

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

March 4, 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, Ted Juhl, Donald Kemp, Richard Kendall, Randall Emanuelson, and LuAnn Kemp, secretary. Attorney Fleming also present. A motion was made by Randall Emanuelson, seconded by Richard Kendall, by vote unanimously carried to approve the minutes of February 25, 2025.

A motion was made by Richard Kendall, seconded by Randall Emanuelson, by vote unanimously carried to pay the bills as presented: Kendall – yes, Juhl – yes, Gunderson – yes, Kemp – Yes, Emanuelson – Yes

14224	LuAnn Kemp	5,395.97
14225	Pembina County	2,637.73
14226	Pembina County	23.95
14227	Quill	568.67
14228	William Gunderson	1,072.49

Jeff Duray – Triple D Construction unable to attend.

The board reviewed the Assignment of Contract provided by Kendall Construction, Inc (Chad Kendall) to Kendall Construction (Kendall Gemmill). A motion was made by Ted Juhl, seconded by Randall Emanuelson, by vote carried to approve the Assignment of Contracts and the Dam Maintenance contract with Kendall Construction (Gemmill). Kendall – abstained, Emanuelson – yes, Gunderson – yes, Juhl – yes, Kemp – yes

The board reviewed complaints that are outstanding.

- Fleming vs BN/Voecks – Burlington Northern is looking at options for the property
- Lysengen complaint – was dismissed in January 2024 – reviewed as a result of Drain 66 berm memo

Manager Emanuelson reported one of the traps in Drain 67A/County 4 area was repaired. Mr. Coulhart has contacted Emanuelson about another trap that was damaged in the same project – a site inspection will be done as soon as conditions allow.

Darren Olafson, Rodger Olafson, Ross Readell, Jeff Gapp, and Ross Nilson present. The hearing for the reassessment of parcels out of Drain 28 was held at the time and date in the public hearing notice. D. Olafson provided a topographic map and reviewed pictures from flood events in April 2022 and June 2023. He feels that the parcels do not benefit as the drain spills out during flood and water drains to Cart Creek. The drain was cleaned in 2023 but the berm was not built any higher. Concern over the bridge capacity in Section 19 – Park was expressed. The bridge is under Pembina County DOT and is not under waterboard jurisdiction. No action was taken at this time. Houston Engineering will be contacted for an estimate to determine potential drainage and protective benefit.

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Dan Fischer – JF Engineer, Bruce Gibbons – JF Attorney, Dean Helstrom – Gapp Engineer, Jeff Gapp, and Ross Nilson- Gapp Attorney present. Fischer presented Johnson Farms evidence regarding the drainage to the east and alleged block in the tree row. Fischer indicated that Johnson Farms had dug the ditch 1 ½ to 2 feet deeper. Fischer also explained he felt there was a ridge that prevented drainage to the northeast corner.

Gapp reported that Johnson Farms had dug in the shelter belt in 2009 and constructed new drainage to the shelter belt at that time. Board has contracted with Houston Engineering for investigation of the two complaints. Houston has requested permission to complete a on-site survey in spring 2025 of the obstruction complaint.

Attest:

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LuAnn Kemp, Secretary

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Donald Kemp, Chairman