

MINUTES OF VIRTUAL / CONFERENCE CALL MEETING  
NORTH CASS WATER RESOURCE DISTRICT  
ORIGINATING AT THE CASS COUNTY HIGHWAY DEPARTMENT  
HERITAGE CONFERENCE ROOM  
WEST FARGO, NORTH DAKOTA  
APRIL 23, 2024  
8:00 A.M.

A virtual / conference call meeting of the North Cass Water Resource District was held on April 23, 2024, at 8:00 a.m.

Present were Ken Lougheed, Chairman; Robert Thompson, Manager; Jay Colwell, Manager; Melissa Hinkemeyer, Secretary-Treasurer; Leilei Bao, Accountant; Carolyn Fiechtner, Administrative Assistant; Sean M. Fredricks, Ohnstad Twichell, P.C.; Kurt Lysne, and Alexa Ducioame, Moore Engineering, Inc.

**Approval of Agenda and Minutes**

It was moved by Manager Thompson, seconded by Manager Colwell and unanimously carried to approve the order of the agenda and the minutes of the March 26, 2024, meeting as presented.

**Drain #23 – right of way**

Discussion was held on acquisition of right of way along Drain #23. Sean Fredricks stated fee title acquisition of right of way along Drain #23 would likely cause violation of mortgages for property owners. So, as not to cause risk to the property owners, it was decided to draft easements for acquisition of right of way along Drain #23.

Following discussion, Manager Colwell moved to approve and authorize the Chairman to sign Permanent Easements with property owners along Drain #23 regarding right of way for Drain #23. Manager Thompson seconded the motion. Upon roll call vote, the motion carried unanimously.

**Drain #23 – damaged culverts in the NE 1/4 of Section 8 in Gardner Township**

Chairman Lougheed requested an update on the two damaged culverts in the NE 1/4 of Section 8 in Gardner Township regarding Drain #23. Kurt Lysne stated culvert sizing has been completed and Moore Engineering, Inc. recommends replacing the two 30" damaged culverts with one 36" culvert. The cost estimate for the recommended project is \$9,000.

Following discussion, Manager Colwell moved to authorize Moore Engineering, Inc. to hire a contractor to replace the two damaged 30" culverts on Drain #23 in the NE 1/4 of Section 8 in Gardner Township with one 36" culvert. Manager Thompson seconded the motion. Upon roll call vote, the motion carried unanimously.

### **Costello Drain**

The Secretary presented a letter distributed by Mr. Steven R. Hanson requesting input from landowners and tenants regarding Costello Drain. Mr. Hanson is seeking input regarding whether there is interest in pursuing Costello Drain becoming a legal assessment drain. Interested property owners are encouraged to contact the Water Resource District to request the Board begin the process to convert Costello Drain into a legal assessment drain.

### **Utility Permit for Arvig Enterprises, Inc. to install fiber optic cables under Drains #32, #42 and Red River Tributaries in Sections 2, 14, 23, 25, 35 and 36 of Noble Township**

Mr. Lysne recommended the *Utility Permit* for Arvig Enterprises, Inc. to install fiber optic cables at Drains #32, #42 and Red River Tributaries in Sections 2, 14, 23, 25, 35 and 36 of Noble Township be approved contingent on the special conditions being met.

Chairman Loughheed moved, and Manager Colwell seconded to approve the *Utility Permit* for Arvig Enterprises, Inc. to install fiber optic cables under Drains #32, #42 and Red River Tributaries in Sections 2, 14, 23, 25, 35 and 36 of Noble Township with special conditions from the Water Resource District Engineer. Upon roll call vote, the motion carried unanimously.

### **Weed, cattail, tree and brush control**

It was moved by Manager Thompson and seconded by Manager Colwell to approve and authorize the Chairman to sign the *Agreement* with Dakota Helicopter, Inc. to provide aerial and ground spraying services for weed, cattail, tree, and brush control on North Cass Water Resource District facilities for 2024. The Secretary and Moore Engineering, Inc. will follow up with Dakota Helicopter and request to shorten the boom width and to shut the boom off near crossings. Upon roll call vote, the motion carried unanimously.

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

Discussion was held on the draft list of projects for the NDDWR 2025-2027 Water Development Plan.

Following discussion, it was moved by Manager Thompson and seconded by Manager Colwell to authorize Moore Engineering, Inc. to submit the list of projects for the NDDWR 2025-2027 Water Development Plan, as discussed. Upon roll call vote, the motion carried unanimously.

### **Letter of engagement to the Office of the State Auditor for 2023 audit services**

A motion was made by Manager Colwell and seconded by Manager Thompson to approve the Letter of Engagement to the Office of the State Auditor for 2023 audit services for North Cass Water Resource District. Upon roll call vote, the motion carried unanimously.

**Bills**

It was moved by Manager Colwell and seconded by Manager Thompson to approve the payment of the wire transfers and electronic funds transfers, as presented. Upon roll call vote, the motion carried unanimously.

**2024 facility inspections**

It was moved by Manager Colwell and seconded by Manager Thompson to authorize Moore Engineering, Inc. to conduct the 2024 inspection of North Cass Water Resource District facilities. Upon roll call vote, the motion carried unanimously.

**Adjournment**

There being no further business to be considered by the Board, Manager Colwell motioned, and Manager Thompson seconded to adjourn the meeting. The motion carried unanimously.

APPROVED:

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Ken Lougheed  
Chairman

ATTEST:

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Melissa Hinkemeyer  
Secretary-Treasurer