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

October 27, 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 also present. A motion was made by William Gunderson, seconded by Ted Juhl, by vote unanimously carried to approve the minutes of October 20, 2026. Kendall Gemmill – Kendall Construction also present.

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

The progress of the fall drawdown of the Tongue River dams was reviewed. Mr. Gemmil reported that upstream to ½ open with Renwick at ¾ open. Strategic planning for the Tongue River Dams – RRJB will be coordinated with Houston Engineering.

A motion was made by Ted Juhl, seconded by William Gunderson, by vote unanimously carried to approve the 2026 Third Quarter Financials for the General and Drain funds and the Pledge of Assets for United Valley Bank.

Complaint updates were reviewed:

- Johnson Farms vs Johnson Farms – waiting on confirmation from party of withdrawal of the complaint
- Gapp vs Thompson – final site inspection will be completed today
- Olafson vs Shephard/Pembina County Highway – PC Highway is working with KLJ for culvert sizing
- Fleming vs BN – BN indicates a property sale is nearing completion and should be complete by year end
- Ramsey - Mr. Ramsey has requested additional time to work out solution with neighboring farmers
- Longtin/Schurmann vs Dakota Northern – Fleming sent letter – waiting for DN response

Jared Monsebroten met with the board regarding several concerns.

- Drain 66 – the culvert configuration in Section 7 – Midland North – Requesting additional capacity into the drain. Board reviewed the plans from the Phase 2 – Culvert repairs. Site inspection will be scheduled for next spring.
- Complaint against Young/Kennelly in Section 16 of North Midland– Discussion on complaint process; Mr. Monsebroten alleges that Mr. Kennelly had cleaned a ditch and placed a berm along the property with the spoil. A meeting will be scheduled with both parties in November.

Project updates were discussed: Jeff Duray – Triple D Construction and Josh Heuchert also present.

- Drain 6 – Manager Juhl reported work is progressing well; The board will not have
- Drain 79 – Berm on Shephard property– Jeff Duray – Triple D Construction present. The memo from KLJ was reviewed. Estimate of $22,500.
- Drain 66-2 – Berm on Kiemele property – Jeff Duray – Triple D Construction presented estimate for the work on the Kiemele berm area that washed out. Estimate of $10,500.

A motion was made by Ted Juhl, seconded by William Gunderson by vote unanimously carried to approve the drain berm restoration projects for $35500.

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- Drain 81 culvert trap repair – Duray presented an estimate for $950.00 for cutting the end of the culvert off and replacing the trap with an outside trap. A motion was made by William Gunderson, seconded by Ted Juhl, by vote unanimously carried to approve the estimate as presented.
- Drain 79 Culvert request (Heuchert) – Discussion on drain capacity and need for H & H on the drain for adding culverts to drain. Heuchert agreed to remove the 24-inch CMP and replace them nearer to the drop structure with a 36 inch x 100 feet. Estimate of $10,500. A motion was made by William Gunderson, seconded by Ted Juhl, by vote unanimously carried approve the estimate as presented.
- Drain 67 – south of Hensel has a washout in the corner – Duray will inspect.
- Beaver dams – Drain 12 and Drain 67 – contractors will be contacted to remove once it is frozen up
- City of Pembina Dam – meeting later this week regarding the SHPO report

Manager Gunderson reported that Drain 4 was nearly complete.

Manager Juhl reported on progress of the private cleanout work permitted on Drain 39.

Attorney Fleming reviewed several items.

- Manager Kemp will be giving deposition on Thursday in Fargo for the Gozdal case
- Discussion on the billing of 2025 and 2026 and monthly rate going forward in 2027. A motion was made by William Gunderson, seconded by Ted Juhl, by vote unanimously carried to approve payment of $72,000 (½ from General Fund and ½ from Drain funds prorated by acres) to bring unbilled balances current and set monthly attorney fees at $3500 for 2027 to be reviewed annually.

Jeff Duray – Triple D Construction called after site inspection at Kiemele berm erosion to report additional area needed repair. A motion was made by Ted Juhl, seconded by William Gunderson, by vote unanimously carried to approve the additional $2500 for the second washout repair on Drain 66-2.

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