

November 2, 2021

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 Richard Kendall, Charles Thacker, Ted Juhl, Donald Kemp, and LuAnn Kemp, secretary. Attorney Fleming also present. A motion was made by Charles Thacker, seconded by Ted Juhl, by vote unanimously carried to approve the minutes of October 19, 2021.

A motion was made by Charles Thacker, seconded by Ted Juhl, to the pay the bills as presented.

AW	Deluxe Checking	531.47
13589	LuAnn Kemp	4,456.20
13590	Pembina County	2,212.28
13591	VOID	
13592	True North Steel	36,577.18
13593	Kendall Construction	48,163.25
13594	Quill	402.96
13595	KLJ Engineering	1,057.02
13596	BIL Manufacturing	2,850.00
13597	Northeast Regional	24,560.49
13598	Fischer Land Surveying and Engineering	41,918.18

Devon Johnson – Pembina County highway met with the board regarding the diagonal pipe in Hamilton Township that was damaged by Thorlakson Construction. Johnson will be inspecting the culvert and repairing it as need. Discussion on the Highway Department using WRD culverts as temporary repairs for bridges. Permission was given to use the culverts as needed to maintain road access.

Aaron Wimpfheimer – On the Level – was present to discuss the KLJ report on the Drain 73 repair. He reported using 120 CY of rip rock with 2 feet thick rock on the slope. Filter fabric was used instead of turf reinforcing mats. Discussion followed on the one year guarantee. A motion was made by Ted Juhl, seconded by Charles Thacker, by vote unanimously carried to approve the completed project and issue final payment.

Discussion on the Drain 67C cleanout project followed. The portion in Walsh County has a deadline of November 15, 2021.

The board reviewed the contract and additional work for the Drain 3 cleanout project awarded to Kendall Construction. Work was to be completed on October 1, 2021 – work was finished on November 1, 2021. Penalty is set as \$700.00/day – original project included: installation of 120 LF of 36 inch CMP and cleanout to grade based on culvert bottom for 2.5 miles. Original project was awarded in late June 2021. Additional culvert install was approved in late July 2021. Culvert installation is reported complete in late August 2021. No action was taken on the penalty.

The board reviewed the memo from Fischer Land Surveying and Engineering regarding Drain 62R. A motion was made by Don Kemp, seconded by Ted Juhl, by vote unanimously carried to approve the Drain 62R project and issue the final payment.

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A motion was made by Don Kemp, seconded by Charles Thacker, by vote unanimously carried to approve a one year extension to the Drain 82 DWR permit due to easement and ND DOT timelines.

Discussion on the Drain 81 punch-list and estimate. The board reviewed the bills of the project. Fischer Land Surveying and Engineering offered a discount of \$7275.32. A motion was made by Ted Juhl, seconded by Charles Thacker, by vote unanimously carried to offer the funds resulting from the Fischer discount of \$7275.32 to R. J. Zavoral for the punch list resulting from the rain event with the notation that the board normally does not offer additional compensation for work needed during the one year period following completion and that any additional repairs within the next year due to spring flooding or any other act of God would be repaired under the warranty terms within the agreed upon contract for construction for no additional compensation.

.The board discussed the Renwick gate – levels are still needing to be drawn down for gate inspection.

The complaint filed by the City of Nече against Johnson Farms was received and a meeting will be set for November 16 with both parties.

Manager Kendall reported on the culvert in Drain 47 by the Yeado yard – will be placed on the 2022 project list.

Manager Kemp reported that Drain 39 has started and will inspect the work this afternoon.

Manager Kendall reported on the amount of spoil along Drain 3 – Mike Stellon had previously indicated that he wanted the spoil.

Manager Kendall will visit with Olafson Ventures to mulch the trees near the Vollrath yard.

Attorney Fleming discussed the procedures for private cleanouts. Further discussion will be held with entire board.

Attest: _____
LuAnn Kemp, Secretary

Ted Juhl - Appointed Chairman