

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

## BOARD OF PEMBINA COUNTY COMMISSIONERS PROCEEDINGS

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March 19, 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: Laverne Doyle, Nick Rutherford, Hugh Ralston and Hetty Walker. Absent: Jim Benjaminson.

Chairman Walker called the meeting to order. Agenda accepted as presented.

Motion made by Nick Rutherford and seconded by Hugh Ralston to approve the March 5, 2019 minutes as presented. All voting in favor; motion carried.

Pembina County JDA minutes of January 9, 2019 were reviewed.

Commission reviewed the February 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.

Andrew Kirking, Weed Officer, and Joel Anderson, J & J Spraying, present for 2019 noxious weed spraying bid opening. Bid received from J & J Spraying for road side ditch spraying for 2019 -2021 seasons in the amount of \$37.49 per applied acres sprayed. The bid includes the chemical at 30 oz. /acre, application and full liberate adjuvant rate. Joel discussed the GPS files and data logs that are emailed to Andrew nightly to keep him updated on the progress of the spraying. Motion made by Nick Rutherford to accept the bid of \$37.49 per applied acre sprayed for the 2019 – 2021 seasons. Motion seconded by Laverne Doyle. All voting in favor; motion carried.

Andrew discussed flood potential for Pembina County. Andrew has reached out to all communities in the county. Andrew informed the Commission of a flood meeting scheduled for Monday, March 25, 2019 at 2:00PM in the EOC.

Andrew discussed a Memorandum of Agreement, developed by the North Dakota Department of Emergency Services (NDDDES), which formalizes the current relationship between counties and organized townships for the administration of the Public Assistance (PA) Program. Andrew will complete the forms for the 24 organized townships for signature at the April 2, 2019 meeting.

Pembina County Emergency Declaration was presented by Andrew Kirking, Emergency Manager.

### **EMERGENCY DECLARATION**

**WHEREAS**, Pembina County has been severely impacted by extreme amounts of snow and arctic weather, causing filled culverts and abnormally deep frost; and

**WHEREAS**, Pembina County will potentially suffer damages to roads, bridges, culverts, drains and other public facilities caused by excessive spring runoff and forecasted river flooding; and

**WHEREAS**, the impact of these excessive amounts of water from snow that, threatens the well-being and safety of its residents; and

**WHEREAS**, the cost of response and recovery is in excess of available funds and resources for flood control, man power, equipment, fuel, sand and sand bags beyond normal conditions constitute a declaration of emergency.

**NOW THEREFORE, BE IT RESOLVED** that the Pembina County Commission of North Dakota do hereby declare a severe flood emergency for Pembina County, North Dakota.

**DATED** at Cavalier, North Dakota this 19<sup>th</sup> Day of March 2019

/s/ Hetty Walker  
Commission Chair/Pembina County

/s/ Linda Schlittenhard  
Attested: Pembina County Auditor/Treasurer



Motion made by Hugh Ralston and seconded by Laverne Doyle to approve the Emergency Declaration as presented. All voting in favor; motion carried.

Liz Beck, 911/IT/GIS Coordinator, discussed the letter and job description she presented, in May 2018, for reclassification of the position held by Samantha Weeks. No change was made at that time. Liz is requesting the reclassification request be reviewed for year 2019. Commission will discuss with Tanya Wieler, Human Resource Director, prior to making any decision.

Bids were received from the following to furnish Pembina County with a heavy Duty single wing rotary mower, at least 14' wide, with a trade-in of one 13.5' Woods BW1620xqw:

Butler Machinery Co – \$7,893.00

Cavalier Equipment – \$6,171.00

Park River Implement submitted a bid which was not accepted since they based the bid on a double wing mower.

Devin Johnson, Highway Superintendent, opened and reviewed the bids. Motion made by Nick Rutherford and seconded by Laverne Doyle to accept the bid of \$6,171.00 from Cavalier Equipment for an extreme duty cutter mower. All voting in favor; motion carried.

Don Kemp, Clarence Boettger and Kevin Sharp met with the Commission to express further concerns with actions of the Pembina County Water Board, regarding the study of the Drain 16 watershed which would bring an additional 10,000 acres into the drain. Don reviewed the letter and article from Agweek he presented to the Commission. Don expressed his concerns with the untimely manner in which the Water Board minutes are published or posted on the website, considering landowners are required by statute to file an appeal within 30 days of the meeting. Don would like to see the minutes placed on the website as "Unofficial Minutes" within one week of the meeting or within one week of approval of the minutes. The December 18, 2018 minutes were not available on the website until late February, although they were approved at the January 15, 2019 meeting, which meant the 30 days to appeal any decisions made at that meeting had passed. The group would also appreciate it if the Water Board would begin to record all of their meetings so they would be available as a public record. The group requested they be notified when Drain 16 will be discussed at any future meetings. Auditor informed Don that she visited with LuAnn Kemp, Water Board secretary, regarding the group's request. Clarence presented the formal complaint, originally filed with the Water Board, for Commission review.

Motion by Nick Rutherford and seconded by Laverne Doyle to adjourn the meeting. Meeting adjourned at 11:50 AM.