

October 27, 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 Richard Kendall, Donald Kemp, Charles Thacker, Randall Emanuelson, Ted Juhl, and LuAnn Kemp, secretary. Attorney Fleming also present. A motion was made by Charles Thacker, seconded by Donald Kemp, by vote unanimously carried to approve the minutes of October 13, 2020.

A motion was made by Donald Kemp, seconded by Randall Emanuelson, by vote unanimously carried to approve the ND SWC cost-share for Tongue River Snagging and Clearing Phase 3.

Manager Kendall reported that the dams are drawn down. Goeschke may need to be reopened for repair work.

A motion was made by Randall Emanuelson, seconded by Charles Thacker, by vote unanimously carried to approve the Third Quarter General and Drain funds as well as the Pledge of Assets.

A motion was made by Charles Thacker, seconded by Ted Juhl, by vote unanimously carried to approve the ND DOT ROW permits for Nilson and Thompson.

A motion was made by Don Kemp, seconded by Randall Emanuelson, by vote unanimously carried to approve the Pembina County DOT ROW permit for O'Toole.

The City of St. Thomas met with the board regarding the culvert crossing in Drain 67. Discussion on old agreements and easements, length of time water is high, and cost-share from the city and/or county. Attorney Fleming will review the easements/agreements.

Mark DeRaney – AMKO Financial met with the board regarding the Drain 39 bonds. A direct bond placement was sought for \$268,000 – Two quotes were given; Zion at 2.01% and Stockgrowers' Bank at 1.25%. A motion was made by Charles Thacker, seconded by Randall Emanuelson, by vote unanimously carried to approve the Municipal Advisor Agreement with AMKO.

A motion was made by Ted Juhl, seconded by Donald Kemp, by vote unanimously carried to approve the Resolution related to the issuance of bonds for Drain 39 and the reimbursement of certain expenditures.

A motion was made by Randall Emanuelson, seconded by Charles Thacker by vote unanimously carried to accept the two bids for the Drain 39 bonds and approve the award to Stockman's Bank as the low bid.

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A motion was made by Randall Emanuelson, seconded by Charles Thacker, by vote unanimously carried to approve the Resolution creating the fund of County Drain #39 providing for and appropriating special assessments for the support and maintenance of the fund, and authorizing the issuances of drain warrants thereon.

A motion was made by Charles Thacker, seconded by Donald Kemp, by vote unanimously carried to approve the resolution authorizing the issuance of \$283,000 refunding improvement bonds, series 2020B.

Attorney Fleming updated the group on the Johnson Farms Dike – Triple D Construction will complete any necessary work to bring the remainder of the dike down to ground level.

Manager Thacker discussed the complaint filed by Johnson Farms on the south side of the river. Thacker reported that the lane did not appear to have any new work complete.

Zach Herrmann – Houston Engineering met with the board regarding updates. Drain 66 – Phase 4 – work is complete. Discussion on the natural flowage area followed. Goeschke Dam – discussion on the lack of response and coverage from NDIRF. Attorney Fleming will follow-up with the NDIRF. A motion was made by Randall Emanuelson, seconded by Charles Thacker, by vote unanimously carried to proceed forward with the repairs at Goeschke Dam with On the Level.

Wieler Dam gate – waiting on supplies for construction to begin.

Drain 80 – will meet with Attorney Fleming to discuss options for the Drain 80 assessment area.

TR Watershed plan – discussion on adding water quality options to help with the algal blooms at Renwick – possibility of floating mats, etc.

TR Cutoff- field work and borings are completed, discussion on moving meeting for public participation to later this winter.

Wessels complaint – meeting will be set with Doug to review the video footage.

Manager Thacker will inspect Drain 12 for beaver dams.

Additional projects for Summer 2021 were discussed. Herrmann was directed to provide estimates for Drain 13 culverts/cleanout and Drain 39 between Interstate and the Railroad/Old 44.

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Discussion on the request from individuals on Drain 3 for soft bid for cleanout. The condition of the drain may not allow for a soft bid without engineering. Discussion followed on the terms for a permit for private clean out. The damages to Drain 64 field drain by Kiner were also discussed as well as the assessment area for the Kiner parcels.

A motion was made by Don Kemp, seconded by Randall Emanuelson, by vote unanimously carried to approve the tile permit for K. Johnson.

The Beard tile permit was reviewed – it is under 80 acres so not approval was needed.

Attorney Fleming discussed the deposition schedule and the request for summary judgement.

A motion was made by Randall Emanuelson, seconded by Charles Thacker, to approve a 24 inch culvert with trap at length to be determined by site inspection into Drain 16 for Gunderson. Don Kemp abstained.

Manager Kemp also discussed the Tongue River near Gunderson's farm.

Manager Kendall reported that Drain 62R should be completed in the next few days. It appears that the city of Gretna discharges sewer into the drain.

Attest: _____
LuAnn Kemp, Secretary

Richard Kendall, Chairman