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BOARD OF PEMBINA COUNTY COMMISSIONERS PROCEEDINGS

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February 5, 2019

8:30 AM

Board of Pembina County Commissioners met at 8:30 AM in the Commissioners Meeting Room of the Courthouse with the following members present: James Benjaminson, Laverne Doyle, Nick Rutherford, and Hugh Ralston. Absent: Hetty Walker.

Vice-Chair Hugh Ralston called the meeting to order. Devin Johnson, Highway Superintendent, was added to the agenda.

Motion made by Nick Rutherford and seconded by Jim Benjaminson to approve the January 8, 2019 minutes as presented. All voting in favor; motion carried.

The January 24, 2019 scheduled Commission meeting was cancelled due to weather conditions and a late opening.

Motion made by Nick Rutherford and seconded by Jim Benjaminson to approve the January 24, 2019 Special meeting minutes, a Tri-County Social Service meeting, as presented. All voting in favor; motion carried.

Board reviewed the 2018 budgets to actual. Motion made by Laverne Doyle and seconded by Jim Benjaminson to amend the following county budgets. Revenues are available to cover all amendments.

Clerk of Court/Recorder	\$ 185.62
County Nurse	\$ 2,009.18
Audit Fees	\$ 350.00
Township Road	\$ 13,460.10
Job Development	\$ 54,535.15
Restitution Special Trust	\$ 125.00
Co Nurse Special Trust	\$ 7,145.38
Flood Emergency	\$ 62,595.31
County Agent Special Trust	\$ 11,245.53
Drains	\$ 66,544.46
Park River Joint Water Resource	\$ 241.15

Roll call vote: Jim Benjaminson – yes; Laverne Doyle – yes; Nick Rutherford – yes. Motion carried.

Commission reviewed the 2018 Statement of Revenues, Expenditures, Transfers and Fund Balances for all county funds. Discussion followed on the County Agent, Veteran's Service and Weed fund balances.

Pembina County Job Development Authority Board minutes of November 14, 2018 and November 29, 2018 were reviewed.

Pembina County Fair Board minutes of December 5, 2018 were reviewed.

The 2018 Annual Report for the Pembina County Historical Society was reviewed.

Commission was presented with a draft of a sponsorship agreement between the Red River Regional Council and Pembina County for the administration of the Pembina County Historical Preservation Commission. Cheryl Osowski, Red River Regional Council, has administered the program for the past few years. The agreement is to allow Cheryl to handle the funding. Motion made by Laverne Doyle and seconded by Jim Benjaminson to authorize the Chairman to approve the agreement as presented. All voting in favor; motion carried. Auditor will contact the Regional Council for an official document.

Auditor presented a listing of unpaid mobile home taxes for Parcel 34-9220000. The mobile home was removed from the Brodshaug Trailer Park several years ago. Auditor is requesting to cancel the unpaid taxes and delete the mobile home parcel. The total of the unpaid taxes is \$263.68. Motion made by Nick Rutherford and seconded by Laverne Doyle to authorize the cancellation of the unpaid mobile home taxes and deletion of the parcel. All voting in favor; motion carried.

A letter from Vogel Law Firm was reviewed by the Commission. No discussion held at this time.

A County Deed for Parcel 29-1670000 was presented. Motion made by Laverne Doyle and seconded by Nick Rutherford to authorize the Vice-Chairman to sign the County Deed as presented. All voting in favor; motion carried.

Commission was informed of Nettie Douville's resignation from the Pembina County Housing Authority Board. Joline Lucier requested Krista Muhaw be appointed to fill the vacancy. Motion made by Laverne Doyle and seconded by Jim Benjaminson to appoint Krista Muhaw to the unexpired term of Nettie Douville. All voting in favor; motion carried.

Andrew Kirking, Emergency Manager and Weed Officer, presented handouts showing a weather and climate review for our area, January - February 2019. The second handout on the 2019 Spring Flood Outlook for our area, states the risk for significant snow melt flooding is low. Andrew gave a brief overview on

what occurred within both of his departments in 2018 and what he is planning for 2019. County fire departments are inviting the Commission to their next meeting, scheduled for Tuesday, February 19, 2019 at 2:00 pm, in the Emergency Operations Center. Andrew requested to attend a two day seminar in Langdon in June called "Train the Trainer". All Commissioners agree that it would be beneficial for Andrew to attend. Andrew discussed his participation as an Emergency responder with Cavalier Ambulance Service. Commissioner Doyle reminded Andrew that his main focus must remain with the County. Andrew discussed LAP and TAG grants for landowners to implement their own weed control and reviewed the letter he sent to township officials explaining the programs. Two additional noxious weeds have been added to the state list, Houndstongue and Palmer Amaranth. The spraying contract has expired so Andrew will advertise for bids and bring to the annual Weed Board meeting scheduled for March 5, 2019 at 8:00 AM. Andrew discussed purchasing a SprayLogger E3 GPS system, quoted at \$4,405.00, which will record sites as they are being sprayed. Andrew can then do a simple upload to the state to let them know immediately the areas that have been sprayed. Andrew received a grant to cover 50% of the purchase, making the cost to the county \$2,202.50.

Water Board Vice-Chair, Josh Heuchert informed the Commission the contractor was able to complete 6–6½ miles of cleaning on the snagging and clearing project and the culvert that was installed by Ben Hannesson's was installed by the County. Commission will discuss with Devin when he meets later this morning. Josh gave updates on Goshke Dam and Concrete Dam repairs. Discussion followed on House Bill 1514, to amend NDCC 61-32-03.1 relating to an exemption from permitting requirements for subsurface water management systems. Josh would like to draft a letter in opposition of the bill and would like the Commission to consider signing if they are in agreement. Rob Fleming, Water Board Attorney, updated the Commission on the Canadian Dike lawsuit.

Mikka Willits, Tax Director, and Lisa Wieler, GIS Specialist, discussed a city property currently receiving an exemption, however, the city is receiving land rent payments for the property. Mikka cited NDCC 57-02-26 which explains the property should be taxable to the lessee or equitable owner. Mikka would like to discuss this with the State's Attorney prior to requesting a decision from the Commission. Mikka discussed using an affidavit for active farm residence exemption applicants, which would require applicants to return a signed affidavit verifying their income with their application. Other counties are already utilizing the affidavit, decreasing the time spent on income verification to a minimum. Commission agrees the affidavit would be beneficial for her office. Mikka discussed the rollover from Pro-West to update the soil valuations. Since this rollover has not occurred prior to her taking the position there will be several valuation changes. After visiting with the State Tax Department and Commission it was decided to wait another year to complete the rollover. Mikka discussed one parcel which was recently divided into two parcels, causing a change in the valuation. Mikka and Lisa will make the adjustments to correct the valuations.

Don Kemp met to discuss concerns with the Water Board. Also present were Clarence Boettger, Scott Gunderson, Paul Gunderson, Kevin Sharp, Curt Christenson, Ted Juhl and Water Board members Randy Emanuelson and Joshua Heuchert. Don presented a handout with information on his, and several other land owners, concerns with the County Drain 16 watershed. A large group of land owners and operator members of Drain 16 began meeting to discuss solutions to alleviate these concerns. A complaint was filed against approximately 21,000 acres that are contributing to the problem. The group is not trying to deny anyone from draining but to seek solutions in dealing with the water. A group of land owners from outside the complaint area also took part in the meetings to discuss solutions, which resulted in the establishment of Drain 82. Don expressed the way the complaint was handled has been nothing short of a nightmare. The Water Board is considering annexing an additional 10,000 acres into Drain 16, which should not be done until relief for Drain 16 is accomplished. The group of land owners are requesting the Commission approach the Water Board to see if a solution can be met. Possible solutions were discussed by the group who feel a logical approach is to work together to accomplish the same goal. Water Board Member, Josh Heuchert stated it takes 6 people to sign a petition to request a study to install a legal drain. Commissioner Benjaminson suggested a smaller group of landowners work together to come to an agreement, since a larger group has too many opinions and doesn't work.

Tanya Wieler, Human Resource Director, discussed pre-employment background checks for all new hires. Tanya presented information from AccuSource, an online background search company. The company offers the opportunity to customize the background search which could vary between departments. There is an initial one time set-up fee and credit credentialing fee. Motion made by Nick Rutherford and seconded by Jim Benjaminson to authorize the implementation of the program. Roll call vote: Jim Benjaminson – yes; Laverne Doyle – yes; Nick Rutherford – yes. Motion carried.

Tanya informed the Commission that the social media policy, which was approved earlier, has not been added to the Employee Policy Manual. Rebecca Flanders, Pembina County State's Attorney, would like to review the policy prior to adding to the Employee Policy Manual.

Construction engineering interview committee, for Project BRO-0034(033), presented their recommendation to the Commission. Motion made by Laverne Doyle and seconded by Nick Rutherford to award the contract to Kadramas, Lee & Jackson. Roll call vote: Jim Benjaminson – yes; Laverne Doyle – yes; Nick Rutherford – yes. Motion carried.

A letter was received notifying Pembina County the Court Facilities Improvement Grant was approved in the amount of \$8,670.00.

Terry Meidinger, Sheriff, informed the Commission of the hire of Douglas Hill. Doug will begin his duties effective March 1, 2019.

Commission reviewed the December financial statement, January payroll and claims. Motion made by Jim Benjaminson and seconded by Laverne Doyle to approve the consent agenda as presented. All voting in favor; motion carried.

Motion by Jim Benjaminson and seconded by Laverne Doyle to adjourn the meeting. Meeting adjourned at 12:35PM.