

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

September 2, 2025

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

Those present were Managers William Gunderson, Ted Juhl, Donald Kemp, and LuAnn Kemp, secretary. Attorney Fleming also present. A motion was made by Ted Juhl, seconded by William Gunderson, by vote unanimously carried to approve the minutes of August 12, 2025. A motion was made by William Gunderson, seconded by Ted Juhl, by vote unanimously carried to approve the minutes of the special meeting of August 25, 2025.

The public comment period was held at 8:15 am. No public comments were received.

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

14283	LuAnn Kemp	5,695.97
14284	Pembina County	2,926.65
14285	Pembina County	54.26
14286	Thorlakson Construction	230.25
14287	Kendall Construction	2,250.00
14288	Quill	43.43
14289	ND Water Resource Association	700.00
14290	ND Water	325.00
14291	Cavalier Chronicle	138.84
14292	Triple D Construction	26,230.00
14293	US Bank	575.00

A motion was made by Ted Juhl, seconded by William Gunderson, by vote unanimously carried to approve amending the agenda to include Houston Engineering at 9:00 am.

A motion was made by Ted Juhl, seconded by William Gunderson, by vote unanimously carried to approve the ND DWR Cost-share Amendment for the Tongue River Emergency Action plans.

A motion was made by William Gunderson, seconded by Ted Juhl, by vote unanimously carried to approve the ND DWR Cost-share Amendment for the Tongue River Cutoff.

A motion was made by William Gunderson, seconded by Ted Juhl, by vote unanimously carried to approve the ND DWR Cost-share Agreement for the Renwick Dam Safety Improvements.

A motion was made by Ted Juhl, seconded by William Gunderson, by vote unanimously carried to approve the M. Smith tile permit for a 129-acre drain tile system in NE ¼ Section 7-162-55 with the following conditions on the permit:

1. that Applicant install and maintain erosion protection at any and all outlets
2. that Applicant install and maintain erosion protection or other ditch stabilization materials at any and all outlets into Pembina County's highway right of way/NDDOT's highway right of way.
3. that Applicant install and maintain erosion protection at any and all outlets
4. that Applicant re-establish any areas disturbed installing or maintaining Applicant's tile system.
5. that Applicant will not install Applicant's tile system within 20 feet, on either side, of any rural water lines of North Valley Rural Water District

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6. that Applicant must turn off any pump outlets and otherwise close all outlets during “critical flood periods,” as determined by the Pembina County Water Resource District.
7. that Applicant must apply for an amendment to SUBSURFACE WATER MANAGEMENT PERMIT in advance of any proposed alterations to outlet locations, the addition of any outlets, or improvements or modifications to the tile system that could increase the capacity or drainage area of the tile system.
8. that Applicant remove silt or vegetation, or repair erosion or scour damages directly caused by Applicant’s tile system, but only up to one mile downstream from the project outlet

Board recommends permission from townships for the discharge of tile systems into the township ROW.

The board discussed the correspondence from the ND Water Users Association and the ND Water Resource District Association regarding annual membership fees.

Attorney Fleming reported no updates on the Drain 62-R outlet. Discussion was also held regarding the lack of response from the low bid on Drain 67C Bridge removal project. Fleming will update the board regarding options if the contract is not in place by Thursday close of business which is 10 days after the award. A special meeting will be scheduled for Friday morning if the contract is not in place.

A discussion was held on the drawdown of the dams timing to coordinate with work downstream of Renwick Dam.

The hearing for the reassessment of parcels to be removed from Drain 16 was held at the time and date in the public hearing notice. No landowners or interested parties were present. A motion was made by William Gunderson, seconded by Ted Juhl, by vote unanimously carried to remove NW ¼ and the SE ¼ of Section 2-161-52 from the Drain 16 assessment area.

The hearing for the reassessment of parcels to be added to Drain 64 was held at the time and date in the public hearing notice. No landowners or interested parties were present. A motion was made by Ted Juhl, seconded by William Gunderson, by vote unanimously carried to add NW ¼ and the SE ¼ of Section 2-161-52 to the Drain 64 assessment area.

The board discussed the spraying of cattails and trees. Office will attempt to contact the helicopter sprayer for updates. Discussion followed on options for spraying next year.

Devon Johnson -Pembina County DOT and Jeff Duray – Triple D Construction met with the board regarding a bridge removal/Texas crossing installation in Drain 74 between sections 28 and 29 of Neche Township. Discussion on how county prioritizes repairs was held. Board preference was to allow Devon Johnson -Pembina County DOT to handle the project with drain to pay 60% per NDCC. A motion was made by William Gunderson, seconded by Ted Juhl, by vote unanimously

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carried to approve the cost-share of 60% of the project from the Drain 74 funds with Johnson coordinating the work with Triple D Construction.

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The board also discussed the Prigge bridge on 153rd Ave across Drain 67. Work is expected to begin later this fall – expected cost of \$200,000 with Drain 67 responsible for 60%.

Mike Ferrie -Houston Engineering joined the meeting electronically.

Discussion on the Drain 67C Bridge replacement and lack of insurance being provided by Dirty Deeds. Johnson will contact Dirty Deeds as well to encourage timely return of needed documents and contract.

Duray reported on blow dirt in Drain 34 that will need to be cleaned. He is not sure if seeding will be required at this time or not. A motion was made by William Gunderson, seconded by Ted Juhl, by vote unanimously carried to approve the cleaning of ½ miles S of Highway 1 at a cost of \$11,000 plus any seeding costs.

Ferrie updated the board on several projects.

- Drain 7 – the bend was incorrect and has been re-manufactured – delivery is expected next week.
- Drain 64 – The culverts have been installed, Ferrie will coordinate an replacement order of riveted CMP for Pembina County. Incorrect CMP will be picked up by TNS today.
- Drain 67C – material testing is underway with expectation of work starting ASAP after insurance paperwork is provided. Culvert is ready for delivery.
- Renwick Safety Repairs are up on Quest
- Drain 78 – pushing for the advertisement for bid to be ready by Monday; boundary survey is completed. Discussion on requirements for spoil disposal per FEMA.
- Drain 16 and 66 ND DWR cost-shares need updates – board will discuss at next meeting

Attest: _____

LuAnn Kemp, Secretary

Donald Kemp, Chairman