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## BOARD OF PEMBINA COUNTY COMMISSIONER'S PROCEEDINGS

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May 5, 2026

9:00 AM

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

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

Also, in attendance were: Zelda Hartje, Rachel Ramsay, Public Health Director; Rob Fleming; Noel Tharalson; Devin Johnson, Highway Superintendent; Jeff Daley, KLJ; Alex Johnson, Chad Wardner, and Darin Pokrzywinski of American Crystal Sugar.

Motion made by Scot Becker and seconded by Blaine Papenfuss to approve the agenda as presented. All voting in favor; motion carried.

The public comment section of the meeting started at 9:02 AM.

The public comment section of the meeting closed at 9:18 AM.

Motion made by Blaine Papenfuss and seconded by Scot Becker to approve the April 21, 2026 meeting minutes. All voting in favor; motion carried.

Motion by Blaine Papenfuss and seconded by Scot Becker to approve the raffle permit for Cavalier County Club. All voting in favor, motion carried.

Motion by Scot Becker and seconded by Blaine Papenfuss to approve the raffle permit for the Pembina County Historical Society. All voting in favor, motion carried.

The auditor presented a request from Bonesy's Bar for a liquor license transfer on June 6, 2026 for a wedding reception/dance. Motion made by Blaine Papenfuss and seconded by Scot Becker to approve Bonesy's Bar Inc. to transfer his liquor license to the Leroy Hall on Saturday, June 6<sup>th</sup>, 2026. All voting in favor, motion carried.

Rob Fleming met with the commission for requests on behalf of the water board. Mr. Fleming stated the first request is in reference to the railroad area between Glasston and Hamilton. There has been a complaint presented to the water board because Darin

Voecks took out the concrete pipes under the railroad right of way which made an open cut. The water board invited all parties to discuss the problem. The land owner did not appear. The railroad did not want to be involved. This has been ongoing since last summer. NDCC 49-09-04.2 explains sale of abandoned railroad rights of way. The railroad has to notice if they are going to sell it. The railroad may deed the right of way to the county after five years if all other conditions have been met in century code. He is asking the commission to accept the deed and take ownership of the property if the railroad would agree to it. If that happens, then the county can sell it and there would be a landowner the water board could work with to try and get the problem resolved. The complaint is from downstream where there is too much water coming from this cut because it is the only opening and it is coming through fast and floods.

The second request is on drain 67 on the south side of St. Thomas where there is a huge cement pier on the abandoned railroad tracks that is causing the eroding of the bank. In this situation, the county can request the Public Service Commission to have the railroad remove it. If they do not remove it, the county can have it done and bill the railroad for the work and if not paid, can assess the cost to the railroad's taxes.

Motion by Scot Becker and seconded by Blaine Papenfuss to request the railroad deed the right of way to the county pursuant to section 49-09-04.2 in the West half of Section 13, Township 161, Range 53. All voting in favor, motion carried.

Motion by Blaine Papenfuss and seconded by Scot Becker to request the Public Service Commission order Burlington Northern to remove materials, supplies and debris from the old railway line located within Drain 67 pursuant to section 49-09-04.3. All voting in favor, motion carried.

Noel Tharalson met with the commission regarding storm days. He handed out a paper that is posted in their break room. He is asking the commission to change it to them getting paid for hours worked during a blizzard rather than getting flex time or have the option of either. The information will be given to the states' attorney for review.

Rachel Ramsay, Public Health Director, met with the commission regarding rural health money being allocated from the federal government. North Dakota is expected to receive 100 million per year for 5 years from the Rural Health Transformation Grant. Local health departments were put into a region. Pembina County is with Grand Forks and Walsh county's region. It is split via population. Pembina County is getting \$9,000.00 per year for the next five years. It can be used for Public Health training and hands on public health experience. Pembina County Public Health will be using it for the Adult Home Visiting Program. This will involve a lot of time and travel. She stated a lot of grants are coming up and she will watch to see if Pembina County can apply for any of the grants that do become available. She also discussed state aid possibly being increased for public health departments.

Jeff Daley stated they have an update on the Pembina County Highway 44 project. He handed out a copy of the bid tabs. There were four bids received. The low bidder was Reede Construction. The engineer's estimate was about a million less than the low bid. KLJ reached out to NDDOT and they came back with an additional \$405,000.00 towards the project. There is an overage of approximately \$820 thousand dollars as it is currently bid. There was a meeting held about changing the scope of work to bring costs down. Lighting was looked at as being cut back. It could save approximately \$330,000.00. Commissioner Papenfuss asked if the lighting part could be pushed back to next year. Discussion followed about that possibility. American Crystal stated they did not have a problem with that. American Crystal stated their capital projects funding would not be approved until December because their fiscal year starts in September so this year's funding has been allocated already. There is a very short time period for this project to be finished because of sugar beet harvest. They need to confirm that the lighting delay would not affect the ag grant that was received. Mr. Daley didn't feel it would be an issue. Discussion on making a change order to extend the completion date of the lighting portion of the project. This will give American Crystal time to see if they can contribute to the project. Commissioner Becker stated he wholeheartedly supports this from a safety aspect and wants to see it happen. Motion by Scot Becker and seconded by Blaine Papenfuss to approve the award and have Chairman Hardy sign off on the bid award. Roll call: Patrick Hardy, yes; Scot Becker, yes; Blaine Papenfuss, yes. Motion carried.

Jeff Daley stated there will be a bid opening set for the bridge on County 12 southwest of Crystal on Friday.

Devin Johnson presented two culvert requests for Bathgate Township. The first is one west of Bathgate by Landis McDonald. The culvert is too short for trucks to make a turn. Motion by Blaine Papenfuss and seconded by Scot Becker to approve the culvert request located in the SE Quarter of Section 2, Township 162, Range 53. All voting in favor, motion carried.

The second request for Bathgate township is in SE Quarter, Section 10, Township 162, Range 53. It is one mile south of the previous request. This one is also too short for trucks to make turns. Motion by Blaine Papenfuss and seconded by Scot Becker to approve the permit. All voting in favor, motion carried.

The third request is for a culvert request is for the SE Quarter, Section 9, Township 162, Range 53. Discussion followed about the diameter. Motion by Blaine Papenfuss and seconded by Scot Becker to approve the culvert request. All voting in favor, motion carried.

Devin then presented a chip bid. It was from Gowan Construction for \$19.00 per ton with a 27 ton per mile delivery fee. This was the only bid received for chips. Motion by

Scot Becker and seconded by Blaine Papenfuss to approve the bid. All voting in favor, motion carried.

Devin then presented asphalt oil bids. The first one is for MC3000 at \$3.41 from Cenovus. MC3000 is the crack sealing oil.

The second bid received was from Flint Hills Resources. Their bid for CRS2P for \$2.76 per gallon delivery. This is chip sealing oil. The bid for the CQS1HP for the mini-mac was for \$2.87 per gallon delivered. The bid for the CSS1HD50 which is the fog sealing oil for \$1.31 per gallon delivered.

The third bid was from Western Asphalt. The bid for the CSS1HD50 was \$1.34 per gallon. The bid for the CRS2P was \$2.37 per gallon and the bid for the CQS1HP was \$3.33 per gallon.

Motion by Blaine Papenfuss to approve the bid from Cenovus for the MC3000 oil. All voting in favor, motion carried.

Motion by Blaine Papenfuss and seconded by Scot Becker to approve the bid from Flint Hills Resources for all other oils. All voting in favor, motion carried.

Devin stated he reached out to Sourcewell for bids to replace the rubber-tired backhoe. He received bids from John Deere and General Equipment. This would be a government lease program. John Deere's bid was for \$106,440.18 and General Equipment's was for \$154,750.00. Motion by Blaine Papenfuss and seconded by Scot Becker to approve the lease agreement with John Deere. All voting in favor, motion carried.

Human resource training options discussed. Discussion on having Tanya Wieler conduct a training with department heads. She proposed the full training covering the material over two different days and her flat fee range would be between \$500.00 and \$1000.00. Motion by Scot Becker and seconded by Blaine Papenfuss to have Tanya Wieler set up the training. All voting in favor, motion carried.

The Commission reviewed the April payroll and claims. Motion made by Scot Becker and seconded by Blaine Papenfuss 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 10:55 AM.