

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

## BOARD OF PEMBINA COUNTY COMMISSIONERS PROCEEDINGS

[www.pembinacountynd.gov](http://www.pembinacountynd.gov)

January 20, 2021

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: Jim Benjaminson, Laverne Doyle, and Hugh Ralston. Available by telephone was Hetty Walker. Absent: Nick Rutherford.

Chairperson Doyle called the meeting to order. Highway Department receivables will be added to the agenda.

Motion made by Jim Benjaminson and seconded by Hugh Ralston to approve the January 5, 2021 meeting minutes as presented. All voting in favor; motion carried.

Pembina County Fair Board minutes of October 28, 2020 were reviewed along with the October 2020 and November 2020 financials.

Commissioner Doyle was contacted by an individual regarding the final notice to pay the outstanding receivable to the Highway Department. Chairman Doyle contacted Devin Johnson, Highway Superintendent, to discuss the individuals concerns. Devin confirmed the work was for a pipe installation along the right of way and a bill should not have been sent to the individual. Motion made by Hugh Ralston and seconded by Jim Benjaminson to forgive the receivable in the amount of \$688.25. All voting in favor; motion carried.

Commission discussed Board appointments. There is still a vacancy on the Pembina County JDA Board. Discussion followed and the following appointment was made:

Pembina County JDA – Melissa Gapp to a three (3) year term

Motion made by Jim Benjaminson and seconded by Hugh Ralston to accept the appointment as listed above. All voting in favor; motion carried.

Request for a raffle permit received from St Joseph's Preservation Society. Motion made by Hetty Walker and seconded by Hugh Ralston to approve the request. All voting in favor; motion carried.

Board reviewed the 2020 budgets to actual. Motion made by Hugh Ralston and seconded by Jim Benjaminson to amend the following county budgets. Revenues are available to cover all amendments.

Correction Center	\$ 56,287.44
Clerk of Court/Recorder	\$ 463.21
Dispatch	\$ 192.24
Sheriff	\$ 6,738.29
Board of Health	\$ 2,297.19
County Nurse	\$ 91,963.83
Election	\$ 2,638.93
Human Resource	\$ 2,595.29
Postage	\$ 9,199.78
Publishing	\$ 1,085.48
Miscellaneous	\$ 14,717.19
Road & Bridge	\$ 31,910.12
Weed Fund	\$ 10,944.84
Job Development	\$ 34,814.32
Airport	\$ 4,302.53
Sheriff Special Trust	\$ 31,572.39
Victim Witness	\$ 29,588.42
Tobacco Funds	\$ 3,803.68
County Agent Special Trust	\$ 4,933.05
Park River Joint Water Resource	\$ 742.44

Roll call vote: Jim Benjaminson – yes; Hugh Ralston – yes; Hetty Walker - yes. Motion carried.

Auditor/Treasurer, Linda Schlittenhard, presented the Commission with a report on the investment interest account. The fund balance as of December 2020 is \$52,811.19. Auditor is requesting to transfer the funds to General Reserve. Motion made by Jim Benjaminson and seconded by Hetty Walker to distribute the entire \$52,811.19 investment earnings to General Reserve. Roll call vote: Jim Benjaminson – yes; Hugh Ralston – yes; Hetty Walker - yes. Motion carried.

Commission reviewed a Pandemic Mitigation Order approved by the Pembina County Board of Health at their January 20, 2021 meeting. Although the Governor removed the statewide mask mandate requirement on Monday, January 18<sup>th</sup>, NDCC 23-35-12(2) (g) and 23-07021(1) provides that a Local Health Officer may take any action necessary for public health and safety. The Centers for Disease Control has determined that masks are most likely to reduce the spread of COVID-19 when they are widely used by people in public settings. The Pandemic Mitigation Order mandates face coverings be used in indoor business or public indoor spaces including waiting outdoors to enter an indoor business or public space, at an outdoor business or public outdoor space where physical distancing cannot be maintained, and when riding on public transportation with another person who is not a member of the same household.

The Order states that businesses must post one or more signs that are visible to all persons and require that all persons, including their workers, customers and visitors wear face coverings. Motion made by Hetty Walker and seconded by Jim Benjaminson to approve the order as presented. The order will become effective at 12:01AM CT on January 21, 2021 and remain in effect until rescinded by the Pembina County Local Health Officer. All voting in favor; motion carried.

Commissioner Benjaminson discussed House Bill 1182, which would provide candidates running for local office the option of declaring a political party affiliation. Commissioner Benjaminson has contacted Representative Chuck Damschen and Representative David Monson requesting a Do NOT Pass on HB 1182. Commissioner Benjaminson would appreciate it if the other Commissioners contact the House Representatives with their opinions on HB 1182.

Judge Laurie Fontaine informed the Commission that Kari Agotness, Ramsey County State's Attorney, was appointed by Governor Burgum to fill the Northeast Judicial District vacancy upon her retirement on January 29, 2021. Ms. Agotness will begin her duties effective February 1, 2021. Discussion followed on the Court Improvement Grant application that was submitted for renovation of the District Clerk's office and Jury Room. Judge Fontaine feels the change is definitely a District Judge's decision and suggests waiting until the new Judge takes office to decide what will work best for the office. Since this is a dual chamber district, with offices in Cavalier and Langdon, Judge Fontaine will be meeting with Ms. Agotness to see if she has decided where she will be chambering. All counties have a reserved parking space for the presiding Judge, and Judge Fontaine feels it would be appropriate to implement a reserved parking space for the new Judge if she chooses to chamber in Cavalier. The Commission thanked Judge Fontaine for her years of service with Pembina County.

Stacie Sevigny, Red River Regional Council Developer, met with the Commission to discuss the 2020 ½ mill "Self-Help" funding grants. The deadline for applications was December 15, 2020. Pembina County received six requests for projects totaling \$18,147.00. Motion made by Hugh Ralston and seconded by Hetty Walker to award \$7,800.00 (\$1,500.00 maximum per applicant) to the 2020 ½ Mill "Self Help" Program. Roll call vote: Jim Benjaminson – yes; Hugh Ralston – yes; Hetty Walker - yes. Motion carried.

Revel Sapa, Human Resource Director, and Tanya Wieler, Human Resource Support, discussed the COVID-19 leave which was mandated by the Federal government and expired on December 31, 2020. The extended FMLA is currently available through March 31, 2021 and the Human Resource Department is requesting the Commission consider extending the 80 hours of COVID leave through March 31, 2021. Motion made by Hugh Ralston and seconded by Jim Benjaminson to extend the 80 hours COVID leave, for those employees that have not previously utilized the hours, through March 31, 2021. Roll call vote: Jim Benjaminson – yes; Hugh Ralston – yes; Hetty Walker – yes. Motion carried.

Changes to Policy 701 - Drug and Alcohol Use, was discussed. With medical marijuana, an unprescribed drug, becoming legal in North Dakota the verbiage "unprescribed drugs" will be added to the policy. The drug testing policy was reviewed. The County will no longer do random testing on all employees, only those employees considered as "safety-sensitive" employees. Job classifications that are considered safety-sensitive include (but is not limited to) dispatchers, correctional officers, law enforcement officers and highway department personnel. The County will begin pre-employment testing for all new employees and do random testing for safety-sensitive employees only. Motion made by Jim Benjaminson and seconded by Hugh Ralston to approve the changes as presented. Roll call vote: Jim Benjaminson – yes; Hugh Ralston – yes; Hetty Walker – yes. Motion carried.

A Telecommuting Policy was presented for review. Telecommuting agreements may occur on an occasional basis. Team members must have an approved telecommuting agreement under the policy prior to formally telecommuting. Motion made by Hugh Ralston and seconded by Jim Benjaminson to add the telecommuting policy as presented to the Employee Policy Manual. Roll call vote; Jim Benjaminson – yes; Hugh Ralston – yes; Hetty Walker – yes. Motion carried.

Dustin Bakken, Kompleks Assessment Solutions, provided the Commission with a progress update on Ag land valuations in Pembina County. The original agreement was to have the project completed by March 1<sup>st</sup> and Dustin is on track to achieve that. All the new soils have been received from NRCS. Land use will be reviewed, and land with 40 PI and higher will be rated as cropland while anything lower will be non-cropland. County wide valuations will be within the tolerance level set by the State and will be in line for the 2021 tax season.

Mikka updated the Commission on her work with NRCS to update all the WRP and EWP contracts. The new acres for native woodland (NWL) will be reviewed and corrected as needed.

Commission reviewed the consent agenda, consisting of the December financial statement and claims. Motion made by Jim Benjaminson and seconded by Hetty Walker to approve the consent agenda as presented. All voting in favor; motion carried.

Motion made by Hugh Ralston and seconded by Jim Benjaminson to adjourn the meeting. All voting in favor; motion carried. Meeting adjourned at 11:15 AM.