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BOARD OF PEMBINA COUNTY COMMISSIONERS PROCEEDINGS

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June 15, 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, Hugh Ralston and Nick Rutherford. Available by telephone: Hetty Walker.

Chairperson Doyle called the meeting to order at 8:30 am.

Motion made by Jim Benjaminson and seconded by Nick Rutherford to approve the June 1, 2021 meeting minutes as presented. All voting in favor; motion carried.

Motion made by Nick Rutherford and seconded by Hugh Ralston to approve the agenda with the following additions: letters from Carlisle Township and Clarence Boettger, NDDOT contract, Samantha Weeks, IT/911/GIS Coordinator, Samantha Diemert, EM/Weed/Dispatch Supervisor, account signatory authority letter for Clerk of Court/Recorder office, Revel Sapa, Human Resources, and Devin Johnson, Highway Superintendent. All voting in favor; motion carried.

Commission reviewed the letter from the Carlisle Township Board of Supervisors regarding land valuations, dated May 27, 2021 and received June 10, 2021. Land valuations were discussed at the June 8, 2021 Board of Equalization meeting. Commission also reviewed a letter dated June 8, 2021 and received on June 10, 2021, from Clarence Boettger, regarding his appeal of the agricultural valuation on his five parcels.

Request for a gaming site authorization, at Chizzy's, Inc. in Leroy, received from Bartlette Resler Post 62. Motion made by Jim Benjaminson and seconded by Hugh Ralston to approve the gaming site request as presented. All voting in favor; motion carried.

Auditor discussed an email she received from Stacie Seigny, Developer with Red River Regional Council. Stacie manages the ½ mill Self-Help program on behalf of Pembina County. Stacie was contacted by one city asking if cities could apply for more than one project, utilizing funds earmarked for other cities that do not apply. Motion made by Nick Rutherford and seconded by Hugh Ralston to allow

cities to apply for additional funding for another project, using funding earmarked for another city that does not apply, as long as the Regional Council is willing to manage the additional work and the funding does not exceed the maximum amount budgeted by the county. Discussion followed. Roll call vote: Jim Benjaminson - yes; Laverne Doyle - yes; Nick Rutherford – yes; Hugh Ralston - yes; Hetty Walker – yes. Motion carried.

Commission reviewed NDDOT Contract No. 17210647 for Project RSC-3411(093), the crossing surface rehab over Pembina County Road 12 in Backoo, by Dakota Northern Railroad. The estimated cost is \$66,092.52, which will be 90% federally funded and 10% county funded. Motion made by Jim Benjaminson and seconded by Hugh Ralston to authorize the Chairperson to sign the contract as presented. All voting in favor; motion carried.

Auditor presented a letter, upon a request from the Clerk/Recorder's office, authorizing signatory authority, on the North Star Community Credit Union account, to Melissa Morden, Clerk/Recorder, and Dianne Smith, Deputy Clerk/Recorder. This account is used only to receive electronic payments for e-recording fees. Motion made by Jim Benjaminson and seconded by Hugh Ralston to authorize the Chairperson to sign the letter as presented. All voting in favor; motion carried.

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

Samantha Weeks, IT/911/GIS Coordinator, presented a Criminal Justice Information Agreement between the Pembina County Sheriff's Office and the Pembina County 911 Dispatch for Commission review. Since the Pembina County 911 Dispatch is not a criminal justice agency, they are required by the Nation Crime Information Center (NCIC) and the North Dakota Law Enforcement Teletype System (NDLETS) rules and regulations to enter into a written agreement setting forth the responsibilities and rights assumed by the respective parties. Samantha also presented a declaration stating that the Pembina County Dispatch Center (PSAP) performs all dispatch functions for the Pembina County Sheriff's Office (75% time), Emergency Management Services and Fire Departments (EMS and Fire 25% time). This declaration will allow the Dispatch Center to apply for Originating Agency Identifier (ORI) license for dispatch. Motion made by Jim Benjaminson and seconded by Nick Rutherford to authorize the Chairperson to sign the declaration as presented. All voting in favor; motion carried.

Samantha Diemert, Emergency Manager/Weed Officer/Dispatch Supervisor, informed the Commission that individuals from state radio in Bismarck will be coming in July to do a formal training, specifically on Open Fox and teletype, for all dispatch employees. All dispatchers have signed confidentially agreements with the County, which have been placed in their files. Samantha presented the

Commission with the 5 year Multi-Hazard Mitigation Plan which is approved by FEMA for the time period of June 7, 2021, through June 6, 2026. All FEMA projects with the county have been closed out. Samantha informed the Commission that she has completed the introduction to NDDES training and has completed 11 required trainings to date. She has two additional trainings left this year, ICS300 and ICS400. Weed department study materials have been ordered and Samantha will be meeting with Joel Anderson of J & J Spraying sometime this week. Samantha has contacted all townships again to see where they may need spraying done. Commissioner Ralston discussed flea beetles for the eradication of leafy spurge. Samantha will visit with Joel Anderson of J & J Spraying and Brent Nelson in Walsh County regarding acquiring the beetles. There will be a LEPC meeting scheduled soon. Samantha is waiting for some agenda information prior to setting a date. Discussion followed on fireworks permits. Samantha has contacted the fire departments, as well as Cavalier County and Walsh County. Everyone is in agreement in utilizing the burn ban that is currently in place, and she is not looking at banning fireworks at this point. Commission would like Samantha to post a notice requesting individuals to use discretion when using fireworks.

The Water Board met with the Commission to request an amendment to their motions made at the May 18, 2021 meeting related to the Tongue River Cutoff Reconstruction and the Drain 66 project by the Enbridge pipeline. Those in attendance were Don Kemp, Randall Emanuelson and Ted Juhl, Water Board members, LuAnn Kemp, Water Board Secretary, Rob Fleming, Water Board Attorney, Zach Hermann and Paul LeClaire, Houston Engineering. Motion made by Jim Benjaminson and seconded by Hugh Ralston to amend the motions made at the May 18, 2021 meeting as follows: **"to approve the Tongue River Cutoff project, at a maximum total assessment of \$27.00/acre for agricultural property, \$27.00/\$500.00 of taxable valuation for residential and commercial properties, \$0.03/acre/year for woodland properties to be spread as necessary with maximum annual assessments set at \$4.00/acre for agricultural property, \$2.00/\$500.00 of taxable valuation for residential and commercial properties, \$0.03/acre/year for woodland properties"**. An assessment of \$2.00/acre for agricultural property and \$1.00/\$500.00 of taxable valuation for residential and commercial properties will be set for tax years 2021 and 2022 since construction may not begin until 2023. "Zach updated the Commission on the Drain 66 project by the Enbridge pipeline. A 45% cost share from the State Water Commission has already been approved. **Construction on the project will be several years away due to federal permitting and NRCS easements, with engineering work projected to begin later this summer."** Discussion followed. All voting in favor; motion carried. Updates were given on Drain 81, Drain 80 and the St Thomas crossing.

Culvert request received from Jordan Sagert to replace an 18" x 30' culvert with a 24" x 60' culvert to widen the approach, in the NE¼ of Section 2 of Akra Township. Motion made by Jim Benjaminson and seconded by Nick Rutherford to

authorize the Chairman to sign the permit pending township approval. All voting in favor; motion carried.

Revel Sapa, Human Resource Assistant, informed the Commission that a formal pet policy may need to be implemented. Discussion followed on service animals and companion animals. Tanya and Revel will research options and bring a policy for Commission review at a later meeting. Revel also discussed the part-time custodian vacancy. Job duties were discussed. Commission requested Revel review the job duties for the full time position and the part-time position with Kelly to see if any adjustments could be made. Revel will review with Kelly and bring the updated job descriptions to the next meeting.

Motion made by Jim Benjaminson and seconded by Nick Rutherford to adjourn the meeting. All voting in favor; motion carried. Meeting adjourned at 10:55 am.