

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

July 15, 2026

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

Those present were Managers William Gunderson (by phone), Donald Kemp, Ted Juhl, Randall Emanuelson, and LuAnn Kemp, secretary. Attorney Robert Fleming also present. A motion was made by Ted Juhl, seconded by Randall Emanuelson, by vote unanimously carried to approve the minutes of July 10, 2026 as amended to include: A motion was made by William Gunderson, seconded by Ted Juhl, by vote unanimously carried to close the gates at Renwick and Herzog Dams.

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

The board reviewed the estimates for the direct hire of culvert installations on Drain 4, 79, and 67B. Option A was each drain separately and Option B was all culvert installations in one contract.

	Option A (4/67b/79)	Option B
• Triple D Construction		\$12,950.00
• Dirty Deeds, LLC	\$4500/\$4000/\$4000	\$ 9,800.00
• Aces Yard Solutions		\$32,000.00
• Kendall Construction, Inc		\$57,000.00

A motion was made by Randall Emanuelson, seconded by Ted Juhl by vote unanimously carried to award the Direct Hire of the Culvert installations on Drain 4, 67B and 79. Roll Call Vote: Emanuelson – Yes, Kemp – Yes, Juhl – Yes, Gunderson – Yes.

A motion was by Ted Juhl, seconded by Randall Emanuelson, by vote unanimously carried to approve the 2027 General and Drain Fund Budgets including the following Drain Assessments:

Drain 3	\$ 2.00	Drain 60	\$ 4.00
Drain 4	\$ 4.00	Drain 62-R	\$ 2.00
Drain 5	\$ 4.00	Drain 64	\$14.00
Drain 7	\$ 4.00	Drain 66	\$ 2.00
Drain 11	\$ 1.00	Drain 67	\$ 4.00
Drain 12	\$ 4.00	Drain 69	\$ 1.00
Drain 13	\$ 1.00	Drain 73	\$ 1.00
Drain 16	\$ 1.00	Drain 78	\$ 6.00
Drain 17	\$ 1.00	Drain 79	\$16.00
Drain 19	\$ 1.00	Drain 81	\$19.00
Drain 23	\$ 4.00	Drain 82	\$ 5.00
Drain 28	\$ 1.00	W-2	\$ 1.00
Drain 34	\$12.00	W-3	\$ 4.00
Drain 38	\$ 2.00		
Drain 39	\$ 8.00		
Drain 47	\$ 1.00		
Drain 51	\$ 2.00		
Drain 51-b	\$ 2.00		
Drain 55	\$ 2.00		

Roll Call Vote: Emanuelson – Yes, Kemp – Yes, Juhl – Yes, Gunderson – Yes.

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The board reviewed the letter to the ND DOT regarding the needed repairs to the end-sections in Drain 64 within the approach for the North Dakota Weigh station.

Josh Short presented a proposal for trapping beaver within the county -specifically Olson Dam. The board was not aware of the beaver issue at Olson Dam prior to today. Short proposed a seven-day period of trapping with \$300 a beaver for the first five and \$200 for any additional beaver during the seven-day period. Discussion followed. The board will contact the USDA Animal Control first to determine availability of the state-sponsored trapper.

A motion was made by Randall Emanuelson, seconded by Ted Juhl, by vote unanimously carried to approve payment of the following bills:

14413	Pembina County	54.00
14414	Kendall Construction	15,400.00
14415	Cavalier Chronicle	307.28

Others in attendance included: Kendall Gemmil, Jeff Duray, Gabby Tunheim, Ralph Schmidt, Aaron Gladen and Tom Kennelly.

Attorney Fleming gave updates. The Johnson Farms vs Gapp deadline extension was sent. Johnson Farms vs Johnson Farms and Longtin/Schuman vs Dakota Northern complaint letters still need to be sent. Discussion was held on the J. Landry concerns at Bourbanis Dam, including easement language, original design, and current inspection of the site. Additional inspection for weeds will be held in the fall.

The bid opening for the Drain 64 Enbridge/Minkota crossings was held at the time and place of the Advertisement of Bid. Bids included:

Triple D Construction	\$189,229.00
KCI Construction	\$217,551.44
Tunheim Construction	\$227,568.00
Gladen Construction	\$284,103.60
Knife River Materials	\$288,533.00

A motion was made by Ted Juhl, seconded by Randall Emanuelson, by vote unanimously carried to accept all bids for the Drain 64 Enbridge/Minkota project.

Roll Call Vote: Emanuelson – Yes, Kemp – Yes, Juhl – Yes, Gunderson – Yes.

Tom Kennelly met with the board regarding breakout flows in Drain 67A in Section 28-N. St. Thomas. He has talked to adjacent landowners about repairing the berm on the property. Discussion was held on the Drain ROW and as-built design plans. The board did not object to the private landowner project as it is outside of Drain ROW and not part of the original as-built design of the drain.

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Manager Kemp discussed a request from Patrick Dunnigan for a culvert replacement in the NW corner of the NW ¼ of Section 31-163-56. The project to install a new 36 x 40 foot culvert in an approach will be put out for a direct hire to contractors on the 2026 Rental of Road Machinery list.

Mike Ferrie – Houston Engineering arrived at this time.

Attorney Ross Nilson and Zach Hermann -Houston Engineering met electronically to discuss the Drain 5 Benefit Assessment. The board discussed the report as well as the updated analysis to include an estimated cost to return the McDonald parcel to farmland – even with increased cost to return to farmland the parcel achieves more than a 1:1 benefit ratio.

A motion was made by Randall Emanuelson, seconded by William Gunderson, to accept the engineer's recommendations for changes to the benefits analysis based on review of protests received during the assessment hearing for Drain 5 as follows:

- Parcel 13-1670000 – No change recommended to the initially calculated benefit and proposed assessment amount
- Parcel 13-0270000 – Recommend removing 60 acres, and the benefits and the proposed assessment be recalculated using the per-acre benefit rate determined from the initial analysis using 100 acres -- Total Assessment: \$41,000.00
- Parcel 13-1880000 - No change recommended to the initially calculated benefit and proposed assessment amount
- Parcel 13-1740000 - No change recommended to the initially calculated benefit and proposed assessment amount
- Parcel 13-0260010 – Remove this parcel from the Drain 5 assessment area - Total Assessment: \$0.00
- Parcel 13-0280000 - the benefits and the proposed assessment be recalculated using the per-acre benefit rate determined from the initial analysis using 80 acres - Total Assessment: \$32,800
- Parcel 13-0290000 the benefits and the proposed assessment be recalculated using the per-acre benefit rate determined from the initial analysis using 100 acres - Total Assessment: \$41,000.00

Roll Call Vote: Emanuelson – Yes, Kemp – Yes, Juhl – Yes, Gunderson – No. Motion passed 3-1

A motion was made by Randall Emanuelson, seconded by Ted Juhl, by vote unanimously carried to award the Drain 64 Enbridge/Minkota bid to Triple D Construction for \$189229.00.

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Ferrie presented updates from Houston Engineering:

- Drain 4 – the soft bid package is ready for contractors; bid will be opened July 28 with work completed by October 30
- Drain 64 – discussion on final DOT permits needed. A motion was made by Ted Juhl, seconded by Randall Emanuelson, by vote unanimously carried to approve the NDDOT ROW permits for the project.
- Tongue River Cutoff – a cultural resources survey is needed on the WRP easement properties and will be completed soon, final easements are being finished and will be provided to the WRD office when complete
- Renwick Dam – the disturbed area has been re-seeded
- Olga Dam – the board will work with Kendall Construction to repair the road erosion
- Wieler Dam – Lakes Jetting will be on-site soon to complete the work; Kendall Construction was contacted to remove the animal guard
- Drain 67C – project is complete; final pay estimate will be provided to the contractor for signatures
- Drain 78 FEMA – the work is largely complete

No meeting July 21 as the office will be closed.

Attest: _____

LuAnn Kemp, Secretary

Donald Kemp, Chairman