

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

May 30, 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, Richard Kendall, 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.

Manager Gunderson discussed the conversation with Ron Baker regarding the City of Crystal Dam. Baker referred to the old water supply dam in the Crystal City Park and not the low head dam located near Appleton Ave. Gunderson will inspect the dam when water conditions allow. Discussion on ordering the low head dam safety signs from the ND DWR.

A motion was made by William Gunderson, seconded by Randall Emanuelson, by vote unanimously carried to approve the Anderson tile permit for a 300-acre drain tile system in part of the NE ¼ and the NW ¼ Section 21-160-55 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

Board recommends permission from Pembina County Highway for the discharge of tile systems into the Highway ROW.

A motion was made by Donald Kemp, seconded by William Gunderson, by vote unanimously carried to approve the ND DOT ROW permit for the Pembina County WRD Drain 64 cleanout.

A motion was made by Randall Emanuelson, seconded by Donald Kemp, by vote unanimously carried to approve the Private Cleanout of Assessment Drain permit for Ted Juhl in Drain 6 – Section 26-161-51 with deadline of July 1, 2024. Manager Juhl abstained.

Darryl Cox attended regarding the complaint filed against portions of Willow Coulee. The board reviewed correspondence from Loren Estad and Doug Olason regarding hiring Fischer Land Surveying and Engineering and Triple D Construction. Discussion followed on extensions and timing of the work. Cox requested the board not give any extensions at this time. A motion was made by William Gunderson, seconded by Randall Emanuelson, by vote unanimously carried to grant an extension to June 30, 2024 to Olason and Dennison properties on the condition that proof of contracts with engineer and contractor are provided to the board by June 10, 2024.

Zach Herrmann and Mike Ferrie – Houston Engineering arrived at this time.

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Aaron Wimpfheimer and Cordell Wimpfheimer met with the board regarding the billing for the Renwick gate repairs. Discussion followed on the process of the repairs and expectations for both Houston and On the Level. Herrmann reiterated the request from Houston Engineering for detailed billing and materials list. Request for pictures of the work, etc. to be emailed to the office as the previous request from the last meeting had not been completed. A motion was made by Randall Emanuelson, seconded by Ted Juhl, by vote unanimously carried to pay On the Level construction the full amount of \$91,500.

Discussion followed on the repair of the cracked piece of the stem at Renwick Dam. Wimpfheimer requested permission to fix it with surplus parts. Board requested that a cost estimate in writing be provided PRIOR to any work being completed. Houston Engineering will also be reaching out to the gate manufacturer regarding possible warranty for material defect and replacement cost.

Herrman introduced Mike Ferrie who will be the board's new contact at Houston Engineering after a transition period. Updates of projects were also given:

- Drain 16 – discussion on the next steps for the project, a short summary document will be developed to address the concerns contained on the comment sheets, discussion on the reassessment of areas to the west of current assessment area was also held
- Snagging and Clearing – Discussion on the remaining ND DWR cost-share and deadline for submission for reimbursement, A motion was made by Ted Juhl, seconded by Donald Kemp, by vote unanimously carried to release the retainage and pay remaining balance on the Tongue River Snagging and Clearing project.
- Drain 81 – Herrmann reviewed the accident that occurred on-site, Whelan change order has addressed the concerns – lilac bushes were removed and trees remained
- Drain 66-1 berm repair/culvert project – discussion on date for soft bid
- Drain 64 – Enbridge approaches are in need of culvert repairs, a scope of work and estimated engineering cost will be provided to the board to facilitate the repair
- Bourbanis Dam – a scope of work and estimated engineering costs will be provided for construction of a small berm on the Heck property
- Red River Joint Board presentation – Herrmann will be preparing a short presentation on Pembina WRD projects for the meeting being hosted on June 12

Manager Juhl discussed the slump area on Drain 39.

Manager Gunderson discussed the riverbank area near Ben Hannesson. He also reported a purchase of a drill for the gates on Drain 82 and trees that need removal on Willow Coulee dam

Red River Joint Board has requested 1 ½ mils – Manager Kemp will reach out to the Pembina County Commission regarding the value of the membership to RRJB.

Project list was reviewed. A meeting with Cavalier County will be scheduled regarding joint drains.

Open complaints were reviewed. Mr. Moquist will be contacted regarding his two open complaints to determine further action. The two Fritz complaints will be scheduled for June 25, 2024 when Houston Engineering is present to discuss investigation procedure and expected cost.

Attest:

LuAnn Kemp, Secretary

Richard Kendall, Chairman