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**These are DRAFT minutes, subject to amendment before final approval by the
Rush River Water Resource District.**

**MINUTES OF THE RUSH RIVER WATER RESOURCE DISTRICT MEETING
ORIGINATING AT THE CASS COUNTY HIGHWAY DEPARTMENT
HERITAGE CONFERENCE ROOM
WEST FARGO, NORTH DAKOTA
APRIL 15, 2025
9:00 A.M.**

A meeting of the Rush River Water Resource District was held on April 15, 2025, at 9:00 a.m.

Present were William A. Hejl, Chairman; Richard Sundberg, Manager; Jacob Gust, Manager; Melissa Hinkemeyer, Director, Secretary-Treasurer; Amy Hepper, Accountant; Elizabeth Smith, Administrative Assistant; Sean M. Fredricks, Katie J. Schmidt, and David C. Piper, Ohnstad Twichell, P.C.; Kurt Lysne, Alexa Ducioame, and Brady Woodard, Moore Engineering, Inc.; Mike Opat, Houston Engineering, Inc.; Duane Breitling, Cass County Commissioner; Kyle Litchy, Cass County Engineer; Tom Fuchs, Metro Flood Diversion Authority; and Shawn Morten, Dakota Helicopters Inc.

Approval of agenda

It was moved by Manager Gust and seconded by Manager Sundberg 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 March 17, 2025, meeting, as presented. 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 components of the Metro Flood Diversion Project are resuming construction as the weather is improving. Mr. Fuchs stated that the drain inlets into the Diversion Channel are at various stages of readiness.

Chairman Hejl reported on a recent site visit of the Metro Flood Diversion Project. Brady Woodard reported the P3 developer for the Diversion Channel is finishing their portion of the Drain #30 transition. When their portion is complete the Water Resource District contractor will begin the Water Resource District portion of the transition project.

Brief discussion was held on the construction of the Maple River Aqueduct component of the Metro Flood Diversion Project.

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Metro Flood Diversion Project – Second Amendment to District Memorandum of Understanding

Sean Fredricks reviewed the *Second Amendment to District Memorandum of Understanding* regarding the Metro Flood Diversion Project. The Board discussed the definition of an emergency event and who might be responsible.

A motion was made by Manager Gust and seconded by Manager Sundberg to approve and authorize the Chairman to sign the *Second Amendment to District Memorandum of Understanding* with the Metro Flood Diversion Authority regarding the Rush River, Lower Rush River (Drain #2), and Drain #30 transitions into the Metro Flood Diversion Channel. Upon roll call vote, the motion carried unanimously.

Chairman Hejl noted there is some soil drifting over the rip rap on Drain #12. Mr. Woodard has contacted the P3 developer regarding the issue and they will correct it. Mr. Woodard also noted that there is some soil drift in the Drain #67 channel from an adjacent property that should be removed.

A motion was made by Manager Sundberg and seconded by Manager Gust to authorize Moore Engineering, Inc. to hire a contractor to remove the sediment in the Drain #67 channel not to exceed \$5,000. Upon roll call vote, the motion carried unanimously.

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

Discussion was held on the timeline of the Rush River and Lower Rush River future bridge replacements and flattening side slopes. The bridges being replaced are located between Sections 32 and 33 and Sections 29 and 32 of Rush River Township. Kyle Litchy noted the Cass County Highway Department is interested in coordinating with the Water Resource District on these projects. Discussion was held on funding and potentially entering into an agreement with Cass County for the projects. The Board indicated Moore Engineering, Inc., Houston Engineering, Inc., the Water Resource District Attorney, Cass County Engineer, and Chairman Hejl will meet to continue discussion on timing, a potential agreement, and funding of the future bridge replacements and flattening side slopes on the Rush River.

Mr. Litchy briefly discussed the Cass County Highway Department upcoming projects in the next few years regarding the Rush River Water Resource District.

Regional Conservation Partnership Program (RCPP) – Rush River Watershed

Kurt Lysne reported that the updated flood insurance rate maps will be effective in September. Alexa Ducioame stated Moore Engineering, Inc. is preparing the CLOMR for submittal to FEMA.

Utility Permit extensions for Halstad Telephone Company to install fiber optic cables and HDPE Duct under various Rush River Water Resource District facilities

It was moved by Manager Gust and seconded by Manager Sundberg to approve a 1-year extension for the following *Utility Permits* for Halstad Telephone Company to install fiber

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optic cables and HDPE Duct under the following facilities and locations, with input from the Water Resource District Engineer:

- Drain #13 in the SW 1/4 of Section 4 in Harwood Township
- Drain #13 in the SW 1/4 of Section 8 in Harwood Township
- Drain #29 in the NE 1/4 of Section 5 in Harwood Township
- Drain #72 in the NE 1/4 of Section 7 in Harwood Township
- Sheyenne River in the NE 1/4 of Section 14 in Harwood Township

Upon roll call vote, the motion carried unanimously.

Weed Control

Mr. Woodard briefly reviewed the three weed control bids that were received. All three contractors have worked for RRWRD in the past. The Secretary prepared a comparison of the bids using previous years' data. Discussion was held on the bids. The Secretary noted that most of DL Barkie's work is completed with a drone that has an adjustable boom width from 10 to 30 feet. The use of drones presents a reduced risk of drift to neighboring properties.

A motion was made by Manager Sundberg and seconded by Manager Gust to approve and authorize the Chairman to sign the *Agreement* with DL Barkie Construction, Inc. to provide aerial and ground spraying services for weed, cattail, tree and brush control on Rush River Water Resource District facilities for 2025. Upon roll call vote, the motion carried unanimously.

North Dakota Insurance Reserve Fund – Annual Meeting Proxy

The Secretary reported a letter was received from the North Dakota Insurance Reserve Fund providing notice of their upcoming annual meeting and proxy for the election of officers. The Board decided not to sign the proxy for the election of officers.

Legislative updates

Mr. Fredricks and Mr. Lysne reported on legislative items that impact the water resource districts including cost-share percentages, economic analyses, and an interim study regarding watershed districts.

Cass County Joint Water Resource District (CCJWRD) report

Manager Gust reported the completion of I-29, the adjacent railroad bridge, and Highway 81 bridge over the Diversion Channel in Harwood Township needs to occur before the drainage inlets upstream can be fully operational.

Red River Joint Water Resource District (RRJWRD) report

The last RRJWRD full board meeting was held on April 9, 2025. Manager Sundberg stated that the RRJWRD has approved four cost share requests and approved the 2026 budget at 1.5 mills which is the same as 2025.

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Bills

It was moved by Manager Gust and seconded by Manager Sundberg to approve the wire transfers and the electronic funds transfers, as presented. Upon roll call vote, the following Managers voted in favor: Hejl, Gust, Sundberg. 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