

MINUTES OF VIRTUAL / CONFERENCE CALL MEETING
RUSH RIVER WATER RESOURCE DISTRICT
ORIGINATING AT THE CASS COUNTY COURTHOUSE
211 9TH STREET S, FARGO, NORTH DAKOTA
FEBRUARY 20, 2024
9:00 A.M.

A virtual / conference call meeting of the Rush River Water Resource District was held on February 20, 2024, at 9:00 a.m.

Present were William A. Hejl, Chairman; Richard Sundberg, Manager; Jacob Gust, Manager; Melissa Hinkemeyer, Secretary-Treasurer; Leilei Bao, Accountant; Carolyn Fiechtner, Administrative Assistant; Sean M. Fredricks, Ohnstad Twichell, P.C.; Kurt Lysne and Brady Woodard, Moore Engineering, Inc.; Mike Opat, Houston Engineering, Inc.; and Kyle Litchy, Cass County Highway Department.

Approval of Agenda

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

Minutes

It was moved by Manager Gust, seconded by Manager Sundberg, and unanimously carried to approve the minutes of the January 16, 2024, meeting.

Metro Flood Diversion Project Update – spring melt – Krogh access

The Secretary updated the Board on access to the Krogh property during the spring melt regarding the Metro Flood Diversion Project, stating that Dylan Brown with ASN Constructors commented the road across the Metro Flood Diversion Channel will remain open during the 2024 spring melt and ASN Constructors is working on a 2025 access plan for the Krogh property. Brady Woodard made additional remarks that he also spoke with Mr. Brown, and they continue to look for options for egress/ingress to the property during construction. The Metro Flood Diversion Authority is also aware of the concerns.

Metro Flood Diversion Project Update – Cass County Highway 22 crossing – berms

Manager Sundberg commented on berms at the crossing of the Metro Flood Diversion Project and Cass County Highway 22 crossing, stating that he spoke with Dylan Foss, nearby property owner, and Mr. Foss had no present concerns regarding the matter. The Secretary noted the berms were installed by ASN Constructors after discussions with adjacent property owners to keep the Lower Rush River from spilling into Cass County Highway 22 ditches. There are culverts installed, with flap gates, that will allow water from Cass County Highway 22 into the Lower Rush River.

Rush River – flattening side slopes

Kurt Lysne reported Moore Engineering, Inc. is preparing a cost estimate to flatten side slopes on the Rush River upstream of the Metro Flood Diversion Channel to help alleviate spring melt issues related to snow in the facility.

Regional Conservation Partnership Program – Rush River Watershed

Mr. Lysne reported that Moore Engineering, Inc. is coordinating with Burlington Northern Santa Fe Railway Company regarding the RCPP – Rush River Watershed Plan. Once updated, the Plan will be resubmitted to NRCS. Mr. Lysne noted he will continue to update the Amenia City Council on the project.

Cass County Joint Water Resource District (CCJWRD) report

Manager Gust gave an update regarding the CCJWRD. Manager Gust noted discussions continue regarding the Metro Flood Diversion Project and indicated bridge work will need to be completed before water can be passed under the bridges through the Diversion Channel. Acquisition of flowage easements for the project is approximately 53% complete.

Red River Joint Water Resource District (RRJWRD) report

Manager Sundberg stated the next RRJWRD Full Board meeting is scheduled for April 10, 2024.

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 motion carried unanimously.

Cass County Weed Control Work Order

It was moved by Manager Gust and seconded by Manager Sundberg to approve and authorize Chairman Hejl to sign the Cass County Weed Control *Work Order* for spraying services regarding weed, cattail, tree and brush control for Rush River Water Resource District facilities. Upon roll call vote, the motion carried unanimously.

North Dakota Department of Water Resources (NDDWR) 2025-2027 Water Development Plan

Mr. Lysne briefly discussed a letter from the NDDWR regarding the identification of potential water development projects, the timing of their implementation and estimated costs for inclusion in the 2025-2027 Water Development Plan. A list of potential Rush River Water Resource District projects to submit to the NDDWR for the 2025-2027 Water Development Plan will be brought to a future meeting for consideration.

North Dakota Red Tape Reduction initiative

The Secretary reported that the State sent a notice solicitating input to reduce red tape regulation in North Dakota. The Red Tape Reduction initiative aims to eliminate unnecessary and outdated regulation, rules, policies, and procedures to make

government more efficient and effective. The Secretary stated through the Cass County Joint Water Resource District comments were submitted to the State regarding the Red Tape Reduction initiative, with the assistance of the Water District Attorney and Engineer.

Financing of future legal assessment drain projects

Sean Fredricks updated the Board on a North Dakota Supreme Court case that impacts financing of future legal assessment drain projects. The Board tabled the item until the November Rush River Water Resource District meeting.

Adjournment

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

APPROVED:

William A. Hejl
Chairman

ATTEST:

Melissa Hinkemeyer
Secretary-Treasurer