

MINUTES OF VIRTUAL / CONFERENCE CALL MEETING
RUSH RIVER WATER RESOURCE DISTRICT
ORIGINATING AT THE CASS COUNTY COURTHOUSE
211 9TH STREET S, FARGO, NORTH DAKOTA
JANUARY 16, 2024
9:00 A.M.

A virtual / conference call meeting of the Rush River Water Resource District was held on January 16, 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.; Duane Breitling, Cass County Commissioner; Kurt Lysne, Alexa Ducioame, and Brady Woodard, Moore Engineering, Inc.; and Mike Opat, Houston Engineering, Inc.

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 December 19, 2023, meeting.

Reorganization of the Board for 2024

It was moved by Manager Gust and seconded by Manager Sundberg to appoint the following individuals to serve in the designated capacities for calendar year 2024:

William A. Hejl	Chairman
Richard Sundberg	Vice-Chairman
Melissa Hinkemeyer	Secretary-Treasurer
Jacob Gust	Cass County Joint Water Resource District Representative
Richard Sundberg	Cass County Joint Water Resource District Alternate Representative 1
William A. Hejl	Cass County Joint Water Resource District Alternate Representative 2
Richard Sundberg	Red River Joint Water Resource District

Representative

William A. Hejl

Red River Joint Water Resource District
Alternate Representative

Upon roll call vote, the motion carried unanimously.

Designate depositories of Rush River Water Resource District public funds

It was moved by Manager Sundberg and seconded by Manager Gust to designate the following as depositories of Rush River Water Resource District public funds:

- Alerus Financial
- Bell Bank
- BankNorth (Casselton)

Upon roll call vote, the motion carried unanimously.

Approve the Pledge of Assets

It was moved by Manager Gust and seconded by Manager Sundberg 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 contract for legal services

A motion was made by Manager Gust and seconded by Manager Sundberg to reaffirm the agreement with Ohnstad Twichell, P.C. for legal services and approve the 2024 billing rates presented for Rush River Water Resource District. Upon roll call vote, the motion carried unanimously.

Review of contract for engineering services

It was moved by Manager Sundberg and seconded by Manager Gust to reaffirm the agreement with Moore Engineering, Inc. for engineering services and approve the 2024 billing rates presented for Rush River Water Resource District. Upon roll call vote, the motion carried unanimously.

It was moved by Manager Sundberg and seconded by Manager Gust to reaffirm the agreement with Houston Engineering, Inc. for engineering services and approve the 2024 billing rates with the noted change of Land Surveyor 6 at a rate of \$224, for Rush River Water Resource District. Upon roll call vote, the motion carried unanimously.

Animal damage control contractor 2024 rates

It was moved by Manager Sundberg and seconded by Manager Gust to affirm the new agreement with JAC Predator Control, Inc. for animal damage control services and approve the 2024 billing rates presented for Rush River Water Resource District. Upon roll call vote, the motion carried unanimously.

Metro Flood Diversion Project update

Brady Woodard provided a brief update on the Metro Flood Diversion Project within Rush River Water Resource District boundaries.

Manager Sundberg mentioned there is some growing concern regarding berms at the Metro Flood Diversion Project crossing at Cass County Highway 22. Chairman Hejl directed the Secretary-Treasurer to invite Tom Fuchs from the Metro Flood Diversion Authority to the next Water Resource District meeting to discuss the issue further.

Rush River / Lower Rush River – future bridge replacements

The Board discussed funding of several future costly bridge replacements on the Rush River and Lower Rush River and future projects to flatten side slopes on the Rush River to help alleviate spring melt issues related to snow in the facility. Sean Fredricks updated the Board on changes to financing of future legal assessment drain projects. Alexa Ducioame noted most funds available will be needed for the bridge replacement projects. The Board indicated more discussion will need to be held with Cass County regarding the schedule of the bridge replacement projects on the Rush River and Lower Rush River and inquire if any federal funding may be available for those projects.

Upper Rush Improvement District No. 78

Discussion was held on the proposed Upper Rush Improvement District No. 78 project. Manager Hejl stated that this item has been on hold for some time and to remove it from the agenda until the property owners are ready to pursue the project. There was no objection.

Regional Conservation Partnership Program (RCPP) – Rush River Watershed

Kurt Lysne reported that Moore Engineering, Inc. is working on a final levee alignment with Burlington Northern Santa Fe Railway Company regarding the RCPP – Rush River Watershed Plan. Once the design is complete, the Plan will be resubmitted to NRCS.

Cass County Planning

A motion was made by Manager Sundberg and seconded by Manager Gust to authorize the Secretary-Treasurer to submit comment on the Steve King Subdivision application to Cass County Planning, with input from the Water Resource District Engineer. Upon roll call vote, the motion carried unanimously.

Cass County Joint Water Resource District report

Manager Gust stated the City of Christine is requesting an increase to the size of protection to the City regarding the Metro Flood Diversion Project.

Manager Sundberg stated that the City of Harwood has concerns regarding the level of protection to Harwood from the Metro Flood Diversion Project. A letter from the City of Harwood should be received soon, voicing these concerns.

Red River Joint Water Resource District (RRJWRD) report

Mr. Fredricks provided an update on the RRJWRD meetings held on January 10, 2024. Mr. Fredricks reported the RRJWRD approved cost-share for the Elm River Dam No. 1 and No. 2 Improvements project, the Elm River Dam No. 3 Improvements project and Pembina County Water Resource District Emergency Action Plans updates. The

RRJWRD is also working on matters related to legislation regarding water resource districts.

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.

A motion was made by Manager Branson and seconded by Chairman Weston to set policy that bills are due by 5:00 p.m. the Thursday before Rush River Water Resource District meetings. Bills received after that time will be considered at the following meeting. Upon roll call vote, the motion carried unanimously.

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