

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

July 10, 2026

MINUTES OF THE MEETING OF THE
PEMBINA COUNTY WATER RESOURCE DISTRICT BOARD OF MANAGERS
FARMERS ROOM – PEMBINA COUNTY COURTHOUSE, 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 June 30, 2026.

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

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

14404	7/6/2026	LuAnn Kemp	5,560.62
14405	7/6/2026	LuAnn Kemp	176.18
14406	7/6/2026	Pembina County	2,936.63
14407	7/6/2026	Polar	20.00
14408	7/6/2026	Quill	318.03
14409		VOID	
14410	7/6/2026	Kendall Construction	3,000.00
14411	7/6/2026	Cavalier Chronicle	103.24
14412	7/6/2026	ND Workforce Safety	250.00

The board discussed spraying of the drains. Drain 81 does have some trees growing in the rock drop structures. Discussion followed on benefit of the root system to the stability of the rip rap – areas will be monitored for spraying next summer. List of drains needing spraying will be completed as conditions allowed.

Julia and Robert Landry and Ross Nilson present.

The correspondence from Ms. Landry regarding the need for spraying at Bourbanis was reviewed. The Cavalier County Weed officer and Mr. Gemmill have been on-site and found the area to be largely free of noxious weeds.

A motion as made by Randall Emanuelson, seconded by Ted Juhl, by vote unanimously carried to approve the request for quotes for culvert installations on Drain 4, 67B, and 79.

Discussion was held regarding Columbia Grain culvert request and drainage permit. Township signatures are needed on the culvert request and the drainage permit will need to be sent to the NDDWR for determination of interdistrict significance prior to the board reviewing it.

Manager Kemp reported that the Drain 64 crossing in the ND DOT weigh station has ends that are collapsing. A letter will be drafted requesting ND DOT repair the end sections. Kemp also reported on the breakout on Drain 67. Mr. Kennelly will be in the office next week to review the concern.

Manager Gunderson reported damage on Drain 16 near the outlet.

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Manager Juhl reported Mr. Hanson had signed the necessary letter for the Tongue River Cutoff modified use permit. Juhl also reported on the ND DWR basin meeting held yesterday in Grand Forks. Changes to ND DWR cost-share are likely. The board has until July 29, 2026 to make any comments on the proposed changes.

The board discussed a need to install a cable to remove the lid at Morrison Dam. The level of the water will be monitored as it is too deep for inspection currently.

The Snagging and Clearing hearing was set for August 4th @ 10:00 am. The Regular meeting for next week will be scheduled for Wednesday, July 15, 2026 to allow for the Drain 64 bid opening.

Zach Herrmann – Houston Engineering discussed the Drain 5 assessment and the City of Pembina dam cost-share. Further updates will be provided next week.

The 2027 budget for general and drain funds was reviewed.

The Tongue River Watershed – Bourbanis/Herzog Public Scoping meeting was held at 10:00 am as noticed in the Cavalier Chronicle. Those in attendance included: Shannon Heck, Scot Becker – Pembina County Commission, John Hardy, Lorne Reimer, Gary Hardy, Luke Lundebly – NRCS, Brennan Hardy – NRCS, Brian Hardy, Julia Landry, Robert Landry, Donald Kemp – Pembina County WRD, Ted Juhl – Pembina County WRD, Randy Emanuelson – Pembina County WRD, William Gunerson – Pembina County WRD, LuAnn Kemp – Pembina County WRD Secretary, Robert Fleming – Pembina County WRD Attorney, Zach Herrmann – Houston Engineering, Erica Althoff – NRCS, Jon Peterson – NRCS, Nicolas Benedickson – ND DWR, Ethan Kitsch – ND DOT, and Damian Grabow – ND DWR.

Herrmann reviewed the history and process of the rehabilitation process through NRCS. The dams in the Tongue River Watershed were constructed through the PL 566 program. The process of the planning process was reviewed. The Pembina County WRD is currently in the early stages of identifying the scope as well as purpose and need. Bourbanis Dam experienced a catastrophic failure in 2022 and is currently partially decommissioned. It is still considered a Significant Hazard Structure. Herzog Dam is considered a High Hazard Dam and is insufficient in multiple categories – and needs to be brought up to current state and federal dam safety standards. The current step is identifying concerns and opportunities through public input for both structures. The comment form was provided in-person and on the Pembina County WRD website with a deadline for comment of July 24, 2026. Current schedule takes the planning process through 2028.

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Public comments provided included:

- Discussion on sedimentation rates at Renwick Dam as well as other dams in the watershed
 - Challenges include potential contamination within the sediment and designing for potential future sediment
- Board will be working through the planning process to be ready for any potential federal funding in the future.
- Discussion held on the level that Herzog dam is being kept at – request for a higher pool level.
 - Concern about providing adequate flood storage has necessitated keeping the dam at a lower level – partially due to decreased storage due to sediment.
- NRCS would like producers to help by addressing sediment management through cropping and other practices. NRCS is interested in providing education and options for people in the watershed.
- Sediment from Herzog will be evaluated for potential contamination as part of the planning process.
- Is there possibility of using the sediment for fertilizer of higher levels of phosphates is the concern?
 - Maybe but also likely a regulated pollutant

Attest: _____
LuAnn Kemp, Secretary

Donald Kemp, Chairman