

**These are DRAFT minutes, subject to amendment before final approval
by the Pembina County Water Resource District.”**

August 1, 2023

MINUTES OF THE MEETING OF THE PEMBINA COUNTY WATER RESOURCE DISTRICT
BOARD OF MANAGERS HELD FARMERS ROOM OF PEMBINA COUNTY COURTHOUSE,
CAVALIER, NORTH DAKOTA.

Those present were Managers Randall Emanuelson, Ted Juhl, Donald Kemp, William Gunderson, and LuAnn Kemp, secretary. Attorney Robert Fleming also present. A motion was made by Randall Emanuelson, seconded by Ted Juhl, by vote unanimously carried to approve the minutes of July 18, 2023.

A motion was made by Ted Juhl, seconded by William Gunderson, by vote unanimously carried to approve amending the agenda to include adding Devon Johnson – Pembina County Highway Department.

Johnson discussed two separate ROW cleanouts. A motion was made by William Gunderson, seconded by Ted Juhl, by vote unanimously carried to approve the Pembina County Highway cleanouts as presented.

A motion was made by Randall Emanuelson, seconded by William Gundeson, by vote unanimously carried to pay the bills as presented:

13920	LuAnn Kemp	4,739.91
13921	Polar	20.00
13922	Quill	146.60
13923	Kendall Construction	93,760.00
13924	Dakota Land Works	4,800.00
13925	Mary Madeline Overlie	59,286.00
13926	Burt Simmons	61,992.00
13927	Pembina County highway	5,140.80
13928	Pembina County	2,508.77
13929	William Gunderson	344.90
13930	Randall Emanuelson	1,250.55

The board reviewed the bid tab for the Drain 81 FEMA repair work.

Gladen Construction	\$1,959,937.00
Knife River Materials	\$2,025,420.00
Triple D Construction	\$2,170,761.00

A motion was made by Randall Emanuelson, seconded by Ted Juhl, by vote unanimously carried to award the Drain 81 FEMA project to Gladen Construction.

A motion was made by Ted Juhl, seconded by Randall Emanuelson, by vote unanimously carried to approve the 2023 Certificate of Drain Assessments as presented.

A motion was made by William Gunderson, seconded by Randall Emanuelson, by vote unanimously carried to approve the ND DWR cost-share for the Snagging and Clearing project. The project will be prepared for a soft bid by Houston Engineering.

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Sean Morton – Dakota Helicopter – met by telephone with the board regarding spraying of cattails and trees in the drains. The board discussed a need for wider coverage on the drains and more effective spraying of the trees. Maps will be provided to Morton next week.

Drain 82 construction is complete north of Highway 5 – the board was instructed to review the project this afternoon prior to seeding later this week.

Attorney Fleming had no additional updates at this time.

Manager Juhl reported on meetings with Enbridge regarding the Drain 64 crossing pipes. Houston will be requested to review the crossings and provide specs for Enbridge to review.

Manager Gunderson reported on a site visit with Mark Morrison regarding culvert changes between the Drain 74 and Drain 4 assessment areas. Morrison is working with the township and will meet with the board in the future.

The bids for the Drain 34 Reconstruction were opened at the time and place of the advertisement for bids. Interested parties from Park Construction, Gladen Construction, RJ Zavoral Construction and Triple D Construction as well as Mat Hedger – Fischer Land Surveying and Engineering were present. The bid from Triple D Construction did not have the original bond document from the bonding company. Discussion followed. A motion was made by William Gunderson, seconded by Ted Juhl, by vote unanimously carried to waive the irregularity in the bid from Triple D Construction and Leasing. Roll Call – Gunderson – yes, Juhl – yes, Emanuelson – yes, Kemp- yes.

A motion was made by Ted Juhl, seconded by Randall Emanuelson, by vote unanimously carried to accept the bids as presented from: Triple D Construction, Gladen Construction, R.J. Zavoral, and Park Construction. Bid tab will be completed next week.

A motion was made by Randall Emanuelson, seconded by William Gunderson, by vote unanimously carried to approve ordering the Drain 34 culverts as coordinated by the engineer and contractor to be determined.

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The board met with parties regarding the Readel tile and downstream flowage areas. Interested parties included: Joshau Heuchert, Jon Kippen, Perry Readel, Ross Readel, and Mitch Einarson. Discussion on the ditch maintenance clause of the permit for one mile downstream. Heuchert discussed the berm that is currently in place along the Einarson property. Further discussion on where the sediment is coming from was also held. Einarson will clean along his property and remove the berm along his property. Discussion also held on the culvert in Section 19-161-55 that needs repair/replacement. Heuchert will file a complaint regarding the work needed by Akra Township to fix the culvert.

Duane Schurmann met with the board regarding the trees and beaver dam on Drain 51. The board visited by telephone with Chad Kendall and will schedule a site inspection of the drain as soon as time allows.

Ed Stremick met with the board regarding a culvert and drainage change that is being proposed in along Border Ave Ne south of 105th Street NE. Stremick is concerned water will be directed to his property to the north. He was provided with a complaint form. Discussion followed on jurisdiction between Cavalier and Pembina counties.

The board reviewed the notice of tile for less than 80 for the SW ¼ Section 34-162-54.

Next week's regular meeting will be held on Monday, August 7, 2023.

Attest: _____
LuAnn Kemp, Secretary

Donald Kemp Vice-Chairman