

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

BOARD OF PEMBINA COUNTY COMMISSIONERS PROCEEDINGS

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July 16, 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: Jim Benjaminson, Laverne Doyle, Nick Rutherford, Hugh Ralston and Hetty Walker.

Chairman Walker called the meeting to order. No additions to the agenda.

Motion made by Nick Rutherford and seconded by Jim Benjaminson to approve the July 2, 2019 minutes as presented. Discussion followed. Commissioner Ralston noticed that the minutes read Hamilton Fair and should have read Pembina County Fair. Motion made by Nick Rutherford and seconded by Hugh Ralston to accept the minutes with the above mentioned change. All voting in favor; motion carried.

Motion made by Laverne Doyle and seconded by Jim Benjaminson to authorize the Chairman to sign the Admission of Service received from Fleming, DuBois and Fleming, PLLP regarding the release of interest in property described as Part of the SE1/4SE1/4 in Section 4, Township 161, Range 54 in the City of Cavalier. All voting in favor; motion carried.

Commission was informed of two letters of resignation from the Pembina County Job Development Authority. Ron Storey, Member at Large, and Tim Higdeme, City Council Member for Cities under 500 Population, have forwarded their resignations from the JDA Board effective immediately. Discussion followed on a replacement for these individuals. Motion made by Hugh Ralston and seconded by Laverne Doyle to appoint Stuart Symington to the JDA Board. Stuart is the Mayor of Neche, which fills the vacancy for the City Council Member for Cities under 500 Population as well as a business owner who would qualify as a Member at Large. All voting in favor; motion carried.

Request received from Chizzy's to transfer his liquor license to the Leroy Hall on Saturday, July 20, 2019 from 5:00PM to 12:00AM. Motion made by Laverne Doyle and seconded by Jim Benjaminson to approve the transfer. All voting in favor; motion carried.

Commission discussed the 2020 proposed salaries. Motion made by Hugh Ralston and seconded by Laverne Doyle to utilize the proposed salaries as presented for budgeting purposes. Discussion followed on review of salaries prior to approval of the final budget. Roll call vote: Jim Benjaminson – yes; Laverne Doyle – yes; Nick Rutherford – yes; Hugh Ralston – yes. Motion carried.

Discussion was held on combining the Veteran's Service Office with Human Resource. Commission feels there may be a larger pool of applicants if the position was a full time position versus part-time. Motion made by Laverne Doyle and seconded by Nick Rutherford to advertise for a combined Veteran's Service Officer/Human Resource Officer position. All voting in favor; motion carried.

Commission reviewed the June financial statement and claims. Motion made by Laverne Doyle and seconded by Hugh Ralston to approve the consent agenda as presented. All voting in favor; motion carried.

Commission reviewed the Domestic Violence and Abuse Center financials forwarded by Debra Olson, DVAC Executive Director, for Cavalier, Pembina and Walsh counties. Ms. Olson is requesting each of the three counties to consider increasing the annual donation to DVAC by \$4,000.00 for budget year 2020. Commission will review at budget time.

Water Board presented their 2020 proposed budget and are requesting the Commission consider increasing the mills from 3.5 mills to 4 mills. Park River Joint Water Resource is not requesting funding for 2020. The Pembina County Water Board would appreciate it if the Commission would consider adding the ½ mill previously levied for the Park River Joint Water Resource to the Water Board levy bringing them to the maximum of 4 mills. Commission will review at budget time.

Zach Hermann, Houston Engineering, updated the Commission on the Tongue River Snagging and Clearing project and the planning phase for the proposed construction for Senator Young Dam.

A public hearing was held at 10:00 AM, as required in NDCC 61-16.1-40.1, on the proposed Tongue River Cutoff Engineering Assessment. Those in attendance include Pembina County Water Board members Joshua Heuchert, Charles Thacker, Donald Kemp, Randall Emanuelson, and Rick Kendell, LuAnn Kemp, Water Board Secretary, Rob Fleming, Water Board Attorney, and Zach Hermann, Houston Engineering. No attendance by the public. Zach reviewed the Scope of Services with the Commission. Discussion followed on utilizing the same assessment area as was used for the Renwick Rehabilitation Project. The Water Board is requesting funding assistance from the State Water Commission for the engineering phase of this project, which would cover approximately 45% of the costs. The following resolution was presented for adoption:

RESOLUTION

WHEREAS, The Pembina County Water Resource District Board has entered into a contract with Soil Conservation Service, United States Department of Agriculture, for the operation of the Tongue River Watershed and the terms of the contract require the Water Resource District to provide maintenance of the project after construction; and

WHEREAS It has been determined that repairs and reconstruction of the Tongue River Cutoff is required; and

WHEREAS, The benefited lands are located both in Pembina and Cavalier Counties; and

WHEREAS, The Tongue River Cutoff is located in Pembina County; and

WHEREAS, It is necessary to establish an assessment district to provide for the funding of the engineering assessment project; and

WHEREAS, the benefited area is the entire Tongue River Watershed; and

WHEREAS It is necessary to finance the costs of the project by special assessments levied against the land and premises benefited by maintenance and rehabilitation of the Tongue River Cutoff.

NOW THEREFORE The Tongue River Watershed assessment district is hereby established to provide for the engineering assessment for the Reconstruction of the Tongue River Cutoff

APPROVED by the Pembina County Commissioners July 16, 2019 by a roll call vote of 5 yes to 0 no.

APPROVED by the Pembina County Water Resource District Board of Managers July 16, 2019 by a roll call vote of 5 yes to 0 no.

Dated this 16th day of July 2019.

Pembina County Water Resource District

/s/ Joshua Heuchert

/s/ Rick Kendall

/s/ Chuck Thacker

/s/ Randall Emanuelson

/s/ Donald Kemp

Dated this 16th day of July 2019

Pembina County Commissioners

/s/ Jim Benjaminson

/s/ Laverne Doyle

/s/ Nick Rutherford

/s/ Hugh Ralston

/s/ Hetty Walker

Motion made by Laverne Doyle and seconded by Jim Benjaminson to set the assessment district as discussed and adopt the resolution as presented. Roll call

vote: Jim Benjaminson – yes; Laverne Doyle – yes; Nick Rutherford – yes; Hugh Ralston – yes, Hetty Walker - yes. Motion carried.

Commission was presented with a letter of resignation from Liz Beck. Liz will be retiring the end of 2019. Motion made by Nick Rutherford and seconded by Laverne Doyle to regretfully accept the letter of resignation. Discussion followed. All voting in favor; motion carried.

Liz Beck, IT/911/GIS Coordinator, updated the Commission on the SIRN radio project. At the June 4 Commission meeting, Liz had provided the Commission with a quote from the radio vendor for IP dispatch consoles, in the amount of \$72,000. This involved upgrading the existing MCC 5500 consoles.

The State bid price from Motorola, for two MCC7500 dispatch consoles is just under \$300,000, as officially quoted. Liz was recently informed that Motorola announced the end of life for the MCC5500 effective the end of 2019. Motorola has provided preliminary numbers for the Motorola/Avtec replacement solution, estimated at \$150,000.00. Liz will be checking with other suppliers for compatible options. This will delay installation of purchasing Dispatch Radio IP consoles, for perhaps a year or two.

Liz informed the Commission that Polar Communications has announced that Avaya, our current phone system provider, will not be supporting our current system after the end of 2019. Liz presented an estimate for purchase or lease of new equipment. The estimate is for an upgrade to R11 on the IP Office and includes software and hardware upgrades. There is a 3 year commitment to lease the equipment. This includes an estimated lease increase of \$174.65 monthly and a onetime cost of \$7,950.00 for materials and labor. Since Pembina County updated their phone system in 2014 this is a minimal cost for the County. Liz discussed additional improvements that will need to be made from 2022 thru 2024, and suggested the Commission budget accordingly. Motion made by Nick Rutherford and seconded by Laverne Doyle to authorize Liz to sign the estimate as presented. All voting in favor; motion carried.

Devin Johnson, Highway Superintendent, and Jon Markusen, Kadramas, Lee & Jackson, updated the Commission on the box culvert project on Highway 44. The contractor is not able to meet the completion date, due to the unavailability of the box culvert. Jon suggested the Commission consider rejecting the bid and have the project rebid in October for an earlier completion date in 2020. Motion made by Laverne Doyle and seconded by Nick Rutherford to reject the bid and rebid in October. All voting in favor; motion carried. Jon updated the Commission on the County Road #1 project and the box culvert replacement in Hamilton Township.

Culvert request received from Kelly Johnson to install an approach for field entry in the NE ¼ of Section 34 of Beaulieu Township. The application has been signed by two township officials, approved by the Water Board and Devin

Johnson, Highway Superintendent. Motion made by Hugh Ralston and seconded by Jim Benjaminson to authorize the Chairman to sign the request as presented. All voting in favor; motion carried.

Commission set interviews for Engineering Services for project BRC-3428(056) for Tuesday, July 30, 2019 beginning at 1:00PM. The interview committee members are Commissioner Laverne Doyle, Devin Johnson, Highway Superintendent, Linda Schlittenhard, Auditor/Treasurer, and Tanya Wieler, Human Resource Director.

Rebecca Flanders, Pembina County State's Attorney, discussed a situation related to paying witness fees for a backup officer. The officer was hired by the City of Walhalla and during his scheduled time for the city made a traffic stop in the county. The individual chose to go to trial and the deputy was called to testify in the court case. The deputy is requesting reimbursement for mileage and a meal for the day he testified. Motion made by Jim Benjaminson and seconded by Laverne Doyle to request payment from Walhalla City since the officer was employed by Walhalla City. Discussion followed. All voting in favor; motion carried.

Ms. Flanders updated the Commission on the Patrick Swift case. The NDIRF has assigned legal defense for the county. To date the case has not been filed with the court.

Motion by Jim Benjaminson and seconded by Nick Rutherford to adjourn the meeting. All voting in favor; motion carried. Meeting adjourned at 12:20 PM.