

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

August 7, 2023

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, Ted Juhl, Donald Kemp, William Gunderson, Richard Kendall, and LuAnn Kemp, secretary. Attorney Robert Fleming also present. A motion was made by Randall Emanuelson, seconded by Donald Kemp, by vote unanimously carried to approve the minutes of August 1, 2023.

Jeff Duray – Triple D Construction met with the board regarding Drain 82. Duray was requesting to flatten the slope by the Daby yard to a 4:1 to allow for mowing. Board was in agreement and a contract amendment will be completed for the additional yards. Duray also discussed the gate control structures.

The board reviewed the bid tab for the Drain 34 reconstruction. Bids were tallied as:

Park Construction	\$2,341,767.00
Triple D Construction	\$ 975,260.40
Gladen Construction	\$1,174,317.56
R.J. Zavoral	\$1,924,282.00

A motion was made by Donald Kemp, seconded by William Gunderson, by vote unanimously carried to award the Drain 34 contract to Triple D Construction for \$975,260.40.

Mark Morrison met with the board regarding a culvert request in Section 5-162-53. The culvert as proposed would take Drain 4 water across the road to the north ditch of the township road which is in Drain 74 and then reenter the Drain 4 assessment and drain on the east end of the section. The board reviewed the request and made comment regarding acknowledging the crossover of the assessment area since the water will drain to the appropriate assessment drain.

Attorney Fleming updated on the NDCC 61-16.1-17 regarding the possibility of bringing the area between Drain 67B and the Willow Coulee Dam. Fleming discussed the process of special assessment required to be followed to bring the area in if there is cost involved for bringing the drain up to specifications.

Fleming also reviewed the language changes in NDCC 61-16.1-51 which changes the complaint process to allow for the board to order obstruction caused as a result of natural occurrence as well as those caused by landowner. Discussion followed on the new complaint form and process for outstanding complaints.

Attorney Fleming reviewed the O'Toole appraisal. Houston Engineering will be contacted regarding the easement language.

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The board spoke with Mark Deraney – AMKO Financial regarding the bond for the Drain 34 Reconstruction. Deraney reported on options to get financing through the Legacy Fund at 2%. A motion was made by Ted Juhl, seconded by Donald Kemp, by vote unanimously carried to approve the Municipal Agreement and Disclosures with AMKO for the Drain 34 Reconstruction. Tentative numbers are looking at \$10/acre for ten years at the 2% interest.

The board reviewed the drain maps for cattail and tree spraying. Manager Kemp will contact Olafson for estimates on brush removal on a few areas as well.

Drain 73 has sediment from this spring. Houston will be contacted for preparing a FEMA claim and soft-bid.

No meeting is scheduled for August 15, 2023.

Attest: _____
LuAnn Kemp, Secretary

Richard Kendall, Chairman