

MINUTES OF VIRTUAL / CONFERENCE CALL MEETING  
RUSH RIVER WATER RESOURCE DISTRICT  
ORIGINATING AT THE CASS COUNTY HIGHWAY DEPARTMENT  
WEST FARGO, NORTH DAKOTA  
AUGUST 15, 2023

A virtual / conference call meeting of the Rush River Water Resource District was held on August 15, 2023, 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 Hinkemeyer, Administrative Assistant; Sean M. Fredricks, Ohnstad Twichell, P.C.; Kurt Lysne, Alexa Ducioame and Brady Woodard, Moore Engineering, Inc.; Mike Opat, Houston Engineering, Inc.; Duane Breitling, Cass County Commissioner; Tom Soucy, Cass County Highway Department; Mike Steidl, Central Specialties, Inc.; and Tony Roth, City of Amenia.

**Agenda**

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

**Minutes**

It was moved by Manager Sundberg, seconded by Manager Gust and unanimously carried to approve the minutes of the July 18, 2023, meeting.

**Drain #29 – intercept culverts in the S 1/2 of Section 32 in Wisner Township**

Brady Woodard reported the contractor has installed the two 18-inch intercept culverts on Drain #29 in the S 1/2 of Section 32 in Wisner Township. The contractor will install the flap gates when they arrive, and then the project will be complete.

**Drain #29A – washouts in Sections 3 and 4 of Berlin Township**

Mr. Woodard stated there are Drain #29A berm washouts in Sections 3 and 4 of Berlin Township. The Board discussed using a geotextile fabric to help prevent washouts of the berm at the same locations. Mr. Woodard estimated a cost of \$10,000 to repair the berm washouts.

It was moved by Manager Sundberg and seconded by Manager Gust to authorize Moore Engineering, Inc. to hire a contractor to repair the Drain #29A berm washouts in Sections 3 and 4 of Berlin Township including the installation of a geotechnical fabric, not to exceed \$10,000. Upon roll call vote, the motion carried unanimously.

**Rush River – culvert washed out on the north side of Section 5 in Harmony Township**

Mr. Woodard reported a washed out intercept culvert on the Rush River on the north side of Section 5 in Harmony Township. The culvert is in good condition and the estimated cost to repair the site is \$4,000.

A motion was made by Manager Gust and seconded by Manager Sundberg to authorize Moore Engineering, Inc. to hire a contractor to reinstall the washed-out culvert and repair the site on the north side of Section 5 in Harmony Township on the Rush River. Upon roll call vote, the motion carried unanimously.

**Regional Conservation Partnership Program (RCPP) – Rush River Watershed**

Manager Gust updated the Board on the RCPP – Rush River Watershed Plan. The Cass County Joint Water Resource District continues to discuss and finetune the levee alignment with the City of Amenia and area property owners.

**Cass County Planning**

A motion was made by Manager Sundberg and seconded by Manager Gust to authorize the Secretary-Treasurer to submit comments on the following subdivision applications to Cass County Planning, with input from the Water Resource District Engineer:

- Jeremy King Subdivision
- Twin Birch Subdivision

Upon roll call vote, the motion carried unanimously.

**Cass County Joint Water Resource District report**

Manager Gust stated the Cass County Joint Water Resource District is pursuing additional weed control efforts on Water Resource District owned properties for the Diversion Channel and Associated Infrastructure of the Metro Flood Diversion Project where the P3 developer is not currently working. The Board discussed weed control in legal assessment drains. Manager Gust noted private property owners may be applying chemicals to Water Resource District facilities to help control weeds; however, some chemicals affect the grass as well which is damaging to the facility. The Board discussed potential solutions to the issue.

Manager Sundberg discussed a recent tour he was invited on of various components of the Metro Flood Diversion Project.

Mr. Woodard displayed drone photos of construction status of the Diversion Channel and Associated Infrastructure of the Metro Flood Diversion Project within the Rush River Water Resource District.

**Red River Joint Water Resource District report**

The next RRJWRD Full Board meeting will be held September 13, 2023, at 9:30 a.m.

Kurt Lysne stated it has been confirmed the Rush River and Lower Branch Rush River federal projects were deauthorized as part of the Water Resource Development Act of 2020. This means Section 408 permits from the Corps of Engineers are no longer needed for modifications to the facilities. Section 404 Permits from the Corps of Engineers may still be needed for projects.

**Drain #12 – Cass County Highway 22 crossing replacement**

Tom Soucy stated the Cass County Highway 22 crossing replacement project over Drain #12 west of Prosper in the NE 1/4 of Section 7 in Raymond Township is complete and the crossing is now open.

**Erie Dam / Brewer Lake – request from Central Specialties, Inc. to pump 250,000 gallons of water from Brewer Lake for road construction projects on Cass County Highways 5 and 32 between August 27 and September 8, 2023**

Mike Steidl discussed the request from Central Specialties, Inc. to pump 250,000 gallons of water from Brewer Lake for road construction projects on Cass County Highways 5 and 32 between August 27 and September 8, 2023. Mr. Steidl said there are few water sources available for the projects. Tom Soucy discussed the highway projects in more detail. The Secretary-Treasurer noted the North Dakota Game and Fish Department had no concerns regarding the request. Mr. Lysne said the amount of water being requested should not influence the lake level.

A motion was made by Manager Gust and seconded by Manager Sundberg to approve the request from Central Specialties, Inc. to pump 250,000 gallons of water from Brewer Lake for road construction projects on Cass County Highways 5 and 32 between August 27 and September 8, 2023. Upon roll call vote, the motion carried unanimously.

**Secretary-Treasurer position / office staffing**

Brief discussion was held on the Secretary and Treasurer positions and future office staffing needs upon retirement of the current Secretary-Treasurer towards the end of the year. A motion was made by Manager Gust and seconded by Manager Sundberg to name Melissa Hinkemeyer as Secretary and Nina Stone as Treasurer of the Rush River Water Resource District upon retirement of the current Secretary-Treasurer and to begin the process of advertising for two support staff positions. Upon roll call vote, the motion carried unanimously.

**Bills**

It was moved by Manager Sundberg and seconded by Manager Gust to approve Check #4530, 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 motion carried unanimously.

**Adjournment**

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

APPROVED:

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William A. Hejl  
Chairman

ATTEST:

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Carol Harbeke Lewis  
Secretary-Treasurer