

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

BOARD OF PEMBINA COUNTY COMMISSIONERS PROCEEDINGS

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October 1, 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: Jim Benjaminson, Laverne Doyle, Nick Rutherford, Hugh Ralston and Hetty Walker.

Chairman Walker called the meeting to order. Jon Markusen, Kadramas, Lee and Jackson, was added to the agenda.

Motion made by Nick Rutherford and seconded by Laverne Doyle to approve the September 9 and September 10, 2019 Special Meeting minutes as presented. All voting in favor; motion carried.

Motion made by Hugh Ralston and seconded by Nick Rutherford to approve the September 10, 2019 Budget Hearing minutes with the following correction: *Individuals attending were Ron Symington, Ted Zaharia and Becky Flanders. The minutes should have read Tom Zaharia.* All voting in favor; motion carried.

Motion made by Jim Benjaminson and seconded by Laverne Doyle to approve the September 17, 2019 meeting minutes as presented. All voting in favor; motion carried.

Commissioner Walker shared information she received at the water conference she attended in Winnipeg in September.

Motion made by Laverne Doyle and seconded by Hugh Ralston to authorize the Chairman to sign the Request for a Duplicate Warrant received from Carpenter Properties LLC. All voting in favor; motion carried.

Commission reviewed the corrected agreement between Pembina County and Animal Elksan Inn, in Park River, to provide animal impound services. The original contract that was signed on September 3, 2019 had an error on the number of days the facility would keep the animal. Motion made by Nick Rutherford and seconded by Hugh Ralston to approve the corrected agreement as presented. All voting in favor; motion carried.

Auditor informed the Commission that Mapping Solutions will not be able to provide updated plat books for 5 – 6 months, due to staffing issues. Commission approved the contract at the September 17, 2019 meeting, however the contract was not returned to Mapping Solutions once the information regarding the delay in production was received. Motion made by Nick Rutherford and seconded by Laverne Doyle to forward the signed contract and allow the company the additional time needed. All voting in favor; motion carried.

Commission reviewed the notice from the state for Pembina County to increase all residential property by 9% and all agricultural property by 4%, to be in compliance with the standards set by the state. After review of the notice, the Commission reviewed the proposed 2020 budget. Motion made by Laverne Doyle and seconded by Nick Rutherford to adopt the 2020 budget as presented. Discussion followed. Roll call vote; Jim Benjaminson – yes; Laverne Doyle – yes; Nick Rutherford – yes; Hugh Ralston – yes. Motion carried.

Andrew Kirking, Emergency Manager/Weed Officer, discussed the Public Assistance Subgrant Agreement for FEMA-444-DR, between Pembina County and the State. This contract will authorize the state to transfer funds to the county for distribution to the townships that have been affected by recent disasters. The county reimbursement will be lower because no major repairs were required for county roads. Andrew is working with the State on a grant for mitigation projects. Andrew has been contacted by the Walhalla Park Board and Icelandic State Park regarding tornado shelters for those areas. Andrew will work with these entities and the state for mitigation funding. Motion made by Hugh Ralston and seconded by Jim Benjaminson to authorize the Chairman to sign the agreement as presented. All voting in favor; motion carried.

Jack Maus, St Thomas School District Superintendent, and Darren Albrecht, Grafton School District Superintendent, discussed the plan for reorganization of St Thomas School District #43 and Grafton School District #3, into Grafton School District #XX. Mr. Maus gave a brief overview of the reasoning for the proposed reorganization and stated it is a very difficult decision for the local people. Mr. Albrecht stated that the students currently in the St Thomas School District would not need to attend the Grafton School District, but have the opportunity to open enroll in any school district. The county is required to hold a hearing on the proposal. If the Reorganization plan is approved by the county and state, a special election will be held so the electors residing within the boundaries of the proposed new district may approve or reject the reorganization plan. The effective date of the new school district will be July 1, 2021, providing the proposed reorganization is approved

Commission reviewed the September payroll and claims. Motion made by Laverne Doyle and seconded by Jim Benjaminson to approve the consent agenda as presented. All voting in favor; motion carried.

A letter nominating Henry Gurke for the North Dakota Rough Rider Award was presented for approval. Motion made by Hugh Ralston and seconded by Laverne Doyle to sign the letter of nomination as presented. All voting in favor; motion carried.

Jon Markusen and Jeff Daley, Kadramas, Lee & Jackson, discussed the delayed start of the County Road #1 project. Others in attendance were Ted Zaharia, Kelly Brown, Kevin Brown, Bill Gunderson, and Mark DeMars. Commissioner Walker expressed concerns regarding the contractor doing the job so late in the season. Jon stated that the county bid the federal aid project in November 2018 with an August 31, 2019 completion date. The contractor is 31 days into liquidated damages at this time and will continue to pay damages until the project is complete. Since this is a Federal Aid project, there are additional steps the county must do to receive approval to stop or delay the project and suggested the Commission allow the project to move forward since the contractor is on site at this time. Specifications must still be met for temperature and keeping the highway clean. Mr. Zaharia discussed his concerns with the contractor setting signs and reducing the speed limit in early August, then not beginning the project until late September. Kevin Brown expressed his concerns with the contractor having his equipment parked in the church parking lot without permission. Discussion followed. Jon estimates, weather permitting, the project should be completed in two weeks.

Mikka Willits, Tax Director, met with the Commission for the second omitted property hearing on the following described property:
Pt S $\frac{1}{2}$ NW $\frac{1}{4}$ & N $\frac{1}{2}$ SW $\frac{1}{4}$, Sect 10, Cavalier Township
Kelli Truver, Cavalier City Auditor, and Robert Fleming, Cavalier City Attorney, in attendance. At the September 17, 2019 meeting, Pembina County State's Attorney, Rebecca Flanders, stated she believes the property should be taxed since Cavalier City is leasing the property to someone who does not qualify for an exemption. Ms. Willits presented a brief summary from the State Supervisor of Assessments and an Attorney General's Opinion, AGO 81-116, related to possessory interest. Ms. Flanders was unable to attend the meeting today, and Mr. Fleming would like to discuss with her prior to a final decision being made. Motion made by Jim Benjaminson to seek an Attorney General's opinion. Second by Hugh Ralston. All voting in favor; motion carried. State's Attorney will be contacted to request an opinion.

Ms. Willits updated the Commission on the Uggerud omitted property hearing. Ms. Willits also discussed her findings related to the potato warehouses in Crystal City and Crystal Township. Further review of the parcels in question will need to be completed before adding the parcels to the tax rolls for 2019. Motion made by Nick Rutherford to leave the potato warehouses off the tax rolls for tax year 2019 and request an Attorney General's opinion as to whether they should be exempt or not. Second by Hugh Ralston. All voting in favor; motion carried. State's Attorney will be contacted to request an opinion.

Mikka Willits, Tax Director, representing Al Johnson (Johnson Farms), present for abatement hearing. The application is for abatement on property described as Pt E½ SW¼ of Section 29, Walhalla Township; Parcel 24-2320020. Al Johnson (Johnson Farms) is requesting the property be assessed at 100% farm, since they no longer provide a commercial trucking service. This would lower the value from \$107,055 to \$17,393, a difference of \$89,662. The abatement request was approved by Walhalla Township. Motion made by Nick Rutherford and seconded by Hugh Ralston to approve the request beginning tax year 2019. Discussion followed. All voting in favor; motion carried.

Ms. Willits updated the Commission on the July 26th meeting with Dustin Bakken, Kompleks Assessments Solutions, LLC, to determine if the soils valuations are near compliance with the NRCS detailed soils survey. Dustin will complete a review of the current valuations and will present suggestions and a plan of action for the county. Pembina County is on the Soils Audit list for 2019 with the State Tax Department.

Commission discussed the appointment of a North Dakota State Fair Delegate. Motion made by Hugh Ralston and seconded by Jim Benjaminson to nominate Kari Helgoe as the North Dakota State Fair delegate for 2020. All voting in favor; motion carried.

Sheriff Terry Meidinger and Chief Deputy Marcus Ramsay updated the Commission on the change of hours for the Truck Regulatory Deputy, informed them that they passed the jail inspection and that he ordered a Chevy Tahoe, using Stonegarden funds. Discussion followed on the County Coroner position.

Tanya Wieler, Human Resource Director, informed the Commission that only one additional application for the Public Health Director position was received. Tanya wanted to know if the Commission would like to extend the deadline or set interviews with the two applicants on file. Commission chose to set interviews for Tuesday, October 15, 2019 and requested Tanya contact Wanda Kratochvil, Walsh County Public Health Director, to sit in on the interviews.

Motion made by Nick Rutherford and seconded by Jim Benjaminson to adjourn the meeting. All voting in favor; motion carried. Meeting adjourned at 12:10PM.