

MINUTES OF VIRTUAL / CONFERENCE CALL MEETING  
RUSH RIVER WATER RESOURCE DISTRICT  
ORIGINATING AT THE CASS COUNTY HIGHWAY DEPARTMENT  
WEST FARGO, NORTH DAKOTA  
MARCH 21, 2023

A virtual / conference call meeting of the Rush River Water Resource District was held on March 21, 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.; Kurt Lysne, Alexa Ducioame and Brady Woodard, Moore Engineering, Inc.; Mike Opat, Houston Engineering, Inc.; Duane Breitling, Cass County Commissioner; Tom Soucy, Cass County Highway Department; John Hejl, Kim Bruesch and David Baumler, Amenia Township property owners.

**Agenda and Minutes**

It was moved by Manager Sundberg, seconded by Chairman Hejl and unanimously carried to approve the order of the agenda, as presented.

**Minutes**

It was moved by Manager Sundberg, seconded by Chairman Hejl and unanimously carried to approve the minutes of the February 21, 2023, meeting.

Manager Gust joined the meeting at this time.

**Drain #29 – intercept culverts in the S 1/2 of Section 32 in Wiser Township**

Brady Woodard reported the owner of the S 1/2 of Section 32 in Wiser Township is requesting an additional intercept culvert into Drain #29 in the SE 1/4 of Section 32 in Wiser Township to help with drainage in that area. Mr. Woodard said the property owner also requested lowering the existing intercept culvert in the SW 1/4 of Section 32 in Wiser Township. The Board inquired about the condition of the existing intercept culvert.

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

- Approve the purchase and installation of an intercept culvert into Drain #29 in the SE 1/4 of Section 32 in Wiser Township.
- Authorize Moore Engineering, Inc. to inspect and determine the condition of the intercept culvert into Drain #29 in the SW 1/4 of Section 32 in Wiser Township and procure an estimate for the purchase and installation of a new culvert, if needed.

Upon roll call vote, the motion carried unanimously.

**Complaint for Water-Related Issues from Kim Bruesch against David Baumler for drainage in the SE 1/4 NE 1/4 of Section 29 in Amenia Township**

Kurt Lysne updated the Board on the *Complaint for Water-Related Issues* from Kim Bruesch against David Baumler for deepening the west ditch along 152nd Avenue SE in the SE 1/4 NE 1/4 of Section 29 in Amenia Township. Moore Engineering, Inc. preliminarily delineated the watershed boundaries impacted by the work stated in the *Complaint*. Discussion was held on the delineated watershed boundaries. Mr. Lysne pointed out that a state drainage permit is needed if the drainage area is over 80 acres, Moore Engineering, Inc. will continue to investigate the matter and will report their findings at a future meeting.

**Regional Conservation Partnership Program (RCPP) – Rush River Watershed**

Mr. Lysne reported on the RCPP – Rush River Watershed Plan. The remaining work is to determine the final alignment of the levee. Cass County Joint Water Resource District is considering contracting with an independent land agent to provide perspective on the alignment of the levee. Mr. Lysne also noted the Cass County Flood Sales Tax Committee will consider a cost-share request for final design of the project at their meeting on April 3, 2023.

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

Discussion was held on the bid received for spraying spotted hemlock and the bids received for aerial and ground spraying for weed, cattail, tree and brush control on Rush River Water Resource District facilities.

A motion was made by Manager Gust and seconded by Manager Sundberg to approve and authorize the Chairman to sign the *Agreement* with Larson Helicopters, LLC to provide aerial and ground spraying services for weed, cattail, tree and brush control on Rush River Water Resource District facilities for 2023. Upon roll call vote, the motion carried unanimously.

The Board will act on spraying spotted hemlock if it is located in the district and when Mr. Woodard has more information available regarding the cost to do so.

**Cass County Joint Water Resource District report**

Manager Gust updated the Board on the construction progress of various components of the Metro Flood Diversion Project and noted the Cass County Joint Water Resource District continues to acquire Flowage Easements for the project.

**Red River Joint Water Resource District report**

The next Full Board meeting of the Red River Joint Water Resource District is April 12, 2023.

**Letter of engagement to the Office of the State Auditor for 2022 audit services**

A motion was made by Manager Gust and seconded by Manager Sundberg to approve the letter of engagement to the Office of the State Auditor for 2022 audit services for Rush River Water Resource District. Upon roll call vote, the motion carried unanimously.

**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 Chairman declared the motion passed.

**Weed, cattail, tree and brush control (continued)**

It was moved by Manager Gust and seconded by Manager Sundberg to approve the Cass County Weed Control Work Order regarding weed, cattail, tree and brush control on Rush River Water Resource District facilities for 2023. Upon roll call vote, the motion carried unanimously.

**Drain #12 – Cass County Highway 22 crossing replacement**

Tom Soucy reported the Cass County Highway Department recently bid the Cass County Highway 22 crossing replacement project over Drain #12 west of Prosper in the NE 1/4 of Section 7 in Raymond Township. The project is scheduled to be completed mid-summer.

**Adjournment**

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

APPROVED:

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William A. Hejl  
Chairman

ATTEST:

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Carol Harbeke Lewis  
Secretary-Treasurer