

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

## BOARD OF PEMBINA COUNTY COMMISSIONERS PROCEEDINGS

[www.pembinacountynd.gov](http://www.pembinacountynd.gov)

October 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, and Hugh Ralston. Absent: Hetty Walker. Also in attendance was Terin Riley, Fleming, Dubois & Fleming, LLP.

Chairperson Doyle called the meeting to order at 8:30 AM.

Motion made by Nick Rutherford and seconded by Hugh Ralston to approve the September 21, 2021 meeting minutes as presented. All voting in favor; motion carried.

Motion made by Hugh Ralston and seconded by Jim Benjaminson to approve the September 21, 2021 budget hearing meeting minutes as presented. All voting in favor; motion carried.

Motion made by Nick Rutherford and seconded by Jim Benjaminson to approve the September 28, 2021 Special meeting minutes as presented. All voting in favor; motion carried.

Motion made by Hugh Ralston and seconded by Jim Benjaminson to approve the agenda with the following addition: appraisal listing for foreclosed property. All voting in favor; motion carried.

Pembina County JDA minutes of July 14, 2021 were reviewed. Auditor informed the Commission of the email she received from Dawn Mandt, Red River Regional Council Executive Director. The email is informing them of the Pembina County Findings and Suggestions Workshop, being held at the Akra Hall at Icelandic State Park on Friday, October 15<sup>th</sup> from 9:00 am to 11:30 am.

Commission discussed the appointment of a North Dakota State Fair Delegate. Motion made by Nick Rutherford and seconded by Jim Benjaminson to nominate Madeleine Smith as the North Dakota State Fair delegate for 2022. All voting in favor; motion carried.

Auditor discussed the Mowing Notice that was placed in all county papers. Due to the Auditor being out of the office for medical reasons, the placing of the ad was

overlooked and did not get posted in a timely manner. Upon her return and due to time constraints, the Auditor contacted two Commissioners, Commissioner Rutherford and Commissioner Ralston, requesting the date be extended to October 15<sup>th</sup> due to the time constraints. Both Commissioners agreed that the date could be extended due to circumstances. Auditor posted the deadline date of October 15, 2021. Motion made by Nick Rutherford and seconded by Hugh Ralston to approve the extension on the mowing notice. All voting in favor; motion carried.

Mikka Willits, Tax Director, present for abatement hearing. The application is for abatement on property described as N 10' of Lot 10, all of Lot 11, Block 40, O.T., City of Neche– Parcel 32-1910010. The request is to refund the 2019 and 2020 taxes on the residence, which was demolished in 2018. The City of Neche approved the request at their August 24, 2021 meeting. Motion made by Hugh Ralston and seconded by Jim Benjaminson to refund the 2019 and 2020 taxes on the residence. Roll call vote: Jim Benjaminson – yes; Laverne Doyle – yes; Nick Rutherford – yes; Hugh Ralston – yes. Motion carried.

Mikka Willits, Tax Director, present for abatement hearing. The application is for abatement on property described as NE 12' of Lot 19, all of Lot 20, W½ Lot 21, Block 22, City of Neche– Parcel 32-1030000. The request is to refund the 2020 taxes on the residence, which was destroyed by fire on August 19, 2020. The City of Neche City approved the request at their August 24, 2021 meeting. Motion made by Jim Benjaminson and seconded by Hugh Ralston to prorate the taxes on the parcel and refund 5½ months of the 2020 taxes on the residence only. Roll call vote: Jim Benjaminson – yes; Laverne Doyle – yes; Nick Rutherford – yes; Hugh Ralston – yes. Motion carried.

Mikka Willits, Tax Director, present for abatement hearing. The application is for property tax exemption for improvements to commercial and residential buildings for the following parcels in the City of Walhalla: 35-1760010, 35-1770000, 35-1820000 and 35-1850000. The request is for \$40,000.00 in property tax exemption for improvements on these properties. The City of Walhalla approved the property tax exemption for three years upon verification by Fleming, DuBois, & Fleming Law Office. The exemption was reviewed by the City Attorney and was approved on the improvements only, for three years. Motion made by Jim Benjaminson and seconded by Hugh Ralston to approve the exemption request for improvements only for taxable years 2022, 2023 and 2024. Roll call vote: Jim Benjaminson – yes; Laverne Doyle – yes; Nick Rutherford – yes; Hugh Ralston – yes. Motion carried.

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

Tim Moore, Mountain City Mayor, met with the Commission to discuss the 2020 ½ Mill Self-Help application submitted by the City of Mountain. The City originally submitted an application for sidewalk replacement. Mayor Moore is requesting permission to change the scope of work to install a parking pad on the north side of the Mountain Community Center. Motion made by Nick Rutherford and seconded by Hugh Ralston to approve the change in the scope of work for the 2020 application. Roll call vote: Jim Benjamisnon –yes; Laverne Doyle – yes; Nick Rutherford – yes; Hugh Ralston – yes. Motion carried.

Commission was presented with the listing of properties that are on foreclosure. The appraisal list will need to be returned by the October 20, 2021 meeting.

The NDDOT Traffic Safety grants for Speed Enforcement, Alcohol Enforcement, and, Click it or Ticket were reviewed. NDDOT will reimburse Pembina County Sheriff's Department for incurred costs, not to exceed \$8,750.00. Motion made by Jim Benjaminson and seconded by Nick Rutherford to authorize the Chairman to sign the grant paperwork as presented. All voting in favor; motion carried.

Sheriff Terry Meidinger and Cavalier City Chief of Police Jeff Osvoid met to inform the Commission of concerns with the County Coroner. Concerns have been expressed by local EMS personnel, Law Enforcement personnel and the Funeral Director with the fact the County Coroner does not appear in person for the majority of unattended deaths since he lives out of the county. Commission asked if Sheriff Meidinger or Chief Osvoid were aware of possible candidates for the position. Discussion followed on requirements for the position. Chief Osvoid and Sheriff Meidinger discussed potential candidates and will reach out to those candidates.

A request for clarification of the September 28, 2021 Special Meeting minutes regarding what constitutes a large group was brought to the Commission by Terin Riley, Fleming, Dubois & Fleming. Motion made by Nick Rutherford and seconded by Jim Benjaminson that a large group would consist of 10 or more individuals. Discussion followed. Roll call vote: Jim Benjaminson – yes; Laverne Doyle – yes; Nick Rutherford – yes; Hugh Ralston – yes. Motion carried.

Commission met with Brenda Fletcher, Walhalla Public Library, Marci Cleem, Pembina City Library and Jamie Seng, Cavalier Public Library, Kelli Truver, Cavalier City Auditor, and Robert Fleming, Cavalier City Attorney to discuss the disbursement of the County Library levy funds. Attorney Fleming reviewed the Memorandum of Understanding that was approved at the December 15, 2020 meeting. Ms. Fletcher is requesting additional funding for the Walhalla library to assist with completing needed improvements on their building. Discussion followed on the distribution of the remaining 34% of funding which is based on the percentage of total circulation of paper and/or electronic books within the county of each of the three public libraries. Motion made by Nick Rutherford and seconded by Hugh Ralston to leave the disbursements as presented in the

current Memorandum of Understanding. Discussion followed. Roll call vote: Jim Benjaminson – yes; Laverne Doyle – yes; Nick Rutherford – yes; Hugh Ralston – yes. Motion carried.

Camburn Shephard met with the Commission to discuss a County Soils Committee. Others in attendance were Bill Gunderson, Brad Schuster, Robert W. Vivatson, Roger Olafson, Roy Paton, Nick Heuchert, Zelda Hartje and Carmen Augustin. Camburn discussed the decision made by the Commission at the September 22, 2021 meeting to not form a Soils Committee due to time constraints. Mr. Shephard requested the Commission revisit the topic of forming a Soils Committee. Discussion followed on the Soils Committee application deadline and the timeline involved in completing the review process. Motion made by Jim Benjaminson and seconded by Hugh Ralston to establish a Soils Committee and appoint Bill Gunderson for District 1, Roy Paton for District 2, Camburn Shephard for District 3, Robert W. Vivatson for District 4, Brad Schuster for District 5, Nick Heuchert as an alternate and Reid Christenson as an alternate. Roll call vote: Jim Benjaminson – yes; Laverne Doyle – yes; Nick Rutherford – yes; Hugh Ralston – yes. Motion carried.

Motion made by Jim Benjaminson and seconded by Nick Rutherford to adjourn the meeting. All voting in favor; motion carried. Meeting adjourned at 11:55 AM.