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BOARD OF PEMBINA COUNTY COMMISSIONER'S PROCEEDINGS

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November 18, 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: Scot Becker, Blaine Papenfuss, Darin Otto, Andrew Cull. Absent: Patrick Hardy. A quorum was declared.

Also, in attendance were: Zelda Hartje, Rebecca Davis, Lisa Keney, Tax Director; Missy Morden, Clerk/Recorder; Bill Gunderson, Randy Emanuelson, Don Kemp, LuAnn Kemp, Robert Fleming, Mike Ferrie and Zach Herrmann, Houston Engineering; Devin Johnson, Highway Superintendent; Tim Moore, Daniel Dearing, Curtis Olafson, Cody Werven, Jessica Werven, Ted Zaharia, Kirk Morrison, John Morrison, Dan Aubol, Jason Tryan, Kelly Cluchie, Maintenance; Kelsey Dawson, Deputy Auditor/Treasurer; Garret Fontaine, States Attorney.

Motion made by Andrew Cull and seconded by Blaine Papenfuss to approve the agenda with the addition of the Safe Kids Grant. All voting in favor; motion carried.

The public comment portion was started at 9:01 AM.

The public comment portion was closed at 9:17 AM.

Motion made by Blaine Papenfuss and seconded by Scot Becker to approve the October 30th, 2025 special meeting minutes. All voting in favor, motion carried.

Motion made by Scot Becker and seconded by Blaine Papenfuss to approve the November 4th, 2025 meeting minutes. All voting in favor, motion carried.

Motion by Scot Becker and seconded by Blaine Papenfuss to approve the Repurchaser Deed as presented. All voting in favor, motion carried.

Motion by Andrew Cull and seconded by Scot Becker to approve and have Chairman Otto sign the Certification of Local Match of BRC-0099 (015). All voting in favor, motion carried.

Discussion on beer and liquor license fees. Motion by Andrew Cull and seconded by Blaine Papenfuss to leave the license fees as they are. All voting in favor, motion carried.

Motion by Blaine Papenfuss and seconded by Scot Becker to approve and have Chairman Otto sign the Safe Kids Grant Application. All voting in favor, motion carried.

The water board met with the commission and gave updates. They received an email from the state inspectors this week. The state inspectors ran a camera through Olga which is upstream from Bourbanis. Liners were put in seven dams in 1984. The liner for Olga has failed. That is what happened to the Bourbanis dam. It will need to be addressed as soon as they can. They will work with the NRCS on it. They are the agency that had the liners put in. Mike Ferrie gave an update on the Renwick project. He stated it is close to completion with getting the riprap placed along the channel. He stated then it would just be getting the park cleaned up and their road back to normal. Commissioner Becker stated it has been going smooth with minimal interruptions at the park. Seeding will be done in the spring. Apex Drainage was the contractor for the Renwick project. The emergency action planning is still on track for this winter. Don Kemp mentioned the Red River Joint Board asked about all the dams in Walsh, Pembina and Grand Forks Counties. There are approximately 30 of them the same age that will be in need of repairs. They are on an inspection schedule by the state and they rate them and problems will be addressed as needed. There is outside funding available for these types of projects.

Lisa Keney, Tax Director arrived at the meeting at 9:43 AM.

Missy Morden, Clerk/Recorder arrived at the meeting at 9:50 AM.

Kelly Cluchie, Maintenance Supervisor arrived at the meeting at 9:57 AM.

Devin passed around pictures of the finished bridge northwest of Bathgate with the Texas crossing installed by Triple D Construction.

Devin then passed around three reimbursement requests for the ER projects from 2022 and asking for the approval and to have Chairman Otto sign them. It is for 100 percent reimbursement for the immediate work that was done. Motion by Blaine Papenfuss and seconded by Scot Becker to have Chairman Otto sign the requests. All voting in favor, motion carried.

Devin gave an update on the site 10 rehab project. They started it today. The change orders were approved so they could move forward with the project as approved.

Devin presented the annual Maintenance Certification for the Federal Aid projects we did stating we maintain them. Motion by Blaine Papenfuss and seconded by Scot Becker

to approve and have Chairman Otto sign the certification. All voting in favor, motion carried.

City speed signs discussed. Those need to go through the state. Kelly Cluchie stated when the City of Cavalier got theirs installed, they had to go through the state. Devin stated the only thing the county could possibly do is write a letter of support or call the district NDDOT and voice support.

A Santa Parade entry was discussed. Kelly will organize it.

Kelly Cluchie discussed installing a door at the Social Service building. He also discussed different locks to be installed. He said a steel door with a half window would be approximately \$800.00 plus putting a keypad on it. Motion by Blaine Papenfuss and seconded by Andrew Cull to go ahead and get the door and keypad and install it. All voting in favor, motion carried.

Kelly then asked if the courthouse could be closed the Friday after Christmas day. He said it comes around approximately once every four years. Chairman Otto mentioned the county cannot always be competitive on wages and this would be a way of giving the employees something. Motion by Blaine Papenfuss and seconded by Scot Becker to close the courthouse on December 26th, 2025. All voting in favor, motion carried.

Kelly then gave an update on the AED machines. They will find out next week if we were approved for one or two.

Tim Moore and Curtis Olafson addressed the commission on the City of Mountain area where there is no record of ownership of certain areas. Tim Moore discussed how he understands the City of Mountain's city limits. He stated some is described as township property in the recorders' office. He stated he has been in many times to try and figure out who owns certain areas. He is asking the county to say who owns the property. Curtis Olafson introduced himself and stated his niece and husband are looking at this area to build a library for the Icelandic community and he wants to help facilitate it. He stated these areas are untaxed areas because there is no ownership on record. He stated it is no fault to the county but is because people sold property for cash, swapped property, etc. and estates weren't settled and documents weren't recorded properly with the county.

States Attorney Fontaine said Commissioner Becker reached out to him regarding this issue. He stated there are estate issues which is a private matter and the county is not obligated to fix estates. He stated the primary problem seems to be determining ownership. He stated when parcels are not dealt with an estate properly, there are procedures and civil private attorneys have to reopen estates, redraft deeds and redo that process, it's a private, civil matter. He stated as far as the county can go, he could possibly look into trying to determine who the last owner of record was. He stated there

was mention of buying it then it's back to a civil matter. The county doesn't get to determine you own it so you sell it to this person. He said it's likely it wasn't dealt with an estate properly and then it's back to a civil matter and a private attorney would have to go back and do the proper filing. He said this keeps going back to it's a private matter that needs to be dealt with by a private attorney. He said if the commission would like, he can go through the records and try and determine if he can find the last registered owner of it. He stated the county stops there. He also stated it could be determined to be abandoned. Mr. Olafson stated there were estates that were never settled that are a major part of the problem. He said it would be very helpful if States Attorney Fontaine could look into it. Mr. Fontaine stated most avenues are going to result in, at some point, a private attorney having to do the bulk of the work but trying to determine where it's plotted. There is a belief it may not be in the office upstairs but he can take a look to try and determine ownership. Mr. Olafson said he and Mr. Moore spent two hours looking to try and find that information. He stated the ladies up there were very helpful. Mr. Moore and Mr. Olafson then discussed a 20-foot-wide alley that runs through there and want to verify that is city property. Mr. Fontaine then asked them if they confirmed with Lisa Keney, the Tax Director that no property taxes are being paid on these parcels. Ms. Keney confirmed she knows where the parcel is located and there is no parcel number for it so no taxes are being paid. Mrs. Keney stated a lot of people have reached out who want to buy this property. Motion by Scot Becker and seconded by Blaine Papenfuss to have States Attorney Fontaine look into the parcel that is being asked about. Mr. Fontaine asked for a map to determine exactly which area they exactly want investigated. He stated he would start with the one parcel in question. Commissioner Becker said he cannot stress how important this is to get figured out because of the cultural heritage of the Icelandic community. He also said it is very important to Mr. Knutson for his towing service. Mr. Olafson stated this library will be developed by a nonprofit organization, Icelandic Roots. All voting in favor, motion carried.

Lisa Keney, Kelly Cluchie and Missy Morden left the meeting at 10:54 AM.

Chairman Otto read the foreclosure sale stipulations as follows: All payments are due by the close of the business day by cash or cashier's check and you must be current on all property taxes to bid.

Bid on property described as Lots 1 & 2, Block 4, Glasston Village, St. Thomas Township of \$50.00 received from Cody and Jessica Werven.

Bid on property described as Lots 10-12, Block 9, Glasston Village, St. Thomas Township of \$50.00 received from Cody and Jessica Werven.

Bid on property described as Lots 3 & 4, Block 11, Glasston Village, St. Thomas Township of \$75.00 received from Cody and Jessica Werven.

Bid on property described as Lots 3-4, Block 17, Bathgate City of \$100.00 received from Jason and Jessica Tryan.

Bid on property described as Lot 9, Block 18, OT Bathgate City of \$150.00 received from Eric K Morrison.

Bid on property described as Lot 6, Block 27, Bathgate City of \$200.00 received from Eric K Morrison.

Bid on property described as Lots 7-8, Block 27, Bathgate City of \$150.00 received from Kirk Morrison.

Bid on property described as Lots 1-2, Block 28, Bathgate City of \$150.00 received from Bathgate City.

Bid on property described as Lot 12, Block 32, Bathgate City of \$200.00 received from Dan Aubol.

Bid on property described as Lot 18, Block 2, Sigfusson's Add, Mountain City of \$4,000.00 received from Cody & Jessica Werven.

Bid on property described as Lots 16-18, Block 1, Einarson's Add, Mountain City of \$125.00 received from Rebecca Davis.

Bid on property described as N 25' Lot 3 & S 45' Lot 4, Block 2, Jenson's 1st Add, Neche City of \$1000.00 received from Daniel Dearing.

No bid received on Lot 5, Block 13, OT, Pembina City.

No bid received on Lots 13 & 14, Block 7, OT, St. Thomas City.

Bid on property described as Lots 8-12, Block 38, OT, St. Thomas City of \$200.00 received from Rebecca Davis.

Bid on property described as Lot 3, Block 60, OT, Walhalla City of \$1000.00 received from Cody & Jessica Werven.

Bid on property described as Lot 4, Block 60, OT, Walhalla City of \$250.00 received from Cody & Jessica Werven.

Bid on property described as Lot 4, Block R, Emmerling's 1st Add, Walhalla City of \$500.00 received from Cody & Jessica Werven.

Bid on property described as Lot 5, Block R, Emmerling's 1st Add, Walhalla City of \$500.00 received from Cody & Jessica Werven.

Motion by Scot Becker and seconded by Blaine Papenfuss to confirm and accept the high bids of the foreclosure sale. All voting in favor. Motion carried.

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

Motion made by Andrew Cull to adjourn the meeting. All voting in favor; motion carried. Meeting adjourned at 11:30 AM.