

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

BOARD OF PEMBINA COUNTY COMMISSIONER'S PROCEEDINGS

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September 5, 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 9:00 AM.

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

Also in attendance are Revel Sapa, Veterans Service Officer, Samantha Diemert, Emergency Manager/Weed Officer, Marcus Ramsay, Chief Deputy, Angie Parker, Dave Moquist, Dennis Biliske, Don Heuchert and Darren Olafson.

Motion made by Laverne Doyle and seconded by Blaine Papenfuss to approve the agenda with the following changes/additions: drainage permits, Dave Moquist with discussion on Kompleks Assessments, discussion on Konor Parker, and discussion on striping roads before fall. All voting in favor; motion carried.

Motion made by Darin Otto and seconded by Laverne Doyle to approve the August 7, 2023 Special meeting minutes as presented. All voting in favor; motion carried.

Northeast Judicial Judge Kari Agotness and Pembina County States Attorney Garret Fontaine discussed the quotes received from Silent Beacon and Electro Watchman, Inc to update and relocate the panic alarm system. The quote from Silent Beacon is not feasible as it would require all employees to have the app downloaded on their cell phone. The quote from Electro Watchman is to replace the 2 existing control panels, keypads and the wireless receivers that connect to them and to install a new panel, wireless receiver and keypad, with that keypad going to the basement at the dispatch desk. Samantha Diemert stated she feels the monitoring via internet option would need to be added to the total amount of the quote. States Attorney Fontaine discussed the potential liability to the County if the system is not updated. Motion made by Laverne Doyle and seconded by Blaine Papenfuss to accept the Electro Watchman quote to upgrade the panic system with the internet-based monitoring. Discussion followed. Roll call vote: Jim Benjaminson – yes; Laverne Doyle – yes; Blaine Papenfuss – yes; Darin Otto – yes; Andrew Cull – yes. Motion carried.

Motion made by Blaine Papenfuss and seconded by Laverne Doyle to approve the August 15, 2023 meeting minutes as presented. All voting in favor; motion carried.

Discussion was held on the vacant Human Resource Director position. States Attorney Fontaine stated the position could be filled internally opposed to readvertising. Motion made by Darin Otto and seconded by Laverne Doyle to readvertise for the position since clarification of the job duties will be required. All voting in favor; motion carried.

The NDDOT Certification of Local Match for Project BRC-BRS-0099(015) PCN 23409 – NE Region Bridge Inspection/Load Rating was presented. The Federal share is 80.93%% of the cost, while Pembina County's share 19.07%. Pembina County's share is \$5,790.10, with the funding coming from the Road and Bridge Levy. Motion made by Andrew Cull and seconded by Darin Otto to authorize the Chairperson to sign the certification as presented. All voting in favor; motion carried.

Request received from Gardar Country Club., to transfer their liquor license to the Gardar Hall on Saturday, September 23, 2023 from 8:00 PM to 12:00 AM. Motion made by Andrew Cull and seconded by Laverne Doyle to approve the transfer as presented. All voting in favor; motion carried.

North Dakota Association of Counties (NDACo) Executive Director, Aaron Birst, is requesting each County Commission discuss possible dates to hold the Region 4 County Commissioner Caucus meeting prior to the annual NDACo conference, which will be held October 8-10, 2023 in Bismarck. Motion made by Darin Otto and seconded by Laverne Doyle to attend the Region 4 Caucus meeting virtually on a date to be determined. Discussion followed. All voting in favor; motion carried. Auditor will contact Mr. Birst to see if September 13, 2023 at 8:30 am or 9:00am will work.

Raffle permit request received from St Joseph Preservation Society. Motion made by Andrew Cull and seconded by Blaine Papenfuss to approve the raffle permit as presented. All voting in favor; motion carried.

Commission discussed the vacancy on the Zoning Board. No decision made at this time. The current zoning regulations were discussed. At this time the regulations do not address the mining of sand, gravel, clay, and general ground excavation. Auditor received a call requesting the setback required for gravel mining. Discussion will be held at the upcoming zoning meeting on September 12, 2023.

Zelda Hartje, Pembina County Historic Preservation Commission Chairperson, is requesting Dawn Eckhardt be appointed to the Historic Preservation Commission. Ms. Hartje sent Ms. Eckhardt's resume to the State for review. The State Historical Society has provided a letter stating she meets the qualifications as a citizen/non-professional member and therefore have approved her appointment. Motion made by Laverne Doyle

and seconded by Darin Otto to appoint Dawn Eckhardt to the Pembina County Historic Preservation Commission. All voting in favor; motion carried.

Motion made by Andrew Cull and seconded by Darin Otto to remove the Interim title and appoint Lisa Keney as the Tax Director. Discussion followed. Roll call vote: Jim Benjaminson – yes; Laverne Doyle – yes; Blaine Papenfuss – yes; Darin Otto – yes; Andrew Cull – yes. Motion carried.

Dave Moquist discussed the concerns presented by Dennis Biliske at the previous meeting regarding modifiers. Mr. Moquist is upset and asking which Commissioners were aware of the breakdown Kompleks Assessment Solutions provided for each township. Lisa Keney provided the Soils Committee books from the previous assessment year, which included the breakdown provided by Kompleks Assessments for each township. Dennis Biliske stated whether the Soils Committee had the information or not is irrelevant because the Commission negated the recommendations presented by the Soils Committee. Lisa Keney stated a Soils Committee meeting is scheduled for Friday, September 8, 2023 at 8:15 am in the Farmer's Room of the Courthouse.

Drainage permit received from Wayne Newell, to drain the water along County Road 2, in Section 9 of Felson Township. A permit was approved last year but Mr. Newell did not complete the project before the end of the year. Permit was signed by the landowners, and approved by the Water Board and Devin Johnson, Highway Supervisor. Motion made by Andrew Cull and seconded by Blaine Papenfuss to authorize the Chairperson to sign the permit as presented. All voting in favor; motion carried.

Commission discussed the striping on County highways with Devin. Devin is checking to see which contractor can be in the area shortly. He has several areas that need to have striping and will use the contractor that will be in the area the soonest. Discussion followed on repairs on County Road 12 and the Mini-Mac equipment delivery date.

Commission reviewed an email and handout received from Aaron Birst, NDACo Executive Director. NDACo is exploring a new method for collecting and distributing 911 fees on behalf of counties. The service is of no cost to the counties and NDACo is confident the service will actually return new 911 revenues to many counties. A Joint Powers Agreement was provided as well as a 911 surcharge fee proposal document. Motion made by Blaine Papenfuss and seconded by Andrew Cull to authorize the Chairperson to sign the Joint Powers Agreement as presented. Roll call vote: Jim Benjaminson – yes; Laverne Doyle – yes; Blaine Papenfuss – yes; Darin Otto – yes; Andrew Cull – yes. Motion carried.

A handout was presented to the Commission regarding the termination of Konor Parker. States Attorney Fontaine stated he would need more time to review the handout and suggested any discussion be tabled until the next meeting. Motion made by Andrew Cull and seconded by Laverne Doyle to table a decision until the next meeting, based upon

the States Attorney's recommendation. Angie Parker stated she feels tabling the decision to another date does not solve their problems. Ms. Parker requested Konor be allowed to attend the next meeting in person as he was told he could not come on the Courthouse grounds. Chief Deputy Ramsay stated he has never heard that Mr. Parker was not allowed on the Courthouse grounds. The Commission stated they had not heard he was not allowed on Courthouse grounds. Commission stated he is allowed on the grounds and can attend the next meeting. Discussion followed from States Attorney Fontaine stating he would need to recuse himself from this and have Special Assistant States Attorney Laurie Fontaine review the allegations. Roll call vote: Jim Benjaminson – yes; Laverne Doyle – yes; Blaine Papenfuss – yes; Darin Otto – yes; Andrew Cull – yes. Motion carried. Ms. Parker requested a decision be made soon.

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

Auditor discussed the need to have a deadline for individuals to be added to the agenda. Motion made by Blaine Papenfuss and seconded by Laverne Doyle to set the deadline for inclusion on the agenda as the preceding Thursday by 1:00 pm to allow for distribution of the agenda and meeting materials. Roll call vote: Jim Benjaminson – yes; Laverne Doyle – yes; Blaine Papenfuss – yes; Darin Otto – yes; Andrew Cull – yes. Motion carried.

Motion made by Laverne Doyle and seconded by Andrew Cull to adjourn the meeting. All voting in favor; motion carried. Meeting adjourned at 10:22 AM.