

Forman, North Dakota  
October 6, 2015

The Sargent County Board of Commissioners met at 9:05 a.m., with the following members present: Mike Walstead, David L Jacobson, Bill Anderson, Sherry Hosford, and Jerry Waswick. Also present were County Auditor Pam Maloney, and Jeanne Sexton-Brown the Sargent County Teller.

Jerry Nelson, Lidgerwood, arrived at the meeting. He stated that he would like Lyle Bopp, States Attorney, to dismiss himself as prosecutor in a Sargent County criminal case as he believes that Mr. Bopp is unprepared. Mr. Nelson has been in contact with the North Dakota Attorney General's office, and the AG's Office could provide some support if Mr. Bopp recuses himself from the case. Although the County Commission has authority over the States Attorney's budget, State law does not allow the Commission any supervisory authority over the States Attorney's conduct of his office. No action taken at this time.

Alison Toepke, Treasurer/Recorder/Clerk of Court, arrived at the meeting with Joan Schwab, the new staff member in her office. Ms. Schwab was introduced and welcomed by the board. Ms. Toepke also brought more information on the digitization of the record books in the recorder's office. The county could split the payment into three different budget years, however, the information wouldn't be available on the Document Pro software until final payment is made. The digitizing company would, however, provide their software to access that information during that period. The total dollars to be spent is \$55,513.36 which would be split into three different budget years at a cost of \$18,504.45/year. Motion to authorize recorder to proceed with the digitization according to the proposal presented by Ms. Toepke, to be paid over three budget years. This will be financed by the General fund to be repaid by the Recorder Documentation Fund when fees are collected. Payments will be paid in December 2016, January 2017 and January 2018. (Anderson/Waswick, unanimous)

Motion to authorize Vanessa Bayger & Joan Schwab, Treasurer/Recorder/Clerk of Court deputies, to sign signature cards at the local financial institutions to enable them to sign warrants for payment of bills and to remove the name of Gina Hillestad, retired Treasurer/Recorder/Clerk of Court from the signature cards. (Waswick/Jacobson, unanimous)

Sandra Hanson, Tax Director/911 Coordinator/EMA, arrived at the meeting with Denise Ferderer, the new deputy in her office. Ms. Ferderer was introduced and welcomed by the board.

Discussion on the graveling deadline extended at the September 15 commission meeting. Commissioner Walstead provided a map to the other commissioners that Road Supervisor, Merrill Engquist, had prepared showing the progress of the graveling projects. Commissioner Walstead and Mr. Engquist requested that the graveling deadline be extended through the end of the week, to October 10. They believe the extension will allow the contractors to get at least one lift of gravel on the areas which need it most. Motion to authorize an additional extension through Saturday, October 10 for the contractors to spread 800 ton/mile on County Roads #8 (approximately 2 miles), #5 (approximately 2 miles) & #2 (approximately 1 mile). Roll call vote: Yes – Waswick, Anderson & Walstead. No – Jacobson & Hosford. Motion carried.

Lyle Bopp, State's Attorney, arrived at the meeting at 10:00. The Board asked him about the issues that Mr. Nelson had been concerned about earlier in the meeting. Mr. Bopp has been in contact with the North Dakota Attorney General's Office and knows about the Nelsons' concerns. A continuance requested by the Defendant's Counsel has been granted by the trial court, and the case will be rescheduled to a later date.

Melissa Seykora, nee Blawat, Extension Agent and Cindy Klapperich, Family and Consumer Science Agent met with the commission to report on the activities of the County's Extension Service office personnel from July through September 2015 and to promote recognition of 2015 National 4-H Week. A written report was delivered to each Commissioner and to the County Auditor. A copy of the report can be obtained from the Extension Office. The commission commended the County's Extension Service personnel for their teamwork, multitude of programs, involvement in the community, and outstanding effort on behalf of the people of Sargent County.

The commission introduced the following Proclamation and moved for its adoption:

**Proclamation**  
**2015 National 4-H Week**

WHEREAS, 4-H is open to all youth ages 5-18; and

WHEREAS, the mission of 4-H is to create supportive learning environments for youth and adults to reach their full potential as capable, confident, caring citizens of character, and

WHEREAS, 4-H strives to identify and provide projects, activities, educational events, and community service opportunities for youth to be fully engaged, head, heart, hands, and health, learn by doing, acquire knowledge, develop life skills and form attitudes that will enable them to become self-directed, productive, contributing members of society; and

WHEREAS, adult volunteers and family members play an integral part in the success of 4-H youth development experiences; and

WHEREAS, 4-H is a well-proven positive youth development program; now, therefore, be it,

RESOLVED, that the Sargent County Board of Commissioners hereby recognizes and celebrates October 4-10, 2015, as National 4-H Week in Sargent County and commends all whom play a role in making 4-H a vibrant and successful program.

Motion by Anderson and second by Jacobson. Motion carried unanimously. The ladies shared cookies with everyone present.

Motion to approve the revised draft of the minutes of the September 15 2015, commission meeting. (Hosford/Anderson, unanimous)

Commissioner Anderson stated that he had sent out an email to all department heads regarding a proposed change in the county's electronic communications device (ECD) and internet policy. He had requested that personnel respond to him with questions or comments before the October 20<sup>th</sup> meeting when the policy change will be addressed.

Commissioner Walstead and Merrill Engquist, Road Supervisor, completed the County Road Needs Study questionnaire sent out by the Upper Great Plains Transportation Institute. The objective of this study is to estimate the funding needs to maintain county and local roads statewide. The auditor was instructed to type it up & send it on to Upper Great Plains Transportation Institute.

Letter received from the Court Facilities Improvement Advisory Committee regarding grant monies available to the county for a court facility improvement or maintenance project. It was suggested that a committee be formed of the Clerk of Court, State's Attorney and Courthouse Commissioner to determine if there were any court facilities needs which could be funded through the grant. It was suggested by the Courthouse Commissioner that the committee could consider the repair and restoration of the original ceiling in the Courtroom as a worthwhile project.

Some discussion was held regarding the repairs needed to the back parking lot. Jerry Christiansen from the Freedom Resource Center in Fargo, has left information regarding accessible parking design for North Dakota based on the Department of Justice's 2010 Standards for Accessible Design and North Dakota State Law. According to his information, there needs to be 2% slope in all directions, but, at this time the parking lot has a 5% slope to the south. The parking lot is in need of repairs anyway, so when the repair work is done, it needs to be done in accord with State & Federal requirements.

There have been two applications for drainage work within county road right-of-way received. The first is from the Quandt Brothers in Sections 18-19-20 of Jackson Township, to clean the bottom of the road ditch along County Road #3, & to put the excavated fill back up against the in-slope of the road to make a 4:1 slope, and to blade it back. This will bring the in-slope into compliance with FSA requirements, and allow the problem area of County Road #3 to drain water away from the road. The second application, from Jake Erickson, is to install an approach on the west side of County #10, in Section 13 in Rutland Township. Tabled until the board discussed this further with the county engineer and the county road supervisor.

Acknowledgement of letter from the North Dakota State Tax Department directing Sargent County to decrease all residential property assessments within the county by 2%.

Approve Gaming Permit No. 2015-01 to the Little Old Ladies of Sargent County, Forman for a raffle on November 7, 2015 at the Coteau des Prairies Lodge located in Tewaukon Township, Havana, ND. (Anderson/Hosford, unanimous)

Pursuant to the request of the County Engineer, motion to approve Estimate No. One for the Surge Projects on County Roads #2, #10 & #14 in the amount of \$211,589.09. (Anderson/Waswick, unanimous)

Motion to instruct the county road supervisor to complete the tiling project started on Mike & Cheryl Zirnhelt's land by November 15, as the crop is off & the slough is dry. (Jacobson/Hosford) After more discussion, motion was made to amend the original motion to "Instruct the county road supervisor to complete the tiling project started on Mike & Cheryl Zirnhelt's land starting in the SW1/4 of Section 31 in Rutland Township, by November 15, as the crop is off & the slough is dry, once an "access agreement and completion of drain agreement" has been drawn up by the State's Attorney and signed by both parties to establish an appropriate & definite procedure". (Waswick/Anderson) A roll call vote on the amendment followed. Yes – Waswick, Anderson, Hosford, & Walstead. No – Jacobson. Motion carried. A roll call vote on the amended motion. Yes – Jacobson, Waswick, Anderson, Hosford and Walstead. No – None. Motion carried.

Lyle Bopp, State's Attorney, passed out a Draft copy of an "Agreement Between Ransom County and Sargent County For Sharing Sargent County Social Service Employee (Parent Aid & Family Preservation Worker). He asked them to review the agreement and share any comments, questions or changes they have with him. This will be discussed further at the Social Service Board meeting on October 15<sup>th</sup>.

The Board recessed at 12:10 p.m.

The Board reconvened at 6:00 p.m. for a public hearing on the 2016 County Budget. Those present: Mike Walstead, Bill Anderson, David L Jacobson, Jerry Waswick and Sherry Hosford. Also present: Pam Maloney, County Auditor; Sandra Hanson, Tax Director/911 Coordinator/EMA; Dale Keller, Gwinner; Donna Eklund, Forman; David Caldwell, Milnor; and Paige Cary, the Sargent County Teller.

Chairman Walstead opened the hearing and asked for any comments regarding the 2016 property tax levy. A review of the levied funds and discussion followed on the 1.14% increase on the Sargent County property tax levy. Donna Eklund had several questions on different budget items, including Road, Courthouse Building Improvement, Job Development, Water Resource, and also how employee salaries were determined. Dale Keller inquired about the taxable valuations and how they relate to mills going up or down. He also asked how properties achieve an exempt status, how often they are evaluated, etc. and how recreational residences are valued. David Caldwell was in attendance as he is fairly new to the area and was interested in the property valuation and budget processes. The Board also acknowledged receipt of a letter from Ira Sullivan opposing any new taxes now or in the future.

**RESOLUTION NO. 1**

Commissioner Anderson offered the following resolution and moved its adoption, seconded by Commissioner Hosford:

WHEREAS, it is the duty of the Board to make appropriations for the current year beginning January 1, 2016 and ending December 31, 2016 of money in specific amounts for all offices, officials, improvements, roads, bridges, which are supported wholly or in part by the county.

NOW THEREFORE BE IT RESOLVED, that the Sargent County Commission approve and adopt the 2016 budget in the sum of \$9,249,108

Voting aye: Walstead, Anderson, Waswick, and Hosford.

Voting nay: Jacobson

Resolution was adopted.

**RESOLUTION NO. 2**

Commissioner Hosford offered the following resolution and moved its adoption, seconded by Commissioner Anderson:

WHEREAS, the Lake Agassiz Regional Council strives to assist in the planning and economic development of Sargent County and Lake Agassiz Regional Council as a whole, and

WHEREAS, planning and economic development are among the objectives of the Board of Commissioners of Sargent County,

NOW THEREFORE BE IT RESOLVED, that Sargent County approves and supports the planning and economic development program and budget of the Lake Agassiz Regional Council during the Fiscal year 2016 in the amount of \$1,500.00.

Voting aye: Waswick, Hosford, Jacobson and Walstead.

Voting nay: Anderson.

Resolution was adopted.

The following is a summary of the taxes to be levied for 2016:

	<b>GENERAL FUND</b>	<b>SPECIAL REVENUE FUNDS</b>	<b>TOTAL ALL FUNDS</b>
BUDGET REQUEST	1,921,199	7,327,909	9,249,108
BUDGETED TRANSFERS OUT	26,600	64,300	90,900
CASH RESERVE	700,000	1,720,991	2,420,991
<b>SUBTOTAL</b>	<b>2,647,799</b>	<b>9,113,200</b>	<b>11,760,999</b>
ESTIMATED CASH BALANCE (12-31-15)	801,351	2,756,472	3,557,823
ESTIMATED TRANSFERS IN	12,500	74,400	86,900
ESTIMATED REVENUE	655,499	4,393,659	5,049,158
<b>TOTAL RESOURCES</b>	<b>1,469,350</b>	<b>7,224,531</b>	<b>8,693,881</b>
LEVY REQUIRED	1,178,449	1,888,669	3,067,118
ALLOWANCE FOR DELINQUENT TAX COLLECTIONS	31,000	64,009	95,009
<b>TOTAL AMOUNT LEVIED</b>	<b>1,209,449</b>	<b>1,952,679</b>	<b>3,162,128</b>

The meeting adjourned at 8:15 p.m.

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MIKE WALSTEAD – CHAIRMAN

ATTEST:

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PAM MALONEY – COUNTY AUDITOR