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

November 17, 2026
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, Donald Kemp, Ted Juhl, and LuAnn Kemp, secretary. Attorney Robert Fleming and Rick Hannesson also present. A motion was made by William Gunderson, seconded by Ted Juhl, by vote unanimously carried to approve the minutes of November 3, 2026. A motion was made by Ted Juhl, seconded by William Gunderson, by vote unanimously carried to approve the special meeting minutes of November 6, 2026.

A motion was made by Ted Juhl, seconded by William Gunderson, by vote unanimously carried to approve payment of the bills as presented:

AW	United Valley Bank – 81 FEMA loan	$	398,382.15
14472	Houston Engineering	$	208,230.89
14473	Morten Aero Service	$	63,912.50
14474	Cavalier Chronicle	$	369.84
14475	Pembina County	$	54.00
14476	Dirty Deeds Dirtwork, Inc	$	1,000.00
14477	Triple D Construction	$	48,950.00
14478	Polar	$	20.00
14479	Tunheim Construction	$	17,757.50
14480	Dirty Deeds Dirtwork, Inc	$	7,800.00
14481	True North Steel	$	8,411.68
14482	Quill	$	457.94
14483	Roger Lindsay	$	19,648.00
14484	Sherry McDonald	$	27,632.00
14485	Thomas Karel	$	11,016.00
14486	Wayne Chale	$	23,112.00
14487	Wilwand Grain	$	25,296.00
14488	Wilwand Holdings	$	21,648.00
14489	Paul Lindsay	$	16,560.00
14490	Marie Carlin	$	21,816.00
14491	Fred Vosper	$	10,340.00
14492	Marie Waller	$	11,296.00
14493	Carolyn DeMaine	$	4,136.00
14494	Dennis Lindsay	$	27,624.00
14495	Bonnie Demars-Danielson	$	17,400.00

Devon Johnson – Pembina County Highway met with the board regarding a township culvert request and PC DOT ROW permit. A motion was made by William Gunderson, seconded by Ted Juhl, by vote unanimously carried to issue no comment on the culvert request and approve the PC DOT ROW permit pending Johnson's site inspection/approval.

The board reviewed the Jackson culvert request in NE ¼ Section 23-159-52.

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Tom and Lynde Kennely and Jared Monsebroten met regarding the complaint filed by Monsebroten against Young/Kennelly in Section 16-160-52. Mr. Monsebroten reviewed his complaint indicating Mr. Kennelly had cleaned the ditch along the west side of the section and used the material to fill in low areas between the N and S ½ of Section 16. Mr. Kennelly responded that he had cleaned sediment from the ditch for approximately ¼ mile. Discussion followed on the assessment of the parcels with the W ½ of NW ¼ 16-16-52 in Drain 66 and remaining of Section 16 in Drain 13. No resolution between the parties could be reached. Attorney Fleming reviewed the process of obtaining engineering evidence to determine the board's jurisdiction in the manner. Houston Engineering will be contacted for an scope of services for the complaint.

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

A motion was made by William Gunderson, seconded by Ted Juhl, by vote unanimously carried to approve the RRJB cost-share for the Morrison Dam Trash Rack as presented.

The board reviewed correspondence from Mr. Fischer regarding cleanout of Drain 66-2 (former Drain 72 portion). The board will have the drain west of Highway 18 surveyed this fall for cleanout as needed next summer.

The board reviewed the compensation of neighboring counties – no action was taken at this time.

Jared Monsebroten met regarding concerns about culvert sizing in several areas.

- Section 7 – Midland N. – board had completed a site inspection and culverts are as indicated on the plan set. Monsebroten reported few issues with smaller rainfall – area will be monitored
- Section 16-17 – Midland N – board will review the culvert configuration into Drain 66 in this area

Attorney Fleming reviewed Mr. Stevenson's request for copies of the board's W-2 forms. Attorney Fleming advised that board member W-2's are not an open record pursuant to IRC 6103. Fleming also discussed the board requesting a spokesman for groups with common concerns to facilitate orderly meetings.

Manager Gunderson reported that the gates on Drain 82 have been closed. There is some straw material by the culverts that needs to be monitored next spring.

The board received the bids for the City of Pembina Dam project at the time and place of the advertisement for bids. Bids were reviewed for completeness. Those in attendance included representatives from Dirty Deeds Dirtwork, Wagner Construction, Tunheim Construction, Park Construction, and Spruce Valley Construction as well as Mike Ferrie and Zach Herrmann of Houston Engineering. Two of the bids, Minnesota Natural Landscapes and Tunheim Construction, did not acknowledge the two addendums. A motion was made by William Gunderson, seconded by Ted Juhl, by vote unanimously carried to deem the Tunheim Construction and Minnesota Natural Landscape bids as non-responsive.

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The remaining bids were as follows:

Dirty Deeds Dirtwork	$ 998,800.00
Park Construction	$1,927,727.10
Spruce Valley Construction	$ 798,751.00
Wagner Construction	$1,313,480.50

A motion was made by Ted Juhl, seconded by William Gunderson, by vote unanimously carried to approve the qualifying bids as presented. Bids will be reviewed by Houston Engineering for recommendation on award at future meeting.

Mike Ferrie and Zach Herrmann – Houston Engineering gave project updates:

- ND DOT Hydraulic memo – DOT is proposing reduction in culvert sizing for Drain 39 and the two crossing of Drain 78. The proposed culverts meet the required stream crossing for the Interstate. Discussion followed on drain design and stream crossing standards.
- Tongue River Cutoff – outstanding easements were discussed.
    - A motion was made by Ted Juhl, seconded by William Gunderson, by vote unanimously carried to direct Attorney Fleming to communicate the written offer as proposed for the O'Toole easement.
    - Schluchter – Ferrie reviewed the requests from Mr. Schluchter and proposed language for the easement. Attorney Fleming will work with Mr. Schluchter's attorney regarding the language of the easement regarding the top soil.
- Tongue River S/C – Ferrie is working with the contractor regarding the estimate; landowner contacts will be made once the work limits are defined
- Drain 5 – working with NRCS regarding the Andreen easement
- Drain 64 – the board reviewed the pay app; Minkota and Enbridge have received the request for payment for their portions
- Drain 4 – the change order previously approved was presented for signature
- Drain 78 – the final pay estimate for the FEMA repairs was signed and the project closeout will begin this winter

Kendall Gemmill met with the board regarding beaver dams. The board reviewed the estimates and described scope of work.

- A motion was made by William Gunderson, seconded by Ted Juhl, by vote unanimously carried to approve $3000 to remove and haul off the beaver dam in Drain 12.
- A motion was made by William Gunderson, seconded by Ted Juhl by vote unanimously carried to approve $14,000 to remove the beavers dams in Drain 67.

Gemmill reviewed the levels of the dams. It was requested he provide an estimate for removing trees along the RR track on Drain 79.

After consultation with Icelandic State Park, a motion was made by William Gunderson, seconded by Ted Juhl, by vote unanimously carried to close the gate at Renwick Dam to approximately 6 inches for winter.

The board reviewed the request from Riverwatch for pictures/video and possible interview. Office will work with Houston Engineering to support the project.

Attest: _____ _____
LuAnn Kemp, Secretary Donald Kemp, Chairman