

The following are "unofficial minutes" subject to change at the next meeting.

BOARD OF PEMBINA COUNTY COMMISSIONERS PROCEEDINGS

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April 18, 2023

9:00 AM

Board of Pembina County Commissioners met in the Commissioners Meeting Room of the Courthouse. Chairperson Benjaminson called the meeting to order at 9:01 AM.

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

Motion made by Blaine Papenfuss and seconded by Andrew Cull to approve the agenda with the following changes/additions: letter of recommendation for engineering services for bridge projects, 2023 Ag land reappraisal update, a raffle permit request, County deed, a letter of support for the proposed NRWD Interconnect project in Walsh County, and a request for a letter of support from the City of Walhalla. All voting in favor; motion carried.

Motion made by Darin Otto and seconded by Laverne Doyle to approve the April 4, 2023 minutes as presented. All voting in favor; motion carried.

Motion made by Andrew Cull and seconded by Blaine Papenfuss to authorize a proxy vote to the Chairperson of NDIRF for such business as may properly come before the meeting. All voting in favor; motion carried.

Motion made by Blaine Papenfuss and seconded by Laverne Doyle to authorize a proxy vote to the Chairperson of Ameritas for such business as may properly come before the meeting. All voting in favor; motion carried.

Commissioner Benjaminson read a letter from the City of Walhalla, to Senators Hoeven and Cramer, Representative Armstrong, Governor Burgum and Area Port Director Christopher Misson, requesting the immediate re-opening of the American-Canadian Ports of Entry to the pre-pandemic hours of operation and lift any remaining pandemic restrictions for Canadians wishing to enter the U.S. Walhalla City is requesting a letter of support from the Commission to open the border to pre-pandemic hours of operation and to lift remaining pandemic restrictions. Motion made by Blaine Papenfuss and seconded by Darin Otto to send a letter supporting Walhalla City's request. All voting in favor; motion carried.

Construction engineering interview committee for Project BRJ-0034(036), PCN 23718 and Project BRC-3411(062), PCN 23736, for the rehabilitation of three bridges and replacement of one bridge, presented their recommendation to the Commission. The interview committee consisted of Devin Johnson, Laverne Doyle and Linda Schlittenhard. Motion made by Laverne Doyle and seconded by Blaine Papenfuss to award the engineering contract to Kadramas, Lee & Jackson. Discussion followed. Roll call vote: Jim Benjaminson – yes; Laverne Doyle – yes; Blaine Papenfuss – yes, Darin Otto – yes; Andrew Cull – yes. Motion carried.

Commission reviewed an update regarding the Pembina County 2023 Agricultural Land Reappraisals. Mikka Willits, Tax Director, is requesting permission to publish an informational update on how Agricultural Land Reappraisals were completed. The update should be sent to all county newspapers. Motion made by Andrew Cull and seconded by Blaine Papenfuss to authorize the publishing of the update in all county newspapers, the Walsh County Record and Walsh County Press. Roll call vote: Jim Benjaminson – yes; Laverne Doyle – yes; Blaine Papenfuss – yes, Darin Otto – yes; Andrew Cull – yes. Motion carried.

Raffle permit request received from Pembina County Historical Society. Motion made by Andrew Cull and seconded by Darin Otto to approve the raffle permit as presented. All voting in favor; motion carried.

Motion made by Laverne Doyle and seconded by Darin Otto to authorize the Chairperson to sign the County deed for property described as the W 28' Lot 3, All Lot 4, E 27' & S 67' W 50' Lot 5, Block 2, Venton's 2nd Addition, City of Crystal, Parcel 28-1460000. All voting in favor; motion carried.

Commission reviewed information from AE2S Engineering related to the proposed NRWD Interconnect project in Walsh County. The Walsh Rural Water District is working to secure funding through USDA for the system expansion project and are requesting a letter of support from Pembina County confirming the project is not in conflict with any Pembina County development plans. Motion made by Laverne Doyle and seconded by Blaine Papenfuss to authorize the Chairperson to sign a letter of support for the Walsh County project. All voting in favor; motion carried.

Board received 13 bids for rental of road machinery. Motion made by Laverne Doyle and seconded by Blaine Papenfuss to accept all bids that meet the bidding requirements as advertised. Hiring of contractors based on availability and price. All voting in favor; motion carried. Listing will be prepared for the May 2, 2023 meeting.

Board reviewed the March financial statement and claims. Motion made by Laverne Doyle and seconded by Andrew Cull to approve the consent agenda as presented. All voting in favor; motion carried.

Water Board members meeting with the Commission were Don Kemp, Bill Gunderson, Ted Juhl and Randall Emanuelson. Also present were LuAnn Kemp, Water Board Secretary, Robert Fleming, Water Board Attorney, and Paul LaClaire, Houston Engineering. Paul updated the Commission on the Tongue River Cut-off project, the Tongue River Snagging & Clearing project, the NRCS sponsored project for the restoration of the Tongue River east of Senator Young Dam, the rehabs on Senator Young Dam and Olson Dam, Bourbanis Dam Emergency Water Protection project, the rehab on Herzog Dam, Drain 81 repairs, and drain maintenance and clean-outs on the east side of the county. Paul discussed the Drain 66 project. Vice-Chair Kemp informed the Commission of the monetary benefits the Pembina County Water Board has received for the Bourbanis Dam project from the Red River Joint Water Resource District. Kemp would appreciate the Commission's continued support of the levy. Vice-Chair Kemp also discussed Herzog Dam, Senator Young Dam and the vandalism on Goschke Dam. Water Board Attorney discussed banning individuals the right to clear snow or drain water from ditches or cut roads without permission from the County, township, or Water Board.

Motion made by Blaine Papenfuss and seconded by Darin Otto to adjourn the meeting. All voting in favor; motion carried. Meeting adjourned at 10:38 AM.

States Attorney Fontaine requested to speak with the Commission. Motion made by Blaine Papenfuss to rescind his original motion to adjourn and reopen the meeting. Second by Laverne Doyle. All voting in favor; motion carried.

State's Attorney Fontaine presented information on the new National Opioids Settlements reached with Teva, Allergan, CSV, Walgreens, and Walmart. Attorney Fontaine is recommending the county participate in the settlement. Motion made by Blaine Papenfuss and seconded by Laverne Doyle to authorize Nachawati Law Group to sign the participation forms allowing Pembina County to participate in the new settlement. Roll call vote: Jim Benjaminson – yes; Laverne Doyle – yes; Blaine Papenfuss – yes, Darin Otto – yes; Andrew Cull – yes. Motion carried.

Motion made by Blaine Papenfuss and seconded by Darin Otto to adjourn the meeting. All voting in favor; motion carried. Meeting adjourned at 10:40 AM.