

MINUTES OF MAPLE RIVER WATER RESOURCE DISTRICT MEETING
ORIGINATING AT THE CASS COUNTY HIGHWAY DEPARTMENT
HERITAGE CONFERENCE ROOM
WEST FARGO, NORTH DAKOTA
JANUARY 2, 2025
9:00 A.M.

A meeting of the Maple River Water Resource District was held on January 2, 2025, at 9:00 a.m.

Present were Gerald Melvin, Chairman; Chad Miller, Manager; Dallas Hoffmann, Manager; Melissa Hinkemeyer, Director, Secretary; Leilei Bao, Treasurer; Elizabeth Smith, Administrative Assistant; Rita Nelson, Accounting Assistant; Sean M. Fredricks and David C. Piper, Ohnstad Twichell, P.C.; Kurt Lysne, Alexa Ducioame, Brady Woodard, and Levi Hanson, Moore Engineering, Inc.; Mike Opat, Houston Engineering, Inc.; Duane Breitling, Cass County Commissioner; Tom Soucy, Cass County Highway Department; and Sidney Steinweg, Davenport Township property owner.

Approval of agenda

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

Minutes

It was moved by Manager Miller, seconded by Manager Hoffmann, and unanimously carried to approve the minutes of the December 5, 2024, meeting, as presented.

Reorganization of the Board for 2025

It was moved by Manager Miller, seconded by Manager Hoffmann and unanimously carried to appoint the following individuals to serve in the designated capacities for calendar year 2025:

Gerald Melvin	Chairman
Chad Miller	Vice Chairman
Melissa Hinkemeyer	Secretary
Leilei Bao	Treasurer
Gerald Melvin	Cass County Joint Water Resource District Representative
Chad Miller	Cass County Joint Water Resource District Alternate Representative 1

Dallas Hoffmann	Cass County Joint Water Resource District Alternate Representative 2
Gerald Melvin	Red River Joint Water Resource District Representative
Chad Miller	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 Hoffmann 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 Hoffmann 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 Hoffmann and seconded by Manager Miller to reaffirm the agreement with Ohnstad Twichell, P.C. for legal services and approve the 2025 billing rates as presented for Maple River Water Resource District. Upon roll call vote, the motion carried unanimously.

Review of agreements for engineering services

It was moved by Manager Miller and seconded by Manager Hoffmann to approve the Moore Engineering, Inc. 2025 billing rates as presented for engineering services for Maple River Water Resource District. Upon roll call vote, the motion carried unanimously.

It was moved by Manager Miller and seconded by Manager Hoffmann to approve the Houston Engineering, Inc. 2025 billing rates as presented for engineering services for Maple River Water Resource District. Upon roll call vote, the motion carried unanimously.

Third Amendment to the Agreement between Owner and Engineer for Professional Services with Moore Engineering, Inc.

Kurt Lysne briefly reviewed the *Third Amendment to the Agreement between Owner and Engineer for Professional Services* with Moore Engineering, Inc. regarding engineering services for Maple River Water Resource District. The *Agreement* has expired, and Mr. Lysne requested the Board consider renewing the *Agreement*.

A motion was made by Manager Miller and seconded by Manager Hoffmann 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 for Maple River Water Resource District. Upon roll call vote, the motion carried unanimously.

Drain #34 Channel Improvement Project No. 2022-01

Alexa Ducioame updated the Board on the status of the right of way acquisition regarding the Drain #34 Channel Improvement Project No. 2022-01. Sean Fredricks briefly discussed the upcoming North Dakota legislative session and indicated it is unlikely that significant changes to funding for water resource districts will occur. Mr. Lysne indicated there is the potential for an increase in state cost-share for drainage projects.

Drain #37 Improvement Project No. 2022-01

Mr. Ducioame indicated right of way acquisition is nearly complete for the Drain #37 Improvement Project No. 2022-01. The project is on hold until the financing for the project is established. The Project may require a vote of the assessment district.

Drain #39 Improvement Project No. 2023-01

Ms. Ducioame reported Moore Engineering, Inc. is working to finalize preliminary plans regarding the Drain #39 Improvement Project No. 2023-01. Moore Engineering, Inc. will continue to communicate with property owners throughout the winter on the progress of the project.

Lynchburg-Buffalo Project No. 2023-01

Ms. Ducioame updated the Board on the status of the Lynchburg-Buffalo Project No. 2023-01 and stated that the Corps of Engineers approved the Section 404 permit and preferred project design on December 17, 2024. Moore Engineering, Inc. will continue to work on right of way and meeting with landowners. They will also submit a construction permit to the North Dakota Department of Water Resources in the future. Brief discussion was held on funding for the Project. Ms. Ducioame then discussed a request from an adjacent property owner to move an existing low water crossing within the Project area. Moore Engineering, Inc. will continue discussion with the property owner regarding the low water crossing. Brief discussion was held on right of way valuation for the Project. The Board decided to keep the previously approved right of way valuation.

Cornell Township Drainage Improvement District No. 80

Mr. Lysne reported that he remains in contact with the petitioners for Cornell Township Drainage Improvement District No. 80 regarding the project design.

Davenport Flood Risk Reduction Project

Ms. Ducioame updated the Board on the Davenport Flood Risk Reduction Project. Moore Engineering, Inc. continues to work with Burlington Northern Santa Fe Railway Company (BNSF) and Red River Valley & Western Railroad Company regarding an agreement related to operation and maintenance of the project. Ms. Ducioame noted that BNSF is reviewing the agreements. The North Dakota Department of Water Resources (NDDWR) has indicated they will not issue the construction permit for the Project until the agreement with the railroads is complete.

Mr. Steinweg inquired about the construction timeline of the Davenport Flood Risk Reduction Project. Ms. Ducioame noted the Project cannot be constructed until the agreement with the railroads is complete and the NDDWR has issued the construction permit.

Maple River low head dam hazard mitigation project

A motion was made by Manager Miller and seconded by Manager Hoffmann to approve and authorize the Chairman to sign *Task Order No. 18* with Moore Engineering, Inc. regarding the Maple River low head dam hazard mitigation project. Upon roll call vote, the motion carried unanimously.

Complaint for Water-Related Issues from Rick Kensok against Aaron Larson for construction of an unpermitted dike in the S ½ of Section 31 in Casselton Township

The Secretary updated the Board on her conversation with Mr. Kensok regarding the *Complaint for Water-Related Issues* from Rick Kensok against Aaron Larson for construction of an unpermitted dike in the S ½ of Section 31 in Casselton Township. Mr. Woodard reported that Mr. Larson has removed material from the areas of Section 31 that are addressed in the complaint. Mr. Kensok has indicated additional material removal is needed in Section 36 of Casselton Township. Section 36 is not included in the current complaint. The Board directed Mr. Woodard to contact Mr. Kensok to further discuss the current complaint and Mr. Kensok's additional concerns.

Notifications to Install Subsurface Water Management Systems

The Board received and filed the following *Notifications to Install Subsurface Water Management Systems*:

- From Vance Zacharias in the NE 1/4 of Section 34 in Pontiac Township
- From Vance Zacharias in the SW 1/4 of Section 35 in Pontiac Township

Bills

It was moved by Manager Miller and seconded by Manager Hoffmann to approve the payment of checks #6201 through #6203, wire transfers, and electronic funds transfers, as presented. Upon roll call vote, the motion carried unanimously.

Legislative update

Mr. Fredricks briefly updated the Board on legislative items related to water resource districts.

Adjournment

There being no further business to be considered by the Board, it was moved by Manager Miller and seconded by Manager Hoffmann to adjourn the meeting. The meeting adjourned without objection.

APPROVED:

Gerald Melvin
Chairman

ATTEST:

Melissa Hinkemeyer
Secretary