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## BOARD OF PEMBINA COUNTY COMMISSIONER'S PROCEEDINGS

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November 7, 2023

9:00 AM

Board of Pembina County Commissioners met in the Commissioners Meeting Room of the Courthouse. Chairperson Benjaminson called the meeting to order at 9:02 AM.

Roll call: Jim Benjaminson, Laverne Doyle, Blaine W. Papenfuss, Darin Otto and Andrew Cull. A quorum was declared.

Also in attendance are Zelda Hartje, Konor and Angela Parker, Darren Olafson, Robert Vivatson, Rachel Ramsay, Public Health Director, Samantha Weeks, 911/IT/GIS Coordinator, Samantha Diemert, Emergency Manager/Weed Officer, and Marcus Ramsay, Chief Deputy.

Motion made by Laverne Doyle and seconded by Blaine Papenfuss to approve the agenda with the following changes/additions: Rachel Ramsay, Kelly Cluchie with an update on the boiler and an email from Tait Ronningen with US Fish and Wildlife Service regarding funding for the Tongue River Cutoff. All voting in favor; motion carried.

Kelly Cluchie presented three options for the replacement/repair of the boiler. One is to order a new boiler, a second is to repair the boiler, and the third is to purchase a used boiler. It is estimated to take 3-4 months to get a new boiler, at a cost of approximately \$150,000.00 installed. It is also recommended to have a second boiler as a back-up. It is not recommended to repair the boiler due to the age of the boiler. Motion made by Andrew Cull to utilize the ARPA funds for the purchase of a new boiler. Discussion followed on purchasing a second boiler as a back-up. Darin Otto requested to table a decision until the end of the meeting to allow Kelly time to receive an estimate on a secondary back-up boiler. Commissioner Cull rescinded his motion.

Rachel Ramsay asked for guidance on how to dispose of obsolete or old equipment in her department. Discussion followed on recycling the equipment. The county usually has a sealed bid sale on excess equipment. All departments may have obsolete or old equipment and are to make a list of excess equipment that could possibly be sold at a county sale.

Commissioner Benjaminson discussed the email received from Tait Ronningen with the U S Fish & Wildlife Service (USFWS) in Bismarck, regarding a potential funding opportunity for the Tongue River Cutoff. The USFWS announced funding availability for fish passage projects. This funding source provides opportunities to receive technical and financial assistance for restoring aquatic organism passage. The Tongue River Cutoff has been identified as the first fish passage barrier on the Tongue River. Motion made by Andrew Cull and seconded by Laverne Doyle to pass this information to the Water Board. Discussion followed. All voting in favor; motion carried.

Kelly returned with additional information on the cost of a new boiler and back-up boiler. He can have a firm quote by the beginning of next week but the estimate for both boilers is \$225,000.00. Motion made by Andrew Cull and seconded by Blaine Papenfuss to order a new boiler only, utilizing the ARPA funds, and wait on ordering a back-up boiler. Roll call vote: Jim Benjaminson – yes; Laverne Doyle – yes; Blaine Papenfuss – yes, Darin Otto – yes; Andrew Cull – yes. Motion carried.

Motion made by Darin Otto and seconded by Andrew Cull to approve the October 17, 2023 meeting minutes as presented. All voting in favor; motion carried.

Auditor read a letter of resignation received from Dawn Menzies effective December 31, 2023. Motion made by Darin Otto and seconded by Andrew Cull to accept the letter of resignation with gratitude for her 29 plus years of service to Pembina County. Roll call vote: Jim Benjaminson – yes; Laverne Doyle – yes; Blaine Papenfuss – yes, Darin Otto – yes; Andrew Cull – yes. Motion carried.

Commissioner Cull discussed the mowing notice requirements. He would like to see the notice updated to make it more realistic. Discussion followed. Darren Olafson suggested the date be set later in the month instead of October 1<sup>st</sup>. Motion made by Darin Otto to update the notice by changing the mowing deadline to October 15<sup>th</sup> and removing the height requirement. Second by Blaine Papenfuss. All voting in favor.

Auditor requested to transfer \$10,000.00 from the States Attorney fund to the Victim Witness fund to cover the shortage in the Victim Witness fund. Motion made by Laverne Doyle and seconded by Blaine Papenfuss to authorize the transfer. Roll call vote: Jim Benjaminson – yes; Laverne Doyle – yes; Blaine Papenfuss – yes, Darin Otto – yes; Andrew Cull – yes. Motion carried.

Auditor requested to transfer \$19.97 from the Social Service levy, which is collections from years prior to the levy being discontinued, to County General. Motion made by Darin Otto and seconded by Andrew Cull to authorize the transfer. All voting in favor; motion carried.

Discussion followed on the employer paid long-term disability plan presented by Dan Snider and Dan Aubol, Colonial Life representatives, at the October 17, 2023 meeting.

This would cost the county an average \$16.90/month per employee. Motion made by Andrew Cull and seconded by Blaine Papenfuss to not purchase the disability plan at this time. All voting in favor; motion carried.

Revel Sapa, Veterans Service Officer, informed the Commission she has processed 274 claims for Veterans since she began employment as the County Veterans Officer in October 2019. Since January of this year, she has processed 92 claims. She informed the Commission of a Veterans Service Program at the Cavalier School on Thursday, November 9<sup>th</sup> at 2:00 pm. All Veterans are invited to have lunch at the school prior to the program, but they must call the school to sign up for the lunch. Revel also informed the Commission that the Wall of Honor has been moved from North Star Credit Union to the second floor of the courthouse.

Lisa Keney, Tax Director, presented the modifiers and guidelines approved by the Soils Committee at their October 23, 2023 meeting. Carmen Augustin and Don Heuchert joined the meeting and Camburn Shephard joined by phone. Lisa listed the modifiers, frequent flooding – 20%, salinity/alkaline – 40%, and rocks – 20%, and reviewed the guidelines for each modifier that must be met to qualify for the reduction. All documentation must be provided to local assessors by March 1<sup>st</sup> of each year and further documentation may be requested from the Pembina County Tax Office. There must be an application for each modifier you are applying for. Ms. Keney reviewed NDCC 57-02-27.2 – Section 9. Ms. Keney has already received an email from the state requesting the list of modifiers, if any, the county will be using for tax year 2024. Commissioner Doyle thanked Ms. Keney and the Soils Committee for the work they put into these modifiers and guidelines. Don Heuchert had a question on the 20% reduction for the rock modifier and feels that is not a sufficient reduction. Ms. Keney stated that the burden of proof is on the taxpayer. Ms. Keney reviewed the modifier application with the Commission. Motion made by Darin Otto and seconded by Blaine Papenfuss to approve the modifiers and guidelines as presented by the Soils Committee and Tax Office. Roll call vote: Jim Benjaminson – yes; Laverne Doyle – yes; Blaine Papenfuss – yes, Darin Otto – yes; Andrew Cull – yes. Motion carried. Discussion followed on the progress of the Sidwell program implementation.

Kelly returned with further information on a standby boiler. Lunseth Heating found a used boiler and the cost would be under \$40,000.00 installed. Motion made by Darin Otto and seconded by Blaine Papenfuss to approve the purchase of the used boiler utilizing ARPA funding, for a total of \$190,000.00 of ARPA funds for the project. Roll call vote: Jim Benjaminson – yes; Laverne Doyle – yes; Blaine Papenfuss – yes, Darin Otto – yes; Andrew Cull – yes. Motion carried.

The Water Board reviewed the email from the US Fish and Wildlife Service regarding the Tongue River Cutoff with the Commission. The Water Board does have concerns, so they contacted the engineer working on the Tongue River Cutoff project. The engineer will contact Mr. Ronningen with any questions.

Tom Zaharia and Jason Volk thanked the Water Board for the repair they did on the bridge on 105<sup>th</sup> Street in Pembina Township. They now have concerns with the additional water that will be coming down that area during spring flooding events. They would like to install a couple of large culverts near Mr. Volk's driveway to help alleviate the flooding. Commissioner Cull suggested Tom and Jason complete culvert request applications and present at the next meeting. Discussion followed.

Jeff Daley, Kadramas, Lee & Jackson, discussed the ND Department of Transportation resolution for the bid opening of Project BRP-BRC-3400(050), the County Road #4 bridge projects. Gowan Construction was awarded the project for a cost of \$1,967,246.41. This bid included the installation of aluminum box culverts. Mr. Daley presented an option for the installation of concrete box culverts. The increased cost for the concrete box culverts would be over \$500,000.00. Motion made by Blaine Papenfuss and seconded by Darin Otto to accept the bid from Gowan Construction for the aluminum box culverts. Discussion followed. Roll call vote: Jim Benjaminson – yes; Laverne Doyle – yes; Blaine Papenfuss – yes, Darin Otto – yes; Andrew Cull – yes. Motion carried. Discussion followed on the Bowesmont Bridge project. Jeff suggested letters of support be presented to the Army Corp of Engineers by the county. The county should request the Water Board, townships, and local residents present letters of support to the county for inclusion with the county letter to the Army Corp of Engineers.

Board reviewed the October payroll and claims. Motion made by Andrew Cull and seconded by Blaine Papenfuss to approve the consent agenda as presented. All voting in favor; motion carried.

Discussion followed on two county properties that are on the sale listing. One of the properties is involved in an active investigation with the Bureau of Criminal Investigation and one property has been condemned by the city. Motion made by Blaine Papenfuss and seconded by Laverne Doyle to remove the two parcels from the Sale of County Property listing. All voting in favor; motion carried.

Commissioner Cull stated that we can no longer make late additions to the agenda since a motion was made to set the deadline to be added to the agenda as 1:00 pm on the Thursday prior to the meeting. Commissioner Doyle agreed that only emergency additions should be allowed to be added after the deadline.

Motion made by Darin Otto and seconded by Blaine Papenfuss to adjourn the meeting. All voting in favor; motion carried. Meeting adjourned at 11:22 AM.