

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

January 30, 2024

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, Richard Kendall, Ted Juhl (by phone), William Gunderson, Donald Kemp, and LuAnn Kemp, secretary. Attorney Robert Fleming also present. A motion was made by William Gunderson, seconded by Randall Emanuelson, by vote unanimously carried to approve the minutes of the January 23, 2024 as amended.

A motion was made by Donald Kemp, seconded by William Gunderson, by vote unanimously carried to amend the agenda to include: Drain 55 petition, Heuchert vs Akra complaint, Brian Fuder – Red River Retention, and Cox vs Olason complaint.

Brian Fuder – Red River Retention met with the board. Fuder discussed the rate of sedimentation occurring in the dams and options for removing the sediment. Discussion of NRCS projections of 500,000 CY needing to be removed from the Renwick pool within next twenty years with a projected cost of \$7,000,000. Discussion on financial aspects of undergoing dredging versus repairs/reconstructions of the dams.

The board reviewed the scope of works from Houston Engineering for the Drain 5 and Drain 7 projects. A motion was made by Donald Kemp, seconded by Ted Juhl, by vote unanimously carried to approve the contracts with Houston Engineering for the Drain 5 and Drain 7 projects.

The solicitation of view letter for the bridge removal project on Drain 66 was reviewed. A motion was made by Randall Emanuelson, seconded by William Gunderson, by vote unanimously carried to approve the SOV letter as amended to include re-establishing the drain in the area to as-built design.

Scott Gange – ND Game and Fish and Paul LeClaire – Houston Engineering met with the board electronically to discuss the ND Game and Fish project at the City of Pembina dam. NDGF is looking for the board to help sponsor the project in order to utilize the board's established relationship with Houston. No financial support would be required from the WRD. Discussion followed on the US Fish and Wildlife grants that both this project and the TR cutoff have been submitted to. A memorandum of understanding will be prepared by the NDGF for board review.

LeClaire reported that a couple miles of the snagging and clearing is complete and inquired as to if the board wanted Houston to inspect – board agreed to have Houston conduct inspections of the area completed.

Josh Heuchert has notified the board that some work was completed on the Akra township complaint and he withdrew the complaint at this time. A motion was made by William Gunderson, seconded by Randall Emanuelson, by vote unanimously carried to accept Heuchert's withdrawal of the complaint of Heuchert vs Akra township.

An update was given on Doug Olason's corp permit – further discussion is planned later this week to figure out a plan forward for the permit.

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Discussion on the Drain 55 Reconstruction permit and procedure for setting the bond level needed by petitioners. A request for engineering estimate to bring the project to a vote will be sent to KLJ, Inc and Houston Engineering.

Manager Kemp discussed how to move the Drain 16 project forward as far as a possible petition, reassessment and bond requirements. Attorney Fleming discussed options for shared maintenance and improvements on Drain 64.

Manager Gunderson discussed the Renwick Gate – pieces of the wheel bracket are broken - pictures have been sent to Houston for review.

Manager Emanuelson reported that the piles of rock along Drain 81 have been moved.

The board reviewed the NRCS correspondence regarding the Tongue River Channel Restoration. Discussion followed on the cost-share and funding for the project.

A copy of the ND DWR Project development form was provided for board members to list projects on for inclusion into the water plan.

Attest: _____
LuAnn Kemp, Secretary

Richard Kendall, Chairman