

April 24, 2018

MINUTES OF THE MEETING OF THE PEMBINA COUNTY WATER RESOURCE DISTRICT BOARD OF MANAGERS HELD IN THEIR OFFICE IN THE LAW ENFORCEMENT BUILDING, CAVALIER, NORTH DAKOTA.

Those present were Managers Joshua Heuchert, Charles Thacker, Gerald Juhl, Richard Kendall and LuAnn Kemp, secretary. Attorney Fleming and Ron Falk also present. A motion was made by Charles Thacker, seconded by Richard Kendall, by vote unanimously carried to approve the minutes of April 17, 2018.

Joel Toso – Wenck Engineering, Kayo Vivatson, and Jon Kippen met with the board regarding Drain 82. Manager Kendall reported that ND DOT may no longer be interested in material as it has not had environmental review done. Toso reported that a meeting with the Corp has been scheduled. NRCS wetland issues are being looked at. SWC model for downstream effects has been used – it appears levels will raise less than ½ inch. Cultural resources will be done soon.

Wayne Tisdale met with the board to discuss a lateral to Drain 13. The proposal is located in the same vicinity as past lateral proposals. Discussion on procedure to petition, vote, etc was held. Also discussed sod along Drain 67.

Tom Kennelly discussed erosion across his field that occurred in 2013 in SW Section 23-Crystal. He would like to restore the natural drainage to the condition prior. The board did not express any concerns to re-establishing the previous condition as long as the channel can still flow.

Jon Markusen – Kadrmas, Lee and Jackson and Tom Beard, Jeff Erlendson met with the board regarding Drain 79 wetlands. Markusen addressed North Regional Water concerns about not being noticed – a solicitation of views was sent with no comment received. A line will need to be moved. The wetlands affected by lateral effects according to NRCS are approximately 22.5 acres within 400 feet north and south of the drain. One option is to stop construction one mile early to allow for time for wetland negotiations. Wetland bank credits might also be an option.

A motion was made by Richard Kendall, seconded by Charles Thacker, by vote unanimously carried to approve the Drain 79 culvert order.

Markusen reviewed the Pembina County DOT proposal to replace a bridge in Kippen Coulee with culverts. Board expressed no concerns as long as flow is maintained.

Attorney Fleming had no update regarding the railroad on Drain 79.

Zach Herrman and Bret Zimmermann – Houston Engineering met by telephone for the monthly update. Drain 66-1 – seeding remains on the Phase 1 project. Phase 2 is proposed from 165 Ave to Highway 81 with field drains to be cataloged and repaired. A motion was made by Joshua Heuchert, seconded by Rick Kendall, by vote unanimously carried to approve the phase 2 engineering at \$11,000 for Drain 66-1.

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The board discussed the Drain 66-1 outlet project. Houston is preparing documentation with rationale for Game and Fish and NRCS.

Herzog Dam – SWC and RRJB cost-share will be submitted this summer for the engineering evaluation.

Drain 80 – five year and ten year events have been run, there is a need to look at downstream affects and the impact on the N. Salt Lake. Storage and downstream channel improvements will likely be needed as part of project. It was proposed to visit with Walsh County in May regarding the project updates.

Snagging and Clearing – in order to meet budget deadlines, a hearing will need to be held in June with the Commission.

The board reviewed Fitzsimonds request for amending a tile project – notices will be sent downstream as required by law.

A motion was made by Richard Kendall, seconded by Joshua Heuchert, by vote unanimously carried to release the bond on Drain 38 - Wilkins Construction.

A motion was made by Charles Thacker, seconded by Joshua Heuchert, by vote unanimously carried to approve the Fitzsimonds drain permit.

Houston will be contacted to design a basic tile outlet design for the permit packets.

A motion was made by Charles Thacker, seconded by Richard Kendall, by vote unanimously carried to approve the following bills:

12953	4/25/2018	Wenck Engineering	48,185.45
12954	4/25/2018	Valley News and Views	37.50
12955	4/25/2018	MLT Aikens, LLP	11,357.53
		STOP CHECK FEE	27.00

Manger Kendall reported that Renwick is ½ open. Herzog is also open. All the other dams are at summer levels.

Attest: \_\_\_\_\_  
LuAnn Kemp, Secretary

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Gerald Juhl, Chairman