

November 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, Donald Kemp, Richard KEndall, and LuAnn Kemp, secretary. Attorney Fleming also present. A motion was made by Richard Kendall, seconded by Donald Kemp, by vote unanimously carried to approve the minutes of November 19, 2019.

Attorney Fleming discussed the status of the Hartz/Vivatson vs Pembina County WRD complaint. The board sent it to the state in 2016 for a ruling due to a conflict of interest. No action has been taken by either the board or SWC since then.

Attorney Fleming and the board reviewed the Johnson Farms dike report- Fleming will ask KLJ to clarify the impact of the permitted dike.

Scott Gunderson met with the board regarding trees that have fallen in the area that was snagged/cleared last winter. Jeff Duray will provide an estimate for the boar. Gunderson also discussed beaver dams in the cutoff area.

Kayo (Robert) Vivatson met with the board regarding the complaint against the Pembina County WRD. Attorney Fleming discussed the option of Vivatson to request the SWC to act based upon failure to act within NDCC timeline by the board. Discussion followed on the original complaint. A motion was made by Richard Kendall, seconded by Charles Thacker, by vote unanimously carried to decline to act upon the complaint filed by Vivatson/Hartz against Pembina County WRD due to conflict of interest of the board. Kendall –Yes, Kemp – Yes, Thacker –Yes, Emanuelson – Yes, Heuchert –Yes.

Vivatson also discussed the Drain 82 private loan at UVB. The note is now payable by the drain since the vote has passed. A motion was made by Richard Kendall, seconded by Randall Emanuelson, by vote unanimously carried to pay the note in full on January 7, 2020 with tax money received from Drain 82.

A motion was made by Randall Emanuelson, seconded by Charles Thacker, by vote unanimously carried to approve the Reimbursement Resolution for the Drain 64 bonds.

A motion was made by Donald Kemp, seconded by Richard Kendall, by vote unanimously carried to approve the TNS quote for the cross-pipe from Walsh County in Drain 55.

A motion was made by Charles Thacker, seconded by Richard Kendall, by vote unanimously carried to approve the engineering quote of \$3000.00 by Houston Engineering to investigate the Puppe vs Moquist complaint.

Discussion on the SOV letter for the Drain 64 interstate bridges. KLJ will be contacted to provide a formal letter to ND DOT – with letter to be reviewed 12/3 by the board.

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Manager Kemp reported on the township meeting – concern from St. Thomas township regarding missing traps in Sections 5 and 6. The culvert into Drain 16 near the south end is a 24 –inch by 40 foot.

Manager Heuchert discussed the fence on Edgars property.

Manager Kendall reported that the dams are still open- He will be opening Renwick a little more this week to help with the run-off that is continuing.

Attest: _____
LuAnn Kemp, Secretary

Joshua Heuchert, Chairman