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## BOARD OF PEMBINA COUNTY COMMISSIONERS PROCEEDINGS

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December 7, 2021

8:30 AM

Board of Pembina County Commissioners met at 8:30 AM in the Farmers Room of the Pembina County Courthouse with the following members present: Jim Benjaminson, Laverne Doyle, Nick Rutherford, David Moquist, and Andrew Cull. Terin Riley, Fleming, Dubois & Fleming, PLLP, and Clyde Reilly also in attendance.

Chairperson Doyle called the meeting to order at 8:36 AM.

Motion made by Nick Rutherford and seconded by Jim Benjaminson to approve the Special Meeting minutes of November 10, 2021, as presented. All voting in favor; motion carried.

Motion made by Jim Benjaminson and seconded by Andrew Cull to approve the minutes of November 16, 2021, as presented. All voting in favor; motion carried.

Motion made by Andrew Cull and seconded by Jim Benjaminson to approve the agenda with the following additions: County deeds, Leyden Railroad crossing and Tom Beard, Cavalier School Board Member. All voting in favor; motion carried.

Mr. Beard informed the Commission of a program offered through the State, utilizing \$88M in Federal Coronavirus funding, for capital projects investment. Mr. Beard presented a handout related to Cavalier School's opportunity to become a satellite site for North Valley Career and Technology Center. Benefits of North Valley memberships include representation on the North Valley Board, access to new program areas at Cavalier and North Valley (Grafton), state reimbursement at higher rates, teachers with industry experience expanded career exploration opportunities, work-based learning opportunities and dual credits and college articulation of credits through Lake Region and NDSCS. The Cavalier Public School Facility is considering adding four CTE classrooms to the existing building which would include Health Science, Information Technology, Business Education and Agricultural Education, as well as a greenhouse which would be used by the agricultural department. The project is set to increase educational opportunities which would retain labor force, prepare students for career opportunities and provide adult and community education. This would be available to Pembina, Walhalla and Langdon students, with all schools showing interest in utilizing the programs offered. They have talked with several businesses in the area to gauge

the interest in the project and are requesting the Commission consider investing in the project. Commissioner Moquist requested the expected costs for the project. The preliminary cost is \$2.6M for the project with a 50% match from the state, which leaves \$1.3M to be raised prior to moving forward with the project. In-kind donations could also be used to reach the goal. Funding does not have to be paid out at one time, but can be pledged over a few years. A letter of support would be needed by the end of the year. Decision tabled until the December 21, 2021 meeting.

Pembina County JDA minutes of August 19, 2021 were reviewed.

The NDDOT annual Maintenance Certification for County Federal Aid projects was reviewed. The certification states that Pembina County is properly maintaining the projects that had federal aid for construction. Motion made by Jim Benjaminson and seconded by Dave Moquist to authorize the Chairman to sign the agreement as presented. All voting in favor; motion carried.

Sheriff Terry Meidinger updated the Commission on the ad for the sale of the 2016 Expedition, that the desk for the correctional officers has been installed, and informed them Pembina City contacted him requesting the Law Enforcement contract be revisited due to the declining population. Drayton City and Walhalla City Law Enforcement contracts were discussed. Sheriff Meidinger discussed the additional coverage the county has in the Drayton area due to them having only one officer and requested to increase the Law Enforcement contract with Walhalla City to \$25,000.00 annually due to the city now having two officers. Motion made by Nick Rutherford and seconded by Jim Benjaminson to increase the contract to \$25,000.00 annually for Walhalla City, beginning in 2022. All voting in favor; motion carried. Discussion followed on a Tri-County Jail and impounded vehicles.

Motion made by Andrew Cull and seconded by Dave Moquist to approve the county deeds for the property that was sold at the annual County Sale. All voting in favor; motion carried.

Commissioner Benjaminson discussed a phone call he received requesting the speed limit on County Road #1, by the railroad crossing near Leyden, be increased from 25 MPH to 45 MPH since the crossing has been repaired. Motion made by Jim Benjaminson and seconded by Nick Rutherford to approve the speed limit increase to 45 MPH. Discussion followed. All voting in favor; motion carried. Commissioner Benjaminson will contact the Highway Department to change the signs.

Board discussed the upcoming 2022 primary and general elections process to be used in Pembina County. Motion made by Nick Rutherford and seconded by Jim Benjaminson for Pembina County to continue with vote by mail elections in 2022. For those choosing to vote in person on Election Day, rather than in advance by

mail, there will be one polling place available in the county for the primary and general election. The polling site will be in the Farmer's Room of the Pembina County Courthouse in Cavalier. Discussion followed on redistricting of Commission Districts after the 2020 census. The Redistricting Board held their meeting and it was determined there was not a change significant enough to change any of the Commission Districts. County election precincts to remain as follows:

Precinct #1

01-01 Pembina Township, Joliette Township, Carlisle Township,  
Neché Township, Hamilton Township, Bathgate Township

01-02 Pembina City

01-03 Neche City

01-04 Hamilton City

01-05 Bathgate City

Precinct #2

02-01 Walhalla Township, St Joseph Township, Felson Township,  
LaMoure Township, Advance Township

02-02 Walhalla City

Precinct #3

03-01 Beaulieu Township, Akra Township, South Cavalier Township,  
Thingvalla Township, Park Township, Lodema Township,  
Gardar Township, Crystal Township

03-02 Mountain City

03-03 Canton City (Hensel)

03-04 Crystal City

Precinct #4

04-01 North Cavalier Township

04-02 Cavalier City

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Precinct #5

05-01 Elora Township, St Thomas Township, Midland Township

05-02 St Thomas City

Precinct #6

06-01 Drayton Township, Lincoln Township

06-02 Drayton City

Roll call vote: Jim Benjaminson-yes, Laverne Doyle – yes; Nick Rutherford – yes; David Moquist – yes; Andrew Cull - yes. Motion carried.

Camburn Shephard, Soils Committee Chairman, presented the findings of the soils committee members. Mikka Willits, Tax Director, AND Lisa Wieler, Deputy

Tax Director/GIS Specialist, also in attendance. Camburn stated all but three of the books have been returned and they should be turned in to the Tax Director's office in the next day or two. Camburn discussed concerns some of the Soils Committee members have regarding the escarpment on the west edge of Pembina County. Camburn presented an email he received from Lance Duey with NRCS regarding the escarpment. Camburn suggested the Commission consider making the Surety mapping program available for the tax department as it is more current than the GIS parcel viewer on the Pembina County website. Discussion followed on land use modifiers that were used by the Soils Committee. Ms. Willits stated the tax department has begun working on the books that have been returned and will reach out to the Soils Committee member that handled that book with any questions.

Auditor informed the Commission of the email she received notifying her of the resignation of Joshua Rau as County Coroner, effective December 1, 2021.

Commission reviewed the list of Board appointments and made the following appointments and reappointments:

County Coroner – appoint Wendy Adams to fill the unexpired term of Joshua Rau;

Water Resource Board – reappointed Randall Emanuelson to a three (3) year term and appointed William Gunderson to a three (3) year term;

County Health Board – reappointed Kristi Midgarden to a five (5) year term;

Planning and Zoning Board – reappointed Nick Rutherford and Thomas Cummings to three (3) year terms; and appointed Dave Moquist to a three (3) year term;

Reorganization Committee – reappointed Danne Hartje and Greta Whelan to four (4) year terms;

Pembina County Job Development Authority – reappointed Jim Benjaminson, Jeni Carrier, Kathy Stremick, Dawn Van der Lith, Charles Thacker, Nathan Green, Charles Hart, and Elton Heuchert to three (3) year terms; and appointed David Moquist to fill the unexpired term of Hugh Ralston;

County Arbitration Board – appointed Melissa Morden for an indefinite term

Red River Regional Council – appointed Andrew Cull as an alternate to fill the unexpired term of Hugh Ralston;

LEPC Task Force – appointed Jim Benjaminson to replace Hugh Ralston for an indefinite term

Board discussed the above appointments and reappointments which will be approved at the December 21, 2021 meeting upon acceptance of the positions.

Commission discussed 2022 liquor licenses. Motion made by Jim Benjaminson and seconded by Nick Rutherford to approve the current liquor and beer license fees for 2022 and authorize the Chairman to sign the 2022 licenses. All voting in favor; motion carried.

Discussion was held on costs for Commission emails and a PA system. Samantha Weeks, IT Coordinator, researched pricing on four options for Commission email. Commission requested Samantha obtain quotes for a complete PA system for the Farmer's Room. No action taken at this time.

Commission reviewed the November payroll and claims submitted for payment. Motion made by Jim Benjaminson and seconded by Nick Rutherford to approve the consent agenda as presented. All voting in favor; motion carried.

Commissioner Moquist requested that the decisions made at the November 10, 2021 abatement hearings be rescinded and those parcels whose abatement requests were denied be approved. Commissioners Benjaminson, Doyle and Rutherford stated they stand behind the decisions made at the November 10<sup>th</sup> meeting for the reasons stated in the November 10, 2021 minutes. Discussion followed on the previous request for an Attorney General's Opinion on this matter and County redistricting.

Motion made by Jim Benjaminson and seconded by Andrew Cull to adjourn the meeting. All voting in favor; motion carried. Meeting adjourned at 12:33 PM.