

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

May 16, 2024

MINUTES OF THE MEETING OF THE
PEMBINA COUNTY WATER RESOURCE DISTRICT BOARD OF MANAGERS
WATER RESOURCE DISTRICT OFFICE, CAVALIER ND

Those present were Managers Randall Emanuelson, Ted Juhl, William Gunderson, Donald Kemp, Richard Kendall, and LuAnn Kemp, secretary. Attorney Fleming also present. A motion was made by Donald Kemp, seconded by Randall Emanuelson, by vote unanimously carried to approve the minutes of May 7, 2024.

The board reviewed the Fedje Culvert request and made no comments.

The board reviewed the FEMA correspondence regarding Drain 67A erosion, Drain 43 (78), and Drain 67A.

- Drain 67A erosion – there is a question regarding work outside of the drain ROW
- Drain 43 (78) and Drain 67A – discussion of the sediment levels in 2022 versus 2023

The board reviewed Houston Engineering's correspondence regarding Drain 81 – Gladen is working on the drain and expects to finish dirt work in the next 2 to 3 weeks. Manager Emanuelson will meet with the landowner regarding a one year extension on the temporary construction easement in the SE ¼ of Section 32 – South St. Thomas Township.

Aaron and Cordell Wimpfheimer met with the board regarding the Dirty Deeds billing for Renwick Dam. Attorney Fleming addressed that any payment would be paid to On the Level Construction and requested verification of the status of the UCC filing for On the Level. Wimpfheimer indicated that the filing was terminated and provided a printout of the filing status. Discussion followed on the lack of contract, estimate, and detailed billing with labor/materials. Wimpfheimer provided pictures of the work. Houston Engineering will be consulted as well with meeting with all parties scheduled for Tuesday, May 21.

The board reviewed the Enbridge planned maintenance at the pump site in Sections 5 and 6-160-50. No comment or concerns on the project.

The board reviewed the correspondence from Mr. Heuchert regarding beaver dams in the natural watercourse of Cart Creek. Discussion followed on beaver dams and the complaint process. Board recommended that Mr. Heuchert work with his neighbors regarding a solution to remove the dams and if that is not possible, Mr. Heuchert can file a formal written complaint with the board.

The board reviewed the Kingery response to the Tongue River Channel Restoration. Kingery easement was not received by the deadline and the project will not move forward.

Daryl Cox met with the board regarding the complaint filed against landowners in the Willow Coulee. Mr. Olason had requested an extension on the work. Deadline for the remaining landowners of Olason and Dennison was set for May 15, 2024. No request was made by the Dennison property owners. Olason has hired Triple D Construction to do the needed work and contacted Dan Fischer for the stakes needed for the cleanout/establishment of flow to the edge of the channel since no material can be placed in the wetland areas. Discussion followed on the complaint process.

Manager Gunderson reported that he inspected the area of the reported low head dam in Walhalla. There is no structure remaining in that area. ND DWR will be contacted to report the dam being removed. A site inspection of the low head dam in Crystal is still needed.

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Jeff Duray -Triple D Construction visited by telephone with the board. He confirmed that he was working with the Olason and Dennison property to clean the area in the Willow Coulee Complaint.

Manager Gunderson discussed options for opening the gates on Drain 82. He will look for additional options.

Gunderson also reported that a culvert on Scott Gunderson’s property on Drain 16 has a crushed field drain culvert.

Manager Juhl reported that he had spoken with ND DOT regarding the straw waddles in the Drain 64 area. A cleanout of the area between the bridge and the pond needs cleaning. A motion was made by Ted Juhl, seconded by Randall Emanuelson, by vote unanimously carried to hire Triple D Construction to clean the area on Drain 64 and the ND DOT ROW Permit for the project.

Houston Engineering will be contacted to prepare a soft bid and culvert specifications for the Enbridge crossings in Drain 64. Juhl reported that Enbridge will help with culvert material costs.

Manager Emanuelson reported a beaver dam in Drain 13 on 161st Ave. A motion was made by William Gunderson, seconded by Randall Emanuelson, by vote unanimously carried to approve hiring Triple D Construction to remove the dam with a cap of \$5000.

Emanuelson reported the area of silt reported by Rick Bigwood in Drain 67D has been cleaned out by the contractor that was doing the private work. Lee Gudatjes had expressed concern over the spoil on his property from the cleanout.

Pembina County will be hosting the Red River Joint Board meeting on June 12 in the Farmers’ Room.

Attest: _____
LuAnn Kemp, Secretary Richard Kendall, Chairman