

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

BOARD OF PEMBINA COUNTY COMMISSIONERS PROCEEDINGS

www.pembinacountynd.gov

January 17, 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, Blaine W. Papenfuss, Darin Otto, and Andrew Cull. Absent: Laverne Doyle. A quorum was declared.

Motion made by Blaine Papenfuss and seconded by Darin Otto to approve the agenda with the following changes/additions: JDA Board appointment update, Lunseth Plumbing & Heating bids for the heating system upgrade, raffle permit request, meeting in Walsh County related to the proposed correctional center and the cancellation of Jim Martini's appointment. All voting in favor; motion carried.

Motion made by Darin Otto and seconded by Blaine Papenfuss to approve the January 3, 2023 meeting minutes as presented. All voting in favor; motion carried.

Mikka Willits, Tax Director, discussed land use modifiers for the 2023 tax year. Others in attendance were Loren Estad, David Moquist, Donald Heuchert, and Robert Vivatson. The tax office is recommending approval of the following land use modifiers: legal drains, woodland, shelterbelts, permanent water areas, maintained roads, cemeteries, non-active gravel pits, pipelines if the land is unable to be farmed, railroad tracks, farmstead (approximately 2 acres) and permanently fenced in pasture. If soils types are more beneficial to the landowner, the land use modifier should not be applied, nor should they be applied to non-cropland. Ms. Willits also discussed the two programs, Native Woodland (NWL) and Government Easement ((WSE), which Pembina County currently allows a property tax benefit for and land use modifier valuations. Motion made by Darin Otto and seconded by Blaine Papenfuss to approve the land use modifiers as presented, including the NWL and WSE, for the 2023 tax year. Discussion followed on the difference between the modifiers presented by the Soils Committee and the land use modifiers. 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(011) PNC 22818. 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 Andrew Cull and seconded by Blaine Papenfuss to authorize the Chairperson to sign the certification as presented. All voting in favor; motion carried.

Missy Morden, Clerk/Recorder, presented SB 2277 and reviewed information concerning legislation to transition all contracted Clerk of Court offices to State offices. The North Dakota Association of Counties and North Dakota County Commissioner Association feel the transition of contract county offices to State offices, without further study, could potentially limit public access to the court system and create a substantial financial impact to the State and county. Resolution 2022-02 is related to support for a study of the Clerk of Courts structure. Ms. Morden included adopted resolutions from three counties opposing Legislation making their County Clerk of Courts' office a State office. Motion made by Andrew Cull and seconded by Blaine Papenfuss to adopt a resolution opposing SB 2277, the transition of all contracted county Clerk of Courts' offices to State offices. Roll call vote: Jim Benjaminson – yes; Blaine Papenfuss – yes; Darin Otto – yes; Andrew Cull – yes. Motion carried.

Auditor contacted Jeff Watts regarding his appointment to the JDA Board. Mr. Watts stated he is not interested in the appointment and suggested the Commission consider appointing Sherri Cavattini, the new Pembina City Auditor to the JDA Board. Ms. Cavattini will begin her duties on January 30, 2023. Motion made by Blaine Papenfuss and seconded by Darin Otto to appoint Sherri Cavattini to a three (3) year term to the JDA Board. All voting in favor; motion carried.

Terry Meidinger met to discuss the salary for Chief Deputy Marcus Ramsay. Terry is requesting a 2 step increase for Chief Deputy Ramsay because of the additional duties he has been assigned. Motion made by Andrew Cull and seconded by Blaine Papenfuss to leave the Chief Deputy salary as approved in the final budget. All voting in favor; motion carried.

Water Board members Donald Kemp, Randall Emanuelson, Ted Juhl and Bill Gunderson, LuAnn Kemp, Water Board Secretary, Rob Fleming, Water Board Attorney, and Zach Hermann, Paul LaClaire, and Greg Thielman, Houston Engineering met to update the Commission on several projects. Paul updated the Commission on the joint projects between the Water Board and Pembina County, including the Tongue River Cut-off and the Tongue River Snagging & Clearing projects. Paul also updated the Commission on Drain 81, Drain 66, and drain cleanouts, through FEMA, after the spring flooding. Zach presented updates on Bourbanis Dam, the Park River Joint Water Board, and the dam rehab projects on Olson Dam, Senator Young Dam, Bourbanis Dam and Herzog Dam. LuAnn informed the Commission of upcoming construction projects, including Drain 82 and Drain 34.

Raffle permit request received from Tri-County Trail Riders. Motion made by Darin Otto and seconded by Blaine Papenfuss to approve the request as presented. All voting in favor; motion carried.

Devin Johnson, Highway Superintendent, and Jeff Daley, Kadramas, Lee & Jackson, updated the Commission on the bid letting for the two structures on County Road 4. The bids came in much higher than anticipated, partly due to the availability of box culverts. Jeff discussed additional alternatives to box culverts. The Commission has two options. One option is to award the contract. The other option is to reject the bid and rebid the projects using another alternative. Motion made by Blaine Papenfuss and seconded by Andrew Cull to reject the bid and rebid the project. All voting in favor; motion carried. Jeff discussed the 17 structures that are scheduled for rehab and one structure scheduled for replacement. North Dakota Department of Transportation requires an RFP process be done for these project. The county will combine the replacement structure and rehab structures under one RFP.

Commission reviewed the two bids received from Lunseth Plumbing & Heating for all labor and material to upgrade the existing radiators for the heating system upgrade.

Option #1 includes replacing 50 existing pneumatics valves and 27 thermostats with all new pneumatic actuators and thermostats, while reusing the copper tubing system, with new plastic tubing and fittings to actuators and thermostats. The copper tubing systems will be pressure tested. The cost for Option #1 is \$100,000.00.

Option #2 includes the replacement of the 50 existing pneumatics valves and 27 thermostats with electric actuators and thermostats. The new actuators and thermostats are open/close and the wire will be run in wiremold. The cost for Option #2 is \$143,000.00. There are two alternate options for Option #2: Alt 1: Change thermostats to Wi-Fi thermostats for an additional \$1,700.00. This option cannot be combined with Alt 2. Alt 2: Change thermostats to proportional control for an additional \$14,000.00. This option cannot be combined with Alt 1.

Motion made by Blaine Papenfuss and seconded by Andrew Cull to accept the Option #2 bid, with no alternative options. Roll call vote: James Benjaminson – yes; Blaine Papenfuss – yes; Darin Otto – yes; Andrew Cull – yes. Motion carried.

Jim Martini cancelled his appointment.

Billie Jo Swift unable to attend.

Commission reviewed the claims. Motion made by Blaine Papenfuss and seconded by Darin Otto to approve the consent agenda as presented. All voting in favor; motion carried.

Samantha Diemert updated the Board on FEMA reimbursements for the spring flooding. Samantha discussed the email sent by Scott Heck, reviewed at the December 6, 2022 meeting, stating the 911 Advisory Board/LEPC Task Force, which is already an

appointed Board, could be used versus forming a new committee. Samantha stated she still has not received any information on the concerns within the dispatch department presented at the December 6, 2022 meeting. Samantha has reached out to the individuals that were in attendance and has not received any information, and stated, once again, that she cannot correct concerns unless she is aware of what the concerns are. Samantha feels the portfolio holder for the Sheriff Department and Dispatch should be the individual on the 911 Advisory Board/LEPC Task Force. Samantha requested the Board consider replacing Jim Benjaminson on the 911 Advisory Board/LEPC Task Force with the department portfolio holder, Darin Otto. Decision tabled to the February 7, 2023 meeting. Samantha informed the Commission that Bryan Papenfuss was offered flex part time hours but chose to resign his position and accepted a position with Unity Medical in Grafton.

Motion made by Darin Otto and seconded by Andrew Cull to recess the meeting for 1 hour to allow the Commission time to tour the new LOAN (Love One Another Now) facility. All voting in favor; motion carried. Meeting recessed at 11:23 AM.

Meeting reconvened at 12:33 PM.

Lorna Ratchenski and Betty Paton lead the tour of the LOAN facility, providing a brief history of how the program started and has grown, statistics on the number of individuals served, and generous donations received from various businesses and organizations. Lorna and Betty also shared several heartwarming stories they have witnessed that ensure the program is both needed and appreciated. The LOAN program is run strictly by volunteers who work extremely hard to make sure the program can continue.

The Commission was invited, by the Walsh County Jail Committee, to attend an informational meeting presented by the Samuels Group, made up of architects and planners, who will present the study, planning, design and different avenues Walsh County may want to take in terms of financing and management of a new correctional facility. Walsh County is hoping to partner with surrounding counties and Pembina County has expressed an interest in the project. The meeting is scheduled for 4:30 PM today in the Farmer's Room of the Walsh County Courthouse. There is a Zoom link available if the Commission is unable to attend in person.

Motion made by Blaine Papenfuss and seconded by Darin Otto to adjourn the meeting. All voting in favor; motion carried. Meeting adjourned at 12:35 PM.