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## BOARD OF PEMBINA COUNTY COMMISSIONERS PROCEEDINGS

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July 18, 2018

9:00 AM

Board of Pembina County Commissioners met at 9:00 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.

Chairman Benjaminson called the meeting to order.

Motion made by Nick Rutherford and seconded by Laverne Doyle to approve the July 3, 2018 minutes as presented. All voting in favor; motion carried.

Motion made by Nick Rutherford and seconded by Hugh Ralston to authorize the Chairman to sign the Request for a Duplicate Warrant received from Bredahl & Associates. All voting in favor; motion carried.

Pembina County JDA minutes of March 7, 2018 and May 9, 2018 were reviewed.

Water Board minutes of March 20, 2018 through June 28, 2018 were reviewed.

Commission discussed the letter of resignation, received from Roberta Corrick, from the Pembina County JDA Board. Motion made by Laverne Doyle and seconded by Hugh Ralston to regretfully accept Ms. Corrick's resignation from the JDA Board. All voting in favor; motion carried. No appointment made at this time to fill the vacancy.

Auditor received a request from the Pembina County JDA to appoint Lacey Hinkle, Cavalier City Mayor, to replace Kenneth Brieese on the Board as the Mayor of the largest city. Motion made by Hugh Ralston and seconded by Nick Rutherford to appoint Lacey Hinkle to the JDA Board. All voting in favor; motion carried.

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

Auditor discussed the SAVIN (Statewide Automated Victim Information Notification) cost share billing. The bill is for Pembina County's share of the statewide implementation of Marsy's Law. These monies will help defray the expenses related to the enhancement of SAVIN. Motion made by Nick Rutherford and seconded by Hugh Ralston to pay the SAVIN cost share from the State's Attorney budget. Discussion followed. All voting in favor; motion carried.

Robert (Kayo) Vivatson, Curt Christenson, Don Kemp, Scott Gunderson, Kelly Brown, and Allen Anderson met to discuss county water issues. Also in attendance were: Mark DeMars, Jon Kippen, Lyndon Juhl, Rick Brown, Water Board Manager Jerry Juhl, David Moquist, Tom Schulz, Clarence Boettger, Mark Morrison, Tom Erovick, Ted Juhl, Charlie Morrison, Highway Superintendent Devin Johnson, Water Board Secretary LuAnn Kemp, Cindy McColl Hughes, Bill Gunderson, Pat Mahar, Water Board Manager Rick Kendell and Kevin Brown. Kayo presented a map showing 5 problem areas he would like to discuss with the Commission. Curtis Christensen discussed Area 1, encompassing Drain 66 and Drain 3. Curt expressed his concerns with the exposure of the Enbridge pipelines in that area. Ted Juhl also expressed his concerns with the erosion that has occurred over the years at the Enbridge Pipeline. Discussion followed. Don Kemp discussed Area 2, encompassing Drains 5, 6, 7, 39 and part of Drain 64. Don discussed hiring a County Engineer or Field Tech who could assist with drainage problems. Clarence Boettger discussed a complaint that was filed with the Water Board in 2016 from an unassessed area west of Drain 16 and Drain 16A. Scott Gunderson discussed Area 3 encompassing Drain 16 and Drain 16A. Scott discussed concerns with the drainage around the Tongue River. Kelly Brown discussed Area 4 encompassing all of Drain 17 and parts of Drains 4, 8, 23, 46, 74, and 77. Kelly discussed drainage into the area from the Rosebud Coulee and Kippen Coulee. Kelly discussed the snagging and clearing project approved for the Tongue River, and would like to see additional funding for the project. According to North Dakota Century Code 61-16.1-09.1, an assessment may not exceed fifty cents per acre annually on agricultural lands and may not exceed fifty cents annually for each five hundred dollars of taxable valuation on nonagricultural property. With 2019 being a legislative year, the timing is perfect for an open discussion with the Legislators about increasing the annual maximum. Allen Anderson discussed Area 5 which currently has no legal drains, but he considers that area a part of the watersheds that empty into legal drains. Allen is in favor of a County-Wide Drain assessment and he understands the concerns of the farmers in the affected areas. Jon Kippen discussed the Tamarac Water Shed organization in Minnesota, which has been proven to be successful for water drainage issues. Jon feels this is an option that should be considered for the future. The group is requesting the Commission consider hiring a County Engineer and/or Field Technician to help reduce costs in the development of the drainage in the county, consider a permitting process which would allow farmers to do maintenance on the legal drains on their land, and consider contacting the Legislators regarding a change in NDCC that would allow counties to implement a County Wide Drain tax.

Drainage application received from William Wagner to clean the ditch to grade along County Road #55, in the SE $\frac{1}{4}$  of Section 4, the NE $\frac{1}{4}$  of Section 9 and the N $\frac{1}{2}$  of Section 10 of Neche Township. The application has been signed by the landowner and approved by Devin Johnson, Highway Superintendent. Motion made by Nick Rutherford to approve the request. Second by Laverne Doyle. All voting in favor; motion carried.

Culvert request received from Dean Latozke to extend his approach by adding an additional 20' to the existing culvert in the NE $\frac{1}{4}$  of Section 33 of Felson Township. Application was approved by two township officers and Devin Johnson, Highway Superintendent. Motion made by Nick Rutherford and seconded by Laverne Doyle to authorize the Chairman to sign the request as presented. All voting in favor; motion carried.

Culvert request received from CHS to widen the approach at the south end connecting to Highway #3, by replacing the existing 36" x 40' culvert with a 36" x 60' culvert, in the SW $\frac{1}{4}$  of Section 2 of St Thomas Township. Application was approved by two township officers and Devin Johnson, Highway Superintendent. Motion made by Nick Rutherford and seconded by Laverne Doyle to authorize the Chairman to sign the request as presented. All voting in favor; motion carried.

Tanya Wieler, Human Resource Director, reviewed the pay plan with the Commission. The market based plan is reviewed every three years to ensure the plan remains in line with the market. Tanya discussed the 2019 proposed salary changes that occurred with this year's review. Performance reviews for department heads were discussed.

Motion made by Nick Rutherford and seconded by Laverne Doyle to recess the meeting until 1:30PM. All voting in favor; motion carried.

Meeting reconvened at 1:30PM. Commission reviewed the 2019 proposed County General and Non-General budgets. After reviewing the proposed budgets, the Commission requested to visit with Devin Johnson, Highway Superintendent, Monica Brusseau, Victim Witness and Rebecca Flanders, State's Attorney. Auditor will contact the individuals and schedule appointments for Thursday, August 19, 2018.

Motion made by Hugh Ralston and seconded by Laverne Doyle to adjourn the meeting. All voting in favor; motion carried. Meeting adjourned at 5:15PM.