

November 20, 2001  
Forman, North Dakota

The Sargent County Board of Commissioners met at 9:00 a.m. with the following members present: Bill Smith, Ray Brockman, Donald Wehlander, Karen Anderson and Steve Wyum. Absent none.

Raymond Martinson, DeLamere, Chairman, North Dakota Soybean Council, met with the Board to discuss Biodiesel, which is a clean burning mono-alkyl ester-based oxygenated fuel made from soybean oil or other vegetable oils or animal fats. It can be blended in any ratio with petroleum diesel and can be used in diesel engines with no major modifications. Presently, the cost is \$.05 over premier diesel fuel. After further discussion, the Board agreed that after consulting with the road commissioner and the road superintendent, make a recommendation for biodiesel blends and request bids for biodiesel in March 2002. (Wyum/Anderson, unanimous)

Abatement for 2000 filed by Claude and Kathy Becker, on the south 10' of Lot 29 and all of Lots 30-31-32, Block 14, Original Addition in Milnor City was presented for the Board's recommendation. Norm Preble, Tax Director arrived at the meeting. The home was moved and a new home built with a 2-year tax exemption. Milnor City Council approved the application for 7-month pro-rated taxes on the home that was moved. Concur with City of Milnor. (Brockman/Anderson, unanimous)

Approve November 6, 2001 minutes as corrected. (Wyum/Smith, unanimous)

The Silver Lake Shore Stabilization project was approved and bid accepted by the Water Board for \$42,399.50 with Heitkamp Construction Inc., Wahpeton. The work began on November 13 and should be completed this week.

Karen Anderson discussed some concerns on the lunch room not being used by everyone and coffee makers still present in some of the offices. She also indicated that the public is asking that the offices remain open during the noon hour to allow the public more access to use of the courthouse.

Sandra Hanson met with the Board to invite members to attend a Homeland Security Program in Bismarck on November 30, 2001. The purpose of the meeting is to work together to keep our citizens safe and learn together how to respond to the threats that we now face following the events of September 11, 2001.

Authorize December 24, 2001 only as a full holiday. (Smith/Anderson, unanimous)

Michael J. Burns, Architect, Fargo met with the Board to discuss proceeding with a tuckpointing project and other exterior repairs on the courthouse. Mr. Burns listed several counties and other building projects that he has worked with in this area. He visited the courthouse last week and took several pictures that reveal the need for restoration. He could determine the scope of the project on an hourly basis. The information would be provided to the Board and Mr. Burns would visit with the Board to discuss the project. Following the scope of work he would request a lump sum payment of the architectural work prepared for the restoration. Authorize services of Michael J. Burns to prepare the scope of work for exterior courthouse restoration. (Wyum/Anderson, unanimous)

The Annual Tax Sale was conducted at 1:00 p.m. Marc Enderson, Mayor, Havana City and Norm Preble, Tax Director appeared at the sale. Approve County Deeds to City of Milnor, a municipal corporation for 70' x 100' of Outlot M, (previously described as SW1/2 Lots 15 & 16, Block 2, Johnson's Addition), Milnor City for \$1.00 plus special assessments, Brad & Sally Smith, HW, JT, PO Box 12 Havana for Lots 11-12-13-14, Block 6, Original Addition, Havana City, for \$105, City of Havana, a municipal corporation for All of Block 4, Weber's Addition for \$50; Lot 1, Block 5, Weber's Addition for \$50 and Lot 5, Block 5, Weber's Addition for \$50. (Anderson/Wyum, unanimous)

Sparky Engquist, road supervisor, met with the Board to discuss the interview process. He reviewed salaries of road department employees and recording on time cards. The cultural resource study will be conducted this week on the bridge projects.

The Board proceeded to accept proposals for design and construction engineering services on Federal Aid Structures for bridge nos. BRO-41(008) and BRO-41(009). One proposal was received from Interstate Engineering, Inc. and presented by Damon DeVillers. Accept proposal from Interstate Engineering, Inc. (Smith/Brockman, unanimous)

Several residents from the county along with the Sargent County Planning Commission members met with the Board to discuss the recommendation for the permit application filed by Big Dipper Enterprises. Earl W. Anderson, Chairman, SC Planning Commission explained the permit process and the activities that led to the recommendation which the Planning Commission is prepared to make. The Planning Commission recommends that the county commissioners call a special election for a countywide vote of the county electors as to whether or not to

approve a permit. The Planning Commission presented an optional plan if the county commissioners decide not to proceed with an election, which is to issue a permit for Phase II development of Big Dipper Enterprises Inc.'s Dakota Municipal Solid Waste Landfill pursuant to the application dated June 26, 2001 as amended. There were five conditions added to the permit: 1) A condition that the landfill operator acknowledges the zoning jurisdiction of Sargent County over the property in which the landfill facility will be situated and that the landfill operator acknowledges the zoning authority of Sargent County; 2) A condition limiting the active disposal to the SW1/4-10-132-56; 3) A condition requiring that a tipping fee of \$3.00 per ton be paid by the landfill operator to Sargent County to offset costs involved in monitoring and regulating the landfill operation and creating incentive programs to assist local governments with recycling programs; 4) A condition requiring that the slope of landfill cell constructed pursuant to the permit application dated June 26, 2001 as amended not exceed 15 per cent grade; 5) A condition requiring that no hazardous materials shall be placed in any landfill cell and that no industrial waste be placed in any landfill cell other than that which is already contained in municipal solid waste as defined by federal regulations or permitted by state statutes and regulations. Mr. Anderson discussed the actions of the Planning Commission and reasons for their recommendation. He feels this is a new permit for new facilities even though it is contiguous of the current landfill facility. Lyle Bopp talked to an assistant at the Attorney General's Office and he concluded that the state law deals strictly with new permits. The county ordinance refers to new facilities and if an election is used to decide if the permit should be granted, he questions whether this would be constitutional. Mr. R.E.T. Smith, Attorney, Big Dipper Enterprises commented on the conditions and how they would affect the landfill. The most impact would be the \$3.00 per ton tipping fee. The monitor situation was discussed and currently the landfill pays \$50,000 per year to the State Health Dept. for the monitoring program. The Planning Commission would like to see a full-time monitor at the landfill and the landfill representatives agreed they would like to see a full-time person. A general discussion followed by those in attendance on the pros and cons of an election or approval of a permit with conditions. The commission recessed to November 27, 2001 at 1:00 p.m. to discuss the proposal.

Motion to approve the following bills and November payroll in the sum of \$71,689.10: (Smith/Wyum, unanimous)

42126 City of Forman	Water, sewer and garbage	221.80
Social Service Board expenses		3733.35
42221 Karen Anderson	Travel	409.60
42222 Doublewood Inn	Lodging	360.00
42223 BP/Amoco	Sheriff travel	86.34
42224 Ray Brockman	Travel	176.60
42225 Buhl's of Britton	Cleaning service	217.23
42226 Richard Carney	Meals & registration	52.50
42227 Case & Bopp	Rent & phone	411.98
42228 Cellularone	Sheriff phone	22.88
42229 Chunky's Standard	Sheriff travel	105.00
42230 Cogswell City	Lot upkeep	59.50
42231 Dacotah Paper Co.	Forms	129.39
42232 DOCS	Labor	45.00
42233 Farmers Union Oil Co.	Gas, fuel and repairs	3250.72
42234 City of Forman	Rent	15.00
42235 Forman Drug	Supplies	49.34
42236 Gall's	Equipment	90.95
42237 Gwinner One-Stop	Batteries	3.98
42238 Hardware Hank	Supplies	66.10
42239 J & M Printing	Labels	44.35
42240 J.P. Cooke Co.	Stamper	68.15
42241 Lorraine Jacobson	Travel	318.58
42242 Lisbon Medical Center	Venipuncture	58.00
42243 Martinsen Home Center	Supplies	94.24
42244 McLeod USA	Long distance phone calls	223.75
42245 Michael A. Felitti Labels	Election nametags	32.95
42246 Minn-kota Communications	Equipment and repairs	703.29
42247 NDACo	Worker's Comp., registration and Technical support	775.00
42248 NDPOA	Dues	130.00
42249 ND Safety Council	5 portable heaters	75.00
42250 Officeland	Stamper	11.84
42251 Quill	Supplies	142.01
42252 Richland Co. Corrections	Prisoner Board	1440.00
42253 SC Treasurer	Reimbursement for postage, etc.	2621.81
42254 SE Crime Conference	Dues	10.00
42255 Stein's Inc.	Hand towels	109.20
42256 Streicher's	Equipment and ammunition	193.30
42257 The Teller	Publishing fees	350.78
42258 Underground Vaults	Lease rental	132.00
42259 Universal Services	Ink cartridges	138.00
42260 Verizon Wireless	Cell phone	28.12
42261 Viking Office Products	Supplies	123.83

42262 Wahpeton Drug	Prisoner Board	10.80
42263 Steven Wyum	Travel	351.55
42264 Bear Creek Gravel	Gravel - # 1 & 2	7843.00
42265 Bernard Mahrer Construction	Gravel # 5 and sand	1320.06
42266 Crandall Construction	Rip rap	560.00
42267 Farm Plan	Repairs	141.06
42268 Gwinner Oil Bulk	Tire	20.00
42269 Johnston Fargo Culvert	Culverts	18374.50
42270 K & L Sandblasting	Paint and truck repairs	3338.23
42271 Kevin's Collision Center	Repairs	99.59
42272 Liberty Industries	Pavement protection	865.83
42273 Midwest Testing Lab., Inc.	Asphalt testing	1937.50
42274 Sundale Excavating	Replace culvert	1140.00
42275 3D Specialties	Signs	3575.25
42276 Citizens Communications	911 contracts	155.40
42277 CPU	Data Processing Charges	473.03
42278 Country Suites	Lodging	98.56
42279 Dickey Rural Telephone Co-op	911 contracts	422.50
42280 First National Insurance	Premium	55.00
42281 Hardware Hank	Equipment	32.99
42282 Julie Hassebroek	Travel	123.25
42283 Information Technology Dept.	WAN access and anti-virus	393.00
42284 NDDHS	FC and SPED	1325.27
42285 NDDOT	Seal coat project	1005.55
42286 NDAE 4-HYW	Dues	70.00
42287 NDSU Extension Service	Dues	64.00
42288 NDSU Extension Service	Book	30.00
42289 Office Max	Supplies	172.03
42290 Qwest	911 services	289.77
42291 Radisson Hotel	Lodging	502.00
42292 University of IL	Books	20.00

Meeting adjourned at 5:45 p.m.

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DONALD WEHLANDER - CHAIRMAN

ATTEST:

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SHERRY HOSFORD - AUDITOR