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BOARD OF PEMBINA COUNTY COMMISSIONERS PROCEEDINGS

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November 4, 2021

8:30 AM

Board of Pembina County Commissioners met at 8:30 AM in the Farmers Room of the Pembina County Courthouse with the following members present: Jim Benjaminson, Laverne Doyle, Nick Rutherford, and Hugh Ralston.

Chairperson Doyle called the meeting to order at 8:32 AM.

Motion made by Nick Rutherford and seconded by Hugh Ralston to approve the minutes of October 20, 2021, with the following correction. Ms. Riley requested transcripts of the June 8, June 28, July 22 and August 6, 2021 Board of Equalization meeting minutes, the July 15, 2021 Special Meeting minutes and the August 3, 2021 regular meeting minutes, which she presented to the Commission, be placed on record. All voting in favor; motion carried.

Motion made by Hugh Ralston and seconded by Nick Rutherford to approve the October 21, 2021 Special meeting minutes as presented. All voting in favor; motion carried.

Motion made by Hugh Ralston and seconded by Jim Benjaminson to approve the agenda with the following additions, appointed versus elected positions, the Delta Dental contract and the request from Ms. Riley to postpone the abatement hearings scheduled for November 10, 2021 until a full Board would be available. All voting in favor; motion carried.

Commission reviewed the Delta Dental contract renewal for January 1, 2022 – December 31, 2022. There will not be an increase in rates for 2022. Motion made by Nick Rutherford and seconded by Hugh Ralston to authorize the Chairperson to sign the contract as presented.

Commission discussed a proposed plan to designate the Office of the Auditor/Treasurer and the Office of the Clerk/Recorder to an appointed position. Motion made by Nick Rutherford and seconded by Jim Benjaminson to prepare a resolution for review at the next meeting. Roll call vote: Jim Benjaminson – yes; Laverne Doyle – yes; Nick Rutherford – yes; Hugh Ralston – yes. Motion carried.

Discussion was held on the request from Ms. Riley to postpone the abatement hearings scheduled for November 10, 2021. Motion made by Jim Benjaminson to

continue with the abatement hearing on November 10, 2021. Second by Hugh Ralston. Roll call vote: Jim Benjaminson – yes; Laverne Doyle – yes; Nick Rutherford – yes; Hugh Ralston – yes. Motion carried. Abatement hearings for Parcel 07-2080000, Parcel 07-0610005, Parcel 28-0020006, Parcel 28-1640000 and Parcel 07-0610010 will be held on November 10, 2021 at 1:00 pm.

Motion made by Hugh Ralston and seconded by Jim Benjaminson to authorize the Chairman to sign the repurchaser deed, for foreclosed property that was redeemed prior to the County Sale date, as presented. All voting in favor; motion carried.

Commission discussed the vacancy in the board of commissioners, due to the passing of Hetty Walker, District #1 Commissioner. Per NDCC 44-02-05 the remaining members of the board shall appoint a suitable person to fill the vacancy. The appointee shall hold office until the appointee's successor is elected at the next general election. The following three individuals have expressed interest in the position, Andrew Cull, Bill Gunderson and Charles Hart. All candidates will be interviewed prior to finalizing the appointment.

Commission reviewed the October payroll and claims submitted for payment. Motion made by Jim Benjaminson and seconded by Nick Rutherford to approve the consent agenda as presented. All voting in favor; motion carried.

Appraisal hearing on foreclosed property was held at 10:00 AM. No attendance by city or township individuals. The sale of County property will be held on Tuesday, November 16, 2021, beginning at 11:00 AM.

Devin Johnson, Highway Superintendent, updated the Commission of the completion of the railroad crossing on County Road 12 north of Backoo. Devin presented bids for the temporary repairs of Structure 34-102-31.0 and Structure 34-103-3101, in Gardar Township. The following bid was received:

Triple D Construction & Leasing, Inc - \$65,550.00

Motion made by Jim Benjaminson and seconded by Hugh Ralston to award the bid to Triple D Construction & Leasing, Inc. Discussion followed. Roll call vote: Jim Benjaminson – yes; Laverne Doyle – yes; Nick Rutherford – yes; Hugh Ralston – yes. Motion carried.

Devin discussed calls he has been receiving about Structure 128-31, located 4 miles east and 4 miles south of St Thomas. The load ratings were decreased on the structure, from 40 tons to 8 tons, causing concern for the landowners in the area. There are 63 structures that have had the load ratings reduced significantly. He has also received calls on several of those structures. A company from Colorado, hired by the North Dakota Department of Transportation, is completing the bridge inspections. Devin has requested recommendations from the company but they state they are unable to give recommendations to improve the structures. Devin has reached out to KLJ for

recommendations and will reach out to Bryon Fuchs, with NDDOT, to see if they can explain why there is such a drastic reduction in load ratings on most structures and request recommendations from the NDDOT.

Devin presented a quote from On The Level Construction, Inc., to repair Structure 126-10.1 located at the intersection of County Road 1 and County Road 4 near Bathgate. The repairs have an expected total cost ranging from \$15,000.00 up to \$20,000.00, not to exceed \$20,000.00. The cost will be determined at the beginning of the demolition of the damaged concrete when all degradation is exposed and visible. On the Level will notify the County at that time before proceeding. Motion made by Hugh Ralston and seconded by Jim Benjaminson to accept the quote from On The Level Construction, Inc. Roll call vote: Jim Benjaminson – yes; Laverne Doyle – yes; Nick Rutherford – yes; Hugh Ralston – yes;. Motion carried.

Camburn Shephard, Soils Committee Chairperson, presented a letter of resignation from Reid Christenson, Soils Committee alternate. N. Curtis Christenson has completed an application to replace Reid Christenson as an alternate on the Soils Committee. Motion made by Nick Rutherford and seconded by Jim Benjaminson to accept Reid Christenson's resignation and appoint N. Curtis Christenson as the alternate. Roll call vote: Jim Benjaminson – yes; Laverne Doyle – yes; Nick Rutherford – yes; Hugh Ralston – yes. Camburn followed with a brief update on the Soils Committee.

Mikka Willits, Tax Director, informed the Commission of the resignation of Roy Paton, District 2 Soils Committee member. Nickolaus Heuchert, Soils Committee alternate will replace Mr. Paton as District 2 Soils Committee member. Mr. Shephard will look for an additional alternate for the Soils Committee. Motion made by Hugh Ralston and seconded by Jim Benjaminson to accept Roy Paton's resignation from the Soils Committee and appoint Nickolaus Heuchert as temporary District 2 Soils Committee member. All voting in favor; Motion carried.

Motion made by Nick Rutherford and seconded by Jim Benjaminson to move the interviews for District #1 Commissioner to the Auditor's office to allow preparation of the room for the Soils Committee meeting scheduled for 1:00 pm. All voting in favor; motion carried.

Commission interviewed Andrew Cull, followed by Bill Gunderson. Charles Hart was available by telephone for his interview. Discussion followed. Motion made by Nick Rutherford and seconded by Hugh Ralston to appoint Andrew Cull to fill the unexpired term of Hetty Walker as District #1 Commissioner. Roll Call vote: Jim Benjaminson – yes; Laverne Doyle – yes; Nick Rutherford – yes; Hugh Ralston – yes. Motion carried.

Motion made by Nick Rutherford and seconded by Jim Benjaminson to adjourn the meeting. All voting in favor; motion carried. Meeting adjourned at 1:00 PM.