

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

BOARD OF PEMBINA COUNTY COMMISSIONERS PROCEEDINGS

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June 2, 2020

11:00 AM

Board of Pembina County Commissioners met at 11:00 AM in the Commissioners Meeting Room of the Courthouse with the following members present: Laverne Doyle, Nick Rutherford and Hugh Ralston in person. Hetty Walker by telephone. Absent: Jim Benjaminson.

Chairman Ralston called the meeting to order. Additions to the agenda include an extension to the Emergency Declaration and discussion related to the Library Board.

Jeff Daley and Jon Markusen, Kadramas, Lee & Jackson, called in to discuss the County Road #1 project. Jeff updated the Commission on the project schedule, liquidated damages, and change order that was presented to RJ Zavoral for the County Road #1 project. Jon discussed the concerns RJ Zavoral had regarding the project which was suspended last fall. Jon gave a summary of the concerns related to liquidated damages. Since this is a Federal Aid project the decision of the Commission will need to be approved by the NDDOT and Federal Highway Administration. Motion made by Nick Rutherford to follow the original change order dates and cut the liquidated damages in half until the project is completed to county satisfaction. Seconded by Laverne Doyle. Roll call vote: Laverne Doyle – yes; Nick Rutherford - yes; Hetty Walker – yes. Motion carried.

Jeff gave an update on the box culvert installation on Old Highway 44 near Drayton, the asbestos survey in Crystal and the Cavlandic Trail project.

Devin Johnson, Highway Superintendent, presented the summer load limits, which will go into effect June 8, 2020. Motion made by Laverne Doyle and seconded by Nick Rutherford to authorize the Chairman to sign the load limits as presented. All voting in favor; motion carried.

Devin presented a quote from On The Level Construction, Inc. for bridge repair of Structure No. 135-28.0, located approximately 1 mile west and 2.5 miles north of Drayton. The work would include driving one steel piling on the west end of the pier, repair all pier piling and install an ice breaker cap. Motion made by Nick Rutherford and seconded by Laverne Doyle to accept the quote from On The Level Construction to repair the bridge. All voting in favor; motion carried.

Devin presented a Utility Permit from Cavalier Rural Electric Coop in Langdon, ND, requesting permission to bore under County Road #55 to run electricity to a residence in Section 19 of Walhalla Township. Motion made by Laverne Doyle and seconded by Nick Rutherford to grant the utility permit to Cavalier Rural Electric Coop. All voting in favor; motion carried.

Culvert request received from Kelly Brown to install two 48" x 40' culverts, for approaches, in the NW¼ of Section 3 of Bathgate Township. The application has been signed by two township officials, approved by the Water Board and Devin Johnson, Highway Superintendent. Motion made by Laverne Doyle and seconded by Nick Rutherford to authorize the Chairman to sign the request as presented. All voting in favor; motion carried.

Chairman Ralston discussed concerns from the Cavalier Public Library regarding reimbursement for the check that was issued to them in December but was never received. The final payment for the Library building is coming due and they are in need of the funds to cover the payment. Motion made by Nick Rutherford and seconded by Laverne Doyle to authorize signatory authority to the Pembina County Auditor for the Pembina County Library Board account. Roll call vote: Laverne Doyle – Yes; Nick Rutherford – yes; Hetty Walker – yes. Motion carried.

Motion made by Hetty Walker and seconded by Nick Rutherford to approve the May 12, 2020 Special meeting minutes as presented. All voting in favor; motion carried.

Motion made by Laverne Doyle and seconded by Nick Rutherford to approve the May 19, 2020 minutes as presented. All voting in favor; motion carried.

Commission was informed of the reimbursements received from NDACo. Those counties that successfully participated in WSI's Learning Management System (LMS) program for 2019 received a 5% discount, amounting to \$1,322.01. All counties participated in WSI'S mandatory Claims Management and Drug Free Workplace Training program for 2019 which made them eligible for a 5% premium discount, in the amount of \$1,322.01. A premium dividend credit refund in the amount of \$5,469.53 was received for being successful with aggressive claims management and safety programs and practices. The total amount refunded to Pembina County was \$8,113.55.

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

Request for a gaming site authorization, at Svold Community Hall, received from Svold Community Hall Association. Motion made by Nick Rutherford and

seconded by Hetty Walker to approve the gaming site request as presented. All voting in favor; motion carried.

Commission was informed of the North Dakota County Commissioners Association's request for nominations for the Standing Committees.

Letters from the City of Neche and City of Drayton regarding the Pembina County JDA 2021 budget request were reviewed. Commission will review at budget time.

Commission received bids for real property described as Lot 3 & W $\frac{1}{2}$ Lot 4, Block S (Parcel 35-3650000), E $\frac{1}{2}$ Lot 4, All Lot 5, W $\frac{1}{2}$ Lot 7, All Lot 8 & E $\frac{1}{2}$ Lot 9, Block S, Emmerling's 1st Add (and vacated alley) (Parcel 35-3670000), and W $\frac{1}{2}$ Lot 9 & All Lots 10 & 11, Block S, Emmerling's 1st Add (Parcel 35-3670000), located in the City of Walhalla. Motion made by Nick Rutherford and seconded by Laverne Doyle to approve the sale of the above listed Pembina County properties. All voting in favor; motion carried.

Auditor informed the Commission that she received a call from Joshua Rau regarding the County Coroner position. Commission decided at the May 19, 2020 meeting to remove Joshua as County Coroner since he is currently a resident of Nelson County. Commission contacted Joshua on his cell phone and he stated that there is no requirement for him to live in the county to be the coroner. The Commission stated that they were concerned with the distance he would need to travel if he were called for an unattended death. Joshua stated that he remains on the Cavalier Ambulance crew and is in Pembina County 3-4 days per week. He also stated that 9 out of 10 calls can be handled by telephone. Motion made by Nick Rutherford and seconded by Hetty Walker to rescind the motion made at the May 19, 2020 meeting removing Joshua Rau as County Coroner and reinstate his appointment. All voting in favor; motion carried.

The quotes from Farmer's Union Insurance were not received and will be discussed at the June 16, 2020 meeting.

Auditor presented an extension to the Emergency Disaster Declaration, regarding the COVID-19 pandemic, effective through June 30, 2020. Motion made by Laverne Doyle and seconded by Hetty Walker to approve the Emergency Declaration Resolution as follows:

EMERGENCY DECLARATION

WHEREAS, the coronavirus (COVID-19) is a severe respiratory illness which has been found capable for spreading from person to person, thereby posing a threat to the health and safety of the residents of Pembina County; and

WHEREAS, no drug or vaccine is currently available to treat or prevent COVID-19; and

WHEREAS, on March 13, 2020, the Governor of North Dakota issued Executive Order 2020-03 declaring a state of emergency within North Dakota in response to the public health crisis, pursuant to his constitutional and statutory authority; and

WHEREAS, North Dakota Century Code Chapter 37-17.1 contemplates that counties may declare an emergency, and state and local jurisdictions may work cooperatively to address emergency situations; and

WHEREAS, Pembina County has experienced the presence of COVID-19 within our jurisdiction; and

WHEREAS, healthcare providers and local government offices may be overwhelmed with requests beyond their normal capacity; and

WHEREAS, to reduce spread of the disease, private and public workers may be required to work from home per department of health recommendations;

BE IT RESOLVED, that departments of Pembina County Government are authorized to implement actions and mitigation measures which, together with federal, state and other local agencies will limit the hardships and impacts related to COVID-19 upon Pembina County Citizens.

BE IT FURTHER RESOLVED, that this Declaration shall extend through the 30th of June, 2020, unless it is sooner amended or terminated by the Pembina County Board of Commissioners, but may also be extended for additional periods thereafter.

Executed at Cavalier, North Dakota, this 2nd day of June, 2020.

/s/ Hugh Ralston - Chairman
Pembina County Commission

Attested:

/s/ Linda Schlittenhard – Pembina County Auditor/Treasurer



Commission reviewed the April financial statement, May payroll and claims. Motion made by Laverne Doyle and seconded by Hetty Walker to approve the consent agenda as presented. All voting in favor; motion carried.

Commission discussed which department would receive the three laptops that were ordered in March for employees needing to work from home. Since the laptops were just received last week other arrangements had been made for employees to work from home. Due to the delay in receiving the equipment it was determined that the Public Health Department would be the top priority to

receive the laptops. The department is required to complete contact tracing for the COVID-19 pandemic and currently have only two laptops. The department would require the three laptops to allow all employees within the department to participate in contact tracing requirements. Motion made by Nick Rutherford to provide the Public Health Department with the laptops that were ordered when the pandemic began. Seconded by Hetty Walker. Discussion followed. All voting in favor; motion carried.

Water Board member Joshua Heuchert phoned in to inform the Commission that he will be resigning from the Water Board by the end of June. Motion made by Laverne Doyle and seconded by Nick Rutherford to accept the resignation of Joshua Heuchert from the Water Board. All voting in favor; motion carried. Commission will discuss the appointment of a new member at the June 16, 2020 meeting.

Motion made by Nick Rutherford and seconded by Hetty Walker to adjourn the meeting. All voting in favor; motion carried. Meeting adjourned at 12:30 PM.