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## BOARD OF PEMBINA COUNTY COMMISSIONERS PROCEEDINGS

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February 7, 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 9:00 AM.

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

Motion made by Laverne Doyle and seconded by Blaine Papenfuss to approve the agenda with the following changes/additions: add Zelda Hartje for the PCHPC grant, raffle permit request, JDA Board appointment update, and Billie Joe Swift. All voting in favor; motion carried.

Motion made by Blaine Papenfuss and seconded by Darin Otto to approve the January 17, 2023 meeting minutes as presented. All voting in favor; motion carried.

Commission reviewed the ND Department of Transportation Certification of Local Match for Bridge Inspection/Load Rating form for Project BRC-BRS-0099(015) PNC 23409. The form certifies that Pembina County provided non-federal funds from the Road and Bridge Levy to cover Pembina County's 19.07% match. Motion made by Laverne Doyle and seconded by Blaine Papenfuss to authorize the Chairperson to sign the certification as presented. All voting in favor; motion carried.

Board reviewed the 2022 budgets to actual. Motion made by Darin Otto and seconded by Andrew Cull to amend the following county budgets. Revenues are available to cover all amendments.

Correction Center	\$ 15,432.92
Clerk of Court/Recorder	\$ 20,272.48
Tax Director	\$ 567.47
Truck Regulatory	\$ 10,011.90
County Coroner	\$ 1,872.78
E911	\$ 160,878.78
Human Resource	\$ 2,397.83

Audit Fees	\$ 12,250.00
Miscellaneous	\$ 2,879.18
Road & Bridge	\$ 66,266.82
Emergency	\$ 10,698.01
Victim Witness	\$ 846.09
Park River Joint Water Resource	\$ 3.26

Discussion followed on the overage in the E911 department. Samantha Weeks explained that \$80,000.00 of that amount was to be taken out of the Sheriff Department budget. The remaining amount was budgeted for in the previous three years budgets to prepare for the expense. Auditor will make the correction. 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 Gardar Township Hall. Motion made by Darin Otto and seconded by Laverne Doyle to approve the request as presented. All voting in favor; motion carried.

Raffle permit request received from St Joseph’s Preservation Society. Motion made by Laverne Doyle and seconded by Blaine Papenfuss to approve the request as presented. All voting in favor; motion carried.

Raffle permit request received from Cavalier Country Club. Motion made by Andrew Cull and seconded by Darin Otto to approve the request as presented. All voting in favor; motion carried.

Pembina County Fair Board minutes and financials for 2021 and 2022 were reviewed.

Auditor informed the Commission that Sherri Carattini returned her Oath of Office for the Pembina County JDA Board. All open positions have now been filled.

Billie Joe Swift presented a handout to the Commission related to concerns brought to her attention when she became employed as a police officer with the Drayton City police department. Ms. Swift was recently contacted by the North Dakota Post Board to inform her that her sidearm qualification was not met in 2021. Due to her not qualifying, Ms. Swift’s license had to be renewed, a late renewal fee had to be paid as well as a late sidearm qualification fee. The City of Drayton generously paid all of the fees. Ms. Swift is requesting the Sheriff’s Office reimburse Drayton City for the fees. Sheriff Terry Meidinger and Chief Deputy Marcus Ramsay also in attendance. Motion made by Andrew Cull to table the decision to allow time to contact the Post Board regarding the situation. Second by Darin Otto. Discussion followed. All voting in favor; motion carried.

Zelda Hartje, Pembina County Historic Preservation Commission Chair, presented the 2023 – 2024 Pembina County Historic Preservation Fund Grant application. The grant will be utilized for seven projects, including administration, brochures, geocaching sites, member education, public education, creation of a restoration guide for historical properties, and the Pembina Airport Interpretive Panel. The grant total is \$25,164.00 with \$8,459.00 coming from the grant and the remaining \$16,705.00 is in-kind labor, mileage, and meeting space. Motion made by Laverne Doyle and seconded by Darin Otto to accept the submittal of the grant and authorize the Chairperson to sign the grant request and assurances as presented.

Zelda presented a handout for the Talking Trail project which she is interested in starting for the Pembina County Courthouse. Zelda is requesting a one-time \$500.00 cash match to the 2022 PCHPC Grant to place a Talking Trail at the Pembina County Courthouse. The contract is a 10 year contract. Motion made by Laverne Doyle and seconded by Darin Otto to table the decision at this time. All voting in favor; motion carried.

Sara Carter, Public Health Tobacco Prevention Coordinator, requested Commission support of the current Tobacco Free North Dakota Smoke-Free Law. HB 1229, the Cigar Bar law, has been passed in the House to change the current law signed in 2012 and allow the smoking of cigars in Cigar Bars. Sara presented a letter of support for the Commission to sign and forward to the Legislators in support of retaining the current law. Motion made by Laverne Doyle and seconded by Blaine Papenfuss to authorize the Chairperson to sign the statement of support as presented. All voting in favor; motion carried.

Revel Sapa, Human Resource, reviewed an update for Policy 405 – Dress Code. This changes the current Dress Code of business casual to allow employees to wear jeans every day. Motion made by Andrew Cull and seconded by Laverne Doyle to approve Policy 405 – Dress Code as presented, retaining the jean fund donations. Discussion followed. All voting in favor; motion carried.

Lisa Keney, County Assessor, discussed the Drayton City assessing contract which is currently up for renewal. Lisa is requesting the original contract of \$11.00/parcel and \$11.00/property card be changed to only \$11.00/parcel and not charge for the property card, considering Vanguard will be doing the data collecting. Dave Moquist asked if the remaining cities would be charged a fee for the Vanguard appraisals completed within their city. Motion made by Laverne Doyle and seconded by Blaine Papenfuss to charge Drayton City the \$11.00/parcel fee for the 2023 contract. All voting in favor; motion carried.

Tom Zaharia discussed his concerns with the decision by the Commission to not accept the Soils Committee 10% reduction modifier recommendation for frequently flooded areas. Tom is asking why the Commission did not see a need for the modifiers.

Commissioner Cull stated he would remain with his original decision of denying the modifier recommendations due to how the recommendations were presented by the Soils Committee. Comments were heard from Loren Estad, Mark Myrdal and Robert Vivatson. Lisa Wieler discussed the approved land use modifiers and welcomed anyone that would like to review their soils cards to make an appointment with their office.

Tom discussed the "road dike" along County Road 55. Conestoga Farms received a drainage permit and culvert permit to remove the existing culvert and move the driveway 1/8<sup>th</sup> of a mile west with a longer culvert. Per Mr. Zaharia, the new approach is 1 – 1½ feet higher than County Road 55. Jim Moris presented maps of the area affected by the new approach. Tom and Jim expressed their concerns of the new approach causing excessive flooding in that area due to the approach. Tom is looking for the removal of the approach to alleviate their concerns. Commissioner Benjaminson stated the county would have to monitor the situation. Kevin McGauvran, Pembina Township Supervisor, asked if the Commission is going to take a reactive approach versus a proactive approach. Commission will discuss with the Water Board and Devin Johnson, Highway Supervisor.

Samantha Diemert asked if the Commission made a decision on forming a committee, to discuss the concerns within the Dispatch Department, versus utilizing the 911 Advisory Board/LEPC Task Force. Commissioner Benjaminson discussed Ms. Diemert's request to replace him on the 911 Advisory Board/LEPC Task Force with the Dispatch department portfolio holder. Commissioner Benjaminson discussed the EMS Council meeting he attended in Crystal City. Discussion followed on training for the Emergency Manager. Samantha Weeks expressed her concerns with Jim Benjaminson remaining on the 911 Advisory Board/ LEPC Task Force. Motion made by Blaine Papenfuss to appoint Darin Otto to the 911 Advisory Board/LEPC Task Force. Second by Laverne Doyle. Roll call vote: Jim Benjaminson – recused; Laverne Doyle – yes; Blaine Papenfuss – yes; Darin Otto – recused; and Andrew Cull – recused. Motion failed.

Commissioner Papenfuss had to leave the meeting at this time.

Motion made by Jim Benjaminson to remove himself from the 911 Advisory Board/LEPC Task Force. Second by Laverne Doyle. Roll call vote: Jim Benjaminson – yes; Laverne Doyle – yes; Darin Otto – yes; Andrew Cull - recused. Motion carried.

Motion made by Lavern Doyle and seconded by Andrew Cull to appoint Darin Otto to the 911 Advisory Board/LEPC Task Force. Roll call vote: Jim Benjaminson – yes; Laverne Doyle – yes; Darin Otto – recused; Andrew Cull - yes. Motion carried.

Motion made by Laverne Doyle and seconded by Darin Otto to utilize the 911 Advisory Board/LEPC Task Force versus forming a new committee to discuss the Dispatch Department concerns. All voting in favor; motion carried.

Commission reviewed the December 2022 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.

Motion made by Andrew Cull and seconded by Laverne Doyle to adjourn the meeting. All voting in favor; motion carried. Meeting adjourned at 12:22 PM.