

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

BOARD OF PEMBINA COUNTY COMMISSIONERS PROCEEDINGS

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May 3, 2016

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: Gary Nilsson, Laverne Doyle, Nick Rutherford, Hugh Ralston and Hetty Walker.

Chairperson Doyle called the meeting to order.

Motion made by Nick Rutherford and seconded by Gary Nilsson to approve the April 19, 2016 minutes as presented. All voting in favor; motion carried.

Pembina County Water Board minutes of April 5, 2016 were reviewed.

Pembina County Housing Authority Board minutes of March 3, 2016 were reviewed.

Motion made by Gary Nilsson and seconded by Hetty Walker to approve the April 14, 2016 Special meeting minutes as presented. All voting in favor; motion carried.

Board received the Funding Agreement for Clerk of District Court Services from the ND Supreme Court. Agreement is for reimbursement in the amount of \$11,610.00 per month for July 1, 2017 through June 30, 2019. Agreement is reviewed every two years. Reimbursement is based on 1.35 FTEs. This is down from the previous biennium which was based on 1.53 FTEs. Motion made by Gary Nilsson and seconded by Hugh Ralston to authorize the Chairman to sign the agreement as presented. All voting in favor; motion carried.

Quit claim deed for property described as Parcel 33-1970020 – Lot 8, Block 44, OT, City of Pembina was reviewed. Motion made by Hugh Ralston and seconded by Hetty Walker to authorize the Chairman to sign the deed as presented. Roll call vote: Gary Nilsson – yes; Nick Rutherford – yes; Hugh Ralston – yes; Hetty Walker – yes. Motion carried.

Kay Braget, Clerk of Court/Recorder, presented a cremation burial form to be completed when a cremation has occurred and burial of said cremains are to be recorded with the Pembina County Clerk/Recorder's Office for genealogy or

informational purposes. There is a \$10.00 fee for a regular burial transit permit. Kay is requesting to allow the cremation documents be recorded with no fee. Motion made by Gary Nilsson and seconded by Hetty Walker to allow the Clerk/Recorder's Office to file the documents at no charge if the record of the burial of the cremains is for genealogy or informational purposes. Discussion followed. All voting in favor; motion carried.

Motion made by Gary Nilsson and seconded by Hetty Walker to approve the consent agenda, consisting of claims and the April payroll, as presented. All voting in favor; motion carried.

Andrew Kirking, Emergency Manager/Weed Officer, presented information regarding Valley Med Flight services for Pembina County. The Membership Plus Program allows for no out-of-pocket expense for any transport from either Valley Med Flight's rotor or fixed wing. The \$3.50 per household cost would cover an entire family (dependents to age 26) for an entire year. Discussion followed. No action was taken at this time.

Andrew requested permission to attend an ICS 300 and ICS 400 training in Emmetsburg, MD, to become a state certified trainer for ICS 300 and ICS 400. All cost will be covered through FEMA. Andrew will gather additional information and present to the Commission at a later date.

Devin Johnson, Highway Superintendent, and Jon Markusen, Kadramas, Lee & Jackson, discussed possible additional summer road projects. Jon presented options for a 3 inch structural overlay on County Road #1. Discussion followed on doing a Texas under seal on one mile of County Road #1 east of Bathgate as a trial area. Jon will place bid requests and report back to the Commission.

Devin presented the Summer Weight limits, which will become effective Monday, May 9, 2016. Motion made by Nick Rutherford and seconded by Gary Nilsson to authorize the Chairman to sign the Summer Weight Limits as presented. All voting in favor; motion carried.

Neil Fleming updated the Commission on the Canadian Dike lawsuit.

Drainage permit request received from Kevin Lee to do routine maintenance on the ditch along the north side of County Road #11 in the SE ¼ of Section 33 of North Midland Township. The request has been signed by the renter and landowner and approved by the Water Board and Devin Johnson, Highway Superintendent. Motion made by Gary Nilsson and seconded by Hugh Ralston to authorize the Chairman to sign the request as presented. All voting in favor; motion carried.

Drainage permit request received from Landis McDonald to do routine maintenance on the ditch along the south side of County Road #1 in the NE ¼

of Section 11 of North Cavalier Township. The request has been signed by the renter and landowner and approved by the Water Board and Devin Johnson, Highway Superintendent. Motion made by Gary Nilsson and seconded by Hugh Ralston to authorize the Chairman to sign the request as presented. All voting in favor; motion carried.

Russell Edgar, Dakota Valley Growers, met with the Commission to discuss his principal deferment request. Dawn Keeley, Red River Regional Council Executive Director, and Jon Ramsey, Assurity Finance & Development, LLC, were available by teleconference. Mr. Edgar has requested to restructure the original note to include a 9 month interest only period from April to December 2016. The request has been approved by the Red River Regional Council in cooperation with KodaBank/Bank of North Dakota and the ND Development Fund, based upon payment of past due interest of \$1,581.66 and late payment fees of \$891.45 as well as approval of the 2016 operating note. Dawn Keeley gave a brief background on the loan and previous restructures. The Regional Council accepted payment of the past due interest on April 21, 2016 and waived the late payment fees. Mr. Ramsey reviewed the loan and stated KodaBank has approved the 2016 operating loan. Discussion followed. Motion made by Gary Nilsson and seconded by Nick Rutherford to accept the restructuring of the loan for the nine month period, with the understanding Mr. Edgar will work with the lenders in an orderly liquidation of collateral to satisfy the debt obligation if obligations are not met within the nine month period. Roll call vote: Gary Nilsson – yes; Nick Rutherford – yes; Hugh Ralston – yes; Hetty Walker – yes. Motion carried.

Mr. Edgar inquired if the permission he was granted several years ago to use County Road #4 to bring cattle to his facility is still effective. Commission suggested Mr. Edgar discuss with Devin Johnson, Highway Superintendent.

Motion made by Gary Nilsson and seconded by Hugh Ralston to adjourn the meeting. All voting in favor; motion carried. Meeting was adjourned at 11:50AM.