

MINUTES OF MEETING
RUSH RIVER WATER RESOURCE DISTRICT
CASS COUNTY HIGHWAY DEPARTMENT
WEST FARGO, NORTH DAKOTA
MAY 21, 2013

The Rush River Water Resource District met on May 21, 2013, at 8:00 a.m. at the Cass County Highway Department, West Fargo, North Dakota.

Present were Raymond Wolfer, Chairman; William A. Hejl, Manager; Dick Sundberg, Manager; Carol Harbeke Lewis, Secretary-Treasurer; Sean M. Fredricks, Attorney for the Board; Chad Engels, Engineer for the Board; Kevin Bucholz and Brady Woodard, Moore Engineering, Inc.; Lloyd Knight and Vernon Knight, property owners in Amenia Township; Mike Comstock, Comstock Construction, Inc. and Tom Soucy, Cass County Highway Department.

Berlin-Harwood Township Improvement District No. 72

Chad Engels said plans and specifications for Berlin-Harwood Township Improvement District No. 72 will be sent to the North Dakota Department of Transportation (NDDOT). After the NDDOT approves the plans and specifications, Sean Fredricks will work on a cost-share agreement with them. The Water Resource District will then move forward with advertising the project for bids.

Berlin Township Improvement District No. 70

The repair and responsibility of the crossing washouts on the north alignment of Berlin Township Improvement District No. 70 was discussed with Mike Comstock, Comstock Construction, Inc. Mr. Comstock indicated they plan to proceed with the work, but wants to be treated fairly. He hoped to have the first crossing done by now so they would have a better idea on the costs involved.

The Board expressed concern about public safety. Chairman Wolfer said signs were tipped over from the wind. Mr. Comstock said he would follow up on that today.

It was moved by Manager Hejl and seconded by Manager Sundberg to approve the following funding scenarios regarding the crossing washout repairs on Berlin Township Improvement District No. 70:

- With full State Water Commission funding, the Water Resource District would pay 18% of the total cost and Comstock Construction, Inc. would pay 15% of the total cost; or
- With no State Water Commission funding, the Water Resource District and Comstock Construction, Inc. would split the local cost equally.

Upon roll call vote, the motion carried unanimously. Mr. Comstock indicated he would wait to accept either funding option until he knows what the cost is to repair the first crossing. Moore Engineering, Inc. informed the Board they will not charge for the additional inspection time on the project.

Amenia Township Improvement District No. 74

Mr. Engels reviewed the status of right of way acquisition for Amenia Township Improvement District No. 74. Mr. Fredricks reviewed the legal options available.

It was moved by Manager Hejl and seconded by Manager Sundberg to authorize the Water Resource District Attorney to send a letter to property owners where right of way is still needed for Amenia Township Improvement District No. 74, offering to purchase a Permanent Easement. Upon roll call vote, the motion carried unanimously.

Amenia Township Improvement District No. 74 - utilities

It was moved by Manager Hejl and seconded by Manager Sundberg to authorize Chairman Wolfer to sign the *Aid to Construction Estimate* for Cass County Electric Cooperative to relocate power poles in Section 18 of Amenia Township at a cost of \$6,504.21 for Amenia Township Improvement District No. 74. Upon roll call vote, the motion carried unanimously.

Drain #30 – request to repair berm

Brady Woodard met with Kevin Heiden to discuss his request to repair part of the berm on Drain #30. Mr. Heiden would do the work, but would like the Water Resource District to bring in the material needed. The Board denied the request because the berm was built with spoil from construction of the channel and has no design elevation. Mr. Woodard will inform Mr. Heiden of the Board's decision.

Cass County Highway 32 bridge over the Rush River, west of Amenia

Property owners would like the old abutments of the Cass County Highway 32 bridge over the Rush River, west of Amenia, to remain in place for flood control. Tom Soucy will check with Jason Benson about the matter.

Cass County Weed Control Work Order

It was moved by Manager Hejl and seconded by Manager Sundberg to approve the Cass County Weed Control Work Order form for spraying Rush River Water Resource District facilities, with the exception of item #7. Upon roll call vote, the motion carried unanimously.

Assessments on properties with no value or tax liability

It was moved by Manager Sundberg and seconded by Manager Hejl to drop assessments under \$5 on properties with no value or tax liability. Upon roll call vote, the motion carried unanimously.

Minutes

It was moved by Manager Hejl, seconded by Manager Sundberg and unanimously carried to approve the minutes of the April 12, April 23, April 29 and May 6, 2013, meetings, as presented.

Bills

It was moved by Manager Hejl and seconded by Manager Sundberg to approve payment of Checks #3778 through #3782 and the electronic funds transfer, as presented. Upon roll call vote, the following Managers voted in favor: Wolfer, Hejl and Sundberg. The Chairman declared the motion passed.

Drain #29A and Drain #52 – estimate for adding rip-rap

It was moved by Manager Hejl and seconded by Manager Sundberg to authorize Moore Engineering, Inc. to look into adding rip-rap as follows:

- To two existing intercept culverts on Drain #52; and
- At the Cass County Highway 11 crossing on Drain #29A.

Upon roll call vote, the motion carried unanimously.

Adjournment

There being no further business to be considered by the Board, it was moved by Manager Sundberg, seconded by Manager Hejl and unanimously carried to adjourn the meeting.

APPROVED:

Raymond Wolfer
Chairman

ATTEST:

Carol Harbeke Lewis
Secretary-Treasurer