

The following are "unofficial minutes" subject to change at the next meeting.

BOARD OF PEMBINA COUNTY COMMISSIONER'S PROCEEDINGS

www.pembinacountynd.gov

April 16, 2024

9:00 AM

Board of Pembina County Commissioners met in the Commissioners Meeting Room of the Courthouse. Chairperson Cull called the meeting to order at 9:00 AM.

Roll call: Jim Benjaminson, Laverne Doyle, Blaine W. Papenfuss, Darin Otto and Andrew Cull. A quorum was declared.

Also, in attendance are: Zelda Hartje, Laurie Fontaine, Assistant States Attorney, Rachel Ramsay, Public Health Director, Marcus Ramsay, Chief Deputy, Revel Sapa, Veterans Service Officer, Samantha Weeks, 911/IT/GIS Coordinator, and Monica Brusseau, Deputy Clerk/Recorder.

Motion made by Blaine Papenfuss and seconded by Laverne Doyle to approve the agenda with the following change: the Water Board cancelled their appointment due to lack of a quorum. All voting in favor; motion carried.

Motion made by Darin Otto and seconded by Laverne Doyle to approve the April 2, 2024 meeting minutes as presented. All voting in favor; motion carried.

Discussion followed on the appointment of an Inspector for the upcoming June Primary and November General elections. Motion made by Blaine Papenfuss and seconded by Darin Otto to appoint Tanya Wieler as Inspector, for both the 2024 Primary and 2024 General Elections. All voting in favor; motion carried.

Request for a raffle permit received from Pembina County Historical Society. Motion made by Laverne Doyle and seconded by Blaine Papenfuss to approve the raffle permit request as presented. All voting in favor; motion carried.

Samantha Diemert, Emergency Manager/Weed Officer, updated the Commission on recent FEMA payments. Last year's project is almost closed, she is waiting for invoices from four different townships so she can close the project. She has received the money but cannot distribute the money until the repairs are completed and she receives the invoices for submittal. Discussion followed. Ms. Diemert also presented three Resolution options for townships to handle floodplain zoning and management. The first option is for township management, the second option is a split management, utilizing township

zoning and county floodplain, and the third option is county management. Ms. Diemert suggested the Commission visit with the States Attorney regarding which option would be best for the county to utilize. Ms. Diemert stated she has not officially been appointed as the floodplain manager. Motion made by Blaine Papenfuss to appoint Samantha Diemert as Floodplain Manager and have the States Attorney review the resolution options. Seconded by Darin Otto. Discussion followed. Roll call vote: Jim Benjaminson – yes; Laverne Doyle – yes; Blaine Papenfuss – yes; Darin Otto – yes; Andrew Cull – yes. Motion carried.

Patrick Swift, Dispatcher, met with the Commission to request approval of secondary employment. Mr. Swift will be filling in with the postal service. Motion made by Darin Otto and seconded by Jim Benjaminson to allow Mr. Swift to hold secondary employment as long as it does not affect his position with Pembina County. All voting in favor; motion carried.

Water Board cancelled due to lack of a quorum.

Rick Trontvet, Trontvet Consulting, gave a brief overview of his background in the Human Resource field. Mr. Trontvet reviewed the proposed 2025 salary step plan with the Commission and explained how he determined “the comparable market” for each of the 34 job titles within the county. Mr. Trontvet is recommending increases for 23 of the 34 roles. Discussion followed on a pay grade system versus a step plan. Motion made by Darin Otto to table a decision on the pay step plan, allowing the States Attorney time to review the plan and allowing department heads to voice their opinions on the plan. Second by Laverne Doyle. All voting in favor; motion carried.

Drainage permit received from Justin Hinkle to clean a high spot in the ditch along County Road 3 in the SE¼ of Section 4 of North Midland Township. Motion made by Blaine Papenfuss and seconded by Laverne Doyle to approve the drainage permit as presented. All voting in favor; motion carried.

Devin Johnson, Highway Superintendent, gave a brief update on the bridge replacement near Bowesmont. The project has been started and the bridge is being transported from Texas. Devin informed the Commission of a change order for the construction of Structure #34-136-22.1, which includes the removal and disposal of Structure No 34-137-22.0, including reshaping the channel banks, erosion control and seeding. Devin also let the Commission know three of the twelve Flexible Transportation Fund projects he applied for were awarded, including the graveling of the ABM Road in South Cavalier Township, the Leroy Bridge project and the Beaulieu/Akra structure project.

Devin discussed LoadPass permitting with the Commission. The truck permitting system provides a consolidated location for companies to obtain overweight and over-dimension permits for travel on local roads, including member counties. There are

currently 35 of the 53 counties in North Dakota utilizing LoadPass permitting. There is an initial set-up fee of \$1,500.00 and the annual fee is based on the number of permits issued the prior year. Motion made by Blaine Papenfuss and seconded by Jim Benjaminson to allow Devin to start the process to set-up with LoadPass. All voting in favor; motion carried.

Devin discussed maintenance on county lots owned by Pembina County. Discussion followed on a building in Walhalla City and a building in Mountain City. Devin was notified of a large tree on a Pembina County lot, in the City of Pembina, that fell onto an adjoining property. The out of state homeowner is requesting the county clear the tree from his property. After assessing the property, Devin said there are several trees on that property that should be removed and is asking if the Commission would like his department to remove those as well. Motion made by Blaine Papenfuss and seconded by Laverne Doyle to have the Highway Department clean the lot. All voting in favor; motion carried.

Board received 15 bids for rental of road machinery. Motion made by Darin Otto and seconded by Blaine Papenfuss to accept all bids that meet the bidding requirements as advertised. Hiring of contractors based on availability and price. All voting in favor; motion carried. Listing will be prepared for the May 7, 2024 meeting.

Sheriff Terry Meidinger informed the Commission that Birchwood Motors has not been able to fulfill the Truck Regulatory vehicle purchase which was approved at the December 19, 2023 meeting. Al Berry of Birchwood Motors, informed Sheriff Meidinger that he is not receiving any allocations to order the vehicle and he would understand if the county wanted to look elsewhere. Sheriff Meidinger has visited with Soeby Motors who would be able to order a vehicle for a cost of \$54,000.00, which is an increase of \$100.00 from the original bid price. The additional \$100.00 is for an increase in the cost of the block heater. Motion made by Blaine Papenfuss and seconded by Jim Benjaminson to authorize the purchase of the Truck Regulatory vehicle from Soeby Motors. All voting in favor, motion carried.

Sheriff Meidinger, out of professional courtesy, advised the Commission of the hire of his granddaughter, Ciara Lafferty, for a correctional officer position. States Attorney Garret Fontaine reviewed relevant century codes and the Pembina County Employee Policy Manual regarding the hire. Per NDCC 11-10-25: Nepotism by County Officials restricted states: "No head of any executive or administrative department or agency, either elective or appointive, of any county in the state, may appoint the official's spouse, son, daughter, brother, or sister to any position under the control or direction of that official, unless the appointment has been previously approved by resolution of the board of county commissioners." Motion made by Jim Benjaminson to acknowledge and approve of the hire of Ciara Lafferty for a correctional officer position. Second by Darin Otto. Discussion followed on the probationary period for all new employees. All voting in favor; motion carried. Discussion followed on two other hires and having all

three complete the required training. One additional corrections officer is needed so the facility is compliant with the DOCR ruling.

Lisa Keney, Tax Director, present for abatement hearing. The application is for abatement on property described as Pt SE $\frac{1}{4}$ of Section 9, Twp 161, Range 54, Cavalier Township; Parcel 06-1320000. The request is for a refund, in the amount of \$980.21, of the 2023 taxes based on the change in the requirements for Homestead Credit. The abatement request was approved by Cavalier Township on March 7, 2024. Motion made by Darin Otto and seconded by Blaine Papenfuss to approve the abatement request as presented. All voting in favor; motion carried.

Lisa Keney, Tax Director, present for abatement hearing. The application is for abatement on property described as Lot 5, Block 1, Eastview Addition, City of Cavalier; Parcel 27-4630000. The request is for a refund, in the amount of \$477.95, of the 2023 taxes based on the change in the requirements for Homestead Credit. The abatement request was approved by Cavalier City on April 2, 2024. Motion made by Blaine Papenfuss and seconded by Jim Benjaminson to approve the abatement request as presented. All voting in favor; motion carried.

Lisa Keney, Tax Director, present for abatement hearing. The application is for abatement on property described as Lot 15-16, Block 14, J Bechtel's Addition, City of Cavalier; Parcel 27-2050000. The request is for a refund, in the amount of \$371.89, of the 2023 taxes based on the Disabled Veterans Credit. The abatement request was approved by Cavalier City on April 2, 2024. Motion made by Blaine Papenfuss and seconded by Laverne Doyle to approve the abatement request as presented. All voting in favor; motion carried.

Commissioner Cull presented a memo regarding the Law enforcement Center. The memo is suggesting the Commission consider two alternative options to ensure the best use of taxpayer funds. The first option is to maintain the current Grade 4 jail facility. The second option would be to close the jail and retain one dayshift special deputy to work with 24/7 program, fingerprinting, UAs, and civil processing. Discussion followed. Motion made by Jim Benjaminson to have the Sheriff's department present a cost analysis of the options, by the first meeting in June, for further review by the Commission. Second by Darin Otto. Discussion followed. Roll call vote: Jim Benjaminson – yes; Laverne Doyle – yes; Blaine Papenfuss – yes; Darin Otto – yes; Andrew Cull – yes. Motion carried.

Commission reviewed the March financial statement and claims. Motion made by Blaine Papenfuss and seconded by Jim Benjaminson to approve the consent agenda as presented. All voting in favor; motion carried.

Devin Johnson, Highway Superintendent, returned with the change order for the removal and disposal of Structure No 34-137-22.0. Motion made by Darin Otto and

seconded by Blaine Papenfuss to authorize the Chairperson to sign the change order as presented. All voting in favor; motion carried.

Motion made by Blaine Papenfuss and seconded by Jim Benjaminson to adjourn the meeting. All voting in favor; motion carried. Meeting adjourned at 12:23 PM.