

BOARD OF PEMBINA COUNTY COMMISSIONERS PROCEEDINGS

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September 4, 2012

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: Andy Adamson, Gary Nilsson, Corene Vaughn, Hugh Ralston, and Hetty Walker.

Chairman Adamson called the meeting to order.

Motion made by Corene Vaughn and seconded by Hetty Walker to approve the August 21, 2012 meeting minutes as presented. All voting in favor; motion carried.

Additions to the agenda include an update on the McArthur Cemetery, Longtin drainage request and the Burn Ban.

Don Staskivige and John Risky met with the Commission to discuss the letter requesting the removal of the shelter erected on county property at the time of the American Crystal Sugar lockout. Mr. Staskivige informed the Commission of the agreement with American Crystal, which allows them seven days to remove the structure, once a settlement is made. Motion made by Gary Nilsson and seconded by Hugh Ralston to allow the structure to remain until a settlement has been made. All voting in favor; motion carried.

Pembina County Water Resource District minutes were reviewed.

Culvert request received from Landis McDonald to install a 24" X 50' culvert in the NE ¼ of Section 7 of North Cavalier Township, along County Road 1. Troy Kittelson, Highway Supervisor, inspected the sight and approved the request. Motion made by Gary Nilsson and seconded by Hetty Walker to approve the culvert request as presented. All voting in favor; motion carried. Mr. McDonald did not return the drainage permit.

Liz Beck, GIS/911/IT Coordinator presented a resolution to increase the existing 911 Fee to the Commission. Motion made by Corene Vaughn and seconded by Hugh Ralston to increase the 911 fees by 25 cents and adopt the resolution as presented. A measure will be placed on the November General Election ballot. Roll call vote: Gary Nilsson – yes, Corene Vaughn – yes; Hugh Ralston – yes; Hetty Walker – yes; Andy Adamson – no. Motion carried.

PEMBINA COUNTY, NORTH DAKOTA
RESOLUTION TO INCREASE THE EXISTING
EMERGENCY SERVICES COMMUNICATIONS (9-1-1) FEE

WHEREAS, the emergency services communication (9-1-1) system is critical to public safety in Pembina County; and

WHEREAS, the monthly fee on "assessed communications services" (telephone exchange access service, wireless service, active prepaid wireless service, and voice over internet protocol service) imposed pursuant to North Dakota Century Code 57-40.6 is essential to the operation and maintenance of the emergency services communication system (9-1-1); and

WHEREAS the current fee limited to \$1.00 per month per "communication connection" (telephone access line, wireless access line, unique voice over internet protocol service connection, or functional equivalent uniquely identifiable by a number, internet address, or other designation) was implemented by resolution of this board and approved on November 2, 2004 by the voters of Pembina County;

WHEREAS the revenue from the current fee is insufficient to adequately fund the maintenance and operations of the emergency services communications (9-1-1) system, it is proposed that the fee maximum be increased to \$1.25 per "assessed communication service" however the county commission could impose an amount less, but no more than that maximum; and

WHEREAS, North Dakota Century Code section 57-40.6-02 provides a process of imposing 9-1-1 fees by governing board resolution and approval of the voters.

THEREFORE, BE IT RESOLVED that the Pembina County Board of Commissioners proposes an increase of the existing monthly fee, and directs that the following measure be placed on the county ballot for the statewide primary election scheduled for November 6, 2012 and shall become effective January 1, 2013.

BE IT FURTHER RESOLVED, that the fee shall be collected by the "assessed communications service providers" and paid to the County within thirty (30) days after collection from the subscriber or customer unless the provider has fewer than ten subscribers or customers in a jurisdiction, in which case the provider may pay the proceeds quarterly. An assessed communications service provider may retain the actual costs of administration in collection of the fee, not to exceed five percent of the fee collected.

Dated this ___4th___ day of ___September___, 2012

Approved:

Attest:

Andy Adamson, Pembina County
Commission Chairman

Linda Schlittenhard, Pembina County Auditor

Aaron Carter, Cavalier City Recreation, requested the use of the old jail building for the Haunted House. Motion made by Hetty Walker and seconded by Gary Nilsson to allow Cavalier City Recreation permission to use the building as requested. All voting in favor; motion carried. City will supply insurance coverage.

Tanya Wieler, Human Resource Director, presented pay plans to the Commission. Discussion followed on state mandated minimums and the impact of the Hay Study. Human Resource Director and Auditor will work together and present the 20 year pay plan for review at September 6, 2012 meeting.

Commissioner Walker informed the Board of the letter she sent to Gladys Kemnitz notifying her that Brian Geffert will be leveling the ground and straightening the stones in the McArthur Cemetery.

Motion made by Gary Nilsson to allow Phil Longtin to use the county ditch for draining the property in Section 7 of Advance Township to the north side of County Road 1, with the understanding that any conditions that occur from the drainage must be corrected with the cooperation of the county and applicant. Motion seconded by Hugh Ralston. All voting in favor; motion carried.

Commissioner Vaughn reported on an incident for a request to burn while the Fire Emergency and Burn Ban Proclamation are in effect. Commission will discuss with Jill Pedersen this afternoon.

Commission discussed placing the question of levying an additional 10 mill levy for road & bridge purposes, per NDCC, on the November 6th General Election ballot. Sufficient funds are not available to assist in the required local match of federal funds in replacing bridges. Motion made by Hugh Ralston and seconded by Hetty Walker to place a Road and Bridge Levy Measure on the November 6th General Election ballot as follows:

Shall the Board of County Commissioners of Pembina County, North Dakota, be authorized to levy an additional ten (10) mills, for the maintenance and repair of roads and bridges within the County, on all taxable property in Pembina County pursuant to NDCC 57-15-06.3.

Yes – Means you approve the additional 10.00 mill levy

No – Means you do not approve the additional 10.00 mill levy

Roll call vote: Gary Nilsson – yes; Corene Vaughn – yes; Hugh Ralston – yes; Hetty Walker – yes; Andy Adamson – yes. All voting in favor; motion carried. If passed, levy would be beginning on the 2013 tax year collected in 2014.

Barb Whelan, Interim State's Attorney, presented the 2013 budgets for State's Attorney and Victim Witness. Ms. Whelan will be combining the offices, with Ms. Weeks dedicating approximately 30% of her duties to Victim Witness. Ms. Whelan requested a retroactive salary adjustment for Samantha Weeks, due to the additional duties she has been handling in the State's Attorney office. Human Resource Director and Auditor will implement a correction for presentation to the Commission on Thursday, September 6, 2012. Ms. Whelan informed the Commission that she will appoint Stephanie Davis as the Assistant State's Attorney with duties to begin September 18, 2012. Motion made by Corene Vaughn and seconded by Hugh Ralston to authorize the Interim State's Attorney to appoint Ms. Davis as the full time Assistant State's Attorney. All voting in favor; motion carried.

Motion made by Gary Nilsson and seconded by Hetty Walker to accept the consent agenda as presented. All voting in favor; motion carried.

Tara Sondeland, Food and Nutrition Program Director for NDSU Extension, gave a short review of her duties. Ms. Sondeland presented a Memorandum of Agreement between Pembina County and NDSU Extension Service for signature by the Chairman.

Lisa LeTexier, Cavalier Ambulance, presented the 2013 budgets for Drayton Ambulance, Pembina Ambulance Service, Walhalla Ambulance, Crystal Quick Response, Mountain Quick Response, Neche Quick Response, St Thomas Quick Response, Pembina County EMS Education, Cavalier Ambulance, and Pembina County Emergency Response.

Jill Pedersen, Emergency Manager presented the 2013 budgets for Emergency Management, Hazmat, Flood Emergency and Homeland Security. Ms. Pedersen updated the Commission on an ordinance she is compiling regarding the Burn Ban Proclamation, which was activated August 24, 2012. Ms. Pedersen will contact the County Sheriff and State's Attorney office for review prior to presenting for Commission approval.

Linda Schlittenhard, Auditor/Treasurer, presented the 2013 budgets for County Commission, County Coroner, Mental Health, County Housing Authority, County Zoning, Elections, Domestic Violence, Miscellaneous Expense and Auditor/Treasurer/SOS.

Kadie Benson, Weed Officer, presented the 2013 Weed Department budget.

With no further business, Chairman Adamson declared the meeting adjourned.

/s/ Andy Adamson, Chairman
Pembina County Board of Commissioners

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