

MINUTES OF VIRTUAL / CONFERENCE CALL MEETING  
RUSH RIVER WATER RESOURCE DISTRICT  
ORIGINATING AT THE CASS COUNTY HIGHWAY DEPARTMENT  
WEST FARGO, NORTH DAKOTA  
OCTOBER 17, 2023

A virtual / conference call meeting of the Rush River Water Resource District was held on October 17, 2023, at 8:00 a.m.

Present were 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; Jason Benson, Cass County Engineer; and Tom Soucy, Cass County Highway Department. Chairman William A. Hejl was absent.

**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 Gust, seconded by Manager Sundberg and unanimously carried to approve the minutes of the September 19, 2023, meeting.

**Rush River / Lower Rush River – future bridge replacements**

Kurt Lysne indicated there are several future bridge replacements on the Rush River and Lower Rush River that will be costly. Brief discussion was held regarding funding of the projects. The Board tabled discussion on the matter until a future meeting when Chairman Hejl is present.

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

Mr. Lysne updated the Board on the RCPP – Rush River Watershed Plan. The Cass County Joint Water Resource District has finalized the levee alignment with input from the City of Amenia and area property owners. Mr. Lysne said he attended a recent Amenia City Council meeting regarding the project. The City Council did not have any concerns about the project. Moore Engineering, Inc. is working with the Natural Resources Conservation Service (NRCS) to complete the Plan. Mr. Lysne said the next steps for the project once the Plan is approved by the NRCS are to secure funding for the project, submit a Conditional Letter of Map Revision (CLOMR) to FEMA, submit an *Application to Construct* to the North Dakota Department of Water Resources, and acquire right of way for the project. Mr. Lysne currently estimates construction of the project in 2025.

### **Cass County Planning – Lehman Subdivision**

A motion was made by Manager Gust, seconded by Manager Sundberg and unanimously carried to authorize the Secretary-Treasurer to submit comment on the Lehman Subdivision application to Cass County Planning with input from the Water Resource District Engineer.

### **Cass County Joint Water Resource District report**

Manager Gust reported the Cass County Joint Water Resource District continues to acquire property rights including Flowage Easements for the Metro Flood Diversion Project. The Board discussed the construction progress of the Metro Flood Diversion Channel and Associated Infrastructure of the Metro Flood Diversion Project.

Manager Gust briefly reported on Cass County Joint Water Resource District discussions regarding hiring of additional Water Resource District office staff as the Secretary-Treasurer is retiring at the end of this year.

### **Red River Joint Water Resource District (RRJWRD) report**

The next RRJWRD Full Board meeting will be held December 7, 2023, at 12:00 p.m. at the Bismarck Hotel and Conference Center in Bismarck.

### **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: Sundberg and Gust. Chairman Hejl was absent. The motion passed.

### **Drain #2 (Lower Rush River) – berm washout in the SE 1/4 of Section 24 in Harmony Township**

Brady Woodard stated the tenant of the SE 1/4 of Section 24 in Harmony Township reported and requested repair of a washed-out berm on Drain #2 (Lower Rush River). Mr. Woodard indicated the material to repair the berm would be imported and fabric installed to help avoid future berm washouts in this location. The estimated cost of the project is \$6,000.

It was moved by Manager Gust and seconded by Manager Sundberg to authorize Moore Engineering, Inc. to hire a contractor to repair the washed-out berm on Drain #2 (Lower Rush River) in the SE 1/4 of Section 24 in Harmony Township, not to exceed \$6,000. Upon roll call vote, the motion carried unanimously.

### **Drain #2 (Lower Rush River) - debris removal at bridge in Section 2 of Raymond Township**

Discussion was held about debris at the Drain #2 (Lower Rush River) bridge in Section 2 of Raymond Township. Mr. Woodard estimated \$5,000 to remove the debris at the bridge.

A motion was made by Manager Sundberg and seconded by Manager Gust to authorize Moore Engineering, Inc. to hire a contractor to remove the debris at the Drain #2 (Lower Rush River) bridge in Section 2 of Raymond Township, not to exceed \$5,000. Upon roll call vote, the motion carried unanimously.

The Board discussed a concern from a property owner adjacent to Drain #2 (Lower Rush River) in Section 2 of Raymond Township regarding access during construction of the Metro Flood Diversion Channel and Associated Infrastructure of the Metro Flood Diversion Project during high water events. The Board directed Moore Engineering, Inc. to discuss the matter with the Diversion Authority.

**Metro Flood Diversion Project – construction photos**

Mr. Woodard showed drone photos of the Metro Flood Diversion Project construction in Rush River Water Resource District. Mr. Woodard noted Cass County Highway 81 is paved and now open and work is ongoing on a Cass County Highway 20 bypass and a Cass County Highway 32 bypass.

**Metro Flood Diversion Project transitions**

Alexa Ducioame said the transition between the Metro Flood Diversion Project and Drain #2 (Lower Rush River) is ready for survey work. The transition between the Metro Flood Diversion Project and Drain #12 (Rush River) is ready for survey and design work.

A motion was made by Manager Gust and seconded by Manager Sundberg to authorize Moore Engineering, Inc. to conduct the following services regarding transitions between the Metro Flood Diversion Project and legal assessment drains:

- Survey for Drain #2 (Lower Rush River)
- Survey and design for Drain #12 (Rush River)

Upon roll call vote, the motion carried unanimously.

**Adjournment**

There being no further business to be considered by the Board, it was moved by Manager Gust, seconded by Manager Sundberg 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