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BOARD OF PEMBINA COUNTY COMMISSIONER'S PROCEEDINGS

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August 19, 2025

9:00 AM

Board of Pembina County Commissioners met in the Commissioners Meeting Room of the Courthouse.

Chairperson Otto called the meeting to order at 9:00 AM. Roll call: Patrick Hardy, Scot Becker, Blaine Papenfuss, Darin Otto, Andrew Cull. A quorum was declared.

Also, in attendance were: Terry Meidinger, Sheriff; Missy Morden, Clerk/Recorder; Samantha Diemert, Emergency Manager; Samantha Weeks, IT/GIS; Rachal Ramsay, Public Health Director; Kelly Cluchie, Maintenance Supervisor; Devin Johnson, Highway Superintendent; Kari Helgo, Extension Agent; Alyssa Sharp, Extension Agent; Garret Fontaine, States Attorney; Kathy Stremick, Revel Sapa, VSO.

Motion made by Scot Becker and seconded by Blaine Papenfuss to approve the agenda with the addition of the Pembina County Historical Society annual contract. Commissioner Cull stated he wants to stick with the vote that additional items should not be added to the agenda after it is set. All voting in favor; motion carried.

The public comment portion was started at 9:02 AM.

Motion made by Patrick Hardy and seconded by Blaine Papenfuss to approve the July 29th, 2025 special meeting minutes. All voting in favor, motion carried.

Motion made by Blaine Papenfuss and seconded by Scot Becker to approve the August 5th, 2025 meeting minutes. All voting in favor; motion carried.

Motion by Scot Becker and seconded by Blaine Papenfuss to approve the August 5th 2025 special meeting minutes. All voting in favor, motion carried.

Motion by Scot Becker and seconded by Blaine Papenfuss to approve the raffle permit for the St. Joseph Preservation Society. All voting in favor, motion carried.

Motion by Blaine Papenfuss and seconded by Patrick Hardy to approve and have Chairman Otto sign the Pembina County Historical Society annual contract. All voting in favor, motion carried.

Motion by Andrew Cull and seconded by Scot Becker to appoint Darin Otto as the Pembina County delegate for the annual conference. All voting in favor, motion carried.

The request for a letter of support from the Rolette County Historical Society discussed. Motion by Scot Becker and seconded by Patrick Hardy to sign and send a letter of support. All voting in favor, motion carried.

The public comment section was closed at 9:18 AM.

Samantha Diemert and Samantha Weeks addressed the commission on the siren quotes received from Jamestown Communications. Discussion followed on the two quotes submitted. The first one was an upgrade to the current system. She stated there was a downfall to that one as it would only be able to be set off by radios, so only the jail or deputies could set it off and they might not be available at a moment's notice. The second one would be an upgrade and anyone such as fire chiefs, etc. can set them off. They would need a login and it would be monitored showing who was setting it off and when it was being set off. There would also be presets for the regular sirens for cities wishing for sirens to go off at a certain time of the day. Motion by Blaine Papenfuss and seconded by Scot Becker to take the money from the emergency fund to fix the siren systems with the quote of \$17,072.00 from Jamestown Communications. Roll call: Patrick Hardy, yes; Scot Becker, yes; Blaine Papenfuss, yes; Darin Otto, yes; Andrew Cull, yes. Motion carried.

Kari Helgoe and Alyssa Sharp from Pembina County Extension gave an update to the commission of the last few months. Alyssa discussed the fair and how that went. Kari discussed year end for 4H. She stated the junior leaders took a trip to Boston. Alyssa discussed the ag alerts she sends out every Monday. She stated she got feedback from a farmer by Mountain that said it helped him identify something in his sunflowers. Kari stated there were approximately 200 projects that went to the state fair this year and was well represented. She also stated a new club is being formed in Drayton.

Kelly Cluchie and Garret Fontaine addressed the commission on the TectaAmerica change order request. Mr. Fontaine stated he reviewed the contract and all the terms and conditions. He stated that the number 5 provision, which is the change order provision, is what allows them to do the change order. He stated they did not bring it to the commission beforehand, however. He stated the county will have to pay for the additional work. He stated the commission should, going forward, state that contracts entered into should state they require the contractors to bring any change orders over \$5,000.00 before the commission before any additional work beyond the original contract be performed. Kelly did not get the change order until after all the work had been completed. Motion by Andrew Cull and seconded by Blaine Papenfuss to pay the change order invoice. Kelly stated he informed the company he was not happy about finding out about the additional charges after the project was completed. Garrett also

stated the commission was waiting on whether they had to pay for the additional work until after he had a chance to review it. Roll call: Pat Hardy, yes; Scot Becker, yes; Blaine Papenfuss, yes; Darin Otto, yes; Andrew Cull, yes. Motion carried. Kelly also gave an update on the courtroom remodel. Storage of the old courtroom chairs was discussed. It will be starting around September 10th. He also stated he put up the new social services sign.

Devin Johnson presented a utility permit request from Dakota Natural Gas at 159N 51W, Sec 2, Old Highway 44. Motion by Andrew Cull and seconded by Blaine Papenfuss to approve the permit. All voting in favor, motion carried.

Devin presented two culvert requests from Gardar Township located in the NW and NE of Section 6, Township 159-N, 56W. Motion by Andrew Cull and seconded by Patrick Hardy to approve the culvert requests. All voting in favor, motion carried.

Devin discussed the new requirements for the flexible transportation applications for the townships in Pembina County. He stated the deadline is September 19th for all applications. He is requesting a blanket approval for all applications. Motion by Blaine Papenfuss and seconded by Scot Becker to allow Chairman Otto to approve and sign off on all applications as they come in. All voting in favor, motion carried.

Devin presented two quotes from Dirty Deeds Dirtwork for repairs on the Prigge Bridge for \$220,000.00 and the 101-19 south of Concrete on County 6 for \$98,000.00 that ratings were changed on. These bridges were discussed at length. All bridges in general were discussed. Devin stated he is applying for funding for 10 other bridges through the flexible transportation fund. He stated 5 of those would be for replacement and 5 would be for rehab. Motion by Scot Becker and seconded by Blaine Papenfuss to move forward with these two quotes and also put gravel down on a nearby road while repairs are being done to the Prigge Bridge. Roll call: Patrick Hardy, yes; Scot Becker, yes; Blaine Papenfuss, yes; Darin Otto, yes; Andrew Cull, yes. Motion carried. Devin gave updates on other projects going on around the county.

Garret Fontaine gave an update on the Stremick irrigation pivot issue as to whether the commission has the power to make a decision on it. He stated the commission does have the authority per century code to order someone to remove something that is obstructing a highway. They need to send a written notification then allow the person reasonable time to remove it. If they don't remove it, the commission can order it to be removed. The cost for removal can be put on the tax rolls if the county has to pay to have it removed. He stated one issue with this situation is that it was stated the irrigation pivot can obstruct up to 48 hours. He stated that if it is reported, it may take longer than those 48 hours for the commission to hold a meeting to order it removed and get that order mailed out so it would already be removed before the order is received. He stated that is a procedural hiccup for this situation. He stated another issue here is whether it is a public or private road or driveway. The commission has

three options going forward if another complaint is made. The commission can make an order, the commission can turn it over to the township if it is a township road, or have it be decided civilly. States Attorney Fontaine stated he would advise the commission to have this decided civilly because there is a dispute as to whether it is a private road or driveway or public road. Attorney Fontaine asked Kathy if the pivot was currently on the road. She stated it is not on the road and never sits on the road. He stated this is a unique situation because the road is not always being blocked by the irrigation equipment. Commissioner Cull stated he feels the commission should not be involved. Commissioner Otto stated if it is a township road, the commission does not want to override them and authority needs to stay with the township. Commissioner Hardy stated he received a call from the party that lives in the house where this road is. He said the party stated the township told him to make sure he had equipment to keep the lane clean because the township does not take care of it. States Attorney Fontaine stated he feels this needs to be a civil issue between the two parties because of all of these unique situations with this issue. The commission was in agreement. Kathy Stremick thanked the commission for their time with this issue and apologized for what she felt was a waste of the commission's time at the last three meetings. She also thanked the sheriff's department and specifically Deputy Gapp and Deputy Ramsay and stated they have done their jobs impeccably regarding their family issues.

Revel Sapa stated that she received an email on the Highly Rural Transportation Grant and that Pembina County is now qualified for it. She is still gathering information on how the grant works. She said transportation is still provided by the DAV van. Cavalier County is also considered highly rural. They have a transportation van but can't pick up our veterans unless we are considered highly rural. She will update the commission as she gets more information regarding this grant. Revel also gave an update on the telehealth for the veterans. It has all been approved and set up. There is a grand opening tentatively set for September 16th.

Commission reviewed the July financial report and claims. Motion made by Blaine Papenfuss and seconded by Patrick Hardy to approve the consent agenda as presented. All voting in favor; motion carried.

Motion made by Blaine Papenfuss to adjourn the meeting. All voting in favor; motion carried. Meeting adjourned at 10:53 AM.