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BOARD OF PEMBINA COUNTY COMMISSIONER'S PROCEEDINGS

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January 20, 2026

9:00 AM

Board of Pembina County Commissioners met in the Commissioners Meeting Room of the Courthouse.

Chairperson Hardy called the meeting to order at 9:00 AM. Roll call: Patrick Hardy, Scot Becker, Blaine Papenfuss, Darin Otto, Andrew Cull. A quorum was declared.

Also, in attendance were: Zelda Hartje, Lisa Keney, Tax Director; Missy Morden, Clerk/Recorder; Terry Meidinger, Sheriff; Bill Gunderson, Randy Emanuelson, Don Kemp, Ted Juhl, LuAnn Kemp, Robert Fleming, Mike Ferrie and Zach Herrmann, Houston Engineering; Jessica Guciardo; Jeff Stevenson; Kelly Cluchie, Maintenance Supervisor; Garret Fontaine, States Attorney.

Motion made by Scot Becker and seconded by Blaine Papenfuss to approve the agenda. All voting in favor; motion carried.

The public comment portion was started at 9:02 AM.

The public comment portion was closed at 9:18 AM.

Motion made by Andrew Cull and seconded by Scot Becker to approve the January 6th, 2026 meeting minutes. All voting in favor, motion carried.

Motion by Blaine Papenfuss and seconded by Darin Otto to approve the County Deed as presented. All voting in favor, motion carried.

Request for auditor to have remote access to CPT discussed. Motion by Darin Otto and seconded by Blaine Papenfuss to approve remote access for the auditor. Ayes, Hardy, Becker, Papenfuss, Otto; Nays, Cull. Motion carried.

The Walsh County error regarding the Grafton School District portion of Pembina County was discussed. Commissioner Cull stated he feels it is their fault. Commissioner Papenfuss stated he agreed with Commissioner Cull. Commissioner Otto stated a statement could possibly be prepared by the States Attorney. Commissioner Cull said he doesn't like that our employees are taking the calls for the mistake when it wasn't done

by them. He stated that isn't fair. Commissioner Papenfuss stated he agreed with Commissioner Otto about a statement being prepared. Commissioner Cull stated he wants it noted he has no ill will towards Walsh County, but wants them to take responsibility. Motion by Darin Otto and seconded by Blaine Papenfuss to have States Attorney Fontaine look into writing a statement clarifying the situation. All voting in favor, motion carried.

Increasing the speed limit on county roads discussed. This would just be for general traffic. It does not include trucks. Rules by the state on the limits discussed. Motion by Darin Otto and seconded by Blaine Papenfuss to have the highway check into what the cost would be to change all the signs if the limits were raised. All voting in favor, motion carried.

The water board met with the commission regarding the issues with the dams with the slip liners. They are submitting to the state for cost share for discovery of what can be done. Zach Herrmann from Houston Engineering stated there was a fairly large failure in one of the slip liners collapsing on itself. He stated that is what happened with the Bourbanis Dam. He stated this seems to be a trend with the liners that were put in back in the 80's. He stated most of these dams were constructed in the 50's. They want to take a look at them, prioritize them, and come up with fixes for them. He stated the erosion was the initial problem at Bourbanis and then the failure of the liner after that. They will be looking at 4 of the 7 dams to bring the spillway into current standards before any flood problems could arise. They stated it would cost approximately \$200,000.00 per dam. It will be going to the Department of Water Resources for a 60 percent cost share. That would leave 40 percent locally. Of the remaining 40 percent, the Red River Joint Water Resource District would pick up 65 percent of that 40 percent. The water board may request a higher percentage from them. They are hoping funding would be in place by April. They stated work would possibly begin late spring into early summer and wrap it up around the beginning of 2027. They will move forward when all that information is collected. The other 3 of 7 dams are in the NRCS Watershed Rehabilitation Program right now and will have federal funding.

Commissioner Becker asked about new technology regarding the slip liners to fix the problems. Mr. Herrmann stated the slip liners have to be structurally independent of anything there right now. Mr. Herrmann stated he suspects they will be looking for ways to replace the conduit through a flowable concrete fill rather than disturbing the embankment. Discussion on Cavalier County's involvement. The water board will be meeting with them in March. Mr. Herrmann stated they are still working on getting an estimate on the drone inspection for the snag and clear project. Don Kemp went to the Basin Commission meeting which includes Minnesota and Manitoba and is now on the board. He stated there is an opening for a commissioner as well. Commissioner Becker stated he is interested in that position.

Jeff Stevenson addressed the commission on the land taxes by assessed value. He stated transparency is open to public scrutiny to assess, evaluate or estimate the

nature, ability or quality of. He stated he spoke with the Supervisor of Assessments at the state this morning and Ms. Meyers stated the state has nothing to do with local assessing. Mr. Stevenson read a list of parcels and their valuations and whether the valuations had gone up or down. He stated they were all in full quarter sections. He then read another list of parcels with lower PI and their current valuations. He asked the commission if they feel these assessed estimates are right and not questionable and are correct. Commissioner Papenfuss stated all parcels are treated the same based on modifiers, etc. which are worked out by the tax director and soils committee and believes the figures are correct. Mr. Stevenson wants to know if the commission thinks land with different PI's should be treated the same. He said he has had this question for years and years, and years. He stated he wants an answer as to if they think these figures show a true value of this land. Commissioner Otto stated the land is now being valued the proper way according to the state and soils committee and tax director. Commissioner Otto and Papenfuss stated they feel the values are correct based on the way the state says to value the property. Mr. Stevenson said he spoke with Brian Kroshus, the North Dakota State Tax Commissioner, and Mr. Kroshus said this system is questionable and he won't directly throw Lisa under the bus, but he farms and Doug Goehring farms and they both said no question there is reason, he wouldn't allow Mr. Stevenson to quote him directly, but said Mr. Kroshus said you have reason to question this. Mr. Stevenson discussed a parcel of land with the NDSU PI he asked if they would sit down with Lisa and show how the figure is calculated. Ms. Keney stated the information Mr. Stevenson is requesting is on the soils card, and she has provided all those soils cards to Mr. Stevenson previously. Mr. Stevenson stated he will see the commission in June.

Kelly Cluchie met with the commission to give an update on the elevator. He stated he got a bid to replace the travel cables for \$15,541.00. They are still working on a plan to get the water out of the shaft. Kelly stated he signed the contract and put half down to get the cable project going. The cables have to be specially made so it will take about two to three weeks. It will take approximately two to three days for the installation of the new cables. He stated the AEDs for the courthouse are on back order. He stated the JDA is in the process of moving to the social service building.

Motion made by Darin Otto and seconded by Scot Becker to adjourn the open session and go into executive session for attorney consultation per NDCC 44-04-19.1(5). Roll call vote: Patrick Hardy – yes; Scot Becker – yes; Blaine Papenfuss – yes; Darin Otto – yes; Andrew Cull – yes. Motion carried. The executive session began at 10:31 AM and was attended by Garret Fontaine, States Attorney, Chairman Patrick Hardy, Commissioner Scot Becker, Commissioner Blaine Papenfuss, Commissioner Darin Otto, Commissioner Andrew Cull, and Pembina County Auditor, Melissa Gapp. Motion made by Blaine Papenfuss and seconded by Darin Otto to adjourn the executive session at 11:25 AM and return to open session. Roll Call: Patrick Hardy, yes; Scot Becker, yes; Blaine Papenfuss, yes; Darin Otto, yes; Andrew Cull, yes. motion carried.

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

Motion made by Blaine Papenfuss to adjourn the meeting. All voting in favor; motion carried. Meeting adjourned at 11:35 AM.