

MINUTES OF SPECIAL MEETING
RUSH RIVER WATER RESOURCE DISTRICT
CASS COUNTY HIGHWAY DEPARTMENT
WEST FARGO, NORTH DAKOTA
OCTOBER 16, 2013

The Rush River Water Resource District met on October 16, 2013, at 1:30 p.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; Brittany C. Moen, Administrative Assistant; Sean M. Fredricks and Chris McShane, Attorneys for the Board; Chad Engels and Mike Opat, Engineers for the Board; Brady Woodard, Moore Engineering, Inc.; Lloyd Knight and Arnold Knight, property owners in Amenia Township.

Amenia Township Improvement District No. 74

Arnold Knight and Lloyd Knight expressed concerns to the Board regarding the berm height and placement of dirt on Amenia Township Improvement District No. 74. Brady Woodard will meet with the gentlemen to address their concerns.

It was moved by Manager Hejl and seconded by Manager Sundberg to authorize Moore Engineering, Inc. to submit a Change Order for clearing and grubbing on the Knight property regarding Amenia Township Improvement District No. 74, if necessary. Upon roll call vote, the motion carried unanimously.

It was moved by Manager Hejl and seconded by Manager Sundberg to approve payment of Check #3857 to Riley Bros. Construction, Inc. for Pay Request No. 2 regarding Amenia Township Improvement District No. 74 in the amount of \$291,915.35. Upon roll call vote, the motion carried unanimously.

Executive Meeting – Attorney/client consultation

It was moved by Manager Hejl and seconded by Manager Sundberg and unanimously carried to close the meeting at 2:10 p.m. to discuss pending and anticipated civil litigation, based on North Dakota Century Code §44-04-19(2), the exception allowed for attorney consultation, with the following topic to be discussed: eminent domain litigation with Barbara Gebeke.

The doors to the conference room were closed at this time. Those present in the room were Managers Wolfer, Hejl and Sundberg, Secretary-Treasurer Carol Harbeke Lewis,

Administrative Assistant Brittany C. Moen, Attorneys Sean M. Fredricks and Chris McShane, Engineers Chad Engels and Mike Opat, and Brady Woodard.

Executive session adjourned

It was moved by Manager Hejl and seconded by Manager Sundberg and unanimously carried to adjourn the executive meeting at 3:06 p.m. and reconvene the regular meeting.

Attorney Fredricks noted that the door to the conference room was opened at this time and the public was invited to return to the open meeting.

Adjournment

There being no further business for the Board to consider, the meeting adjourned without objection.

APPROVED:

Raymond Wolfer
Chairman

ATTEST:

Carol Harbeke Lewis
Secretary-Treasurer