

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

July 28, 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, Donald Kemp, Ted Juhl, Randall Emanuelson, and LuAnn Kemp, secretary. Attorney Robert Fleming also present. A motion was made by Randall Emanuelson, seconded by Ted Juhl, by vote unanimously carried to approve the minutes of July 15, 2026 as amended to include: ... Drain 4, 67B and 79 to *Dirty Deeds Construction Option B*.

Kendall Gemmill and Cordell Wimpfheimer present.

A motion was made by William Gunderson, seconded by Ted Juhl, by vote unanimously carried to waive the irregularity for the Dirty Deeds Dirtwork quote. The board opened the quotes for the Drain 60 Culvert replacement direct hire. Quotes received were:

Triple D Construction	\$3800.00
Dirty Deeds Dirtwork	\$5000.00
Kendall Construction	\$8810.00
Clark Construction	\$2450.00

A motion was made by William Gunderson, seconded by Randall Emanuelson, by vote unanimously carried to award the Direct Hire for Drain 60 to Clark Construction.

The board reviewed the estimates from Kendall Construction for the repair of the road drainage at Olga Dam and the removal of the animal guard at Weiler Dam. A motion was made by William Gunderson, seconded by Randall Emanuelson, by vote unanimously carried to approve the estimates as presented – Olga Dam (\$8149.56) and Wieler (\$400.00).

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 amend the 2026 Drain Certification to set the Drain #5 assessment at \$8/acre for 2026.

Adam Olson – NE Aerial Drone Spraying – met by telephone to discuss spraying on the drains. Olson indicated some concern about drift alongside the drains that could impact growing crops. Discussion also was had about the possibility of spraying the drain within the city of St. Thomas. Olson will get back to the board regarding the city spraying. Board discussion followed on need to have drains sprayed by helicopter instead and will reach out to Midwest Helicopter out of Larimore.

Lyle Shephard met with the board regarding the breakout of Drain 79 along his property in NW ¼ of Section 6-160-54. There was originally no designed berm according to the as-built plans. Shephard is agreeable to allowing the construction of a small berm along the property to help with breakout flows. KLJ will be contacted regarding the options for building the berm alongside the drain.

Ed Ramsey, Darren Olafson, Kelly O'Toole, Brian O'Toole, Tyler Cameron, and Doug Ramsey were present to discuss the complaint filed by Mr. Rasmey regarding an obstruction in Section 7 and 8-159-55 along ND Highway 66. Ed Ramsey is requesting the landowners clean the ditch.

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Discussion held on landowners farming within the ND DOT ROW causing obstructions to the drainage as well as options to restore the field berms along the ditch. A motion was made by William Gunderson, seconded by Ted Juhl, to dismiss the complaint against O'Toole Seed as they are not the landowner – Mr. Rasmeay in agreement. Mr. Cameron is willing to shut the tile drain pumps off as needed to allow for cleanout of the ditch downstream. A motion was made by Ted Juhl, seconded by William Gunderson, by vote unanimously carried to allow the parties to negotiate a resolution to the complaint with a deadline of October 1, 2026 for resolution. ND DOT ROW permit forms were provided to the parties as well.

Jeff Duray arrived at this time.

A motion was made by Ted Juhl, seconded by Randall Emanuelson, by vote unanimously carried to approve the O'Toole tile permit for a 192-acre drain tile system in SW ¼ of Section 6-159-55 and SW ¼ of Section 5-159-55 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

The soft bids for the Drain 4 Grade Stabilization were reviewed. Bids received were:

Triple D Construction	\$247,240.00
Dirty Deeds Dirtwork	\$129,710.00

A motion was made by Randall Emanuelson, seconded by Ted Juhl, by vote unanimously carried to accept the bids as presented and send to Mr. Ferrie for review. Discussion held on need to provide the accepted bid to the ND DWR Cost-share as requested by ND DWR. With funds becoming restricted, ND SWC is requesting bids be provided prior to full approval to limit any over-obligating of funds.

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A motion was made by William Gunderson, seconded by Randall Emanuelson, by vote unanimously carried to approve the K. Johnson tile permit for a 146-acre drain tile system in NE ¼ and NW ¼ of Section 34-161-56 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

Manager Gunderson discussed the Drain 11 crossing between Sections 3-163-52 and 32-164-52. There is a hole developing in the road top. Currently, there are 3 x 42 inch CMPS in the crossing. Discussion held on need to complete repairs or replacement prior to harvest. Duray was asked to provide an estimate to the board for the project.

A motion was made by Randall Emanuelson, seconded by William Gunderson, by vote unanimously carried to amend the 2026 Drain Certification to set the Drain #11 assessment at \$4/acre for 2026.

A motion was made by William Gunderson, seconded by Randall Emanuelson, by vote unanimously carried to award the Drain 4 Grade Stabilization to Dirty Deeds Dirtwork for \$129,710. Engineer estimate was \$174,800. Awarded bid was provided to ND DWR cost-share request which lowered our cost-share request for engineering and construction from \$130,368 to \$100,606.80.

The board reviewed the culvert request from S. Anderson in NW ¼ Section 7-160-54 and recommended stream crossing analysis be done due to previous concerns downstream.

A motion was made by Ted Juhl, seconded by Randall Emanuelson, by vote unanimously carried to approve the 2026 Certificate of Drain taxes with the amendments to Drain 5 and 11.

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A motion was made by Randall Emanuelson, seconded by Ted Juhl, by vote unanimously carried to approve the Notice of Hearing for Adding Parcels to Drain 5 as requested by landowners.

A motion was made by Ted Juhl, seconded by Randall Emanuelson, by vote unanimously carried to approve the Notice of Hearing for Removing Parcels from Drain 66 as requested by landowners.

A motion was made by Ted Juhl, seconded by Randall Emanuelson, by vote unanimously carried to approve submittal of comments regarding the ND DWR Cost-share policy changes.

Manager Kemp reported on dam inspections – Morrison needs to have a trash rack designed. Kemp also discussed wash-outs occurring on the bank of Drain 7 where work was done last year.

Manager Juhl discussed a need for cleaning Drain 6 west of the Interstate for approximately 2 ³/₄ miles. A motion was made by Ted Juhl, seconded by Randall Emanuelson, by vote unanimously carried to hire Fischer Land Surveying and Engineering to prepare Drain 6 for a soft bid of the needed cleanout.

Juhl also discussed the Valley Landfill crossing in Drain 64. Landowners are agreeable to moving the crossing. Discussion followed on price of the used pipes the WRD owns.

Manager Gunderson reported a need for 24-inch trap on Drain 4.

Gavin Caruso – USDA Wildlife specialist met with the board to verify locations on Drain 12, Drain 73 and Olson dam for trapping beavers.

Attest: _____
LuAnn Kemp, Secretary

Donald Kemp, Chairman