

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

November 19, 2024

MINUTES OF THE MEETING OF THE
PEMBINA COUNTY WATER RESOURCE DISTRICT BOARD OF MANAGERS
WATER RESOURCE DISTRICT OFFICE, CAVALIER ND

Those present were Managers Ted Juhl, William Gunderson, Donald Kemp, Randall Emanuelson, Ted Juhl and LuAnn Kemp, secretary. Attorney Fleming also present. A motion was made by Randall Emanuelson, seconded by Ted Juhl, by vote unanimously carried to approve the minutes of November 12, 2024.

A motion was made by William Gunderson, seconded by Ted Juhl, by vote unanimously carried to amend the agenda to include Devon Johnson – Pembina County Highway. Johnson presented several ROW permits. A motion was made by Ted Juhl, seconded by William Gunderson, by vote unanimously carried to approve the permits for McDonald and Thompson as presented.

A motion was made by William Gunderson, seconded by Ted Juhl, by vote unanimously carried to approve payment of the bills as follows:

14171	Dirty Deeds Dirtwork	25,840.00
14172	Cavalier Rural Electric	720.00
14173	ND Water Users	1,150.00
14174	ND Water Users	300.00
14175	Pembina County	16.04
14176	Pembina County highway	461.29
14177	Helm Enterprises	10,500.00
14178	William Gunderson	749.62
14179	Rick Bigwood	3,157.50

The board reviewed progress on the soft-bid projects.

- Drain 4 – work is complete, additional work to remove sediment in center of the channel was also done
- Drain 7 – work is complete
- Drain 66-2 (72) – work is finishing
- Drain 64 – Interstate cleanout is complete; discussion on the 24 inch culvert that needs end section repairs
- Drain W3 – True North contacted Kendall Construction to set delivery on November 4; Kendall scheduled delivery for today; discussion followed on weather conditions and impact of the delayed response for delivery of the culvert
- Drain 51/51b is in progress

Manager Kemp discussed the Myrdal trap request – Devon Johnson will be contacted for any concerns with the County Highway 12 flooding. Kemp later reported Johnson had no concerns. A motion was made by William Gunderson, seconded by Randall Emanuelson, by vote unanimously carried to provide a 48 inch trap to Myrdal on the drain inlet side. Kemp will coordinate installation with a contractor – Juhl will pickup up the trap.

A motion was made by Randall Emanuelson, seconded by Ted Juhl, by vote unanimously carried to approve the Request for Bid for the Willow Coulee parcel as presented.

November 19, 2024

MINUTES OF THE MEETING OF THE
PEMBINA COUNTY WATER RESOURCE DISTRICT BOARD OF MANAGERS
WATER RESOURCE DISTRICT OFFICE, CAVALIER ND

Page 2

Dwight Fleming and Alex Cull met with the board regarding the complaint south of Hamilton and the ND Attorney General opinion. The AG opinion only states that the board has jurisdiction to review the complaint and make a determination and gave no guidance on the determination of a dike or not. Fleming re-filed the complaint. A meeting with both parties will be scheduled in early January.

A motion was made by Randall Emanuelson, seconded by Ted Juhl to release remaining funds for the following projects to the ND Department of Water Resources.

1. Bourbanis Dam Partial Decommission/Removal	\$332,138.77
2. Tongue River NRCS Watershed Plan Implementation	\$439,491.30
3. Pembina County Drain 34 Preconstruction	\$ 29,198.97

Discussion followed on open complaints.

- Johnson vs Gapp and Gapp vs Thompson – both are waiting for Attorney Fleming to complete research on obstructing an illegally constructed drain
- Olafson vs Shephard – Pembina County Highway had agreed to completed stream crossing on the bridge in question
- Fritz vs Volk – Pembina County Highway will be contacted to determine status of the proposed culvert changes.
- Fritz vs Symington – both parties were provided the LIDAR report from Houston earlier this fall – no written agreement has been provided so a meeting will be set for December

The board met with the Pembina County Commission. Updates were given on the Tongue River Cutoff project and the EAP for the Tongue River dams. An update on the PRESENS gauges was also given.

Mike Ferrie – Houston Engineering present with updates.

- Scharmer culvert configuration – A motion was made by Randall Emanuelson, seconded by William Gunderson, by vote unanimously carried to approve the estimate from Houston for \$4900 to determine culvert needs and placement.
- Drain 4 repair – a motion was made by William Gunderson, seconded by Randall Emanuelson, by vote unanimously carried to approve up to \$2500 for the field survey work on Drain 4 to determine repairs to the area between the Highway 18 crossing and the first drop structure to the east.
- Drian 66-1 berm project – the project has been completed and a visual inspection has been completed
- Drain 64 – discussion on the drain indebtedness and work needing to be completed; none of the Enbridge approaches are not permitted by NDDOT – therefore, they will be contacted to repair/replacement the permits at Enbridge expense
- Drain 16 – final letter was reviewed by the board – any edits need to be completed by December 3
- TR Cutoff – there is one easement that may need adjusting due to WRP easement
- Renwick gate – current delivery date of end of January
- Drain 67E – discussion with Manager Emanuelson about moving this project forward

November 19, 2024
MINUTES OF THE MEETING OF THE
PEMBINA COUNTY WATER RESOURCE DISTRICT BOARD OF MANAGERS
WATER RESOURCE DISTRICT OFFICE, CAVALIER ND

Page 3

- Drain 7 outlet – proposals will be reviewed in December with the board and public meeting scheduled for January
- Renwick foundation drains/seals – will have estimate for project management in December

The public meeting regarding options for extending/reconstruction of Drain 5 were held. Landowners present included Reid Christianson, Mark Hatloy, Greg Andreen, and Tom Schultz. Ferrie reviewed the current drain hydraulics and options for extending the drain. The group present were in favor of the second option to extend to the south. A petition will be provided to the landowners. Discussion followed on procedures for voting the project, bond requirements, etc.

Manager Kendall reported that the culvert for W3 was being delivered. Discussion on the trash rack designs for Olga and Olson dam. ND DWR will be contacted for possible cost-share.

Manager Juhl reported a need for culvert repairs in Drain 78 (45 section) in 187th Street.

No meetings will be held December 10 to allow for board members to attend annual training in Bismarck. All remaining bills are due December 17, 2024. Meeting for next week will be determined later this week.

Attest:

LuAnn Kemp, Secretary

Donald Kemp, Vice- Chairman