

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

October 31, 2023

MINUTES OF THE MEETING OF THE PEMBINA COUNTY WATER RESOURCE DISTRICT  
BOARD OF MANAGERS HELD FARMERS ROOM OF PEMBINA COUNTY COURTHOUSE,  
CAVALIER, NORTH DAKOTA.

Those present were Managers Randall Emanuelson, Ted Juhl, Richard Kendall, William Gunderson, and LuAnn Kemp, secretary. Attorney Robert Fleming also present. A motion was made by Ted Juhl, seconded by William Gunderson, by vote unanimously carried to approve the minutes of the October 24, 2023.

A motion was made by Randall Emanuelson, seconded by William Gunderson, by vote unanimously carried to approve the contracts with Triple D Construction for Drian 67A and Drain 13.

Project updates were given.

- Drain W3 - Section 36 – Wahalla township – beaver dam – waiting on Olafson Ventures estimate
- Dunnigan vs Dubort complaint – Olafson Ventures has been hired – hoping to mobilize this week
- Drain 67B – beaver dam by Hansen driveway – Olafson Ventures was hired
- Tongue River Cutoff – silt fence was removed by the landowner, Houston Engineering will review if the fiber rolls are adequate for stormwater permit; Cut-off by Zaharia – berm has been repaired and raised about 4 feet.
- Drain 34 – first three miles is complete, first two crossings are complete, bridge repair/rip rap has been completed
- Drain 82 – waiting on Fischer for Change Order
- Drain 81 – 144<sup>th</sup> and 145<sup>th</sup> crossing are complete and roads reopened, still making good process; discussion on the erosion by Whelan – Houston had site inspected and not found any areas of concern
- Drain 66 beaver removal by Kalka – two estimates were received: Kendall Construction - \$4750 and Triple D Construction - \$2500. A motion was made by Ted Juhl, seconded by Randall Emanuelson, by vote unanimously carried to award the Drain 66 beaver removal to Triple D Construction.
- Drain 16 soft bid plans were reviewed – mandatory pre-bid meeting will be held on Thursday November 2, 2023 @ 9:00 am

Complaint updates were reviewed:

- Cameron vs Johnson Farms and Johnson Farms vs Hughes are both reported complete – Houston has been contacted to complete survey for verification
- Heuchert vs Lysengen – a motion was made by Randall Emanuelson, seconded by William Gunderson, by vote unanimously carried to send a letter to the parties of the board's intention to hire Houston Engineering to determine the height of the crossing and affect on the flow.
- Moquist vs Elora Township/Nine C's – A motion was made by Ted Juhl, seconded by William Gunderson, by vote unanimously carried to request a stream crossing determination on 81<sup>st</sup> Street Ne near the intersection of 142<sup>nd</sup> Ave Ne.

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- Moquist vs Redmann (Johnson Farms) – A motion was made by Randall Emanuelson, seconded by Ted Juhl, by vote unanimously carried to send a letter to Moquist requesting an update as the parties had previously indicated a possible agreement with a thirty day deadline for response or the board will dismiss.

A motion was made by Randall Emanuelson, seconded by William Gunderson, by vote unanimously carried to approve the resolution and funding packing from the Bank of North Dakota for Drain 34 at a properly noticed meeting held in Cavalier, North Dakota on October 31, 2023. Roll Call – Richard Kendall – yes, Ted Juhl – yes, William Gunderson – yes, Randall Emanuelson, - yes, Absent – Donald Kemp.

Manager Juhl reported on a letter from KLJ, Inc regarding a bridge removal on Drain 66. The board visited with Jeff Daley – KLJ, Inc. Daley indicated that there is no local costs due to the grant program through ND DOT.

Manager Gunderson reported on site inspections – JF complaint and Cameron complaint look to be complete but will wait for Houston’s survey, Drain 4 culvert is nearly done, Drain 81 work is progressing.

Discussion on remaining spoil on Drain 67A – waiting on Houston to stake the easement through city limits.

Manager Kendall reported that ND DOT has found the plan set for the ditch block west of Cavalier and surveyed it. It is very close to the design elevation at this time.

Attest: \_\_\_\_\_  
LuAnn Kemp, Secretary

\_\_\_\_\_  
Richard Kendall, Chairman