

MINUTES OF VIRTUAL / CONFERENCE CALL MEETING
MAPLE RIVER WATER RESOURCE DISTRICT
ORIGINATING AT THE CASS COUNTY HIGHWAY DEPARTMENT
WEST FARGO, NORTH DAKOTA
JANUARY 5, 2023

A virtual / conference call meeting of the Maple River Water Resource District was held on January 5, 2023, at 9:00 a.m.

Present were Rodger Olson, Chairman; Gerald Melvin, Manager; Chad Miller, Manager; Carol Harbeke Lewis, Secretary-Treasurer; Nina Stone, Accountant; Melissa Hinkemeyer, Administrative Assistant; Sean 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; and Tom Soucy, Cass County Highway Department.

Agenda

It was moved by Manager Melvin, seconded by Manager Miller and unanimously carried to approve the order of the agenda, as presented.

Minutes

It was moved by Manager Melvin and seconded by Manager Miller to approve the minutes of the December 1, 2022, meeting. Upon roll call vote, the motion carried unanimously.

Reorganization of the Board for 2023

It was moved by Manager Melvin, seconded by Manager Miller and unanimously carried to appoint the following individuals to serve in the designated capacities for calendar year 2023:

Rodger Olson	Chairman
Gerald Melvin	Vice Chairman
Carol Harbeke Lewis	Secretary-Treasurer
Rodger Olson	Cass County Joint Water Resource District Representative
Gerald Melvin	Cass County Joint Water Resource District Alternate Representative 1

Chad Miller	Cass County Joint Water Resource District Alternate Representative 2
Rodger Olson	Red River Joint Water Resource District Representative
Gerald Melvin	Red River Joint Water Resource District Alternate Representative.

Designate depositories of Maple River Water Resource District public funds

It was moved by Manager Miller and seconded by Manager Melvin to designate the following as depositories of Maple River Water Resource District public funds:

- Alerus Financial
- Bell Bank
- Bank North (Casselton)

Upon roll call vote, the motion carried unanimously.

Approve the Pledge of Assets

It was moved by Manager Miller and seconded by Manager Melvin to approve the following *Pledge of Assets*:

- Alerus Financial (as per agreement of March 7, 1996)

Upon roll call vote, the motion carried unanimously.

Review of agreement for legal services

It was moved by Manager Melvin and seconded by Manager Miller to reaffirm the agreement with Ohnstad Twichell, P.C. for legal services and approve the 2023 billing rates presented for Maple River Water Resource District. Upon roll call vote, the motion carried unanimously.

Review of agreements for engineering services

A motion was made by Manager Melvin and seconded by Manager Miller to reaffirm the agreements with the following firms for engineering services and approve the 2023 billing rates as presented for Maple River Water Resource District:

- Moore Engineering, Inc.
- Houston Engineering, Inc.

Upon roll call vote, the motion carried unanimously.

Wheatland Channel - Grand Farm crossings in the NE 1/4 of Section 8 in Everest Township

Kurt Lysne reported Moore Engineering, Inc. is conducting the hydraulic study relating to the of crossings on the Wheatland Channel requested by Grand Farm in the NE 1/4 of Section 8 in Everest Township. Mr. Lysne said the modeling shows there are impacts to structures related to Grand Farm’s proposed road design. Moore Engineering, Inc. is meeting with the Grand Farm design team to provide recommendations on a road design that will not impact structures to the south of Grand Farm’s property. Additional analysis may be needed based on Grand Farm’s designs and requests.

The Board briefly discussed the potential reassessment of the Wheatland Channel Assessment District.

Upper Swan Creek Channel Improvement Project No. 2020-01

Brief discussion was held on right of way regarding Upper Swan Creek Channel Improvement Project No. 2020-01. The Board directed Moore Engineering, Inc. to continue negotiations for the right of way needed.

Drain #37 Improvement Project

Mr. Lysne reported on the Drain #37 Improvement Project. A cost-share request for final design and construction has been submitted to the North Dakota Department of Water Resources (NDDWR) and will be considered at the February 9, 2023, State Water Commission meeting.

2022 facility inspections – Drain #39 slide in Section 24 of Maple River Township

Mr. Lysne reviewed the preliminary plans and cost estimate to repair the slide on Drain #39 in Section 24 of Maple River Township. The Board directed the Secretary-Treasurer to invite Maple River Township officials to a future meeting to discuss the proposed project.

Lynchburg-Buffalo Project No. 2016-01

Mr. Fredricks reported negotiations continue with the Ruth E. Buchholtz Testamentary Trust on the value of right of way regarding the project.

Mr. Lysne discussed various options to proceed with Lynchburg-Buffalo Project No. 2016-01 and indicated he will bring more information on project options to a future meeting for further discussion.

Cornell Township Drainage Improvement District No. 80

The Board briefly discussed Cornell Township Drainage Improvement District No. 80 and inquired if the petitioners are still interested in pursuing the project. Manager Miller will follow up with the petitioners regarding the matter.

Davenport Flood Risk Reduction Project

Alexa Ducioame updated the Board on the Davenport Flood Risk Reduction Project. Moore Engineering, Inc. is working with the Cass County Highway Department regarding coordination of the Cass County Highway 16 road raise west of Davenport. Moore Engineering, Inc. plans to submit a Conditional Letter of Map Revision to FEMA and a Section 404 Permit application to the Corps of Engineers soon. Mr. Lysne said the cost estimate for the project will be updated once FEMA approval is received. The updated cost estimate will be used to determine if updated cost-share requests will need to be submitted to the NDDWR and the Cass County Flood Sales Tax Committee for the project.

Regional Conservation Partnership Program – Upper Maple River Watershed

Mr. Lysne reported the updated RCPP – Upper Maple River Watershed Plan will be submitted to the Natural Resources Conservation Service and the National Watershed Management Center. Cost-share requests have been approved by the NDDWR, Red River Joint Water Resource District and Cass County Flood Sales Tax Committee regarding the increased costs to modify the Plan.

Upper Maple River Dam – maintenance

Mr. Lysne reported the contractor has completed the maintenance work at the Upper Maple River Dam, including the removal of fallen trees in the shelterbelt on Water Resource District owned property in Section 35 of Carpenter Township. Brady Woodard said he has contacted the Steele County Soil Conservation District for a quote to replant the shelterbelt and will bring more information on the matter to a future meeting for further discussion.

Utility Permits for MLGC, LLC to install fiber optic cable under Drain #37 at the following locations

Mr. Lysne discussed *Utility Permits* for MLGC, LLC to install fiber optic cable under Drain #37 and stated the locations of some of the *Utility Permits* are within areas that will be reconstructed as part of the Drain #37 Improvement Project. Mr. Lysne said if the utilities are installed properly, there should be no conflict with the utilities regarding Drain #37 Improvement Project.

It was moved by manager Melvin and seconded by Manager Miller to approve *Utility Permits* for MLGC, LLC to install fiber optic cable under Drain #37 at the following locations, with input from the Water Resource District Engineer:

- Section 16 in Davenport Township
- Section 16 in Davenport Township, north of Cass County Highway 36
- Section 21 in Davenport Township, north of 52nd Street SE
- Section 28 in Davenport Township, north of 53rd Street SE
- Section 4 in Davenport Township, north of 49th Street SE

Upon roll call vote, the motion carried unanimously.

Bills

It was moved by Manager Melvin and seconded by Manager Miller to approve payment of the wire transfers and electronic funds transfers, as presented. Upon roll call vote, the following Managers voted in favor: Olson, Melvin and Miller. The Chairman declared the motion passed.

Legislative updates

Mr. Fredricks reported on legislative matters that impact water resource districts.

Resolution – appreciation for staff and consultants

Manager Melvin moved to pass a Resolution of appreciation for services and support provided by all staff and consultants for the Maple River Water Resource District as they move forward to successfully manage water. Manager Miller seconded the motion. The motion carried unanimously.

Adjournment

There being no further business for the Board to consider, it was moved by Manager Melvin, seconded by Manager Miller and unanimously carried to adjourn the meeting.

APPROVED:

Rodger Olson
Chairman

ATTEST:

Carol Harbeke Lewis
Secretary-Treasurer