

March 26, 2019

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, Randall Emanuelson, Richard Kendall and LuAnn Kemp, secretary. Attorney Fleming also present. A motion was made by Charles Thacker, seconded by Randall Emanuelson, to approve the minutes of March 5, 2019. Kevin Sharp and Clarence Boettger also present.

Kayo Vivatson met with the board regarding the Drain 82 loan being held by private individuals for initial engineering. A motion was made by Richard Kendall, seconded by Charles Thacker, by vote unanimously carried to approve the payment of interest on the note with the farmers to continue holding the note until the drain is assessed.

A motion was made by Randall Emanuelson, seconded by Charles Thacker, by vote unanimously carried to approve the cost-share agreements for the Emergency repairs at Goschke Dam with the ND State Water Commission and the Red River Joint Board.

A motion was made Richard Kendall, seconded by Randall Emanuelson, by vote unanimously carried to formally terminate Joel Toso-Wenck Engineering from the Drain 82 project.

A discussion on the KLJ survey amendment for the Stockton/Johnson Farms Dike complaint was held. Attorney Fleming indicated that Johnson Farms would like the full survey completed to determine if 50 acre feet of water are obstructed. A meeting will be set with the parties to move forward with the survey.

A motion was made by Randall Emanuelson, seconded by Richard Kendall by vote unanimously carried to approve the engineering amendment proposed by KLJ for Drain 64 in the amount of \$9600.

A motion was made by Richard Kendall, seconded by Charles Thacker by vote unanimously carried to move forward with bidding the Drain 39 outlet repair as presented.

Mark Myrdal met with the board regarding several items. Drain 38 – discussion on the culvert to be installed east of highway 12 – PC Highway had agreed to complete – Manager Heuchert will follow up with the PC Highway. Myrdal inquired as to a tile project that has been added onto by another landowner. Attorney Fleming will inquire with SWC regarding permitting for additional acres on existing outlets.

The board reviewed the ND DOT proposals for the interstate culvert in Drain 13 – KLJ will be contacted to review the proposals and make a recommendation on behalf of the drain.

Manager Thacker reported on the site inspections from Drain 12 – water is starting to flow slowly– will continue to monitor.

A motion was made by Randall Emanuelson, seconded by Charles Thacker, by vote unanimously carried to approve a one year permit for drain crossings for Enbridge valid through December 31, 2019 – can be renewed for additional years if needed.

Attorney Fleming reported that he had responded to Attorney Bliss regarding the Agnes Heuchert matter on Drain 67.

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A motion was made by Charles Thacker, seconded by Randall Emanuelson, by vote unanimously carried to nominate Josh Heuchert as Chairman, cease nominations and cast a unanimous ballot.

A motion was made by Randall Emanuelson, seconded by Charles Thacker, by vote unanimously carried to nominate Richard Kendall as Vice-Chairman, cease nominations and cast a unanimous ballot.

A motion was made by Randall Emanuelson, seconded by Charles Thacker, by vote unanimously carried to update all accounts to reflect Heuchert as Chairman, Kendall as Vice-Chairman, and LuAnn Kemp as Secretary with two signatures required.

Zach Herrmann- Houston Engineering met with the board regarding several updates. The Snagging and Clearing project is complete - -any remaining 2018 funds will be used for the drone flight for next phase. Hearings will be set for mid summer. Drain 66 – Phase 2 waiting on finishing a few items. Drain 66- Phase 3 – will be bid for work in late summer/early fall. Herzog and Goschke Dam will be completed this summer. Emergency repairs on Goschke as soon as gate arrives. Drain 80 – will be having a landowner meeting in near future. Tongue River Watershed – reviewing flood damages/models. Senator Young – proposal has been sent to NRCS – will meet with Cavalier County soon.

The board adjourned for a Park River Joint Board meeting to follow.

Attest: _____
LuAnn Kemp, Secretary

Joshua Heuchert, Chairman