

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

May 7, 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 by phone and LuAnn Kemp, secretary. Attorney Fleming also present. A motion was made by William Gunderson, seconded by Randall Emanuelson by vote unanimously carried to approve the minutes of April 30, 2024.

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

14080	Polar	20.00
14081	Pembina County	2,623.60
14082	LuAnn Kemp	5,101.31

A motion was made by Ted Juhl, seconded by William Gunderson, by vote unanimously carried to request Fischer Land Surveying and Engineering provide an updated easement and soft bid package for the relocation of the culverts into Drain 38 along Highway 12 in Section 21-159-55.

A motion was made by Randall Emanuelson, seconded by Ted Juhl, by vote unanimously carried to approve Change Order #1 for Drain 81 as presented. Discussion on the temporary and permanent easements on the drain followed. Houston will be working with the contractor regarding use of the easements.

A motion was made by William Gunderson, seconded by Randall Emanuelson by vote unanimously carried to approve the ND DOT ROW permit for Narloch/Severtson noting that the box for the wetland determination had not been checked.

A motion was made by Randall Emanuelson, seconded by Ted Juhl, by vote unanimously carried to approve the Thompson tile permit for a 97-acre drain tile system in part of the NE ¼ Section 23-159-51 with the following conditions on the permit:

1. that Applicant install and maintain erosion protection at any and all outlets
2. that Applicant install and maintain erosion protection or other ditch stabilization materials at any and all outlets into Pembina County's highway right of way/NDDOT's highway right of way;
3. that Applicant install and maintain erosion protection at any and all outlets
4. that Applicant re-establish any areas disturbed installing or maintaining Applicant's tile system;
5. that Applicant will not install Applicant's tile system within 20 feet, on either side, of any rural water lines of North Valley Rural Water District
6. that Applicant must turn off any pump outlets and otherwise close all outlets during "critical flood periods," as determined by the Pembina County Water Resource District;
7. that Applicant must apply for an amendment to SUBSURFACE WATER MANAGEMENT PERMIT in advance of any proposed alterations to outlet locations, the addition of any outlets, or improvements or modifications to the tile system that could increase the capacity or drainage area of the tile system;
8. that Applicant remove silt or vegetation, or repair erosion or scour damages directly caused by Applicant's tile system, but only up to one mile downstream from the project outlet

Board recommends permission from the township for the discharge of tile systems into the township ROW.

The board reviewed the correspondence from the ND DWR regarding low head dams in the county. The board will conduct site inspections of the two dams – Crystal and Walhalla to determine signage needs.

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A motion was made by Randall Emanuelson, seconded by William Gunderson, by vote unanimously carried to approve the 2024 First Quarter financials for the drain and general funds and the pledge of assets from United Valley Bank.

Manager Emanuelson will inspect the area of Rick Bigwood's concern and attempt to contact the contractor currently onsite to clean areas of the drain.

Chad Kendall -Kendall Construction reported that the dams are closed. Olga Dam did have some woody debris so the lid is currently off and will be replaced next week.

Discussion on other areas of potential silt cleanouts in the drain. Board reviewed the private cleanout of drain ROW permits.

A motion was made by Randall Emanuelson, seconded by Ted Juhl, by vote unanimously carried to open the gates on Drain 82 an additional 6 inches. Manager Gunderson will open the gates this time.

Manager Juhl reported on discussions with Enbridge regarding the crossings in Drain 64. Houston Engineering will be contacted for elevations and pipe specifications on the crossings to help with negotiating with Enbridge.

Manager Emanuelson reported on the Pembina River Basin Task team. Discussion followed on options for managing flood flows on the North Dakota side without making Manitoba side worse. No real movement for a project has taken place as of this time.

Manager Kemp discussed the Drain 16 Expansion project. Very few forms were received by the office. Discussion on the next steps was held.

A motion was made by Ted Juhl, seconded by Randall Emanuelson, by vote unanimously carried to approve setting the Snagging and Clearing hearing for July 16, 2024 @ 10:00 am.

Attest:

LuAnn Kemp, Secretary

Donald Kemp, Vice- Chairman