

January 28, 2020

MINUTES OF THE MEETING OF THE PEMBINA COUNTY WATER RESOURCE DISTRICT
BOARD OF MANAGERS HELD IN THEIR OFFICE IN THE LAW ENFORCEMENT BUILDING,
CAVALIER, NORTH DAKOTA.

Those present were Managers Joshua Heuchert, Donald Kemp, Richard Kendall, Charles Thacker, and LuAnn Kemp, secretary. Attorney Fleming also present. A motion was made by Donald Kemp, seconded by Randall Emanuelson, by vote unanimously carried to approve the minutes of January 14, 2020.

A motion was made by Charles Thacker, seconded by Richard Kendall, by vote unanimously carried to approve payment of the following bills:

13263	Pembina County	225.00
13264	quill	194.73
13265	Pembina County	71.41
13266	Cavalier Chronicle	39.48
13267	MLT Aikens	3,703.75
13268	Polar	20.00
13269	Randall Emanuelson	319.30
13270	Charles Thacker	158.71

Kayo Vivatson met with the board to update on recent meetings with the SWC – Carranza and Lindsay. Discussion on the complaint of Vivatson and Hartz against Pembina County WRD followed. The SWC advises that the complaint can not be filed against the WRD but must be filed against either the ND DOT or individual landowners. Discussion on what the next steps might be followed. A motion was made by Charles Thacker, seconded by Donald Kemp, by vote unanimously carried to dismiss the complaint of Vivatson and Hartz against Pembina County WRD based on the correspondence from the ND SWC regarding complaint procedure.

Dan Fischer and Matt Hedger – Fischer Land Surveying and Engineering met to discuss projects. Drain 62R – an estimate and cut-sheets were reviewed. A proposal for work will be sent to Rhineland for review. Drain 82 – discussion on the need for gates and the choice of box culverts/pipes for the crossings north of Highway 5. Board directed Fischer to investigate using concrete culverts with screw-typed gates.

Jeff Duray – Triple D Construction met with the board to review progress on the Snagging and Clearing. Duray showed pictures of recent fallen trees due to the October snow in the area near Johnson addition. A motion was made by Charles Thacker, seconded by Donald Kemp, by vote unanimously carried to approve an additional \$12,000 to complete the project to Highway 5.

Discussion followed on the Phase III snagging and clearing project planned through the city of Cavalier for next year. A motion was made by Richard Kendall, seconded by Charles Thacker, by vote unanimously carried to hire Triple D Construction to complete the Phase III work through the city of Cavalier and acknowledge the deviation from the Contractor policy due to the complexity of the city area.

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Attorney Fleming reported that the ND DOT does not want any of the excavated material from the Drain 64 Reconstruction. Duray was instructed to move all material off of the ND Game and Fish property. Fleming will send a letter to Mr. Edgar regarding the need to move all remaining spoil by August 1, 2020 or the work will be done by the contractor.

Mark Deraney – AMCO Services met with the board to review the bonds for Drain 64. Three bids were received for the 20-year bonds. R.W. Baird was the low bidder. A motion was made by Richard Kendall, seconded by Donald Kemp, by vote unanimously carried to approve the Resolution Creating the Fund of County Drain #64 and Issuance of Drain Warrants. A motion was made by Richard Kendall, seconded by Donald Kemp, by vote unanimously carried to approve the Resolution Authorizing the Issuance of the Drain #64 Reconstruction Bonds.

A motion was made by Donald Kemp, seconded by Richard Kendall, by vote unanimously carried to accept the bids for the Drain 64 Reconstruction Bonds – Robert W. Baird, Dougherty & Company, and Northland Securities.

A motion was made by Donald Kemp, seconded by Charles Thacker, by vote unanimously carried to approve the bid of Robert W. Baird for the Drain 64 Reconstruction Bonds.

Manager Kendall reported that the Senator Young Sign does not appear to be permitted. Cavalier County will be instructed to either repair or remove the sign.

Attest: _____
LuAnn Kemp, Secretary

Joshua Heuchert, Chairman