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BOARD OF PEMBINA COUNTY COMMISSIONER'S PROCEEDINGS

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July 16, 2024

9:00 AM

Board of Pembina County Commissioners met in the Commissioners Meeting Room of the Courthouse. Chairperson Cull called the meeting to order at 9:04 AM.

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

Also, in attendance are: Zelda Hartje, Terry Meidinger, Sheriff, Samantha Weeks, IT/911/GIS Coordinator, Samantha Diemert, Emergency Manager/Weed Officer, Revel Sapa, Veterans Service Officer, Lisa Keney, Tax Director, Garret Fontaine, States Attorney, and Rachel Ramsay, Public Health Director.

Motion made by Darin Otto and seconded by Jim Benjaminson to approve the agenda with the following changes/addition: Admission of Service for property in Pembina City, roof repair contract with TectaAmerica Dakotas, LLC, Sheriff Terry Meidinger and Samantha Weeks and Samantha Diemert. All voting in favor; motion carried.

Motion made by Blaine Papenfuss and seconded by Jim Benjaminson to approve the July 2, 2024 meeting minutes as presented. All voting in favor; motion carried.

Commission reviewed a Summons and Notice of No Personal Action related to property described as the South 140' of Lots 16-18, Block 30, and vacated alley, OT, City of Pembina, Parcel 33-164055. The object of the action is to quiet title to said premises and make no personal claim against the named and unnamed defendants. Motion made by Darin Otto and seconded by Blaine Papenfuss to authorize the Chairman to sign the Admission of Service as presented. All voting in favor; motion carried.

Auditor Schlittenhard presented the contract from TectaAmerica Dakotas LLC, in the amount of \$101,280.00, for the repairs of the Courthouse roof. Motion made by Blaine Papenfuss and seconded by Jim Benjaminson to authorize the Chairperson to sign the contract as presented. Roll call vote: Jim Benjaminson – yes; Blaine Papenfuss – yes; Darin Otto – yes; Andrew Cull – yes. Motion carried.

Sheriff Terry Meidinger requested the Commission upgrade the jail to a Grade 2, from the Grade 4 facility, since they are fully staffed at this time. Motion made by Darin Otto

and seconded by Blaine Papenfuss to authorize the upgrade as requested. Discussion followed. All voting in favor; motion carried. Sheriff Meidinger requested to increase Chief Deputy Ramsay's salary from a grade 8 to a grade 10. Motion made by Darin Otto and seconded by Jim Benjaminson to approve the pay increase for Chief Deputy Ramsay as requested. All voting in favor; motion carried.

Devin Johnson, Highway Superintendent, informed the Commission he has not been able to connect with all of the individuals, regarding the culvert request approved for Jason Volk, so he does not have an update at this time. Devin presented a cost comparison between the 48" culvert, originally bid for Project BRP-BRC-3400(050), on County Road 4 and the proposed change order for a 60" culvert. The cost increase for a 60" culvert is estimated to be \$21,940.00. The Water Board has approved the recommendation for the culvert size increase. Devin also updated the Commission on the NDDOT contracts for the following projects: CERP-3411(063), CERP-3411(064), CERP-3404(060), and BRC-3411(062) and the Bowsmont bridge project. No decision on the culvert size change at this time. The Commission will visit with the Water Board and Devin will check with North Dakota Department of Transportation regarding the cost increase.

Devin presented a quote of \$109,990.00 for a used 2022 Kenworth T880. Motion made by Blaine Papenfuss and seconded by Jim Benjaminson to authorize the purchase of the transport utilizing the money within his budget. Roll call vote: Jim Benjaminson – yes; Blaine Papenfuss – yes; Darin Otto – yes; Andrew Cull – yes. Motion carried.

Angelle French, Pembina County JDA Director, met with the Commission to discuss the proposed 2025 budget for Pembina County Job Development Authority. Lacey Hinkle also in attendance. Angelle reviewed the programs offered through the JDA with the Commission. Angelle requested to be notified when the Commission reviews and approves the preliminary budget.

A public hearing was held at 10:00 AM, as required in NDCC 61-16.1-09, on the proposed Snagging and Clearing project on the Tongue River in Pembina County. Those in attendance include Pembina County Water Board members Randall Emanuelson, Ted Juhl, Bill Gunderson, Don Kemp, and Rick Kendall, LuAnn Kemp, Water Board Secretary and Robert Fleming, Water Board Attorney. Zach Hermann and Mike Ferrie, Houston Engineering. Larry DuBois and Clarence Boettger also present. Zach gave a brief review of the project and presented a handout with pictures of the project to date, along with a map showing the area that is planned to be completed this year, depending on funding availability. The Water Board is hoping to be on the August agenda with the North Dakota State Water Commission to see if cost share funding will be available for the 2024-2025 project year. Larry DuBois discussed the erosion that has happened on his property since the snagging and clearing was completed in his area. He has lost property due to the erosion and feels the project was not beneficial to his property. He is asking the project not be approved. Rick Kendall stated that he has also lost property but is still in favor of the project. Water Board voted on the project. Motion made by

Don Kemp and seconded by Ted Juhl to establish the Snagging and Clearing project as presented. Roll call: Don Kemp – yes; Bill Gunderson – yes; Randall Emanuelson – yes; Ted Juhl – yes; Rick Kendall – yes. Motion carried. Motion made by Blaine Papenfuss and seconded by Jim Benjaminson to establish the Snagging and Clearing project. Roll call: Jim Benjaminson – yes; Blaine Papenfuss – yes; Darin Otto – no; Andrew Cull – no. Motion failed. The Snagging and Clearing project will not be assessed this year.

Zach gave several project updates. Devin Johnson discussed the change order for a larger culvert on County Road 4 with the Water Board. Discussion followed on the additional cost involved to install the larger culvert. Motion made by Darin Otto to approve the 60" culvert, dependent upon NDDOT funding availability. Second by Blaine Papenfuss. Discussion followed. Commissioner Benjaminson recused himself from voting. Commissioner Cull voted no. Motion carried.

Samantha Weeks and Samantha Diemert presented the cost analysis for the dispatch center to the Commission. Samantha Diemert reviewed the 2025 proposed budgets for the dispatch center. The first proposed budget is the cost to retain the center in Pembina County. The second proposed budget is to transition to State Radio. Discussion followed on transitioning to State Radio, for a significant cost savings. Ms. Diemert stated that if the Commission were to decide to transition to State Radio they would be able to transition back to local if they want. Motion made by Blaine Papenfuss and seconded by Jim Benjaminson to transition to State Radio and to retain the equipment belonging to the county until a decision is made to continue with State Radio or revert back to local. Discussion followed. Roll call vote: Jim Benjaminson – yes; Blaine Papenfuss – yes; Darin Otto – yes. Commissioner Cull recused himself from voting. Motion carried. Motion made by Blaine Papenfuss and seconded by Jim Benjaminson to authorize the Vice-Chair to sign the State Radio contract as presented. All voting in favor; motion carried.

Commission reviewed the June financial statement and claims. Motion made by Blaine Papenfuss and seconded by Jim Benjaminson to approve the consent agenda as presented. All voting in favor; motion carried.

Motion made by Blaine Papenfuss and seconded by Jim Benjaminson to adjourn the meeting. All voting in favor; motion carried. Meeting adjourned at 11:33 AM.