

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

February 10, 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, Randall Emanuelson, Donald Kemp, Ted Juhl (telephone), and LuAnn Kemp, secretary. Attorney Robert Fleming also present. A motion as made by William Gunderson, seconded by Randall Emanuelson, by vote unanimously carried to approve the minutes of January 20, 2026.

The public comment period was held at 8:15 am. No public comments were received.

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

14356	LuAnn Kemp	5,560.62
14357	Pembina County	2,926.65
14362	Houston Engineering	3,007.00
14363	LuAnn Kemp	48.69
14364	Zion Bank	400.00
14365	United Valley Bank	198,000.00

A motion was made by Randall Emanuelson, seconded by William Gunderson, by vote unanimously carried to add Devon Johnson – Pembina County Highway to the agenda.

A motion was made by Randall Emanuelson, seconded by Ted Juhl, to approve the Pembina County Highway approach permit in SE ¼ Section 14-159-64 for Minkota Power.

Discussion was had on the ND DWR Water Development plan project proposal process. A motion was made by William Gunderson, seconded by Randall Emanuelson, by vote unanimously carried to request Houston Engineering to help with developing our project for the Water Development Plan.

The board reviewed Commission Becker’s correspondence regarding the drone flight for a potential snagging and clearing project.

A motion was made by Randall Emanuelson, seconded by Ted Juhl, by vote unanimously carried to approve the J. Heuchert tile permit for a 146-acre drain tile system in NW ¼ Section 16-160-54 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

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A motion was made by William Gunderson, seconded by Ted Juhl, by vote unanimously carried to issue a comment of support for Pembina County Highway's bank stabilization project in Section 22-163-55 in regards to SL2572.

A motion was made by Randall Emanuelson, seconded by William Gunderson, by vote unanimously carried to request quotes for a \$750,000 operating loan from United Valley Bank.

The board reviewed the Drain 78 FEMA correspondence. Discussion will be held on with Houston Engineering to plan for the additional rip rap.

The board reviewed the dam inspection for Senator Young Dam – it will be added to the joint agenda in March with Cavalier County WRD.

Jess Morton – Morton Helicopter from Larimore met with the board to discuss options for helicopter spraying with the board. Current rates are approximately \$400/mile with a request for KMZ file and deadline of July 1 for spraying path.

Attorney Fleming gave updates on the Drain 5 memo regarding the assessment process and the Johnson Farms vs Gapp complaint for obstruction to a drain/watercourse. A motion was made by Randall Emanuelson, seconded by William Gunderson, by vote unanimously carried to approve to dismiss the complaint of Johnson Farms against Gapp in Section 3- Walhalla township as there is no natural watercourse or legally constructed drain in the complained of location.

The Emergency Action Plan tabletop is planned for March 12, 2026.

Manager Kemp discussed a need to try to legislate for additional state funding for dam safety repairs.

Discussion was held on a need for snow removal from the drains.

A motion was made by William Gunderson, seconded by Donald Kemp, by vote unanimously carried to authorize cashing of stale dated checks.

Attest:

LuAnn Kemp, Secretary

Donald Kemp, Chairman