

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

August 4., 2026

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

Those present were Managers William Gunderson, Donald Kemp, Ted Juhl, Randall Emanuelson, and LuAnn Kemp, secretary. Attorney Robert Fleming also present. A motion was made by William Gunderson, seconded by Ted Juhl, by vote unanimously carried to approve the minutes of July 28, 2026.

The public comment period was held at 8:10 am. No public comments were received.

A motion was made by Ted Juhl, seconded by William Gunderson, by vote unanimously carried to agenda to include: Devon Johnson -Pembina County Highway, Vivatsion ND DOT ROW permits, and Drain 82 Culvert trap.

Johnson met with the board regarding drainage permits and culvert requests. A motion was made by Ted Juhl, seconded by William Gunderson, by vote unanimously carried to approve the Pembina County DOT ROW permit and culvert request for W. Kemp in Section 1-161-52. A motion was made by William Gunderson, seconded by Ted Juhl, by vote unanimously carried to approve the Pembina County DOT ROW permit and culvert request for W. Kemp in Section 2-160-52.

Discussion followed on the S. Anderson culvert request. Johnson will complete a site inspection on the area. Board recommended to complete a stream crossing study due to downstream concerns.

A motion was made by William Gunderson, seconded by Randall Emanuelson, by vote unanimously carried to approve payment of the bills as presented:

14416	LuAnn Kemp	5,560.62
14417	Pembina County	2,936.63
14418	ND Water Resource Association	120.00
14419	Dirty Deeds Dirtwork, Inc	2,603.00
14420	Quill	550.11
14421	Tunheim Construction	33,250.00
14422	Widmer Roel	7,950.00
14423	Donald Kemp	4,012.76
14424	William Gunderson	1,700.96

A motion was made by William Gunderson, seconded by Ted Juhl, by vote unanimously carried to approve the ND DOT ROW permits (2) for K. Vivatson in Section 1-161-53 and Section 2-161-53.

A motion was made by William Gunderson, seconded by Randall Emanuelson, by vote unanimously carried to provide a trap for the Drain 82 CMP at the south end of the drain with Vivatson to install.

Discussion on the Drain 11 estimate and culvert repairs.

August 4., 2026
MINUTES OF THE MEETING OF THE
PEMBINA COUNTY WATER RESOURCE DISTRICT BOARD OF MANAGERS
WATER RESOURCE DISTRICT OFFICE, CAVALIER ND

Page 2

Attorney Fleming reviewed his correspondence to Ms. Landry regarding her concerns at Bourbanis Dam. Johnson Farms vs Johnson Farms engineering report and bills have been sent to the Attorney Gibbons. A letter is drafted to Dakota Northern regarding the Schurmann and Longtin complaints.

Ross Nilson – Attorney joined the meeting by telephone. Attorney Fleming reviewed the request from Mr. Nilson regarding the Drain 5 assessment area. The hearing and appeal process has been completed. Any further appeals would need to be done per the NDCC.

Mike Ferrie and Zach Herrmann – Houston Engineering and Cordell Wimpfheimer – Dirty Deeds Dirtwork were present to discuss the Drain 4 contract. Soft bids were opened and awarded for the Drain 4 Grade Stabilization. Mr. Wimpfheimer is requesting to amend his bid to increase the rip rap by \$42,000 due to the aggregate that was to be incidental to the rip rap. He indicates that the rock supplier updated his price via email to an email that Mr. Wimpfheimer does not have access to, but is the one provided on the contractor bid listing. Discussion followed on soft bid procedures and options for rebidding the project as well as potential impact to the ND DWR Cost-share. A motion was made by Randall Emanuelson, seconded by William Gunderson, by vote unanimously carried to allow Mr. Wimpfheimer to increase his bid by \$42,000 to allow for the increased rip rap price/quantity.

The board met with the Pembina County Commission for project updates:

- Projects are in progress or planned on Drain 64 Enbridge/Minkota crossings, Drain 4 Grade Stabilization, Drain 5 Extension and Drain 78 FEMA project
- Renwick Safety repairs are completed and inspections by NRCS will be completed later today
- City of Pembina Dam removal/fish passage project is pending ND DWR cost-shar at this time
- Red River Joint Board is working to prioritize retention structure funding by completing an dam inventory this fall
- Discussion was held on options for spraying the drains; drones may not be able to complete the spraying due to drift concerns on nearby fields

A public hearing was held at 10:00 AM, as required in NDCC 61-16.1-09, on the proposed Snagging and Clearing project on the Tongue River in Pembina County. Those in attendance include Pembina County Water Board members Randall Emanuelson, Ted Juhl, Bill Gunderson, and Don Kemp. LuAnn Kemp, Water Board Secretary and Robert Fleming, Water Board Attorney. Zach Hermann and Mike Ferrie, Houston Engineering. Larry DuBois, Doug Olason, and Zelda Hartje also present. Ferrie gave a brief review of the project and presented a handout with pictures of the project to date, along with a map showing the area that is planned to be completed this year, depending on funding availability. The Water Board is hoping to be on the October agenda with the North Dakota State Water Commission to see if cost share funding will be available for the 2026-2027 project year. Larry DuBois discussed the erosion that has happened on his property since the snagging and clearing was completed in his area. He has lost property

August 4,, 2026

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

Page 3

due to the erosion and feels the project was not beneficial to his property. He is asking the project not be approved. Olason reported a need for the project and a desire to have dams drawn down lower in fall and spring. Hartje discussed avoiding the area of the ox cart trail.

Water Board voted on the project. Motion made by Randall Emanuelson and seconded by Ted Juhl to establish the Snagging and Clearing project as presented. Roll call: Don Kemp – yes; Bill Gunderson – yes; Randall Emanuelson – yes; Ted Juhl – yes. Motion carried. Commission vote passed 4-1 which results in establishing the Snagging and Clearing project for 2026-2027. Project will be prepared for the ND DWR cost-share application and bidding.

Manager Gunderson discussed a trap on Drain 4 that is currently on the bottom of the drain. IT will need to be re-installed when conditions allow.

Discussion on the Drain 11 culvert repair continued. A motion was made by Randall Emanuelson, seconded by William Gunderson, by vote unanimously carried to replace the Drain 11 CMPS with three lines of 42 inch x 50 feet poly-coated pipe with office to order. A motion was made by Ted Juhl, seconded by Randall Emanuelson, by vote unanimously carried to approve the Drain 11 estimate from Triple D Construction and hire Houston Engineering to set the hubs as needed by the contractor.

Manger Emanuleson, reported that a 36 x 60 inch culvert and trap in Section 35 Drayton in Drain 55 is rusted out and needs replacing. Discussion followed on ND DOT ROW permit and direct hire of the project.

Manager Juhl reported that he had been contacted by Mr. Fischer regarding the needed cleanout on Drain 6.

Ferrie and Herrman gave updates on projects:

- Tongue River Snag and Clear will be prepared for ND DWR cost-share; deadline of August 24 for October meeting
- Olga Dam – Likely will be re-classified as Significant Hazard;
- Drain 64 Approach replacements – waiting on culverts
- Tongue River Cutoff – final easements should be provided to the office later this week
- Weiler televising is being scheduled for later this month
- Drain 78 – Construction is complete for the outlet and change order
- Renwick Dam – Construction is complete; project is pending approval of seeding
- Drain 5 – working with RR ROW and land rights for easments
- Senator Young/Olson – RRJB Cost-share was reviewed and will be submitted this week for next week's meeting

A motion was made by William Gunderson, seconded by Randall Emaneulson, by vote unanimously carried to add the Blawat ND DOT ROW permits to the agenda. A motion was made by Ted Juhl, seconded by Randall Emanuelson, by vote unanimously carried to approve the permits as presented.

Regular meeting next week is moved to Thursday due to office staffing.

Attest: _____

LuAnn Kemp, Secretary

Donald Kemp, Chairman