

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

## BOARD OF PEMBINA COUNTY COMMISSIONERS PROCEEDINGS

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April 19, 2016

9:00 AM

Board of Pembina County Commissioners met at 9:00 AM in the Commissioners Meeting Room of the Courthouse with the following members present: Gary Nilsson, Laverne Doyle, Nick Rutherford, Hugh Ralston and Hetty Walker.

Chairperson Doyle called the meeting to order.

Motion made by Gary Nilsson and seconded by Hetty Walker to approve the March 31, 2016 Special Meeting Minutes as presented and the April 5, 2016 minutes with the following correction. The minutes stated that Commissioner Nilsson voted on approving the sale of County property in Gardar Township and it should have stated that Commissioner Rutherford voted on the approval. All voting in favor; motion carried.

Request received from Chizzy's to transfer his liquor license to the Leroy Hall on Saturday, April 30, 2016 from 9:00PM to 1:00AM. Motion made by Gary Nilsson and seconded by Nick Rutherford to approve the transfer. All voting in favor; motion carried.

Pembina County Fair Board minutes of March 16, 2016 were reviewed.

Commission was notified that the 2015 North Dakota Insurance Reserve Fund conferment benefit of \$359.00 was received. Due to the large number of claims processed, the conferment is significantly less than past years. These funds are deposited in the County General Fund to cover costs of insurance premiums and deductibles.

Commission reviewed the March financial report. Motion made by Gary Nilsson and seconded by Nick Rutherford to approve the consent agenda, consisting of claims and the March financial statement. All voting in favor; motion carried.

Linda Schlittenhard, Auditor/Treasurer, informed the Commission that the City of Pembina is interested in purchasing the following property for \$1.00:

Parcel 33-0260010 - Lot 11, Block 8, OT, City of Pembina

Motion made by Nick Rutherford and seconded by Hetty Walker to accept the bid of \$1.00 from the City of Pembina for the above described property. Roll call

vote: Gary Nilsson – yes; Nick Rutherford – yes; Hugh Ralston – yes; Hetty Walker – yes. Motion carried.

Commission discussed County property described as Parcel 33-1970020 – Lot 8, Block 44, OT, City of Pembina. The neighboring landowners have been maintaining the property. Motion made by Nick Rutherford and seconded by Hetty Walker to see if the individuals that have been maintaining the property would be agreeable to the County doing a Quit Claim deed to them for the property. Roll call vote: Gary Nilsson – yes; Nick Rutherford – yes; Hugh Ralston – yes; Hetty Walker – yes. Motion carried.

Motion made by Nick Rutherford and seconded by Hugh Ralston to authorize the Chairman to sign the County deed, for the sale of County property in the Township of Gardar, as presented. All voting in favor; motion carried.

Commission received bids from the following to furnish chips for the 2017 working season:

Strata Corporation: \$7/ton with .18/ton mile hauling charge

Rendezvous Region Construction, Inc. - \$10.15/ton with .18/ton mile hauling charge

Motion made by Gary Nilsson and seconded by Hugh Ralston to accept the bid of Strata Corporation for chips for the 2017 work season. Delivery to be made after November 15, 2016 and before spring weight limits go on in 2017. Commissioner Rutherford abstained. Roll call vote: Gary Nilsson – yes; Hugh Ralston – yes; Hetty Walker – yes. Motion carried.

Commission received bids from the following to furnish Pembina County with asphalt products for the 2016 work season:

Calumet Superior, LLC: \$2.16/gallon delivered

Motion made by Gary Nilsson and seconded by Hugh Ralston to accept the bid of Calumet Superior, LLC. Roll call vote: Gary Nilsson – yes; Nick Rutherford – yes; Hugh Ralston – yes; Hetty Walker – yes. Motion carried.

Commission received bids for rental of road machinery. Motion made by Nick Rutherford and seconded by Gary Nilsson 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 May 3, 2016 meeting.

Devin presented the proposal from Barga Incorporated for materials and installation of Novu Gap on County Road 1 from Bathgate to Interstate 29. Total costs would be approximately \$200,000.00- \$220,000.00. Motion made by Hetty Walker and seconded by Nick Rutherford to authorize the Chairman to sign the proposal as presented. Discussion followed. Roll call vote: Gary Nilsson – yes; Nick Rutherford – yes; Hugh Ralston – yes; Hetty Walker – yes. Motion carried. Commission requested Devin contact Jon Markusen, Kadramas, Lee & Jackson,

to set up a meeting to discuss options for maintenance on County Road 1 from State Highway 32 east to State Highway 18. Discussion followed on road signs and street address signs. Devin updated the Commission on the hire of two seasonal workers.

John Johannesson phoned to cancel his appointment.

Kelly Brown cancelled his appointment when he was notified of the decision to move forward with the County Road 1 project.

Andrew Kirking, Emergency Manager/Weed Officer, unable to attend. Andrew had County Auditor present an agreement, drafted by the Pembina County State's Attorney and approved by the state, to transfer the regulatory authority of floodplain administration from Joliette Township to Pembina County.

#### Agreement to Transfer Power

The Township Officers of Joliette, North Dakota and the County Commissioners of Pembina County, North Dakota, do hereby agree to transfer the regulatory authority of floodplain administration from Joliette Township to Pembina County. The Agreement contains the following as required under NDCC 54-40.5-03.

1. The nature of the power or function to be transferred;
  - a. All duties and responsibilities associated with Floodplain administration are to be transferred.
2. The effective date of the proposed transfer
  - a. March 15<sup>th</sup>, 2016
3. The responsibility for administration of the power or function to be transferred
  - a. Pembina County, through the Department of Emergency Services will have the responsibility for administration of the power and function transferred.
4. The manner in which affected employees currently engaged in the performance of the power or function will be transferred, reassigned, or otherwise treated
  - a. There are currently no affected employees within Joliet Township.
5. The manner in which real property, facilities, equipment, or other personal property required in the exercise of the power or function are to be transferred, sold, or otherwise disposed of
  - a. No property of Joliette Township will be transferred or disposed of.
6. The method of financing, establishing, and maintaining a budget for the power or function
  - a. Pembina County will bear the burden of financing and maintaining a budget for the Floodplain services through the currently established Pembina County Department of Emergency Services.
7. Other legal, financial, and administrative arrangements necessary to affect the transfer in an orderly and equitable manner
  - a. Both Joliette Township and Pembina County will pass identical resolutions containing the agreement for transfer of power as outlined within this document.

Motion made by Hugh Ralston and seconded by Gary Nilsson to approve the agreement as presented. Discussion followed. All voting in favor; motion carried.

Motion made by Gary Nilsson and seconded by Nick Rutherford to adjourn the meeting. All voting in favor; motion carried. Meeting was adjourned at 10:50AM.