

MINUTES OF VIRTUAL / CONFERENCE CALL MEETING
RUSH RIVER WATER RESOURCE DISTRICT
ORIGINATING AT THE CASS COUNTY HIGHWAY DEPARTMENT
WEST FARGO, NORTH DAKOTA
FEBRUARY 21, 2023

A virtual / conference call meeting of the Rush River Water Resource District was held on February 21, 2023, at 9:00 a.m.

Present were William A. Hejl, Chairman; Richard Sundberg, Manager; Jacob Gust, Manager; Carol Harbeke Lewis, Secretary-Treasurer; Nina Stone, Accountant; Melissa Hinkemeyer, Administrative Assistant; Sean M. Fredricks, Ohnstad Twichell, P.C.; Kurt Lysne and Brady Woodard, Moore Engineering, Inc.; Mike Opat, Houston Engineering, Inc.; Duane Breitling, Cass County Commissioner; Tom Soucy, Cass County Highway Department; Stan Wolf, Cass County Weed Officer; Andy Steinberger, Rich Township property owner; Steve Fought, Empire Township property owner; and David Baumler, Amenia Township property owner.

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, and the minutes of the January 17, 2023, meeting.

Erie Dam / Brewer Lake – beaver dam

Andy Steinberger discussed beaver dam issues near Erie Dam / Brewer Lake in Section 25 of Rich Township and Section 35 of Erie Township. The Board directed Moore Engineering, Inc. to determine the location of the beaver dams and if the dams impact Erie Dam / Brewer Lake. Moore Engineering, Inc. will bring more information on the matter to a future meeting.

Rush River Snagging and Clearing

Brady Woodard reported the contractor has not begun the snagging and clearing work on the Rush River yet due to poor weather conditions.

Drain #29 – request for an additional intercept culvert in Section 32 of Wisner Township

Mr. Woodard reported a property owner in the SE 1/4 of Section 32 in Wisner Township is requesting an additional intercept culvert into Drain #29 to help with drainage in that area. Manager Sundberg inquired about looking into another way to drain that area instead of adding another intercept culvert. Mr. Woodard said the property owner indicated the other culvert may be too high to drain the property, thus an intercept culvert

would be more efficient. Following discussion on the matter, the Board directed Moore Engineering, Inc. to conduct a site visit of the SE 1/4 in Section 32 of Wisner Township this spring and bring more information on the matter to a future meeting.

Complaint for Water-Related Issues from Kim Bruesch against David Baumler for drainage in the SE 1/4 NE 1/4 of Section 29 in Amenia Township

Kurt Lysne updated the Board on the *Complaint for Water-Related Issues* from Kim Bruesch against David Baumler for deepening the west ditch along 152nd Avenue SE in the SE 1/4 NE 1/4 of Section 29 in Amenia Township. Moore Engineering, Inc. contacted property owners to verify the watershed boundaries impacted by the work stated in the *Complaint*. Moore Engineering, Inc. will continue to investigate the matter and will report their findings at a future meeting.

Drain #74 – tree removal in overflow structure

Mr. Lysne indicated Moore Engineering, Inc. will inspect the Drain #74 overflow structure between Sections 20 and 21 in Amenia Township regarding possible tree removal this spring when weather allows and will prepare a cost estimate for the project if the project is recommended.

Regional Conservation Partnership Program (RCP) – Rush River Watershed

Mr. Lysne reported on the RCP – Rush River Watershed Plan. Moore Engineering, Inc. has modeled the project and is finishing the reports for the Plan. The remaining work is determining the final alignment of the levee. Chairman Hejl informed the Board that he has property impacted by the project. Sean Fredricks noted the project is sponsored by the Cass County Joint Water Resource District and the Rush River Water Resource District does not have decision-making authority on the project, thus there is no conflict with Rush River Water Resource District regarding Chairman Hejl's involvement in the project as an impacted property owner. Chairman Hejl suggested changes to the levee alignment for the project and noted he will discuss these changes with the Cass County Joint Water Resource District at their next meeting.

Weed, cattail, tree and brush control

Mr. Woodard discussed the bids received for aerial and ground spraying for weed, cattail, tree and brush control on Rush River Water Resource District facilities. Mr. Woodard indicated he has discussed the bids with the Cass County Weed Control Officer and the chemicals listed in the bids will be effective on water resource district facilities if sprayed properly. Discussion was also held on controlling spotted hemlock in Cass County. The Board tabled the matter and directed Mr. Woodard to continue working with the Cass County Weed Control Officer and bring more information to the next meeting for further discussion.

Cass County Joint Water Resource District report

Manager Gust updated the Board on the construction progress of various components of the Metro Flood Diversion Project and noted there is an article on the project in *The Forum* with more information and pictures of the construction. Earthwork, bridge and railroad work will be ongoing this year within the Rush River Water Resource District boundaries,

as well as work on the Drain #29 inlet. Mr. Lysne noted the Public Private Partnership developer is currently completing the necessary tree clearing and topsoil stripping in the project footprint. Manager Gust also reported that approximately 30% of the Flowage Easements needed have been acquired for the project to-date.

Red River Joint Water Resource District report

Mr. Fredricks reported on elections at the Red River Joint Water Resource District meeting on January 25, 2023.

Legislative updates

Mr. Fredricks briefly updated the Board on legislative items related to water resource districts.

Bills

It was moved by Manager Sundberg and seconded by Manager Gust 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