

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

December 12, 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, Richard Kendall, William Gunderson, Donald Kemp, and LuAnn Kemp, secretary. Attorney Robert Fleming also present. A motion was made by Donald Kemp, seconded by Ted Juhl, by vote unanimously carried to approve the minutes as amended of the November 28, 2023.

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

14008	LuAnn Kemp	4,739.91
14009	Gladden Construction	230,339.01
14010	Fischer Land and Surveying	22,583.72
14011	Triple D Construction	442,095.55
14012	Triple D Construction	70,076.75
14013	Triple D Construction	89,727.50
14014	Triple D Construction	15,865.00
14015	Houston Engineering	19,960.35
14016	Clark Gravel and Construction	4,162.50
14017	Triple D Construction	12,000.00
14018	Pembina County	2,509.27
14019	AMKO	20,000.00

A motion was made by William Gunderson, seconded by Ted Juhl, by vote unanimously carried to approve Change Order #1 for the Drain #34 Reconstruction.

Managers Gunderson and Kemp reported on the Annual Water Convention held last week. Discussion on the joint board mandate from the 2023 legislative sessions was held – issues with counties that do not want to pay the membership fees for the joint boards and counties that are in more than one joint board. Discussion also was held on requesting Presens sensors on the dams and how they would function for our needs. The NDDAWN weather sites were also discussed.

A motion was made by Donald Kemp, seconded by Randall Emanuelson, by vote unanimously carried to request Presens sensors at Renwick, Olson and Herzog Dam with notation of needing sensors operational during the spring melt in early March.

David Moquist met with the board regarding updates on the complaint filed by Moquist against Redmann Farms (Johnson Farms). Johnson Farms is the current owner and agree to installing the culvert and joint cleanout of the road ditch. The culvert is on location and Moquist reports that installation is expected soon. Moquist will update the board regarding the installation of the culvert in two weeks.

Moquist also discussed the Drain 80 failed project. Inquiry was made as to whether a credit for the engineering fees can be given if the project does eventually pass.

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Manager Kendall reported that a site inspection for the Fitzsimonds concern is scheduled for later this week.

Manager Gunderson discussed the Corp of Engineers opinion regarding dredging ponds. Discussion also followed on the permitting for the Highway 44 bridge.

Manager Kendall reported issues with closing the Renwick gate.

Attorney Fleming reported on the Cox complaint and the Schluchter tile correspondence.

Paul LeClaire – Houston Engineering – met with the board regarding updates on projects.

- Drain 5 – cost-share application is being worked on
- Drain 67A – LeClaire had communicated concern on an area of spoil along the 67A cleanout
 - Discussion from the board regarding the material left. A motion was made by Randall Emanuelson, seconded by Ted Juhl, by vote unanimously carried to pay remaining Drain 67a cleanout with exception of 5% retainage.
- Drain 67E – plan sets for the reconstruction of Drain 67E were reviewed, estimated cost is approximately \$1.0 million for the current design, discussion followed on options for pay and whether vote is necessary or not – Attorney Fleming will research and report back

The board adjourned to attend the Park River Joint Board EIS meeting for the North Branch project.

Attest: _____
LuAnn Kemp, Secretary

Richard Kendall, Chairman