

MINUTES OF VIRTUAL / CONFERENCE CALL SPECIAL MEETING
RUSH RIVER WATER RESOURCE DISTRICT
ORIGINATING AT THE CASS COUNTY COURTHOUSE
FARGO, NORTH DAKOTA
DECEMBER 19, 2023

A virtual / conference call special meeting of the Rush River Water Resource District was held on December 19, 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.; Alexa Ducioame and Brady Woodard, Moore Engineering, Inc.; Mike Opat, Houston Engineering, Inc.; Duane Breitling, Cass County Commissioner; and Jim Krogh, Raymond Township property owner.

Agenda

It was moved by Manager Sundberg, seconded by Manager Gust 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 November 21, 2023, meeting.

Metro Flood Diversion Project update

Brady Woodard showed drone photos and updated the Board on the construction of the Metro Flood Diversion Project in Rush River Water Resource District. Mr. Woodard noted Drain #29 has been connected to the Diversion Channel of the Metro Flood Diversion Project. Discussion was held on dewatering of the Diversion Channel and Associated Infrastructure during the 2024 spring melt. Mr. Woodard said the P3 developer has indicated they will not impede the flow of water through the project during spring melt. Moore Engineering, Inc. will remain in contact with the P3 developer during project construction.

Jim Krogh discussed concerns regarding the spring melt and road closures related to the Metro Flood Diversion Project construction. Property owners with concerns or questions regarding the design and construction of the Metro Flood Diversion Project can contact Tom Fuchs at the Metro Flood Diversion Authority.

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 design work. The transition between the Metro Flood

Diversion Project and Drains #12 (Rush River) and #30 are ready to proceed with acquisition of right of way.

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:

- Design work for Drain #2 (Lower Rush River)
- Right of way acquisition for Drain #12 (Rush River)
- Right of way acquisition for Drain #30

Upon roll call vote, the motion carried unanimously.

Ms. Ducioame stated the Section 404 Permit application is ready to submit to the Corps of Engineers for the transition between the Metro Flood Diversion Project and Drain #30. A motion was made by Manager Gust and seconded by Manager Sundberg to authorize Melissa Hinkemeyer to sign and return the Section 404 Permit application to the Corps of Engineers regarding the transition between the Metro Flood Diversion Project and Drain #30. Upon roll call vote, the motion carried unanimously.

Manager Sundberg left the meeting at this time.

Rush River / Lower Rush River – future bridge replacements

Sean Fredricks updated the Board on changes to financing of future legal assessment drain projects. The Board discussed funding of several future costly bridge replacements on the Rush River and Lower Rush River and future projects to flatten side slopes on the Rush River to help alleviate spring melt issues related to snow in the facility.

A motion was made by Manager Gust and seconded by Chairman Hejl to authorize Moore Engineering, Inc. to update the Rush River and Lower Rush River Master Plans, with assistance from the Water Resource District Attorney. Upon roll call vote, the following Managers voted in favor: Hejl, Gust. Manager Sundberg was absent. The motion passed.

Regional Conservation Partnership Program (RCPP) – Rush River Watershed

Manager Gust briefly updated the Board on the RCPP – Rush River Watershed Plan. Moore Engineering, Inc. continues to work with the Natural Resources Conservation Service (NRCS) to complete the Plan.

Manager Sundberg returned to the meeting at this time.

Cass County Joint Water Resource District report

Manager Gust reported the Cass County Joint Water Resource District formed a Human Resources Committee to handle office staffing and human resources matters. Chairman Hejl is a member of the Committee.

Red River Joint Water Resource District (RRJWRD) report

Manager Sundberg and Mr. Fredricks reported on the RRJWRD meeting at the 60th Annual Joint North Dakota Water Convention at the Bismarck Hotel and Conference Center in Bismarck.

Year-end issues

A motion was made by Manager Gust and seconded by Manager Sundberg to:

- Authorize the Secretary-Treasurer to make any minor year-end transfers to balance the Rush River Water Resource District 2023 budget;
- Authorize the Secretary-Treasurer to make transfers to and from obligated funds, if necessary; and
- Authorize the Secretary-Treasurer to amend the Rush River Water Resource District 2023 budget.

Upon roll call vote, the motion carried unanimously.

Set regular meeting dates for 2024

The Board discussed its regular meeting dates for the year 2024. It was moved by Manager Sundberg and seconded by Manager Gust to adopt the following Resolution. Upon roll call vote, the motion carried unanimously.

RESOLUTION

BE IT RESOLVED, that the Rush River Water Resource District does hereby set the third Tuesday of January and February at 9:00 a.m. at the Cass County Courthouse, 211 9th Street South, Fargo, North Dakota, March 19th at 9:00 a.m., the third Tuesday of April through October at 8:00 a.m., and the third Tuesday of November and December at 9:00 a.m. at the Cass County Highway Department, 1201 Main Avenue West, West Fargo, North Dakota, as its regular meeting dates, times and places for the year 2024.

BE IT FURTHER RESOLVED, that the Secretary be and she hereby is directed to forward a copy of said schedule of meetings to the Cass County Auditor and to post said schedule at the Water Resource District's principal office and the location of the scheduled meetings, all in accordance with the provisions of Section 44-04-20 as amended.

APPROVED:

William A. Hejl
Chairman

ATTEST:

Melissa Hinkemeyer
Secretary

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 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:

William A. Hejl
Chairman

ATTEST:

Melissa Hinkemeyer
Secretary