

June 26, 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 Charles Thacker, Richard Kendall,, Gerald Juhl, Randall Emanuelson, Joshua Heuchert, and LuAnn Kemp, secretary. Attorney Fleming also present. A motion was made by Randall Emanuelson, seconded by Charles Thacker, by vote unanimously carried to approve the minutes of June 12, 2018. A motion was made by Charles Thacker, seconded by Richard Kendall, by vote unanimously carried to approve the minutes of June 19, 2018. A motion was made by Richard Kendall, seconded by Charles Thacker, by vote unanimously carried to approve the minutes of June 21, 2018.

Attorney Fleming reviewed the motions regarding the Drain 64 cleanout project. Discussion on the April 3rd motion regarding the grade and hiring of Triple D Construction to complete cleanout on portion of interstate right of way.

Rick Brown, Kelly Brown, and Kevin Brown met with the board regarding the Rosebud coulee and Tongue River cut-off. Discussion about the possibility of making the Rosebud Coulee a legal drain was held. Browns also discussed wanting the TR cutoff structure removed or modified as well as discussion on Texas Crossing in Section 34. Board directed that if obstruction are in natural watercourse a complaint could be filed for investigation.

Dean and Bev Hinkle met with the board regarding the complaint filed by Mr. Schlittenhard. Hinkle requested an extension for the work. Discussion followed by the board as the deadline was May 1st and extension was not received prior.

Jon Markusen – KLJ - called with update that ND DOT will require environmental permitting for a 0.04 grade on Drain 64. The first Hefty culvert could be done without permitting as it is near grade already.

Brian Kiner, Don Kemp, Greg Kemp, Lyndon Juhl, Ted Juhl, Luke Sharp, Craig Sharp, Gary Sharp, Ron Sharp met with the board regarding Drain 64. Board reviewed the timeline that would be necessary for a 0.04 grade – the group consensus was to pursue the 0.04 grade with the first crossing in Hefty’s done as soon as bidding allows. Group also discussed repairs needed to culvert ends on the north side of highway.

Brett Kiemele and Allen Anderson met with the board regarding Section 7 –Hamilton culvert configuration. Attorney Fleming reviewed options for filing a complaint and culvert requests.

Attorney Fleming updated on the Burlington Northern request for payment for easement, the Canadian Dike lawsuit update, and correspondence from Ms. Heuchert’s attorney.

A motion was made by Richard Kendall, seconded by Charles Thacker, by vote unanimously carried to approve Kadrmas Lee and Jackson to release data as requested by Ms. Heuchert at the cost of Ms. Heuchert.

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A motion was made by Richard Kendall, seconded by Charles Thacker, by vote unanimously carried to approve the installation of an electric line crossing Drain 34 for Tim Wilwand according to the Drain Crossing policy.

A motion was made by Joshua Heuchert, seconded by Randall Emanuelson, by vote unanimously carried to approve the awarding of the soft bid on Drain 64 to Kendall Construction.

Manager Juhl discussed the outlet on Drain 66 and the Enbridge pipeline crossing.

A motion was made by Joshua Heuchert, seconded by Richard Kendall, by vote unanimously carried to rescind the previous motion to hire Triple D Construction to clean the Schlittenhard complaint and hire Olafson Construction to complete the work due to available equipment.

The board conducted site inspections of the Drain 79 project, Hamilton Township/Mahar complaint, and Drain 16/Kippen complaint.

Attest: _____
LuAnn Kemp, Secretary

Gerald Juhl, Chairman