

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

January 28, 2025

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, Ted Juhl, Richard Kendall (electronic), Donald Kemp and LuAnn Kemp, secretary. Attorney Fleming and Commission Scott Becker also present. A motion was made by William Gunderson, seconded by Randall Emanuelson, by vote unanimously carried to approve the minutes of January 21, 2025 as amended to not award Option A.

A motion was made by Ted Juhl, seconded by Randall Emanuelson, by vote unanimously carried to amend the agenda to include the Olga/Olson ND DWR Cost-share.

A motion was made by William Gunderson, seconded by Randall Emanuelson, by vote unanimously carried to approve the ND DWR Cost-share for the Gate Projects at Olson/Olga.

A motion was made by Ted Juhl, seconded by William Gunderson, by vote unanimously carried to apply for cost-share from Red River Joint Board for the Olson/Olga gate projects.

Secretary Kemp requested board members submit any photos of the Drain 47 trees to the office by the end of the month.

The board reviewed the ND Drainage Guidelines in regards to the Fritz/Symington complaint and the complaint of Fleming vs Voecks/Burlington Northern.

Daniel O'Keefe, Deidre O'Keefe, Brian Otoole and Darin Otto present to discuss the Cart Creek near the City of Crystal. The group discussed the flooding that occurs near the school in Crystal and inquired as to the process of snagging and clearing to the south and east of Crystal.

Zach Herrmann and Mike Ferrie – Houston Engineering arrived. Herrmann updated the group on the on-going grant process with FEMA for the City of Crystal. Herrmann also reviewed the flood plain designations for the school and area properties.

Houston Engineering provided updates as follows:

- Drain 64: An electronic meeting with Enbridge officials – Tim Larson and Nick Bodensteiner – was held to discuss the Drain 64 crossings to the Enbridge property. The ND DOT has indicated that the current approaches are not permitted and would need to be permitted to have culverts replaced. Discussion on the guidance regarding the number of approaches off the state highway. Enbridge will work with ND DOT to permit the approaches and desire to keep all three at this time. The WRD would be responsible for providing one access for the property. Houston will assist Enbridge with the permitting.
- Drain 7: A public meeting was held with landowners from Drain 7. Those present included: Curtis Christenson, Bill Kemp, Lee Menzies, and Greg Kemp. Ferrie provided the group with an initial design for the outlet replacement to include replacing the existing 42 inch structure with a 60 inch structure, replacing the 36 inch outlet with a 54 inch outlet as well as work on the overflow structures to increase drop from 2 year event to 10 year event. Overflow pipes increase from 10 year event to 50 year event. Total cost is estimated at \$495,000.
- Drain 78: Discussion on the design and process for submitting to FEMA for review as improved project.

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- Drain 67A Berm Repair: the board reviewed the current levels and design capacity of the drain as well as the proposed berm improvements. Houston will be providing a memo on the current capacity vs design capacity. No action will be taken at this time.
- Drain 4: the engineering for the Drain 4 drop structure/apron repair were reviewed; engineering estimate was presented at \$24,000. Discussion followed on need for the engineering due to the damages occurring at this time. A motion was made by William Gunderson, seconded by Ted Juhl, by vote unanimously carried to approve the application to ND DWR Cost-share for the feasibility study of the Drain 4 Reconstruction.
- Drain 5: A motion was made by Ted Juhl, seconded by William Gunderson, by vote unanimously carried to set the bond for the Drain 5 Extension and Reconstruction petition at \$96,700 and approve the application to the ND DWR Cost-Share for preconstruction costs for Drain 5 Extension and Reconstruction.
- Johnson Farms/Gapp/Thompson complaint – discussion the preliminary results using LIDAR; A motion was made by Randall Emanuelson, seconded by William Gunderson, by vote unanimously carried to authorize on-the ground survey of the dike complaint. A meeting will be set for March 4 to update the parties on the complaint.
- Drain 81: a motion was made by Randall Emanuelson, seconded by Ted Juhl, by vote unanimously carried to approve the Substantial Completion certificate for Drain 81.
- Drain 66: Discussion on the conversations with NRCS officials last week; Manager Juhl will meet with the landowner to determine interest in signing the Modified Use permit; Houston will follow up with ND NRCS Easements division – Todd Hagel if landowner is agreeable.
- TR Cutoff: discussion on the easement needed for the work; board directed to avoid NRCS easements if possible
- Drain 13 – Scharmer Culvert request: The board reviewed options for engineering based on bid versus direct hire. A motion was made by Randall Emanuelson, seconded by William Gunderson, by vote unanimously carried to direct hire the culvert project later this spring.
- Tongue River EAP – the tabletop will be planned for Summer 2025
- Herzog/Bourbanis Watershed: A motion was made by William Gunderson, seconded by Ted Juhl, by vote unanimously carried to approve the contract with Houston Engineering at 100% federal cost-share for the Herzog/Bourbanis Watershed.

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The board completed the annual review of services by Houston Engineering. Discussion held on switching to a master contract with tasks for streamlining of the contractual process.

A Park River Joint Board meeting will be scheduled for February 11 at 11:00 am to discuss potential projects.

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