

The Sargent County Board of Commissioners met in the Commissioner's Room at the Sargent County Courthouse at 9:00 a.m. with the following members present: Bill Anderson; Jason Arth; Lyle Bopp; Richard Ruch; and, Jerry Waswick. Also present were Tibby Hinderlie, Sargent County Teller; and, Pam Maloney, Sargent County Auditor.

The Pledge of Allegiance was recited.

Approve December 4, 2018 meeting minutes as corrected. (Bopp/Anderson, unanimous)

Discussion was held on State's Attorney Jayne Pfau's salary. Based on her years of experience as an assistant state's attorney, and on the precedence of past practice concerning the pay and benefits for the States Attorney office established at the time the County Pay Plan was first adopted, motion to pay the current States Attorney full time salary with half time benefits at DBM Classification E-81/Step 3 in the Pay Plan effective January 1, 2019. (Waswick/Anderson) Roll Call Vote: Yes – Anderson, Arth, Ruch & Waswick. No – None. Abstaining – Bopp. Motion carried.

Approve amending 2018 budgets as follows: (Anderson/Bopp) Upon roll call vote, motion carried unanimously.

ROAD	\$1,314,161	TO	\$ 1,631,539.13
DONATIONS	\$ 69,285	TO	\$ 75,222.66
HEALTH	\$ 162,027	TO	\$ 197,062.75
DISASTER ASSISTANCE	\$ 50,000	TO	\$ 86,075.01
EMERGENCY MED SERVICES	\$ 246,709	TO	\$ 259,778.17
HISTORICAL SOCIETY	\$ 8,750	TO	\$ 9,266.49
SENIOR CITIZENS	\$ 64,500	TO	\$ 66,558.78
EXTENSION EDUCATION	\$ 2,000	TO	\$ 2,839.68
KRAFT SLOUGH	\$ 5,000	TO	\$ 12,461.78
GARRISON DIVERSION	\$ 35,000	TO	\$ 37,532.49
SOIL CONS. SERVICE	\$ 30,000	TO	\$ 31,715.55
DRAIN #2	\$ 10,000	TO	\$ 17,912.23
WATER CHANNEL IMP #1	\$ 15,000	TO	\$ 130,031.82
WTR CHAN IMP #1 I&S	\$ 200,000	TO	\$ 203,928.08
RICHLAND/SARGENT DR #1	\$ 101,029	TO	\$ 101,384.71
JACKSON IMP #1 MNTNC	\$ 11,618	TO	\$ 11,813.27

Jayne Pfau, Assistant State's Attorney, arrived at the meeting at 9:30 a.m.

Approve transfer among the following 2018 budget funds: (Waswick/Anderson) Upon roll call vote, motion carried unanimously.

From General Fund Building and Maintenance to the Courthouse Building Fund \$25,000.00.
From General to Recorder's Document Preservation \$12,000.
From Federal Aid Road to Road \$600,000
From General to Fairgrounds Improvement Fund \$1,600
From General to Extension \$5,000
From Health to State Aid \$250

Approve beer and liquor licenses for 2019 to Paul Mund, Kate Mund and Jill Gainor, The Field dba The Schoolhouse, DeLamere, Hall Township. (Waswick/Anderson) Upon roll call vote, motion carried unanimously.

Appoint Luke Anderson (representing Forman City-term expires 12/31/21) to the Sargent County Job Development Authority (JDA). (Anderson/Waswick) Upon roll call vote, motion carried unanimously.

Approve Games of Chance Permit SC-2018-07 to Cogswell Gun Club, Cogswell, ND for a raffle on February 24, 2019 at Silver Lake Park. (Ruch/Anderson) Upon roll call vote, motion carried unanimously.

Merrill Engquist, Road Supervisor, arrived at the meeting. Slope work is being done on County Road #14 from the intersection with County #5 to the State Line, and the road crew, assisted by private contractors, will continue with that project, weather permitting. When the county road department is finished with the slope improvement project on County Road #14, there are several locations on County Road #12 south of Cayuga that he recommends be done. There were no objections to a

suggestion from Commissioner Arth, Road Commissioner, that the road department start with a mile or two each year to get slope improvement work on County Road #12 north of Cayuga done, also. Mr. Engquist reported that 2019 should be a year to trade off the oldest/highest hour blade and replace it with a new machine. In January the commissioners will consider whether or not to request bids for a new blade, with a possible bid opening in February or March.

Approve 2019 County Federal Aid Program Sheet and authorize the chairman to sign the document for return to ND DOT. The 2019 County Federal Aid Program sheet had been forwarded to County Road Supervisor Engquist and to County Engineer DeVillers of Interstate Engineering for review, comment and correction prior to the meeting, and no changes had been recommended. (Anderson/Waswick) Upon roll call vote, motion carried unanimously.

Brenda Peterson, Health Unit Administrator; & Briana Spellerberg, Health Unit Tobacco Coordinator and Nurse; arrived at the meeting. Ms. Spellerberg is requesting that she be able to carry over vacation into 2019 as she is expecting a baby in May and would like to save her vacation for maternity leave. The policy states that employees must use at least one week of vacation each year or lose it. Motion to allow Ms. Spellerberg to carry over the vacation that she has earned into 2019 to be used when her baby is born. (Waswick/Bopp) Upon roll call vote, motion carried unanimously. As Mrs. Spellerberg has not been a county employee long enough to accumulate a large number of vacation days; and, as pregnancy and childbirth are special circumstances that may, in some cases, require special consideration; there will be no change in the policy manual – situations such as this will be dealt with on a case-by-case basis.

Ms. Peterson and Ms. Pfau, representing the Sargent County Personnel Board, also requested that the Sargent County Park Manager and the Sargent County Weed Control Officer's classifications change from seasonal to regular part-time status. The County's Personnel Policy defines Seasonal Employment as being employed for 5 months, or less, during the calendar year. Both positions are on the job for longer than a 5-month period, which is how Regular Part Time employees are described in the personnel policy. For the past several years, both positions have been on the job from April into October, approximately 7 months. This change would allow both positions to accrue vacation and sick leave on a prorated basis. They already earn other benefits on a prorated basis. Motion to change the classifications for the park manager and the weed control officer from seasonal to regular part-time upon the recommendation of the personnel board. (Anderson/Bopp) Upon roll call vote, motion carried unanimously.

The following resolution was introduced by Commissioner Waswick and seconded by Commissioner Ruch. Upon roll call vote: Yes – Anderson, Arth, Bopp, Ruch & Waswick. No – None. Resolution carried unanimously.

RESOLUTION TO LEASE OFFICE SPACE FROM THE WILD RICE SOIL CONSERVATION
DISTRICT
AND RELOCATE SARGENT COUNTY'S NDSU EXTENSION OFFICE

WHEREAS, The Wild Rice Soil Conservation District (WRSCD) board of supervisors has offered to lease the four front rooms (866 sq ft) that are currently unoccupied in the District's building at 8991 Highway #32 in Forman ND, to Sargent County for use by the County's office of NDSU Extension, for the offered monthly rental amount, as recorded in the February 2016 and October 2018 WRSCD board minutes, of \$500 per month. As provisions of its offer, the WRSCD will look into painting, replacing carpet; sheet rocking two doorways shut for security purposes; and, will also include janitorial services & utilities at no additional charge. In the event that the Sargent County Commission decides to accept the offer, and terms are agreed upon by both parties, a written lease contract will be drawn up by the Sargent County States Attorney for review and execution by both parties, provided that the terms are acceptable to both.

WHEREAS, The Sargent County Commission finds that relocating the County's NDSU Extension Office to suitable office space at a location other than the courthouse, in the WRSCD Building, serves the needs and interests of the citizens and taxpayers of Sargent County.

WHEREAS, The staff members of the Sargent County NDSU Extension Office have informed the County Commission that they are in favor of moving to the WRSCD Building in order to continue to serve the citizens of Sargent county.

NOW, THEREFORE, the Sargent County Commission provides as follows: the Sargent County Commissioner holding the NDSU Extension portfolio, with the advice and assistance of the Sargent County States Attorney, is authorized to enter into good faith negotiations with the WRSCD to lease the above described premises, and to bring a proposed agreement to the Commission for review, consideration and possible approval; The Sargent County NDSU Extension Office staff will have

continued access to the courthouse second floor conference/community room for its meetings or events; The Extension staff will continue to have access to the courthouse conference/community room and vehicle checkout calendars; The Extension Office will continue to be able to use the storeroom on the 2nd floor of the Courthouse for storage space, if needed; Sargent County will provide a computer database backup to the server for the County NDSU Extension Office that is similar to what is in place currently at the courthouse; Sargent County will ensure that adequate communications and internet connections are available, at a minimum the equivalent of 3 separate phone lines, a fax-line, internet/technology access, and such other equipment and access as are determined to be necessary for the effective and efficient operation of Sargent County's NDSU Extension Office; Sargent County will assist The NDSU Extension Office personnel with the physical move; and, none of the technology and rent expenses for office space for the NDSU Extension Office will be paid from the County's NDSU Extension fund and mill levy, but such expenses will be paid from the County's General Fund or such other sources of funding as are allowed by law and deemed appropriate by the Sargent County Commission.

Motion to approve and authorize the chairman to sign the lease between the Wild Rice Soil Conservation District and Sargent County for office space to be utilized by the NDSU Extension Service. (Anderson/Bopp) Upon roll call vote, motion carried unanimously.

The following resolution was introduced by Commissioner Anderson and seconded by Commissioner Waswick. Upon roll call vote: Yes – Anderson, Arth, Bopp, Ruch and Waswick. No – None. Resolution carried unanimously. A copy of the resolution will be forwarded to the State Legislators representing the 26th District during the 2019 Session of the North Dakota State Legislature and to Terry Traynor, NDACO Executive Director.

REVENUE RESTORATION RESOLUTION

WHEREAS, the State of North Dakota sustained a budget shortfall of more than \$1 billion during the 2015-2017 biennium, and effectively increased property tax throughout the State by eliminating the 12% property tax buy down during the 2017-2019 biennium; and,

WHEREAS, despite the rejection of a decrease in the State's income tax by the voters in the General Election of 2008, the State Legislature has disregarded the will of the people during the past 5 legislative sessions and incrementally reduced the State's income tax rate by approximately 50%, contributing substantially to the inability to properly fund obligations of State and local governments; and,

WHEREAS, the North Dakota Oil Extraction Tax was reduced from 6½% to 5% by the 2015 session of the North Dakota State Legislature, reducing revenues to the State's Treasury by approximately \$20 million per month, even at today's reduced oil prices; and,

WHEREAS, the original Oil Extraction Tax rate of 6½% was set by the voters of North Dakota when they approved an initiated measure establishing the tax in the General Election of 1980;

NOW, THEREFORE, BE IT RESOLVED that the Sargent County Commission requests that the North Dakota State Legislature respect the will of the people of North Dakota as expressed in their approval of the initiated measure in 1980 and their rejection of the income tax decrease in 2008 by restoring the Oil Extraction Tax to 6½% and the State's personal and corporate income tax rates to the levels of 2008 as part of the State's effort to restore lost revenue and meet its fiscal responsibilities.

Commissioner Bopp, holding the Courthouse portfolio, reported that Lori McLaen has been hired to paint the Emergency Manager/911 Coordinator's Office.

More discussion was held on the omitted properties that Denise Ferderer, Tax Director, mentioned at a meeting a few months ago. There were approximately 10 farm home exemptions that no longer qualify and will be put on the tax rolls for 2019. Commissioner Waswick stated that these properties should be taxed for previously omitted years or refund the property taxes in Gwinner that were charged in 2018 for previously omitted years 2013-2017 as it was his opinion that all omitted properties should be handled the same. Denise Ferderer, Sargent County Tax Director; arrived at the meeting. There was more discussion regarding the farm home exemptions and the omitted property case in Gwinner. The States Attorney-elect advised that the applicable state law requires that unpaid back taxes on omitted properties must be collected. Motion to refund the omitted property taxes collected for tax years 2013 through 2017 to the taxpayer. (Waswick/Ruch) Upon roll call vote: Yes – Ruch & Waswick. No – Anderson, Arth & Bopp. Motion failed.

Approve December payroll in the sum of \$199,364.76 (Nos. 15716-15792 & 77983-77995) and the following bills: (Anderson/Waswick) Upon roll call vote, motion carried unanimously.

77940-77955		Health Unit Expenses	4,037.90
77956	Forman City	Water/Sewer/Garbage	166.31
77957	Ottertail Power Company	Electricity	2,567.12
77958	Ransom County	VSO Salary/Benefits	949.78
77961-77971		JDA Expenses	630.30
77972-77982		Health Unit Expenses	4,919.08
77996-78009		Human Services Expenses	2,968.12
78010	A-Z Body Shop	Sheriff Road Service	95.00
78011	Americas Solutions for Business	Toner Cartridge/Forms	221.42
78012	Ameripride Linen	Cleaning Service	128.76
78013	AMS Alcohol Monitoring	GPS Monitoring	226.00
78014	Arth, Jason	Commission Travel	327.00
78015	Avid Hawk, LLC	Web Services	45.00
78016	Bayger, Vanessa	Sheriff Cell Phone	600.00
78017	Bixby Auto Glass	Sheriff Windshield	250.00
78018	Cenex Fleet Card	Coroner Gas Purchases	28.04
78019	Code 4 Services	New Squad Car Lights	10,338.69
78020	Counties Providing Tech	Data Processing	1,255.58
78021	CHS-Dakota Plains	Gas Purchases	856.56
78023	Dell Marketing, LP	Computer Software	892.10
78024	DHS-MMIS	County Jail Remittance	130.87
78025	Dickey Rural Networks	Telephone	1,116.67
78026	Forman Market	Supplies	106.44
78027	FP Mailing Solutions	Postage Meter Lease	135.00
78028	Gall's	Sheriff Patrol Rifles	2,322.53
78029	Gallagher Benefits Service	Consulting Fee	10,218.75
78030	Gordy's Grill & Fill	Sheriff Car Washes	24.00
78031	Gwinner One-Stop	Sheriff Gas	371.35
78032	Gwinner Transfer, Inc	Sheriff Tires & Maintenance	1,263.95
78033	Hardware Hank	Courthouse Supplies	28.99
78034	Information Tech. Dept.	WAN Access/Netmotion	559.10
78035	Johnson/Bryan	Sheriff Travel/Cellphone/Ammo	1,334.45
78036	Kozok, Dave	Sheriff Travel/Cellphone	954.15
78037	LaQuinta -Bismarck	Sheriff Training Travel	423.00
78038	NDCCA	Community Correction Fee /Dues	200.00
78039	ND Post Board	License Fees/Johnson/Kozok	90.00
78040	NDACO Resource Group	Scanner/S&H/Tech Support	37,682.91
78041	Nelson Home Center	Fair Panels/Supplies	1,954.04
78042	Office of Attorney General	SCRAM 24/7	1,530.00
78043	Paeper, Travis	Sheriff Travel/Cell Phone	633.47
78044	Pharmchem, Inc.	Sweat Patch Analysis	314.05
78045	Quill.com	EM/911 Supplies/Furniture	1,555.82
78046	Reardon Office Equipment	Copier Charges	734.37
78047	Richland County Corrections	Prisoner Board	1,100.00
78048	Sargent County Teller	Publishing/Elections	1,268.39
78050	Teal's Market	Election Cost	42.68
78051	Toepke, Alison	T/R/ CoC Travel	118.81
78052	Tougas/Tanner	Sheriff Cell Phone	600.00
78053	Vanguard Appraisals	Tax Service Fees	3,500.00
78054	Verizon Wireless	Sheriff MIFI Cards	200.05
78055	Mike Walstead	Health Insurance Premium	651.14
78056	Willprecht, Wendy	EMS/911 Travel	35.20
78057	A W Diesel	Snowplow Truck/L9000 Repair	5,625.85
78058	Bernard Mahrer Construction	Road Sand	1,699.53
78059	Crandall Construction	25,000 Ton Gravel	102,500.00
		Storhaug Pit Stockpile	
78060	CHS-Dakota Plains	Road Gas/Fuel/Supplies	6,107.88
78061	Ekstrom Repair Shop	2003 GMC Repair	2,462.03
78062	Enderson Construction	Slopework Cty. # 14	86,539.53
		1132.85 Ton C Gravel	
		Rabenburg Pit Stockpile	
78063	Interstate Engineering	Service Fee -Cty #4	4,724.10
		Stockpile Sampling	
78064	Kirk's Ag Repair	Equipment Repair	134.40
78065	Northern Salt Inc.	Road Salt	2,741.35
78066	Ray-Mac, Inc.	Plow Truck Parts	31.76

78067	RDO Powerplan	Road Cutting Edges	5,148.27
78068	Richland County Water District	Bridge & Rd Repairs	90,844.23
78069	Rutland Oil Company	Road Fuel/Gas	4,442.69
78070	Southside Automotive	Equipment parts	204.59
78071	True North Steel	Culvert	1,262.00
78072	Visto's Carquest	Road Supplies	540.03
78073	Dickey Rural Networks	911 Trunks	231.00
78074	Forman City	Extension Hall Rent	30.00
78075	Jacobson/ David	Office Rental	150.00
78076	Klapperich/Cindy	Ext-FCW Agent Travel/Supplies	598.88
78077	NDAAEA	Extension Membership	75.00
78078	SC Treasurer	Extension postage	17.61
78079	Seykora, Melissa	Extension Agent Travel	555.41
78080	VISA	Extension Supplies	648.76

Meeting adjourned at 11:40 a.m.

JASON ARTH – CHAIRMAN

ATTEST:

PAM MALONEY – COUNTY AUDITOR