

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

## BOARD OF PEMBINA COUNTY COMMISSIONERS PROCEEDINGS

[www.pembinacountynd.gov](http://www.pembinacountynd.gov)

September 8, 2020

1:00 PM

Board of Pembina County Commissioners met in Special Session at 1:00 PM 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 Ralston called the meeting to order. The meeting is being held to discuss options available to allow the county to continue a levy for library services.

Chairman Ralston turned the meeting over to Commissioner Benjaminson. Also in attendance were Kelli Truver, Cavalier City Auditor, Robert Fleming, Cavalier City Attorney, Lacey Hinkle, Cavalier City Mayor, Brenda Fletcher, Walhalla Public Library Director, Becky Ratchenski, Cavalier Public Library Director, Zelda Hartje, representing the school libraries, Pembina Public Library and Pembina County Historical Society Library, and Cassey Schmeiss, Attorney with Sillers, Laaveg & Wenzel, representing Pembina County on behalf of Rebecca Flanders, Pembina County State's Attorney. Commissioner Benjaminson gave a brief history of the Pembina County Library Board.

Mr. Fleming discussed options that could work to allow the County to continue to levy for the public libraries. The Commission could contract with one of the public libraries in the county, having that entity become the fiscal agent of the library levy. There would need to be Memorandums of Understanding (MOU's) between the library acting as the fiscal agent and the remaining public libraries within the county regarding funding and services.

Discussion followed on State Aid for libraries. Ms. Schmeiss commented on her response from the Attorney General's Office, stating that libraries must meet the requirements set forth in NDCC 40-38. Ms. Schmeiss agrees with Mr. Fleming regarding contracting with one public library to serve as fiscal agent and have MOU's with the remaining two public libraries. Discussion followed on having the county distribute the levy funds at the discretion of a County Library Advisory Board and State Aid.

Abbey Ebach, Public Library Specialist with the North Dakota State Library, was available by telephone to answer general questions. Ms. Ebach presented three

options the county could utilize to continue the levy and agreed that Mr. Fleming's option appears to be the most feasible option for the county. This option would allow each library to retain their own library boards.

Ms. Ebach clarified that the State Library is unable to distribute State Aid to an Advisory Board. She also stated, per NDCC 40-38-02.2, that State Aid funds must be used exclusively for public library service. This will affect funding that was previously allocated to school libraries or the Pembina County Historical Society Library. Discussion followed on completion of the State Aid paperwork. The fiscal agent would be responsible to complete their individual library application and the county application.

Motion made by Laverne Doyle and seconded by Nick Rutherford to appoint Cavalier Public Library as the fiscal agent for the County Library levy and to appropriate the levy funds to the remaining county public libraries through MOU's signed by each respective Library Board. Discussion followed on how the levy will be appropriated. Roll call vote; Jim Benjaminson – yes; Laverne Doyle – yes; Nick Rutherford – yes; Hetty Walker – yes. Motion carried.

Request received from Chizzy's to transfer his liquor license to the Leroy Hall on Saturday, September 19, 2020 from 5:00PM to 12:00AM. Motion made by Nick Rutherford and seconded by Hetty Walker to approve the transfer. All voting in favor; motion carried.

Commission reviewed a Summons and Notice of No Personal Action related to property described as Lots 6-12, Block 33, City of St Thomas (Parcel 34-1810000), which was sold at the county sale in November 2011. The object of the action is to quiet title to said premises and make no personal claim against the defendants. Motion made by Hetty Walker and seconded by Nick Rutherford to authorize the Chairman to sign the Admission of Service as presented.

Motion made by Hetty Walker and seconded by Nick Rutherford to adjourn the meeting. All voting in favor; motion carried. Meeting adjourned at 2:10 PM.