

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

April 30, 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 Randall Emanuelson, Ted Juhl, William Gunderson, and LuAnn Kemp, secretary. Attorney Fleming also present. A motion was made by William Gunderson, seconded by Ted Juhl, by vote unanimously carried to approve the minutes of April 9, 2024.

The board reviewed progress on the Tongue River Channel Restoration project. Easements had been sent to Brad and Linda Kingery, LRB, LLC (Johnsons), and Marvin Bohn. The Bohn easement has been received. A deadline of close of business on May 1, 2024 has been given to Kingery and LRB, LLC or the project will be terminated. Christi Fischer – NRCS State Engineer called into the meeting. Discussion followed on the progress of the easements and bidding process. Time is of the essence to secure the federal funding and ensure the project move to completion prior to year-end. Non-federal funding has been secured from the Red River Joint Board, ND Department of Water Resources, and the Outdoor Heritage Fund. Board will contact the remaining easement parties if a response is not heard by end of tomorrow.

The board reviewed the soft-bid for the Dam maintenance and Drain 82 gate operations soft bid. One bid was received from Kendall Construction. The board discussed the Drain 82 gate operations. A motion was made by Randall Emanuelson, seconded by William Gunderson, by vote unanimously carried to award the soft bid for the dam maintenance without Option A (Drain 82 gates) to Kendall Construction for \$19,000. Kendall will be contacted for negotiating a price for operation of the Drain 82 gates on a per time basis until the process and timing of the gate operation is more established.

A motion was made by William Gunderson, seconded by Randall Emanuelson, by vote unanimously carried to approve the Red River Joint Cost-share for the Tongue River Channel Restoration.

The board reviewed the 2024 project list.

- Drain 67A – the board approved Allen Tucker’s request for the spoils to be left on his property with a deadline of November 1, 2024 to remove the spoils.
- Drain 66-1 – Manager Emanuelson will be visiting with the landowner about timing of this project. A motion was made by Randall Emanuelson, seconded by Ted Juhl, by vote unanimously carried to approve the engineering contract for the Drain 66-1 culvert/berm repair with Houston Engineering.
- Drain 38 – Tyler Cameron requested the culvert openings be opened until the culvert can be repaired. Pembina County DOT will be contacted to see if they could assist with opening the culvert ends. Discussion followed on a need for a plan/survey to update easement for the proposed culvert repairs.
- Drain 64 – Manager Juhl reported there are some straw waddles that are impeding flow in Drain 64 and sediment in the area of the interchange. Juhl will contact ND DOT about the waddles and get estimates from contractors for the sediment removal.
- Drain 78 and Drain 23 FEMA contracts – discussion on moving these forward, requested that Drain 78 be completed first
- Drain 67D Silt – Rick Bigwood called with concern about silt in Drain 67D by McMartin yard – Manager Emanuelson will inspect.
- Drain 66 – Manager Juhl reported that Kevin Lee has a request for cleaning of an area in Section 6 of St Thomas township.

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Manager Kendall called in at this point.

Attorney Fleming discussed the billing from Dirty Deeds for the repairs to the Renwick Gate. No further information has been provided by the contractor as requested at August 2023 meeting – including specific dates, materials, machinery, etc. Fleming reviewed the UCC filing that is still in effect for On the Level. Discussion followed on the lack of estimate, approved proposal, and billing by Dirty Deeds. Any payment would need to be paid to On the Level and the bank on the UCC.

Christi Fischer called the board back to report that Brad and Linda Kingery have emailed notice that they will be refusing to sign the easement. With this refusal, the project will be terminated at the conclusion of the planning process. The construction of the project will not move forward and no additional federal money will be requested.

Attest:

LuAnn Kemp, Secretary

Ted Juhl, Acting Chairman