

MINUTES OF VIRTUAL / CONFERENCE CALL SPECIAL MEETING
RUSH RIVER WATER RESOURCE DISTRICT
ORIGINATING AT THE CASS COUNTY HIGHWAY DEPARTMENT
HERITAGE CONFERENCE ROOM
WEST FARGO, NORTH DAKOTA
MAY 21, 2024
9:00 A.M.

A virtual / conference call special meeting of the Rush River Water Resource District was held on May 21, 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, Alexa Ducioame, Lyndon Pease, and Brady Woodard, Moore Engineering; Inc.; Mike Opat, Houston Engineering, Inc.; Duane Breitling, Cass County Commissioner; Kyle Litchy, Cass County Highway Department; Kris Bakkegard and Tom Fuchs, Metro Flood Diversion Authority; Jim Krogh and Dane Larsen, Raymond Township property owners; and Randy Olson, property owner.

Approval of agenda

It was moved by Manager Gust and seconded by Chairman Hejl to approve the order of the agenda, as presented. Upon roll call vote, the motion carried unanimously.

Minutes

It was moved by Manager Gust, seconded by Chairman Hejl to approve the minutes of the April 16, 2024, meeting, as presented. Upon roll call vote, the motion carried unanimously.

Metro Flood Diversion Project

Kris Bakkegaard and Tom Fuchs updated the Board on the status of construction of the Diversion Channel and Associated Infrastructure of the Metro Flood Diversion Project. Mr. Bakkegaard said he anticipates work to commence on the Rush River inlet to the Diversion Channel once a Section 404 permit has been received from the Corps of Engineers and the Burlington Northern Santa Fe Railway Company crossing east of Interstate 29 is complete. The Rush River will not be connected to the Diversion Channel until the downstream portions of the Diversion Channel are complete. Mr. Bakkegard indicated the estimated connection of the Rush River to the Diversion Channel to be late 2025.

Discussion was held on exterior drainage during construction of the Diversion Channel and Associated Infrastructure of the Metro Flood Diversion Project.

Metro Flood Diversion Project – Drain #30, Rush River, and Lower Rush River (Drain #2) transitions

Discussion was held on the location of the transition from the Lower Rush River (Drain #2) to the Diversion Channel. The Board tabled the matter until the next meeting to allow time for the Diversion Authority to determine if there is budget available to construct a new low water crossing on 105th Street N, then the transition from the Lower Rush River (Drain #2) to the Diversion Channel would begin west of the temporary right of way for the Diversion Channel, on the west side of 105th Street N.

Mr. Lysne noted the transition from Drain #30 to the Diversion Channel will be constructed this year.

Discussion was held on the design of the transition from the Rush River to the Diversion Channel. The transition will begin at 167th Avenue SE to mitigate erosion and end at the Diversion Channel. Discussion was held on potentially replacing the Rush River low water crossing that is in poor condition at 167th Avenue SE with erosion protection on the west side of 167th Avenue SE. The Board directed Moore Engineering, Inc. to discuss replacing the low water crossing of the Rush River at 167th Avenue SE with erosion protection on the west side of 167th Avenue SE with Berlin Township officials, including a recommendation of signage improvements on 167th Avenue SE at the crossing.

Rush River / Lower Rush River – future bridge replacements / flattening of side slopes

Alexa Ducioame reported on flattening side slopes and future bridge replacements on the Rush River and Lower Rush River. Ms. Ducioame stated the models show there are no downstream impacts associated with flattening side slopes in conjunction with the 2025 bridge replacement in Sections 32 and 39 in Rush River Township. The Board directed Moore Engineering, Inc. to model flattening of side slopes of the Rush River channel to determine if there are impacts associated with the comprehensive project. Mr. Lysne indicated Moore Engineering, Inc. will model the comprehensive side slope flattening project and will prepare a cost estimate for the side slope flattening project in Sections 32 and 39 in Rush River Township on the Rush River. The information will be brought to a future meeting for continued discussion.

Kyle Litchy reported the Rush River bridge replacement project west of Amenia, North Dakota, in Sections 22 and 27 of Amenia Township was bid recently and the bid was approximately \$1,800,000. The engineer's estimate for the project was approximately \$1,300,000. Mr. Litchy indicated Cass County is proceeding with the project and the project has significant federal cost-share, reducing Cass County and the Water Resource District's share of the project.

Mr. Litchy briefly reported on 2026 planned crossing replacements on the Rush River in Sections 29 and 30 of Harwood Township.

Lower Rush River (Drain #2) – Harmony Solar Project

Discussion was held on the Harmony Solar Project regarding the Lower Rush River (Drain

#2). Mr. Lysne stated he communicated with the project representative that any work or equipment installation for the project within the Lower Rush River (Drain #2) easement area requires a Utility Permit from the Water Resource District prior to the work commencing.

Notification to Install a Subsurface Water Management System from Aim Ag Drainage in Section 20 of Amenia Township

Manager Gust moved and Manager Sundberg seconded to direct the Secretary to inquire with Aim Ag Drainage if the subsurface water management system in Section 20 of Amenia Township will discharge into Drain #74, and if so, the Board directed Moore Engineering, Inc. to include property in Section 20 of Amenia Township in the Drain #74 assessment district. Upon roll call vote, the motion carried unanimously.

Cass County Joint Water Resource District (CCJWRD) report

Manager Gust stated he and Rodger Olson, Chairman of the Cass County Joint Water Resource District, toured the Diversion Inlet of the Metro Flood Diversion Project and the Corps of Engineers noted coated rebar is being used on all structures constructed by the Corps for the Metro Flood Diversion Project.

Red River Joint Water Resource District (RRJWRD) report

Manager Sundberg reported the next RRJWRD Full Board meeting is scheduled for June 12, 2024, in Cavalier, North Dakota.

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

It was moved by Manager Sundberg and seconded by Manager Gust to approve the Letter of Engagement to the Office of the State Auditor for 2023 audit services for the Rush River Water Resource District. Upon roll call vote, the motion carried unanimously.

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 Sundberg, seconded by Manager Gust, and unanimously carried to adjourn the meeting.

APPROVED:

William A. Hejl
Chairman

ATTEST:

Melissa Hinkemeyer
Secretary-Treasurer