

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

June 25, 2024

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

Those present were Managers Randall Emanuelson, Ted Juhl, William Gunderson, Donald Kemp, and LuAnn Kemp, secretary. Attorney Fleming also present. A motion was made by Donald Kemp seconded by Ted Juhl, by vote unanimously carried to approve the minutes of May 16, 2024.

A motion was made by William Gunderson, by vote unanimously carried by Ted Juhl to pay the bills as presented:

14095	City of Cavalier Recreation	120.00
14096	William Gunderson	959.69
14097	Fischer Land Surveying and Engineering	20,492.68
14098	OldCastle Infrastructure	151,760.90
14099	Quill	620.63

A motion was made by Randall Emanuelson, seconded by William Gunderson, by vote unanimously carried to approve the Pembina County DOT ROW for Gudajtes along County Road 11.

The board reviewed the Volk Culvert request – it had previously been approved by the Commission. Board issued no comment.

The board reviewed the correspondence from David Moquist regarding the outstanding complaints. The Redmann (Johnson Farms) complaint – a culvert has been installed but Moquist would like the ditch cleaned from Highway 18 east to the half mile line. Working with Johnson Farms to complete a survey and additional cleaning. The Nine C's complaint was sent to the ND DWR in November 2023 for a stream crossing determination.

Roger and Darren Olafson, Thomas and Lyle Shephard, and Devon Johnson met to discuss the complaint filed by Mr. Olafson in Section 32-Park Township. Discussion on the culvert/bridge sizing and sediment/meanders restricting flow. Johnson reported 3 culvert between Sections 36 and 31 – a 48 inch CMP, a 12 x 5 box and a 60-inch CMP, one 13 x 5 box between Section 31 and 32 and a larger bridge on the south edge of 32. Discussion on options to request a stream crossing determination from the ND DWR. Olafson and Shephard will work together to clean on the Shephard property. Discussion on extending the complaint further down the Cart Creek.

Tim Wilwand met with the board regarding the Drain 34 lateral. He is requesting that the lateral be cleaned and possible lowered to meet the improved grade on Drain 34. A motion was made by Ted Juhl, seconded by Randall Emanuelson, by vote unanimously carried to have Fischer Land Surveying and Engineering work with Triple D to estimate quantities and price for the proposed change order.

Wilwand also reported that there is one approach that needed to be removed and will need replacing do to the alignment of the reconstruction on Drain 34.

Manager Juhl and Willwand discussed culverts in 101st street by Drain 73.

Johnson reviewed an culvert request for an approach from Bret Christensen. Board had no comment.

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Greg Fritz, Owen Symington, Tim Wilwand, and Jason Volk present as well as Houston Engineering – Mike Ferrie and Zach Herrmann. Symington reviewed the history of the culvert in question for the Fritz vs Symington complaint. Houston Engineering provided an estimate of \$10,000 to investigate the complaint. Symington and Fritz reached an agreement including a ditch block and relocating the culvert back to the original location. Houston Engineering will assist with setting the culvert elevation based on 2009 and 2017 lidar. Parties were requested to provide details of the resolution in writing to the WRD.

The Fritz vs Volk complaint is on hold pending the culvert installation approved by the Pembina County Commission last week. Neil Meagher also present. Meagher requested that the Tongue River Cutoff project be redesigned to go directly to the river. It is not feasible at this point to change the design and permitting.

Houston Engineering provided updates:

1. Drain 16 Expansion – the closing memo was reviewed, Herrmann will continue working with Manager Kemp for the final memo.
2. Drain 81 – Construction is nearly complete, turf mats/seeding is in process, Manager Emanuelson discussed area of concern by St Thomas township regarding the road edge, Herrmann will review the area on the way home, additional gravel will be requested from the contractor
3. Drain 66-1 berm and culvert installation – discussion on the estimate for the soft-bid, board requested re-design to build a small berm with pipe versus the current design
4. Drain 64 Enbridge crossing – NDDOT will be requiring the approaches to be permitted, only one of the four crossings are currently permitted. Enbridge wants all three approaches into the pipe site, a revised engineering contract for the first three tasks will be provided by Houston
5. Bourbanis Ring Dike – a motion was made by Ted Juhl, seconded by William Gunderson, by vote unanimously carried to approve the Houston Engineering contract for the ring dike downstream of Bourbanis Dam with approval needed for each phase.

Attorney Fleming reported that the letter regarding the Walhalla 3 outlet has been sent to Canada.

Board will conduct site inspection of the Cox complaint to review site conditions and work in progress.

Attest: _____

LuAnn Kemp, Secretary

Donald Kemp, Vice-Chairman