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BOARD OF PEMBINA COUNTY COMMISSIONERS PROCEEDINGS

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July 18, 2023

8:30 AM

Board of Pembina County Commissioners met in the Commissioners Meeting Room of the Courthouse. Chairperson Benjaminson called the meeting to order at 8:31 AM.

Roll call: Jim Benjaminson, Laverne Doyle, Blaine W. Papenfuss, Darin Otto and Andrew Cull. A quorum was declared.

Also in attendance are Marcus Ramsay, Chief Deputy, Revel Sapa, Veterans Service Officer, Samantha Weeks, IT/911/GIS Coordinator, Samantha Diemert, Emergency Manager/Weed Officer, Garret Fontaine, States Attorney, and Konor Parker, Human Resources.

Motion made by Blaine Papenfuss and seconded by Laverne Doyle to approve the agenda with the following changes/additions: an update on the proposed cattle feed lot, 911 reimbursement fees, request letter from Fleming, DuBois & Fleming and Konor Parker. All voting in favor; motion carried.

Motion made by Darin Otto and seconded by Laverne Doyle to approve the July 6, 2023 meeting minutes as presented. All voting in favor; motion carried.

Request received from Bonesy's Bar, Inc., to transfer his liquor license to the Leroy Hall on Saturday, July 22, 2023 from 4:00PM to 1:00AM. Motion made by Andrew Cull and seconded by Blaine Papenfuss to approve the transfer. All voting in favor; motion carried.

Commission discussed the proposed cattle feed lot. Auditor informed the Commission that Mr. Edgar has sent a check for a conditional use permit but no permit application has been received. When the application is received she can begin the process of advertising and setting a date for the hearing.

The North Dakota Association of Counties (NDACo) Executive Committee is discussing the option of having NDACo serve as the collection point for county 911 surcharges. NDACo would calculate county fees to support NG911 and the SIRN program, remit the fees to the appropriate program and return the balance to the county for deposit in the

911 account. At this time this is just a discussion, but NDACo is interested in determining how many counties would be in agreement with the transition. Motion made by Laverne Doyle and seconded by Blaine Papenfuss to have NDACo collect the 911 fees for Pembina County and reimburse the county. All voting in favor; motion carried.

Lisa Keney, Interim Tax Director, scheduled a webinar for the Commission with Sidwell. Sidwell has solutions for assessors and land records. Travis Franz, Sidwell representative, discussed their GIS service and software program which includes parcel maintenance, a map plotter and the FARMS program which includes an ag calculator, soils and land use and figures acres. Lisa will be scheduling another webinar with Mr. Franz prior to requesting a quote.

Devin presented an updated quote from Reed International for the MiniMac Paver. The MiniMac Paver was approved for purchase at the November 15, 2022 meeting but when Devin placed the order the item was no longer available. The MiniMac is currently being manufactured but will not be available until April 2024. The original quote of \$296,735.00 included a drag box. The updated quote is \$358,000.00 with the drag box or \$296,735.00, without the drag box. Devin will eliminate the drag box and purchase the paver only.

The following bids were received for road repair work on County Road 6 and County Road 9:

Strata Corporation - \$136,750.00

Knife River Materials - \$118,450.00

Mayo Construction Co. Inc - \$81,588.00

Motion made by Andrew Cull and seconded by Darin Otto to award the bid to Mayo Construction Co. Inc. All voting in favor; motion carried.

Devin updated the Commission on the Bowsmont Bridge repairs. Devin has not been able to find used culverts that are long enough and new culverts, which will not be available for 8 plus weeks, are \$123,000.00. Devin was informed of a 28' x 50' Prefabricated Steel Bridge for sale in Lubbock, Texas. This bridge would be a permanent fix for the area. Devin has not received the bid yet but was told it is expected to be \$85,000.00 – \$90,000.00 delivered. Motion made by Blaine Papenfuss and seconded by Laverne Doyle to have Devin move forward with the prefabricated bridge. All voting in favor; motion carried. Water Board has a 60% cost share for the prefabricated bridge and the Water Board voted in favor of Devin moving forward with the bridge option.

Water Board members Don Kemp, Bill Gunderson, Ted Juhl, and Randall Emanuelson, LuAnn Kemp, Water Board Secretary and Rob Fleming, Water Board Attorney, met with the Commission. Paul LaClaire, Houston Engineering, updated the Commission on the Tongue River Snagging & Clearing project, Tongue River Cut-off channel, Bourbanis

Dam, Drain 81, Drain 66, Drain 16, and the dam rehabs, which are still ongoing. LuAnn presented an assessment value for the Tongue River Cutoff project of \$2.00/acre of Ag land and \$1.00/per \$500 of valuation on residential properties for tax year 2023 and 2024. Motion made by Laverne Doyle and seconded by Blaine Papenfuss to approve the assessment valuations as presented. All voting in favor; motion carried.

Samantha Diemert, Dispatch Supervisor, and Samantha Weeks, 911 Coordinator presented a letter recommending Patrick Swift for the role of the 911 representative for Pembina County EMS Council. Also present were Patrick Swift and Amanda White, EMS Council Secretary. Motion made by Laverne Doyle and seconded by Blaine Papenfuss to approve Patrick Swift as the 911 representative for Pembina County EMS Council. Discussion followed. All voting in favor; motion carried.

Discussion was held on a letter received from Walhalla City Attorney Larry DuBois. Walhalla City passed a resolution to begin the process of transferring the cases of the Walhalla Municipal Court to the District Court, per NDCC 40-18-06.2(2). This requires the agreement of the Commission, the presiding Judge of the Judicial Court and the State Court Administrator. States Attorney Fontaine would like to do additional research on the request before advising the Commission. Motion made by Andrew Cull and seconded by Darin Otto to table a decision to the August 15, 2023 meeting.

Drainage permit request received from Bob Olson to clean the silt out of the ditch along County Road #3 between Sections 6 & 7 of North Midland Township. Devin Johnson, Highway Supervisor, approved the request. Motion made by Andrew Cull and seconded by Blaine Papenfuss to authorize the Chairman to sign the request as presented. All voting in favor; motion carried.

Culvert request received from Tim Carpenter to replace a 16" x 58' culvert with a 30" x 58' culvert between the SW $\frac{1}{4}$ of Section 4 and the SE $\frac{1}{4}$ of Section 3 of St Joseph Township, due to flooding caused from tree removal and drain tile installation. The request has been approved by two township supervisors and Devin Johnson, Highway Superintendent, with no comment by the Water Board. Motion made by Laverne Doyle and seconded by Blaine Papenfuss to deny the 30" culvert request. Discussion followed. All voting in favor; motion carried.

Motion made by Andrew Cull and seconded by Darin Otto to approve a 24" x 58' culvert after Mr. Carpenter submits a new request for a 24" x 58' culvert. All voting in favor; motion carried.

Culvert request received from Scott Gunderson to install an additional 48" x 40' culvert in the SW $\frac{1}{4}$ of Section 17 of South Carlisle Township. Motion made by Andrew Cull to send a letter to the Water Board requesting confirmation of the Drain 16 assessment area and Scott Gunderson notifying him the decision will be tabled until confirmation

from the Water Board is received. Discussion followed. All voting in favor; motion carried.

Konor Parker, Human Resource Director, presented two memos from Tanya Wieler related to the current pay plan. Commissioner Cull and Commissioner Doyle expressed their concerns with the current pay plan. Commissioner Papenfuss asked if Mr. Parker has compared any other county pay plans. Motion made by Blaine Papenfuss and seconded by Darin Otto to table a decision until further information is available. Discussion followed. Motion made by Blaine Papenfuss to rescind his motion. Motion made by Darin Otto to table a decision until the August 15, 2023 meeting. Second by Blaine Papenfuss. All voting in favor; motion carried.

Mr. Parker read an Official Memorandum regarding Human Resources Director Duties and Responsibilities. Mr. Parker is requesting the Payroll function be reverted back to the Auditor's Office. Motion made by Laverne Doyle to table a decision to the August 1, 2023 meeting. Second by Andrew Cull. Discussion followed. All voting in favor; motion carried.

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

Motion made by Darin Otto and seconded by Blaine Papenfuss to adjourn the meeting. All voting in favor; motion carried. Meeting adjourned at 11:12 AM.