

BOARD OF PEMBINA COUNTY COMMISSIONERS PROCEEDINGS

www.pembinacountynd.gov

June 21, 2011

9:00 AM

Board of Pembina County Commissioners met at 9:00 AM in the Commissioners Meeting Room of the Courthouse with the following members present: Corene Vaughn, Gary Nilsson, Andy Adamson, Hetty Walker and Hugh Ralston.

Chairman Vaughn called the meeting to order.

Motion made by Andy Adamson and seconded by Hugh Ralston to approve the June 7, 2011, June 2, 2011 Board of Equalization and June 9, 2011 Board of Equalization minutes as presented. All voting in favor; motion carried.

Jon Markuson, Kadramas, Lee & Jackson, met with the Commission to discuss structure removals in Pembina County. Troy Kittelson, Highway Supervisor, is interested in removing Structure 125-10, south of Bathgate and Structure 135-15.1, south of Joliette and restore the river bank. Funding is available to help with the cost of structure removal. Motion made by Gary Nilsson and seconded by Hugh Ralston to authorize Mr. Markuson to begin the preliminary process of applying for funding. All voting in favor; motion carried. Mr. Markuson presented the contract for the Bowesmont Bridge Project. Motion made by Hugh Ralston and seconded by Andy Adamson to authorize the Chairman to sign the contract as presented. Discussion followed. All voting in favor; motion carried.

Devin Johnson, Highway Foreman, met with the Commission to discuss summer load limits. Motion made by Gary Nilsson and seconded by Hugh Ralston to approve the summer weight limits with the following restrictions; County Highway #55 from State Highway #18 to Interstate 29, County Highway #12 from State Highway #5 south to County Highway #3 and County Highway #12 from State Highway #5 north to County Highway #1. These highways will remain at 6 tons per axle until conditions improve. All voting in favor; motion carried.

Part of the County Commissioners Proceedings as of June 21, 2011.

SUMMER WEIGHT LIMITS FOR TRUCKS AND BUSES ON PEMBINA COUNTY HIGHWAYS.

WHEREAS, it is necessary that the Board of County Commissioners prescribe weight limits for Pembina County to protect asphalt surfaced highways,

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pembina County that the following weight restrictions be imposed on all vehicles operating on County Highways:

8 TONS PER AXLE WEIGHT RESTRICTIONS

Load restrictions set at 8 tons per axle with no vehicle to exceed 80,000 lbs. on the following county roads:

County Highway #1 State Hwy #32 to I-29
County Highway #2 from County Hwy #55 to State Hwy #5
County Highway #3 Cavalier County Line to I-29 to Bowesmont Spur
County Highway #4 Carlisle Road from US Hwy #81 to County Hwy #1
County Highway #7 Gardar
County Highway #9 Walhalla Spur to County Hwy #12 at Leroy
County Highway #11 St Thomas to I-29
County Highway #12 from County Hwy #3 South to Walsh County Line
County Highway #44 Pittsburg south 2 miles to 82nd ST NE
County Highway #12 from County Hwy #1 North to County Hwy #55
County Highway #55 from Cavalier County line to Hwy 18
County Highway #4 from Walsh County line to State Hwy #66

6 TONS PER AXLE WEIGHT RESTRICTIONS

Load restrictions set at 6 tons per axle, with no vehicle to exceed 60,000 lbs. on the following County roads:

County Highway #12 from State Hwy #5 South to County Hwy #3
County Highway #12 State Hwy #5 to County Hwy #1
County Highway 55 from State Hwy 18 to I29
County Highway #6 (Concrete Spur)

SPECIAL NOTE

State limits to apply to the following roads:

County Highway #1 4 miles on #1 from Bathgate to State Hwy #18
County Highway #3 2 miles on #3 from Hensel to State Hwy #18
County Highway #9 1 mile of #9 at Walhalla from railroad to State Hwy #32
County Highway #44 from Drayton north 2 miles to 82nd ST NE

PENALTY FOR VIOLATION OF ANY OF THE AFOREMENTIONED WEIGHT LIMITS SHALL BE MADE IN ACCORDANCE TO CHAPTER 39-12 NDCC.

BE IT FURTHER RESOLVED that trucks in excess of 1 ton shall be limited to a 40 mile an hour speed limit on County roads. Drivers are to use caution when bringing vehicles to a stop and when starting.

BE IT FURTHER RESOLVED that such weight restrictions shall be in force as of June 21, 2011 and during the period that there are erected and maintained at each of any highway or portion thereof affected by such restriction, signs designating the provision of this resolution.

Said resolution proposed by Gary Nilsson, seconded by Hugh Ralston and upon a vote carried unanimously.

BY ORDER OF THE BOARD OF PEMBINA COUNTY COMMISSIONERS.

Dated this 21st day of June, 2011 at Cavalier, North Dakota.

Corene Vaughn, Chairman
Board of County Commissioners

ATTEST: _____
Linda Schlittenhard
County Auditor/Treasurer

Request made by Commissioner Walker to move the July 5, 2011 meeting to July 7, 2011 due to the holiday. All Commissioners in favor of moving the meeting to July 7, 2011.

Additions to the agenda include bid openings for air conditioners and blinds, gifting of sick leave and retirement meeting.

Julie Doyle, Tax Director, met with the Commission. Application for a 5 year property tax exemption for improvements to residential property described as Pt S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 26, Township 162, Range 54, Parcel 06-4320000. Motion made by Gary Nilsson and seconded by Andy Adamson to accept the application as presented. All voting in favor; motion carried.

Application for abatement on property described as Pt Blk 82. OT, & Pt vacated 8th St & Hancock St, City of Pembina, Parcel 33-2580000. Requesting a reduction in value from \$135,000.00 to \$78,500.00 for a difference of \$56,500.00 Motion made by Hetty Walker and seconded by Andy Adamson to accept the application as presented. All voting in favor; motion carried.

Application for abatement on property described as Pt SE $\frac{1}{4}$ of Section 27, Township 159, Range 53, Parcel 22-1190000. Requesting a reduction in value from \$41,738.00 to \$23,000.00 for a difference of \$18,738.00. St Thomas Township denied this abatement. Ms. Doyle supports the formulas used and equalization of values done by the St Thomas Township assessor and recommends denying the request. Motion made by Gary Nilsson and seconded by Hugh Ralston to deny the application as presented. All voting in favor; motion carried.

Application for abatement on property described as Lot 5, The Pines, City of Cavalier, Parcel 27-6970014. Requesting a reduction in valuation from \$210,000.00 to \$175,041.00 for a difference of \$34,959.00. Application for abatement on property described as Lot 12, The Pines, City of Cavalier, Parcel 27-6970022. Requesting a reduction in valuation from \$199,000.00 to \$150,488.00 for a difference of \$48,512.00.

Ms. Doyle explained the process Jeff Stevenson, Cavalier City assessor, applied to these properties. Motion made by Hugh Ralston and seconded by Hetty Walker to approve the application as presented. Discussion followed. Roll call vote: Andy Adamson – yes, Hugh Ralston – yes, Hetty Walker – yes, Gary Nilsson – no, and Corene Vaughn – yes. Motion carried.

Application for abatement on property described as All Lots 1 & 2, Block 1, City of Cavalier, Parcel 27-311000. Requesting a reduction in valuation from \$237,600.00 to \$153,523.00 for a difference of \$84,077.00. Motion made by Hugh Ralston and seconded by Gary Nilsson to accept the application as presented. Discussion followed. All voting in favor; motion carried.

Commission was informed of uncollectible mobile home parcels. Requesting to remove these parcels from the tax rolls. Motion made by Andy Adamson and seconded by Hugh Ralston to remove these parcels from the tax rolls. All voting in favor; motion carried.

Ray Steiger met with the Commission to discuss County Road #2 north of Cavalier. There are bridge posts along the highway that make it difficult to move large farm equipment. He is requesting that flexible posts be installed or some other form of signage. Commission will discuss with Troy Kittelson, Highway Supervisor, and have him contact Mr. Steiger about a solution.

Pembina County Water Resource Board met with the Commission. Neil Fleming and Robert Fleming, Water Board Attorneys, also present. Commission reviewed the March 1, 2011 – May 31, 2011 Water Board minutes as presented. Commission requested that the minutes be presented on a monthly basis. Commissioner Nilsson informed the Board of the two structures planned to be removed. Discussion was had on the Zaharia complaint, adding special assessments to non-profit organizations and Drain #66. The meeting was turned over to Robert Fleming. Mr. Fleming presented the Commission with the results of a flow rate study analysis done on Drain #66 by the State Water Commission. Mr. Fleming stated that pursuant to NDCC 24-03-08 the Commission must install the appropriate culverts to be in compliance with the State Water Commission findings. Mr. Fleming stated that the State Water Commission requires that the County pay for 100% of the cost. Mr. Fleming is requesting the Commission to comply with the law to avoid public notice and a lawsuit by the Water Board. Motion made by Andy Adamson and seconded by Gary Nilsson to table a decision until the Commission can meet or discuss these findings with the State Water Board. Roll call vote: Gary Nilsson – yes; Andy Adamson – yes; Hugh Ralston – yes; Hetty Walker – no; Corene Vaughn – no. Motion carried.

Liz Beck, 911/IT/GIS Coordinator, met with the Commission. Ms. Beck informed the Commission of the EMS survey results and a training “Customer Service in Today’s Public Safety Communication”, that she will have all dispatch personnel participate in. The County Repeater upgrade was discussed and the available funding to cover the FCC mandated requirements.

Tanya Wieler, Human Resource Director, met with the Commission to discuss updates for the employee policy manual. Some of the proposed changes include making Early Retirement its own section, changing the Work Schedules days for the Highway Department and clarifying the workweek for the Sheriff's Department, required changes in the FMLA Policy related to military families, clarification on the Personal Leave Policy, to separate the Dress Code and Inclement Weather policies from the Employee Conduct and Work Rules section, to separate the Veteran's Preference section from the Equal Employment Opportunity policy, additions to the Donation of Sick Leave Benefits policy, sale of used computer equipment and surplus property, and adding the WSI verbiage to the Rest and Meal Periods policy.

Jeanne Chaput, Public Health Administrator, met with the Commission to request approval from the Commission for Jennifer Stanhope to attend the ANR Foundation Conference in Fallen Leaf Lake, Nevada in September 2011. Grant funds are available to cover the cost of the trip. Commission approved the request.

Requests were received to gift 144 hours of sick leave to Jennifer Puppe. Motion made by Andy Adamson and seconded by Gary Nilsson to approve the request. All voting in favor; motion carried.

Commission was informed of the upcoming NDPERS Pre-Retirement Education Program that will be held at the Kelly Inn in Fargo on September 22, 2011. Motion made by Andy Adamson and seconded by Gary Nilsson that any individuals wishing to attend the meeting will not be required to take a vacation day. All voting in favor; motion carried.

Liz Beck met with the Commission to introduce Jan Samson, newly appointed EMS Education Coordinator. Ms. Samson updated the Commission on her future plans for the Pembina County EMS program. One of the major concerns is recruiting volunteers. Discussion followed regarding the required education and trainings. The Commission congratulated Ms. Samson on her new position.

Motion made by Andy Adamson and seconded by Hetty Walker to approve the consent agenda of claims and the May Financial Report as presented. All voting in favor; motion carried.

Tim Hartje, Pembina County Fair Board, met with the Commission to discuss the replacement of the over 100 year old barns at the fairgrounds. Mr. Hartje presented a proposal for replacement of the existing barns with a 60' x 120' barn. Mr. Hartje is requesting help from the County to tear down the existing barns, dig a hole to bury what is left after the barns are burned, and load dirt from the car track and haul over to the barn site. Discussion followed. Commissioner Adamson suggested Mr. Hartje contact Troy Kittelson, Highway Supervisor, to set up a schedule for the demolition. Mr. Hartje requested an additional ½ mill be guaranteed by the Commission for the next five years. Commission felt they were unable to guarantee for five years, but suggested Mr. Hartje return at budget time and request the additional ½ mill on an annual basis.

Pembina County Housing Authority Board minutes reviewed as presented.

Bids were received on the air conditioners. Motion made by Gary Nilsson and seconded by Hugh Ralston to accept the bids received. All voting in favor; motion carried.

Window blind bids were opened. Commission would like to meet with the bidders prior to making a decision. Auditor will make arrangements.

Chairman Vaughn addressed the Commission regarding an email she received from Stuart Askew, States Attorney. Tanya Wieler, Human Resource Director, also present. Pursuant to NDCC 44-11.01, Chairman Vaughn is requesting permission from the Commission to send information to the Attorney General's Office and the Governor's Office related to Mr. Askew's alleged misconduct, lack of diligence and communication, neglect of duties, intimidation and creation of a hostile work environment. Discussion was had on the Assistant State's Attorney position. Motion made by Andy Adamson and seconded by Gary Nilsson to have the Chairman proceed with the process. Roll call vote: Gary Nilsson –yes; Andy Adamson – yes; Hugh Ralston – yes; Hetty Walker– no; Corene Vaughn – yes. Motion carried.

Robert Fleming, Water Board Attorney, present during a conference call with Dwight Comfort, State Water Commission, and the Commission regarding concerns on the proposed Drain #66 project. Discussion was had about the cost share of the proposed project and the flow study that was done to determine the size of culvert required to meet the state requirements. Commission will address this issue with the Water Board at the July 7, 2011 meeting.

No further business; meeting adjourned.