

MINUTES OF SPECIAL MEETING
RUSH RIVER WATER RESOURCE DISTRICT
CASS COUNTY HIGHWAY DEPARTMENT
WEST FARGO, NORTH DAKOTA
MAY 19, 2014

The Rush River Water Resource District met on May 19, 2014, 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; Brittany C. Moen, Administrative Assistant; Sean M. Fredricks, Attorney for the Board; Chad Engels and Mike Opat, Engineers for the Board; Brady Woodard, Moore Engineering, Inc.; Rick Anderson and Mike Anderson, farm operators in Empire Township; Timothy Richard, Attorney for the Andersons; Steve Faught, Empire Township Chairman; David Baumler, Todd Weber and Mark Weber, property owners in Empire Township; and Lloyd Knight, property owner in Amenia Township.

Amenia Township Improvement District No. 74 – request to install two culverts

Steve Faught met with the Board to discuss the installation of two 18” culverts on the east side of the SE 1/4 of Section 17 in Amenia Township. The culverts will be installed as part of Amenia Township Improvement District No. 74.

Lloyd Knight expressed that he is happy with the project overall and requested that Brady Woodard meet with him to discuss crossings for the project.

Minutes

It was moved by Manager Sundberg, seconded by Manager Hejl and unanimously carried to approve the minutes of the April 15, 2014, meeting, as presented.

Rush River Snagging and Clearing

Brady Woodard distributed a map of Rush River Snagging and Clearing work completed to-date for the Board’s review.

2013 Audit

It was moved by Manager Sundberg and seconded by Manager Hejl to approve the 2013 Audit of the Rush River Water Resource District. Upon roll call vote, the motion carried unanimously.

Drain #30 Improvements

Mike Opat distributed an updated *Engineer's Opinion of Probable Cost* regarding Drain #30 Improvements for the Board's review and discussed right-of-way needs for the project. He reviewed the potential project schedule, and hopes for construction to begin in the late fall of 2014.

Weed Control

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

Drain tile in the SW 1/4 of Section 10 in Empire Township – Todd Weber

The Water Resource District Attorney reviewed state statute regarding drain tile permitting and said the Anderson's would need to apply for a permit to install a subsurface drain in the W 1/2 SW 1/4 of Section 10 in Empire Township, as it will drain into the same ditch as an existing project in the E 1/2 SW 1/4 of Section 10 in Empire Township, combining to drain more than 80 acres.

Todd Weber owns and operates the SE 1/4 of Section 10 in Empire Township downstream from the Anderson's, and is concerned about impacts to his property that could result from additional drainage upstream.

The Board's concern is to be sure work that requires a permit will be permitted, and recommended that the landowners work together to resolve the matter.

Drain #70 – diking of designed berm breakout areas

Mr. Woodard discovered that a designed breakout in the berm on Drain #70 has been diked off in Section 14. The Board discussed sending letters to notify landowners that the dikes and any future dikes will be removed at the expense of the assessment district for Drain #70. The potential damage the dikes could do to the drain and downstream landowners was also discussed.

It was moved by Manager Sundberg and seconded by Manager Hejl to direct Moore Engineering, Inc. to locate illegal diking along Drain #70 and prepare *Complaint(s) of Illegal Dike or Dam* forms for all sites and authorize the Chairman to sign the same. Upon roll call vote, the following Managers voted in favor: Hejl and Sundberg. Manager Wolfer voted "no." Motion carried.

Drain #52 Improvements

Mr. Opat updated the Board on the Drain #52 Improvements Project and distributed a profile of the drain and an *Engineer’s Opinion of Probable Cost*. The Board discussed shortening the project to reduce the cost of the project.

It was moved by Manager Wolfer and seconded by Manager Sundberg to authorize Moore Engineering, Inc. to begin preliminary engineering for the Lower Rush River improvements associated with the Drain 52 Improvements Project, and communicate with landowners in the area regarding the project. Upon roll call vote, the motion carried unanimously.

Animal Damage Control

The Board discussed animal damage control on Rush River Water Resource District Facilities. It was moved by Manager Wolfer and seconded by Manager Sundberg to authorize Jarrett Christoferson to provide animal damage control services in the natural channel from Brewer Lake to the necessary extent of the issue, at an amount not to exceed \$6,000. Upon roll call vote, the motion carried unanimously.

Manager Hejl requested that Mr. Woodard update the Board on the progress of the removal.

Bills

It was moved by Manager Sundberg and seconded by Manager Wolfer to approve payment of Checks #3922 through #3935 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.

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