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BOARD OF PEMBINA COUNTY COMMISSIONER’S PROCEEDINGS

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September 26, 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 9:01 AM.

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

Also in attendance are Dwight Fleming, Zelda Hartje, Konor Parker, Robert Vivatson, Samantha Weeks, 911/IT/GIS Coordinator, Samantha Diemert, Emergency Manager/Weed Officer, Garret Fontaine, States Attorney and Marcus Ramsay, Chief Deputy.

Motion made by Darin Otto and seconded by Andrew Cull to approve the agenda as presented. All voting in favor; motion carried.

Motion made by Blaine Papenfuss and seconded by Darin Otto to approve the September 5, 2023 meeting minutes as presented. All voting in favor; motion carried.

Lisa Keney, Tax Director, presented the quote from Sidwell. Lisa Wieler, Deputy Tax Director/GIS Specialist also present. Commissioner Benjaminson reviewed letters of support for the purchase of the software from Camburn Shephard, Roger Olafson, and Zelda Hartje and Casey Kreig, Certified Assessors for several townships and cities. The quote from Sidwell includes the FARMS software, soils GIS layer update, spatial adjustments services, GIS web map and GIS parcel maintenance services for a cost of \$30,010.00 for the first year and \$21,680.00 for the second year. Commissioner Doyle joined by telephone to hear the discussion on the Sidwell software quote. Motion made by Blaine Papenfuss and seconded by Darin Otto to approve the quote as presented. Roll call vote: Jim Benjaminson – yes; Laverne Doyle – yes; Blaine Papenfuss – yes; Darin Otto – yes; Andrew Cull – yes. Motion carried.

Auditor read the email response received from BNSF regarding the removal of the culverts from the railway in the W½ of Section 13 of Hamilton Township. After receiving the response, Commissioner Cull reached out to Amy McBeth with BNSF. Landowner information, pictures of the area and claims the landowner has had to pay

to repair the damages were forwarded to Ms. McBeth. She will be reviewing the information and respond with her findings.

Lisa Keney, Tax Director, thanked the Commission for approving the Sidwell software program and thanked Commissioner Papenfuss and Commissioner Cull for attending the recent Soils Committee meeting. Ms. Keney updated the Commission on the Soils Committee meetings held September 8, 2023 and September 22, 2023. Soils Committee members Brad Schuster and Curt Christenson also in attendance. A handout showing three agricultural land value adjustments approved by the Soils Committee was presented to the Commission for review. Ms. Keney reviewed the requirements that must be met to qualify for the frequent flooding, salinity/alkaline, and rock land value adjustments. Ms. Keney stated the Soils Committee would like to meet one more time to "fine tune" the land use adjustments prior to requesting Commission approval of the agricultural land value adjustments. Commissioners Cull and Papenfuss stated the meeting went very well on Friday. Commissioner Otto thanked Ms. Keney and the Soils Committee for working so well together and noted he was happy to hear that things are moving forward smoothly. Curt Christenson and Brad Schuster stated the meetings have been very productive so far.

Samantha Diemert, Emergency Manager/Weed Officer, discussed an email received from Brent Nelson, Walsh County Emergency Manager/911 Coordinator, regarding the possibility of consolidating PSAPs or sharing resources. Ms. Diemert has reached out to Mr. Nelson with questions but was not able to visit with him to date. Walsh County will be discussing at their Commission meeting in October and Ms. Diemert wanted the Commission to be aware of the situation prior to the Walsh County discussion.

Kelly Cluchie, Maintenance Supervisor, updated the Commission on the heating system project. The company has installed the lines and new thermostats but has a delay in receiving the control valves for the radiators. Discussion followed on the new rooftop heating unit for the Law Enforcement Center, the roof leak on the Law Enforcement Center and redoing the floors in the Courthouse.

Culvert requests received from Tim Carpenter to replace an existing 16" x 58' culvert with a 24" or 36" x 58' culvert, to help with water flow between the SE¼ of Section 4 and the SW¼ of Section 3 of St Joseph Township. Request approved by two township supervisors, the Water Board, and Devin Johnson, Highway Superintendent. Motion made by Andrew Cull and seconded by Blaine Papenfuss to approve the 24" x 58' culvert request as presented. All voting in favor; motion carried.

Utility permit received from Nodak Electric Cooperative to bore under County Road 55 west of the intersection of County Road 55 and 158th Ave NE in Section 5 of Pembina Township. Motion made by Andrew Cull and seconded by Darin Otto to approve the utility permit as presented. All voting in favor; motion carried.

Drainage permit received from B & B Farms, to remove the approach along County Road 12, in the W½ of Section 10 of Park Township. Permit was approved by the Water Board and Devin Johnson, Highway Supervisor. Motion made by Darin Otto and seconded by Blaine Papenfuss to approve the removal of the approach. All voting in favor; motion carried.

Culvert request received from J. G. Beattie to install a 30" or 36" x 50' culvert for a new approach in the SE¼ of Section 3 of Elora Township. Request approved by two township supervisors, the Water Board, and Devin Johnson, Highway Superintendent. Motion made by Darin Otto and seconded by Blaine Papenfuss to approve the 36" X 50" culvert. All voting in favor; motion carried. Discussion followed on the length of the culvert. Commissioner Otto amended his original motion to allow Mr. Beattie to install a 36" x 60' culvert, if needed. Second by Blaine Papenfuss. All voting in favor; motion carried.

Jeff Daley, Kadramas, Lee & Jackson, updated the Commission on the Beaulieu/Akra Township structure replacement project. Jeff presented flood event exhibits showing the difference in a 2-year, 15-year and 100-year flood event and explained options for structures. Discussion followed. Jeff is requesting direction from the Commission as to how to move forward with this area. Commission requested Jeff present two estimates, one for a box//aluminum culvert and one for the concrete slope protection option. Jeff discussed the Bowesmont bridge project. Jeff is asking if the Commission would like KLJ to proceed with the permitting process and design. Discussion followed. Jeff presented a contract for the Bowesmont bridge project. Motion made by Andrew Cull and seconded by Blaine Papenfuss to authorize the Chairperson to sign the Engineering contract for the Bowesmont bridge project as presented, to allow the project to be completed by spring. Roll call vote: Jim Benjaminson – yes; Blaine Papenfuss – yes; Darin Otto – yes; Andrew Cull – yes. Motion carried. Discussion followed on several ER sights for permanent restoration from the spring flood.

Board reviewed the August financial statement, September payroll, and claims. Motion made by Andrew Cull and seconded by Darin Otto to approve the consent agenda, with the addition of the September payroll. All voting in favor; motion carried.

Motion made by Blaine Papenfuss and seconded by Andrew Cull to adjourn the meeting. All voting in favor; motion carried. Meeting adjourned at 11:21 AM.