

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

## BOARD OF PEMBINA COUNTY COMMISSIONERS PROCEEDINGS

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April 4, 2023

9:00 AM

Board of Pembina County Commissioners met in the Commissioners Meeting Room of the Courthouse. Vice-Chairperson Cull called the meeting to order at 9:02 AM.

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

Motion made by Laverne Doyle and seconded by Blaine Papenfuss to approve the agenda with the following changes/additions: transfer of funds to Capital Improvements for 911, Human Resource budget amendments, the North Dakota Insurance Reserve Fund representative meeting date, and emails from Kadramas, Lee and Jackson with updates for bridge structures on County Road 4 and Federal Aid bridge proposal process. All voting in favor; motion carried.

Motion made by Darin Otto and seconded by Laverne Doyle to approve the March 21, 2023 minutes as presented. All voting in favor; motion carried.

Motion made by Laverne Doyle and seconded by Blaine Papenfuss to approve the sale of County property described as the W 28' Lot 3, All Lot 4, E 27' & S 67' W 50' Lot 5, Block 2, Venton's 2<sup>nd</sup> Addition, City of Crystal, Parcel 28-1460000 to Nick Otto. All voting in favor; motion carried.

Tanya Wieler, Human Resources, introduced the new Human Resource Director, Konor Parker. Konor began his duties on April 3, 2023. The Commission welcomed Mr. Parker.

Tanya informed the Commission of a Human Resource matter. Formal complaints against Mikka Willits, Tax Director, have been brought to the departments attention and Tanya is requesting authorization from the Commission to perform a full investigation of the complaints. Motion made by Darin Otto and seconded by Laverne Doyle to authorize the Human Resource Department to complete a thorough investigation on the complaints. Roll call vote: Laverne Doyle – yes; Blaine Papenfuss – yes; Darin Otto – yes; Andrew Cull – yes. Motion carried. The department will report back on the findings.

Motion made by Darin Otto and seconded by Laverne Doyle to place a written reprimand in the personnel file of Mikka Willits for the incident that was discussed at the March 21, 2023 meeting. All voting in favor; motion carried.

Auditor requested to transfer \$80,000.00 from County General to Capital Projects for the 2022 clerical error made on the voucher for the final payment of the SORN project. Motion made by Darin Otto and seconded by Laverne Doyle to allow the transfer of funds. Roll call vote: Laverne Doyle – yes; Blaine Papenfuss – yes; Darin Otto – yes; Andrew Cull – yes. Motion carried.

A representative from the North Dakota Insurance Reserve Fund is requesting to meet with one Commissioner and the Auditor to review the current insurance policies. Commissioner Doyle stated he would be willing to represent the Commission at the meeting. Commissioner Doyle and the Auditor will determine possible dates.

Auditor discussed the change in the Inland Marine blanket policy that was presented at the March 21, 2023 meeting. Auditor was informed there would be no increase in the policy for the blanket coverage but received a billing of \$111.00 for the policy change. Auditor is asking if the Commission would approve the blanket policy with the additional cost. Motion by Blaine Papenfuss and seconded by Darin Otto to retain the blanket coverage for the additional cost. All voting in favor; motion carried.

Garret Fontaine, State's Attorney, discussed procedural protocol, moving forward, with the Commission. Attorney Fontaine stated he intends on attending future meetings as his schedule allows.

Auditor presented an amendment to the Owner-Engineer Agreement, from Kadramas, Lee and Jackson, for the preliminary and design engineering for bridge structures 126-10.1 and 130-32 on County Road 4. Motion made by Laverne Doyle and seconded by Blaine Papenfuss to authorize the Vice-Chairperson to sign the amended contract as presented. All voting in favor; motion carried.

Jeff Daley, Kadramas, Lee & Jackson, sent an email to the Auditor requesting a Commission decision regarding the proposal process for the three structure rehabilitation projects Pembina County was awarded Federal funding for. Jeff would like to know if they want the projects bid individually or as one project. Motion made by Laverne Doyle and seconded by Blaine Papenfuss to bid all three projects as one project. All voting in favor; motion carried.

The Samuels Group gave a presentation regarding a regional correctional facility, via Teams. Sheriff Terry Meidinger and Chief Deputy Marcus Ramsay also in attendance. Discussion followed. Motion made by Darin Otto and seconded by Laverne Doyle to table any further discussion to the April 18, 2023 meeting. All voting in favor; motion carried.

Commission reviewed the March payroll and claims. Motion made by Blaine Papenfuss and seconded by Darin Otto to approve the consent agenda as presented. All voting in favor; motion carried.

Pembina County Emergency Declarations were presented by Linda Schlittenhard, Auditor/Treasurer, on behalf of Samantha Diemert, Emergency Manager.

### SNOW EMERGENCY DECLARATION

April, 2023

WHEREAS, Pembina County has received abnormally high accumulations of precipitation which dramatically impacted travel and overwhelmed local capabilities; and

WHEREAS, the precipitation included freezing rain which not only impacted travel, but also damaged infrastructure including overhead powerlines; and

WHEREAS, above average snowfall with high water content has impeded the snow removal process requiring greater resources to clear roadways and other infrastructure; and

WHEREAS, winter weather impacts have resulted in the closure of schools, businesses, government offices and surface transportation lasting for days; and

WHEREAS, additional snowfall is expected yet this winter; and

WHEREAS, the cost of cleanup, repair, and replacement of such damages is in excess of available resources.

Now, THEREFORE, BE IT RESOLVED that Pembina County Board of Commissioners, declares Pembina County, its cities, its public and private areas, to be an emergency area and orders the activation and utilization of the Emergency Operations Plan, its procedures and appendices to monitor the situation, develop a detailed damage assessment, alleviate hardship and initiate appropriate relief actions and mitigation measures by departments and agencies of local government to limit the hardships and impacts of the emergency on the citizens of Pembina County.

Pembina County, North Dakota. DATED this 4th day of March 2023,

At

Pembina County, North Dakota.

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/s/ Samantha Diemert

Pembina County Emergency Manager

/s/ Andrew Cull, Vice  
Commission Chair/ Pembina County

/s/ Linda Schlittenhard  
Attested

### **EMERGENCY DECLARATION**

**WHEREAS**, Pembina County has been impacted by significant Winter precipitation and extreme cold temperatures resulting in deep frost levels and increased above ground thaw; and

**WHEREAS**, Pembina County has been impacted by several snow and wind events resulting in snow and ice-filled drainage ditches and culverts; and

**WHEREAS**, the potential exists for additional precipitation events that would further increase the risk of flooding; and

**WHEREAS**, Pembina County will potentially suffer damages to roads, bridges, culverts, drains and other public facilities caused by excessive spring runoff and forecasted river flooding; and

**WHEREAS**, the impact of these excessive amounts of water from snow that, threatens the well-being and safety of its residents; and

**WHEREAS**, the cost of response and recovery is in excess of available funds and resources for flood control, man power, equipment, fuel, sand and sand bags beyond normal conditions constitute a declaration of emergency.

**NOW THEREFORE, BE IT RESOLVED** that the Pembina County Commission of North Dakota do hereby declare a severe flood emergency for Pembina County, North Dakota.

**DATED** at Cavalier, North Dakota this 4th Day of April, 2023.

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/s/ Samantha Diemert  
Pembina County Emergency Manager

/s/ Andrew Cull - Vice  
Commission Chair/ Pembina County

/s/ Linda Schlittenhard  
Attested

Motion made by Laverne Doyle and seconded by Blaine Papenfuss to approve the Emergency Declarations as presented. All voting in favor; motion carried.

Motion made by Blaine Papenfuss and seconded by Darin Otto to adjourn the meeting. All voting in favor; motion carried. Meeting adjourned at 10:55 AM.