

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

BOARD OF PEMBINA COUNTY COMMISSIONERS PROCEEDINGS

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August 7, 2018

9:00 AM

Board of Pembina County Commissioners met at 9:00 AM in the Lower Level of the Law Enforcement Center with the following members present: James Benjaminson, Laverne Doyle, Nick Rutherford, Hugh Ralston, and Hetty Walker.

Chairman Benjaminson called the meeting to order.

Motion made by Nick Rutherford and seconded by Laverne Doyle to approve the July 18, 2018 minutes as presented. All voting in favor; motion carried.

Motion made by Hugh Ralston and seconded by Nick Rutherford to approve the July 19, 2018 Special meeting minutes as presented. All voting in favor; motion carried.

Auditor received a request from Pembina County JDA to appoint BreAnne Patterson, Drayton City Auditor, to replace Roberta Corrick on the Board. Motion made by Nick Rutherford and seconded by Laverne Doyle to appoint Charles "Chip" Olson to the JDA Board. Discussion followed. All voting in favor; motion carried. Auditor will send a Certificate of Appointment to Mr. Olson.

Request to purchase property described as W 28' Lot 3, All Lot 4 and the E 27' of Lot 5, Block 2, Venton's 2nd Addition, City of Crystal (Parcel 28-1460000). Motion made by Nick Rutherford and seconded by Laverne Doyle to approve the sale of said property. All voting in favor; motion carried.

Motion made by Laverne Doyle and seconded by Hugh Ralston to authorize the Chairman to sign the correcting deed for property described as Lots 9-11, Block 1, O.T., City of Crystal (Parcel 28-0320000) which was sold to The Corner, LLC. All voting in favor; motion carried.

Motion made by Laverne Doyle and seconded by Hugh Ralston to authorize the Chairman to sign the County Deed for the sale of county property described as Lot 8, Block 1, City of Crystal (Parcel 28-0310000) to The Corner, LLC. All voting in favor; motion carried.

Andrew Kirking, Emergency Manager/Weed Officer, discussed the contract for weed spraying. The contract is due to be renewed. Andrew will look at other options the County may take. Discussion followed on the LAP Grant funding and bugs that have been used to help with different weed species.

Andrew presented a Fire Emergency and Burn Ban Proclamation.

**PEMBINA COUNTY, NORTH DAKOTA
FIRE EMERGENCY AND BURN BAN PROCLAMATION**

Dated: 7AUG2018

WHEREAS, Pembina County, North Dakota is under abnormally dry conditions;
and,

WHEREAS, Pembina County has either sustained or been threatened with rural fires as of this date; and,

WHEREAS, all available resources remain committed to protecting life and property; and,

WHEREAS, the impact of fires could threaten the health, well-being, and safety of citizens in Pembina County; and,

WHEREAS, the cost of response and the inordinate equipment wear may be far in excess of available Pembina County resources.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Pembina County Commissioners declares a Fire Emergency and institution of a Burn Ban for Pembina County, North Dakota, beginning Friday, 10AUG2018 and continuing until conditions improve.

Any individual who willfully or recklessly violates this burn ban is guilty of a Class B misdemeanor, which carries a penalty of up to thirty (30) days in jail and a \$1,500 fine per incident, as well as the cost for fire suppression.

Dated at Pembina County, North Dakota this 7th day of August, 2018.

/s/ James Benjaminson
Commissioner – Vice-Chairman

/s/ Andrew Kirking
Emergency Manager

/s/ Linda Schlittenhard
Auditor

Motion made by Laverne Doyle and seconded by Nick Rutherford to authorize the Chairman to sign the proclamation as presented. All voting in favor; motion carried.

Enbridge Pipeline representatives Julie Huber, Public Affairs, Donna Carpenter, Project Manager, Dave Hodek, Manager of Engineering and Construction, Jamie Carriere, Pipeline Maintenance, Scott Sanders, ROW Advisor and Mayrinda Cain

met with the Commission and a group of local landowners to discuss concerns with the exposed pipeline in Lincoln Township. Rebecca Flanders, Pembina County State's Attorney, Water Board Managers Josh Heuchert and Rick Kendall and Water Board Secretary, LuAnn Kemp also in attendance. Landowners attending include Robert (Kayo) Vivatson, Allen Anderson, David Moquist, Scott Gunderson, Paul Gunderson, Kelly Brown, Cindy McColl Hughes, Mike Stellon, Lyndon Juhl, Ted Juhl, Clarence Boettger, N. Curt Christenson, Bradley Schuster, Jon Kippen, Charlie Morrison, and Brian Kiner. Landowners presented their concerns to the Enbridge representatives. Enbridge discussed the design they are modeling to alleviate the erosion. Dave Hodek discussed the new line that is proposed to be installed in 2019. The Enbridge representatives stated they are not concerned with the integrity of the pipeline at this time. Landowners discussed rerouting the drain and possible funding avenues to accomplish that, which will help with the erosion that is occurring around the pipeline. The Water Board has 60% of the plans complete to reroute the drain, there simply isn't sufficient funding to move forward. Enbridge representatives were receptive to the landowner concerns and possible solutions, will present to upper management and offered to return to meet with the Commission, Water Board and/or landowners.

Kyle Gagner, Jeanna Kujava, Maggie Suda, and Rachel Morrison, Cavlandic Trail Association members, presented the Commission with an update on the Cavlandic Trail repair project. Both grants will be managed by NDDOT and require the involvement of a civil engineer, which must be paid by the grantee. Grant funds cannot be utilized for engineering services. As of August 1, 2018, the Cavlandic Trail Association has raised \$44,416 from 50 donors. An additional \$86,000 is needed to complete the project, so fund raising will continue to cover the remaining dollars needed.

Commission reviewed the claims and July payroll. Motion made by Nick Rutherford and seconded by Laverne Doyle to approve the consent agenda as presented. All voting in favor; motion carried.

Devin Johnson, Highway Superintendent, and Jon Markusen, Kadramas, Lee & Jackson, discussed the box culvert for the bridge located 2 miles west and 1 mile south of Hamilton on 95th St NE (BRO-0034(033)), which will be bid in October. Jon reviewed cost options for a mill and overlay on County Road 1. The project can be broken into two segments. Segment 1 would be to complete the entire 14.6 miles from Highway 18 to Interstate 29 at an estimated cost of \$3.7 M. Segment 2 would be to complete the 10.6 miles from Bathgate to Interstate 29 at an estimated cost of \$2.7M. Motion made by Nick Rutherford and seconded by Hugh Ralston to have Kadramas, Lee & Jackson move forward with the bid on Segment 2, which will be bid in November. Discussion followed. Roll call vote: Laverne Doyle – yes; Nick Rutherford – yes; Hetty Walker – yes; Hugh Ralston – yes. Motion carried.

Drainage application received from Wayne Newell to clean and maintain the ditch to grade in the S½ of Section 2 & the S½ of Section 3 on the north side of County Road 55 in Neche Township. Motion made by Hugh Ralston and seconded by Hetty Walker to approve the permit as presented. All voting in favor; motion carried.

Commission Walker presented a letter she received from an anonymous individual regarding the parcel services in Pembina.

Commission reviewed the preliminary budget. Motion made by Nick Rutherford and seconded by Laverne Doyle to approve the preliminary budget as presented. Roll call vote: Laverne Doyle – yes; Nick Rutherford – yes; Hugh Ralston – yes. Commissioner Walker abstained from voting as she was not in attendance for the budget meetings. Motion carried.

Motion made by Laverne Doyle and seconded by Nick Rutherford to adjourn the meeting. All voting in favor; motion carried. Meeting adjourned at 12:30 PM.