

MINUTES OF THE RUSH RIVER WATER RESOURCE DISTRICT MEETING  
ORIGINATING AT THE CASS COUNTY HIGHWAY DEPARTMENT  
HERITAGE CONFERENCE ROOM  
WEST FARGO, NORTH DAKOTA  
JANUARY 21, 2025  
9:00 A.M.

A meeting of the Rush River Water Resource District was held on January 21, 2025, at 9:00 a.m.

Present were William A. Hejl, Chairman; Richard Sundberg, Manager; Jacob Gust, Manager; Melissa Hinkemeyer, Director, Secretary-Treasurer; Elizabeth Smith, Administrative Assistant; Rita Nelson, Accounting Assistant; Sean Fredricks and David Piper, Ohnstad Twichell, P.C.; Kurt Lysne, Alexa Ducioame, and Brady Woodard, Moore Engineering, Inc.; Mike Opat, Houston Engineering, Inc.; Tom Fuchs, Metro Flood Diversion Authority; and Cole Hansen; Cass County Planner.

**Approval of agenda**

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

**Minutes**

It was moved by Manager Gust and seconded by Manager Sundberg to approve the minutes of the December 17, 2024, meeting, as presented. Upon roll call vote, the motion carried unanimously.

**Reorganization of the Board for 2025**

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 2025:

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 Gust and seconded by Manager Sundberg 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 Sundberg and seconded by Manager Gust 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 2025 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 approve and authorize the Chairman to sign the *Third Amendment to the Agreement between Owner and Engineer for Professional Services* with Moore Engineering, Inc. regarding engineering services and approve the 2025 billing rates presented for Rush River Water Resource District. Upon roll call vote, the motion carried unanimously.

It was moved by Manager Gust and seconded by Manager Sundberg to approve and authorize the Chairman to sign the *First Amendment to the Agreement between Owner and Engineer for Professional Services* with Houston Engineering, Inc. regarding engineering services and approve the 2025 billing rates presented for Rush River Water Resource District. Upon roll call vote, the motion carried unanimously.

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

Tom Fuchs reported that County Road 32 opened to traffic on December 17, 2024. Mr. Fuchs and Brady Woodard discussed the status of the Drain #30 transition to the Metro Flood Diversion Channel. The P3 developer for the Metro Flood Diversion Project has not

yet finished their work on the Drain #30 inlet. Mr. Woodard noted the contractor for the Water Resource District portion of the Drain #30 inlet project has not yet begun as they are waiting for the P3 developer to complete their work. Mr. Fuchs indicated the Metro Flood Diversion Authority is supportive of the Water Resource District waiting until spring to complete the Water Resource District portion of the project.

### **Rush River / Lower Rush River – Future bridge replacements and flattening side slopes**

Alexa Ducioame updated the board on the funding for the Rush River and Lower Rush River future bridge replacements and flattening side slopes. Ms. Ducioame stated Moore Engineering, Inc. will prepare a cost-share application for the project when the funding is finalized.

### **Rush River / Lower Rush River – Siebels Third Subdivision**

Discussion was held regarding Siebels Third Subdivision that is located along the Rush River. The Water Resource District Attorney prepared a partial release of easement for the Board to review. Kurt Lysne indicated that with this partial release of easement there is still room for maintenance that may be necessary in the future. The Board indicated they will wait to sign the partial release of easement until reimbursement is received for Water Resource District incurred expenses regarding the matter.

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

Mr. Lysne reported the RCPP Rush River Watershed plan is being reviewed by the National Watershed Management Center.

### **Legislative updates**

Sean Fredricks reported on legislative updates regarding water resource districts. Mr. Fredricks discussed draft bills for the upcoming North Dakota legislative session on topics including surface and subsurface water management system permitting and economic analyses.

### **Cass County Joint Water Resource District (CCJWRD) report**

Manager Gust reported that the CCJWRD is continuing with the acquisition of flowage easements for the Metro Flood Diversion Project. Manager Gust noted he spoke with a landowner who mentioned they were pleased with the easement acquisition process.

### **Red River Joint Water Resource District (RRJWRD) report**

Manager Sundberg stated that the next RRJWRD full board meeting is scheduled for April 9, 2025. Manager Sundberg also reported that the RRJWRD had a member of the public attend the meeting to speak regarding the Riverview Dairy planned facility.

Mr. Fredricks updated the Board on a discussion held during the RRJWRD meeting regarding determination of benefits for Water Resource District projects.

**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.

**Cass County Joint Water Resource District (CCJWRD) Human Resources Committee Update**

Manager Gust thanked Chairman Hejl for serving on the Human Resources Committee. Chairman Hejl updated the Board on recent staffing issues addressed by the Human Resources Committee and the CCJWRD.

**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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Melissa Hinkemeyer  
Secretary