor	Description
8/25/2016	8/22/2016	144158		140007	10,134.00	Ohnstad Twichell, P.C.	Legal-ROW
8/25/2016	5/27/2016	44923			5,005.00	Turfworks	weed control in Oxbow
08/02/16	08/01/16				170,639.47	Thte Title Company	Property purchase - Hakanson
8/2/2016	8/1/2016				350,184.95	The Title Company	replacement property - Hakanson
8/25/2016	8/19/2016				4,400.00	Joseph and Jolene Sauvageau	Construction costs
8/25/2016	8/19/2016				13.00	Jon and Joan Rustvang	recording fees reimbursement
8/25/2016	8/19/2016				4,850.00	Jon and Joan Rustvang	closing costs
8/25/2016	8/19/2016				5,768.50	A-1 Services of Fargo-Moorhead Inc	moving costs for Rustvang
8/11/2016	8/7/2016	3410			1,165.00	Valley Green and Associates	mowing services on Oxbow properties - July 28th
8/11/2016	8/7/2016	3411			350.00	Valley Green and Associates	mowing services on Kaspari property 7/19 and 7/28
8/11/2016	8/7/2016	3421			925.00	Valley Green and Associates	mowing services on Oxbow properties - July 19th
8/11/2016	8/4/2016			15 invoices	894.42	Cass County Electric Cooperative	Service to various addresses
8/25/2016	8/12/2016			3 invoices	138.41	Cass County Electric Cooperative	Service to various addresses
8/25/2016	8/22/2016	381075907		479407	25,884.01	CH2M Hill	Land acquisition Mgmt services for July (22%)
8/25/2016	8/22/2016	381075908		479407	6,700.00	CH2MHill	Construction Management
8/24/2016	6/30/2016	17190		2830-00	21,313.00	ProSource Technologies, LLC	Acquisition, relocation, file closure & constr draws-Jun
8/25/2016	7/31/2016	17258		2830-00	16,690.37	ProSource Technologies, LLC	Acquisition, relocation, file closure & constr draws-Jul
8/11/2016	8/6/2016	5388			1,001.16	Sentry Security, Inc.	Security patrol services
8/25/2016	8/20/2016	5419			1,159.11	Sentry Security, Inc.	Security patrol services
				Total	**627,215.40**		

OXBOW GOLF AND COUNTRY CLUB INVOICES

Invoice Paid	Invoice Date	Invoice No.	Project No.	Amount	Vendor	Description
8/11/2016	8/2/2016	15	1470	370,067.72	Oxbow Golf and Country Club	Landscapes Unlimited - construction of golf course
8/11/2016	8/6/2016			1,372.39	Oxbow Golf and Country Club	Architectural expenditures
			Total	**371,440.11**		
			Grand Total	**1,177,607.02**		

DORSEY
DORSEY & WHITNEY LLP

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 26, 2016
Invoice No. 3299388

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

For Legal Services Rendered Through July 31, 2016

INVOICE TOTAL

Total For Current Legal Fees	$82,213.00
Total For Current Disbursements and Service Charges	$135.34
Total For Current Invoice	**$82,348.34**

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

03053

Erik R. Johnson & Associates, Ltd.

Attorneys at Law

STATEMENT OF ACCOUNT FOR PROFESSIONAL SERVICES

City of Fargo-Auditor's Office
Attn: Kent Costin
200 North Third Street
Fargo, ND 58102

August 25, 2016
Invoice No. 2467

RE: Metro Flood Project-General Legal Matters

For Legal Services Rendered Through August 25, 2016

INVOICE TOTAL

Total for Current Legal Fees	$9,613.20
Total for Current Disbursements and Service Charges	$200.09
Total for Current Invoice	**$9,813.29**

Summary of Account

*Prior Balance Due	$
Total Amount Due	$9,813.29

*If payment has been submitted for prior balance due, please disregard.

We appreciate your business.

505 Broadway Street North • Suite 206 • Fargo, ND 58102
Phone: (701) 280-1901 • • • Fax: (701) 280-1902

OHNSTAD TWICHELL, P.C.
ATTORNEYS AT LAW

901 13TH AVENUE EAST, P.O. BOX 458
WEST FARGO, ND 58078-0458
(701) 282-3249

15-1395 JTS Invoice # 144527
Flood Diversion Board
Bond Counsel Work – PPP

16-0559 RGH Invoice #144313
Metro Flood Diversion Authority
4th Street Pump Station Litigation

To: **Flood Diversion Board**
PO Box 2806
Fargo, ND 58108-2806

DATE: September 6, 2016

AMOUNT REMITTED $_____

Please detach. Return upper portion with your payment.
Payments received after the statement date will be reflected on next month's statement. Thank you.

PROFESSIONAL SERVICES RENDERED

15-1395 JTS Invoice #144527 Flood Diversion Board Bond Counsel Work – PPP Research 1

Attorney	Hours	Rate	Fees
JTS (7 hours N/C)	136.40	$290.00	$37,526.00
CMM	6	$290.00	$1,740.00
KJB	114.50	$225.00	$25,762.50
TJL	31.60	$175.00	$5,530.00
CBC (17.40 hours N/C)	19.50	$150.00	$315.00
CAS	.40	$150.00	$60.00
AJM	87.40	$125.00	$10,925.00
Total	**395.80**		**$81,858.50**
Expenses:			
AT & T Conference Calls			$39.34
Travel Expenses			$1,002.20
Grand Total			**$82,900.04**

* Drafting of documents and work streams related to financing, P3, and joint powers agreements.

	Hourly Rate
JTS - John T. Shockley, Partner, Supervising Attorney	$290.00
CMM - Christopher M. McShane, Partner	$290.00
KJB - Katie J. Bertsch, Associate	$225.00
TJL – Tyler J. Leverington, Associate	$175.00
CBC – Calley B. Campbell, Associate	$150.00
CAS – Carol A. Stillwell, Paralegal	$150.00
AJM - Andrea J. Murphy, Paralegal	$125.00

16-0559 RGH Invoice # 144313 Metro Flood Diversion Authority 4th Street Pump Station Litigation

Travel	$38.88
Grand Total	**$38.88**