

MINUTES OF VIRTUAL / CONFERENCE CALL MEETING
RUSH RIVER WATER RESOURCE DISTRICT
ORIGINATING AT THE CASS COUNTY HIGHWAY DEPARTMENT
WEST FARGO, NORTH DAKOTA
JUNE 21, 2022

A virtual / conference call meeting of the Rush River Water Resource District was held on June 21, 2022, at 8:00 a.m.

Present were William A. Hejl, Chairman; Richard Sundberg, Manager; Jacob Gust, Manager; Carol Harbeke Lewis, Secretary-Treasurer; Nina Stone, Accountant; Melissa Maertens, Administrative Assistant; Sean M. Fredricks, Ohnstad Twichell, P.C.; Kurt Lysne, Alexa Ducioame and Brady Woodard, Moore Engineering, Inc.; Mike Opat, Houston Engineering, Inc.; Mary Scherling and Duane Breitling, Cass County Commissioners; Tom Soucy, Cass County Highway Department; Dale and Liz Larsen, Rush River Township property owners.

Approval of Agenda and Minutes

It was moved by Manager Sundberg, seconded by Manager Gust and unanimously carried to approve the order of the agenda, as amended.

Minutes

It was moved by Manager Sundberg, seconded by Manager Gust and unanimously carried to approve the minutes of the May 17, 2022, meeting.

Drain #12 – riverbank erosion in the NW 1/4 of Section 32 in Rush River Township

Dale Larsen discussed riverbank erosion along Drain #12 on his property in the NW 1/4 of Section 32 in Rush River Township. Mr. Larsen indicated the erosion is undermining a building and he wishes to repair the area. Mr. Larsen has found a contractor that can complete the project. Mr. Lysne indicated the proposed project is located within the boundaries of the federal Drain #12 project and may require a Section 408 Permit from the Corps of Engineers. He suggested the contractor prepare plans for the project and he would contact the Corps of Engineers to determine what will be required to proceed with the project.

It was moved by Manager Gust and seconded by Manager Sundberg to authorize Moore Engineering, Inc. to coordinate a meeting with Dale Larsen and the Corps of Engineers regarding the repair of riverbank erosion on Drain #12 in the NW 1/4 of Section 32 in Rush River Township. Upon roll call vote, the motion carried unanimously.

Drain No. 2 Improvement Project No. 2020-01

Brady Woodard reported the contractor has visited the Drain No. 2 Improvement Project No. 2020-01 site and understands what is needed to complete the project, including improving the roadway.

Letter from Harwood Township regarding erosion at 170th Avenue SE at the confluence of the Rush River and Sheyenne River in the SW 1/4 of Section 28

Discussion was held on a letter from Harwood Township regarding erosion at the confluence of the Rush River and Sheyenne River in the SW 1/4 of Section 28 of Harwood Township. The erosion is also on the shoulder of 170th Avenue SE and encroaching onto the roadway. Mr. Lysne noted the pipe arch culvert at this location cannot be extended and would have to be replaced with another pipe. He also pointed out that following construction of the Metro Flood Diversion Project a smaller culvert would be sufficient and less costly. The Board discussed the steep side slopes along 170th Avenue SE and how it facilitates the erosion problem. Tom Soucy indicated Cass County replaced the crossing around 1974 when the road was Cass County Highway 17. Mr. Soucy also noted the Cass County Highway Department has installed reflective yellow markers in that area to help navigate traffic. Guardrails could also be installed at the crossing, but concerns were expressed about guardrails narrowing the roadway, restricting local agricultural use, and problems with snow in the winter. Following discussion, the Board asked Mr. Soucy to research the history of the crossing construction, the possibility of installing a smaller culvert and the installation of guardrails and bring back the information to a future meeting for further discussion. Manager Sundberg indicated he will communicate with the Harwood Township Supervisors and invite them to the next meeting for discussion on the matter.

Drain #29 – Metro Flood Diversion Project tie-in

Discussion was held on the Metro Flood Diversion Project tie-in to Drain #29 in Section 2 of Harwood Township. Mr. Lysne indicated the recommended alternative is to construct the tie-in on Water Resource District property. The construction will be executed by the Public-Private Partnership (P3) developer for the Metro Flood Diversion Project and the tie-in will be turned over to the Water Resource District following construction. The P3 developer will submit final plans for the project to the Water Resource District for review.

Brief discussion was held on the anticipated P3 construction schedule for the Metro Flood Diversion Project. Mary Scherling reported the groundbreaking ceremony for construction of the Diversion Channel and Associated Infrastructure of the Metro Flood Diversion Project is currently scheduled for August 2022.

Regional Conservation Partnership Program (RCPP) – Rush River Watershed

Mr. Lysne stated meetings are being scheduled with impacted property owners regarding the RCPP – Rush River Watershed Plan design.

Utility Permits for Halstad Telephone Company to install fiber optic cable and HDPE Duct under various Rush River Water Resource District facilities

It was moved by Manager Gust and seconded by Manager Sundberg to approve the *Utility Permits* for Halstad Telephone Company to install fiber optic cables and HDPE Duct under the following facilities and locations, with input from the Water Resource District Engineer:

- Drain #2 in the SW 1/4 SW 1/4 of Section 33 in Harwood Township
- Drain #12 in the NE 1/4 SE 1/4 of Section 30 in Harwood Township
- Drain #12 in the SW 1/4 SE 1/4 of Section 30 in Harwood Township
- Drain #12 in the SE 1/4 SE 1/4 of Section 6 in Raymond Township
- Drain #29A in the NE 1/4 NE 1/4 of Section 2 in Berlin Township
- Drain #29A in the NW 1/4 NW 1/4 of Section 3 in Berlin Township
- Drain #29A in the SE 1/4 SE 1/4 of Section 32 in Gardner Township
- Drain #30 in the SE 1/4 SW 1/4 of Section 11 in Berlin Township
- Drain #30 in the SE 1/4 SE 1/4 of Section 11 in Berlin Township
- Drain #70 in the SW 1/4 NW 1/4 of Section 14 in Berlin Township
- Drain #70 in the SW 1/4 NW 1/4 of Section 16 in Berlin Township
- Drain #70 in the SW 1/4 NW 1/4 of Section 23 in Berlin Township
- Drain #72 in the SE 1/4 SW 1/4 of Section 2 in Berlin Township
- Drain #72 in the SW 1/4 SW 1/4 of Section 3 in Berlin Township
- Drain #72 in the SE 1/4 SE 1/4 of Section 3 in Berlin Township
- Drain #72 in the SW 1/4 SW 1/4 of Section 4 in Berlin Township
- Drain #72 in the SE 1/4 SE 1/4 of Section 4 in Berlin Township
- Drain #72 in the SW 1/4 SW 1/4 of Section 5 in Berlin Township
- Drain #72 in the SE 1/4 SE 1/4 of Section 5 in Berlin Township

Upon roll call vote, the motion carried unanimously.

Notification to Install Subsurface Water Management System provided by Ellingson Companies in the NW 1/4 of Section 35 in Erie Township

The Board received and filed the *Notification to Install Subsurface Water Management System* provided by Ellingson Companies in the NW 1/4 of Section 35 in Erie Township.

Cass County Joint Water Resource District report

The Board discussed inviting Dylan Brown, the Water Resource District's contact for the P3 developer for the Metro Flood Diversion Project, to the next meeting to discuss the project.

Red River Joint Water Resource District (RRJWRD) report

Manager Sundberg reported on the RRJWRD Full Board meeting held on June 8, 2022. Sean Fredricks also briefly updated the Board on legislative matters discussed at the RRJWRD meeting that impact water resource districts.

2023 budget and 2022 maintenance levy assessments

A motion was made by Manager Sundberg and seconded by Manager Gust to approve the Rush River Water Resource District 2023 budget and 2022 maintenance levy assessments. Upon roll call vote, the motion carried unanimously.

Bills

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

Adjournment

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

APPROVED:

William A. Hejl
Chairman

ATTEST:

Carol Harbeke Lewis
Secretary-Treasurer