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BOARD OF PEMBINA COUNTY COMMISSIONER'S PROCEEDINGS

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October 20, 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, Darin Otto, Andrew Cull. A quorum was declared.

Also, in attendance were: Zelda Hartje; Kristi Kasprick, JDA Director; Ted Juhl, Donald Kemp, William Gunderson, Luann Kemp, Rob Fleming, Mike Ferrie, Houston Engineering; Devin Johnson, Highway Superintendent; Jeff Daley, KLJ Engineering.

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

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

Kristi Kasprick addressed the commission on her new position as JDA director and handed out a packet to the commission. She just wanted to take the time to introduce herself to the commission and let them know what she is working on and how things are going. She thanked the commission for the approval of the JDA budget and recognized it is taxpayer dollars to be used wisely in the county.

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

Motion made by Scot Becker and seconded by Darin Otto to approve the October 6th, 2026 meeting minutes. All voting in favor, motion carried.

Auditor Gapp presented the renewal agreements with Counties Providing Technology which is the software used for taxes, general ledger, payroll, etc. Motion by Blaine Papenfuss and seconded by Scot Becker to approve and have Chairman Hardy sign the renewal agreements. All voting in favor, motion carried.

A corrected deed was presented by Garret Fontaine, States Attorney, who was contacted by Dustin Slaamod of Fleming Dubois. He explained an error in the legal description was made back in 2010 from a foreclosure sale. He stated this corrected

deed is only to correct that legal description. Motion by Andrew Cull and seconded by Scot Becker to approve and sign the corrected deed. All voting in favor, motion carried.

Discussion on a notice for snow on the road. Last winter there was snow pushed onto an intersection. States Attorney Fontaine stated there is a century code to provide for this notice. States Attorney Fontaine will get the appropriate century code information to the auditor so a notice can be written. States Attorney Fontaine stated there are also rules in our zoning ordinance in regards to this. Motion by Blaine Papenfuss and seconded by Darin Otto to create the notice and publish it in the paper. All voting in favor, motion carried.

Discussion on Noel Tharalson's request. States Attorney Fontaine stated he is still working on this request as it is in regards to employment law. He gave an update on where he is at with the request. He stated he discussed the information provided by Mr. Tharalson with the previous HR director, Tanya Wieler. She stated it was in fact approved by a previous commission. He will have a concrete answer at the next meeting. Motion by Andrew Cull and seconded by Blaine Papenfuss to have Mr. Fontaine present this at the next meeting. All voting in favor, motion carried.

Don Kemp and Mike Ferrie of Houston Engineering gave water board updates to the commission. Mr. Kemp stated Renwick is still silting in a lot in the west end. He then stated there is a group still working on prioritizing the needs of the dams in the Red River Basin. He stated they are draining down water in the dams to prepare for the snag and clearing. Mr. Ferrie said the City of Pembina dam bid opening will be coming up in a couple weeks. It is a joint project sponsored by the City of Pembina and water resource district. There is zero local cost. They stated it is a very good project put in place with no local cost. It will improve fish passage. Mr. Ferrie stated regarding the cutoff, they applied for a construction permit and it is under review at the state. He stated they are also working on getting the required easements. Commissioner Cull said he was asked by Rick Kemnitz why the dam was dropped so low, but it was answered earlier by the update on the preparation of the snag and clear. Commissioner Becker stated that originated with him doing maintenance at the beach at the park and he cleared it with his boss and the water board. Mr. Becker said they shut it off and he doesn't believe Mr. Kemnitz was ever without water. Mr. Cull then asked about the west end of Renwick. He said it has been an ongoing problem. Mr. Fleming stated there is no money for it. Mr. Fleming said it is silt and sediment coming in. Mr. Fleming stated they have looked at it, but they could not get the land owner to agree to it so they lost the funding for it. He stated there is no real solution for it. Commissioner Otto said he was contacted by J.G. Beattie regarding a gate north of his place that got hit. The water board is aware and looking into it.

Devin passed a picture around of the bridge by Hamilton which was damaged by an implement. He stated they did a temporary fix because of beet harvest. He stated they

will watch it in the spring and see what happens. Commissioner Cull stated it maybe should be cemented in. Mr. Daley said they could do grouted rip rap around it.

Devin Johnson presented a utility permit application from LTS Communication Services for the intersection of Highway 55 and 129th which is one mile east of State 32. Motion by Andrew Cull and seconded by Blaine Papenfuss to approve the permit. All voting in favor, motion carried.

Devin then presented a culvert request from Ron Symington in Section 12 of St. Joseph Township. Mr. Symington would like two 40 feet. Devin would like two 48 feet. Devin did not have the cost available right now. Devin stated he has to clean the snow out of that ditch every spring. Motion by Blaine Papenfuss and seconded by Darin Otto to table it until the next meeting to find out the cost.

Discussion on road closed in Park Township and what should be done with the bridge that is there. Mr. Biliske is interested in it and would like to move it to his yard. Discussion on whether the county could use it anywhere else. Devin did not feel it could be used anywhere else. Devin will have him come to the next meeting for discussion.

Discussion on bill from Helm's. Commissioner Papenfuss stated the township should also put something into it and the rest should be taken off the millings. Motion by Blaine Papenfuss and seconded by Scot Becker that the township should pay half and the county half be paid from the millings. Roll call: Pat Hardy, yes; Scot Becker, yes; Blaine Papenfuss, yes; Darin Otto, yes; Andrew Cull, yes. Motion carried.

Mr. Daley gave updates on projects. They are working on the Pembina County 12 bridge by Crystal working on the guardrail right now and when that is complete Gowan can come back and remove the temporary bypass. Striping is also needing to be done. The road may open a few days before the striping can be done.

Wagner finished the blanket and completed the north bound lane paving on the Rock Pier project by Leroy. They will be back in approximately two weeks to finish the rock pier work. The project should be done by November 30th.

The Pembina County structure rehab projects are moving forward. Key Contracting came up and finished the pile repair work on site 10 and site 12. They will get the information to the DOT so they can get up here for inspection for reopening. Site 9 is still being worked on. They are waiting on supplies.

The Pembina County 44 project construction has slowed because of beet harvest for safety reasons. American Crystal stated they should be done by Thursday. KLJ will be meeting with Reede on site to go over what there is left to do. There are a couple of areas that need to be addressed. The lighting contractor is scheduled to come back next week and continue their work. The turn lane radius area on the north end was

discussed. Mr. Daley stated there were LD's assessed to Reede because the substantial completion wasn't done by the date on the contract. Reede Sent a letter stating they felt they shouldn't have been assessed the liquidated damages and all retainage should be released. KLJ will reply back they feel it should stand.

Mr. Daley stated when meeting with the DOT at the Association of Counties, they stated the transportation bill is extended through December of 2026, but there is no BRJ funding right now for 2027 bridge projects. The DOT stated they would like counties to give a four-year project layout so they can start planning for needs throughout the state.

Commissioner Cull asked Mr. Daley about the railcars as bridges possibility. Mr. Daley gave the recap of what the DOT wants to see for these types of projects. There are a lot of things that would need to be done before it could move forward. Old plans would have to be located first.

The appraisal hearing on foreclosed property was held at 10:15 AM. No attendance by city or township individuals. The sale of County property will be held on Tuesday, November 17, 2026 in the Farmer's Room of the Courthouse beginning at 11:00 AM.

Commission reviewed the September financial report and claims. Motion made by Darin Otto and 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 10:27 AM.

