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BOARD OF PEMBINA COUNTY COMMISSIONER'S PROCEEDINGS

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October 6, 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, Darin Otto. Absent: Blaine Papenfuss, Andrew Cull. A quorum was declared.

Also, in attendance were: Zelda Hartje, Cory Mortensen, Interim Sheriff; Knute Gjovik, Chief Deputy; Garret Fontaine, States Attorney; Samantha Diemert, Emergency Manager; Samantha Weeks, IT/911; Devin Johnson, Highway Superintendent; Jeff Daley, KLJ Engineering.

Motion made by Darin Otto and seconded by Scot Becker to approve the agenda with the addition of the Beverage Application from Highway 5 Fuel & Bottle LLC. All voting in favor; motion carried.

The public comment section of the meeting started at 9:03 AM.

The public comment section of the meeting closed at 9:19 AM.

Motion made by Scot Becker and seconded by Darin Otto to approve the September 15, 2026 meeting minutes. All voting in favor; motion carried.

Discussion on November 3rd regular commission meeting. Motion by Scot Becker and seconded by Darin Otto to move the November 3rd meeting to October 27th due to the election being held on November 3rd. All voting in favor, motion carried.

Discussion on parcels on foreclosure list.

Motion by Darin Otto and seconded by Scot Becker to appoint Andrew Cull as the North Dakota State Fair delegate. All voting in favor, motion carried.

Discussion on ADA website compliance. Samantha Weeks stated Pembina County's website has been ADA compliant since March of 2026. There is a statement on our website from our developer that the website has met all conditions.

Discussion on SORN equipment. The equipment would go to the state radio location and they would maintain and insure it. We would still own the equipment. The equipment will be outdated in three years. The state is planning on locating it in a backup center. Motion by Scot Becker and seconded by Darin Otto to allow the state to lease the equipment. No vote taken. Motion died. States Attorney Fontaine asked what the agreement entails. There is no agreement at this time. Sam Diemert explained all they need today is to see if the county is interested in the potential lease. Motion by Scot Becker and seconded by Darin Otto to continue and express interest in leasing or renting the SORN equipment to the state. All voting in favor, motion carried.

Cory Mortensen discussed the vehicle that was up on bids. There were no bids received. He stated per NDCC 11-27-01 if the commission values the vehicle for less than \$1,000.00, it can be sold privately. He stated it is a 2016 Ford Explorer. Motion by Darin Otto and seconded by Scot Becker to set the value at \$850.00. All voting in favor, motion carried.

Mr. Mortensen then discussed the NDDOT speed enforcement grant. He stated it has been submitted and approved so there will be extra funds for extra enforcement.

He discussed requests from the City of Walhalla regarding deputies to work shifts on their time off in the City of Walhalla. He stated there are 3 deputies interested. He stated the city is aware they have to be on the city's WSI policy. Chairman Hardy stated he spoke with Chris and they would be paid hourly. Mr. Fontaine outlined what is required for outside employment. He stated he does not envision any conflict of interest. Motion by Darin Otto and seconded by Scot Becker to allow the outside employment for the three deputies. Commissioner Otto stated he feels it is necessary to help our communities when needed. Discussion on use of equipment. All equipment they will use is owned by the city. All voting in favor, motion carried.

Cory then stated Pat Moreland, the weight enforcement officer, will be deployed and won't be available for next year's beet season. He asked the commissioner's feelings on training some deputies to do the duties and paperwork to carry those duties out. Cory stated Walsh County is currently training a deputy in for coverage. Motion by Scot Becker and seconded by Darin Otto to go ahead with training the deputies interested in helping with that. All voting in favor, motion carried.

Devin presented a culvert request from Luke Longtin to widen an approach to a field by adding to the current culvert located in the NW quarter of Section 9, Township 162, Range 55. Motion by Darin Otto and seconded by Scot Becker to approve the culvert request. All voting in favor, motion carried.

He then presented a drainage permit for Jeremy Morrison to clean out a ditch located along County 1, Section 7, Township 162, Range 53. Motion by Scot Becker and

seconded by Darin Otto to approve the drainage permit. All voting in favor, motion carried.

Devin presented a grant opportunity from the NDDOT regarding railroad crossing safety. He would like to see arms added to the crossing in Backoo on County 12. There is also one without arms on County 9. He will apply for both of those.

Devin then discussed the ad that goes out for the mowing each year and to why the height requirement was removed from the ad. He was asked by a township officer why it was removed. He handed out the minutes from the meeting where it was removed by the commission in 2023. Discussion followed on standard height requirement. Motion by Darin Otto to add the 4-inch height requirement back in and seconded by Scot Becker. Discussion followed. Mr. Otto then amended his motion of the 4 inches to the top ten feet. Seconded by Scot Becker. All voting in favor, motion carried.

Devin then presented a bill from Helm's for the old 44 township road fix where they put millings down to repair. Discussion followed on who is paying the bill. Motion by Darin Otto to put it on the next agenda to discuss. Second by Scot Becker. All voting in favor, motion carried.

Jeff Daley of KLJ gave updates on projects. Jeff and Devin met with the DOT and did final inspections on the box culvert project west of Hensel and two in-slope improvement projects.

The County 12 bridge southwest of Crystal is getting ready to be paved next week. Looking for completion in the next two weeks.

Pembina County 12 rock pier project north of Leroy concrete blanket will be done then the rock pier piling will be done after that. Should be finished within 3 weeks.

The last concrete was poured on the County 44 project last week. Since the temps have been warm with shutdowns, they will work during those times to finish up some items. Jeff stated they stressed safety is the most important thing however. He then presented another pay estimate in the amount of \$1,689,000.00. Devin stated we need to have another meeting with American Crystal regarding funding because the Prairie Dog funds are now depleted. Motion by Darin Otto and seconded by Scot Becker to have the chairman sign the pay estimate. All voting in favor, motion carried.

Discussion on railcars to be used as bridges. The DOT gave a list of requirements to do it. One was railcars must be placed on an engineered substructure with plans sealed by a PE. He stated he hoped the existing substructure could be used. They would also require a load rating. They also stated it may need to be classified as a NSTM bridge which requires more inspections. Devin will try and find plans from when the bridge was done and any updates that were completed.

Mr. Daley stated our time to meet with the DOT at the county conference next Monday is 3:45 PM.

Mr. Daley said he spoke with Key Contracting and the pile repair supplies are still in transit. They are temperature sensitive. They will come up and get it taken care of as soon as they get the supplies if weather permits.

Discussion on liquor license application for Highway 5 Fuel and Bottle. The person purchasing the business is Raven Mydland. Motion by Darin Otto and seconded by Scot Becker to approve the application for Highway 5 Fuel & Bottle LLC. All voting in favor, motion carried.

Discussion resumed on the minimum bids for the property on the foreclosure list. Motion by Darin Otto and seconded by Scot Becker to set the minimum bids as presented and set the appraisal hearing for October 20, 2026. All voting in favor, motion carried.

The Commission reviewed the September payroll and claims. Motion made by Darin Otto and seconded by Scot Becker to approve the consent agenda as presented. All voting in favor, motion carried.

Motion made by Darin Ott to adjourn the meeting. All voting in favor; motion carried. Meeting adjourned at 10:36 AM.