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BOARD OF PEMBINA COUNTY COMMISSIONER'S PROCEEDINGS

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September 16, 2025

9:00 AM

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

Chairperson Otto called the meeting to order at 9:03 AM. Roll call: Patrick Hardy, Scot Becker, Blaine Papenfuss, Darin Otto, Andrew Cull. A quorum was declared.

Also, in attendance were: Zelda Hartje, Rachel Ramsay, Public Health Director; Terry Meidinger, Sheriff; Lisa Keney, Tax Director; Devin Johnson, Highway Superintendent; Garret Fontaine, States Attorney; LuAnn Kemp, Randy Emanuelson, Ted Juhl, Donald Kemp, Bill Gunderson, Mike Ferrie, Robert Fleming.

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 9:04 AM.

The public comment portion was closed at 9:20 AM.

Motion made by Scot Becker and seconded by Patrick Hardy to approve the September 2nd, 2025 meeting minutes. All voting in favor, motion carried.

Motion made by Andrew Cull and seconded by Blaine Papenfuss to approve the amended February 21, 2023 agenda and meeting minutes. Chairman Otto explained what this item pertained to. He states this is when the commission went into executive session because the paperwork they were looking at was marked confidential. He stated they were all fairly new at the time and this amendment adds the contents of the executive session to those minutes. All voting in favor; motion carried.

The water board met with the commission. Mike Ferrie stated they are still working on the Bourbonis-Herzog planning. There have been some changes because of all the agency coordination. They are still working on the fieldwork survey and collecting the background data before they get into the analysis. He stated they are still working on the EWP tabletop meeting for February 2026. He stated the Renwick repair at Icelandic is scheduled for a bid opening on Thursday. He stated it will possibly start end of

September or beginning of October and done by December. There may be some follow up items such as planting that need to be done in the spring. All cost share has been approved for that repair. Don stated the Red River Joint Board gave 90 percent. Mike stated bid prices have been good this fall and they have received quite a few for the Renwick project. The final 2023 FEMA project at Drain 78 is going to be open to a two-week bid process and should get completed this fall. The drain 7 outlet will also be under repair this fall.

Lisa Keney addressed the commission regarding the contract renewal with Sidwell. She stated the two-year contract is up with them. They do all the GIS mapping for the county. She stated there is money set aside in the ARPA funds for this contract. She stated the two-year contract is \$32,190.00. She stated that a lot of the parcels that were not on the GIS have been drawn up by them. She stated the farm use layers are included in this contract. She stated they are also working on the land use layers. Motion by Blaine Papenfuss and seconded by Scot Becker to renew and have Chairman Otto sign the renewal contract. Discussion on the technology access fee that is included. She stated they hold the data for us and that is how we get it brought into our GIS mapping system. Training hours included in the contract also discussed. Lisa stated herself, Sam Weeks and Jessica in the tax office use those hours provided. All voting in favor, motion carried.

Lisa also addressed the commission on the new requirements per house bill 1176. She stated a date needs to be set for the county tax equalization meeting because every single property owner needs to be notified of their 2025 value and proposed 2026 value. She stated that figure is close to 15,000 pieces of mail to be sent out. She said the bill states that is the responsibility of the assessor. She has sent an email to them to forward onto their townships and cities so they can figure out how they are going to cover that postage. She said they can be printed and mailed from the county but the postage will need to be covered by the townships and cities. She said because of this new requirement, a date for equalization will need to be set in June because it has to be on the notices. Motion by Blaine Papenfuss and seconded by Patrick Hardy to set the equalization date of June 2, 2026 at 1:00 PM. All voting in favor, motion carried.

Lisa Keney and Terry Meidinger left the meeting at 10:14 AM.

Devin Johnson and Jeff Daley arrived at the meeting at 10:15 AM.

Devin presented a utility permit from Nodak Electric Cooperative located at Twp 162N, Sec 6/7 & 4/9, Range 51W on County Road 1. Motion by Andrew Cull and seconded by Blaine Papenfuss to approve the utility permit request. All voting in favor, motion carried.

Devin presented a bill from Helm Enterprise for tree hauling for our properties west of Bowesmont. He is asking where that bill should be paid from. It was decided it should come out of Devin's budget.

Jeff discussed the bridge project over drain 38 on County Road 12. He stated there were conversations with the Mitchells on different options. Devin stated he gave Richard a copy of the memorandum. He said Richard read through it and is leaning towards the one with the less impact. Chairman Otto stated he also spoke with him. They feel they probably need to leave it as is and not raise it because it would cause more flooding for them. Jeff Daley will reach out to the water board and see if they would be interested in doing work downstream or not.

Jeff Daley discussed the bridge ER Site north of Leroy where the water has washed out the abutment in the past. He said they did the hydraulics on the existing bridge is adequate, but water will hit more to the south of the bridge which causes a swirling action that eats away at the embankment even though riprap has been added over the years. They want to redirect the water. He presented two options. The first proposal is to put a 172-foot-long guide wall and the other option is similar but to build it up higher. He stated the goal is to get the water to steer toward the center of the bridge instead of the ends of the bridge. He stated he is leaning toward option two because it is built up higher. He stated it is more upstream. The scenarios that were run were for a 10-year event. He stated these are preliminary options. Devin stated the nearest residence was at least five miles away. Everyone agreed option two was the way to proceed on this project.

Jeff stated there was a preconstruction meeting yesterday on the 17-structure rehab project. They will be starting this week on the two structures southeast of Gardar, then moving to the two by St. Thomas.

Flex Funding possibilities were presented by Jeff Daley. County Highway 44 by American Crystal, County Highway 12 from ND 5 to Highway 3, County Highway 9 from Walhalla to County 12 by Leroy and two structures discussed for this funding. One structure is SE of St. Thomas and the other is a location with no structure. They have five applications drafted and will submit them by Friday. He is asking what percentage the county wants to put in as a match for the applications. He stated the percent is not locked in. Jeff stated this is just the application process and the state will be going through all applications state wide and will approve or deny applications. He stated they might also come back and ask counties to prioritize submitted projects. Discussion followed regarding what percent should be submitted. Motion by Scot Becker and seconded by Blaine Papenfuss to set the match at ten percent. All voting in favor, motion carried.

Rachel Ramsay left the meeting at 10:37 AM.

Discussion on paving over the aprons on County 3 when paving is done discussed. The commission stated they would like to see them to go wider and farther back. Mr. Daley will go look at them and bring back the information at the next meeting.

Attorney Fontaine informed the commission there was a typographical error on the agenda notice for the executive session and so it cannot be held today so it will have to be reset. Discussion followed on available dates and times. It will be tentatively set for September 29th at 7:00 AM.

Commissioner Otto reminded everyone today was the open house for the VA Telehealth and everyone should stop over there.

Commission reviewed the August financial report and claims. Motion made by Andrew Cull 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 10:55 AM.