

Forman, North Dakota  
December 5, 2017

The Sargent County Board of Commissioners met at 9:00 a.m. with the following members present: David L Jacobson, Jason Arth, Mike Walstead, Sherry Hosford and Bill Anderson. Also present were Tibby Hinderlie, the Sargent County Teller; and, Pam Maloney, Sargent County Auditor.

Pam Maloney, County Auditor, called the meeting to order to organize for 2018.

Nominate Mike Walstead for Chairman. (Anderson) Move nominations cease and Secretary cast a unanimous ballot for Mike Walstead. (Hosford/Arth) Upon roll call vote, motion carried unanimously.

Nominate Jason Arth for Vice-Chairman. (Jacobson) Move nominations cease and Secretary cast a unanimous ballot for Jason Arth. (Hosford/Anderson) Upon roll call vote, motion carried unanimously.

Approve November 21, 2017 minutes as revised. (Jacobson/Arth, unanimous)

Appoint Carol Peterson (member at large-term expires 12/31/20); and Bill Anderson and Mike Walstead (commissioners-terms to expire 12/4/2020) to the Sargent County Jobs Development Authority. (Hosford/Arth) Upon roll call vote, motion carried unanimously.

Appoint Dave Jacobson, Mike Walstead, and Sherry Hosford to the Sargent County Social Service Board with terms to expire December 4, 2018. (Anderson/Arth) Upon roll call vote, motion carried unanimously.

Set regular 2018 monthly meeting dates as the first and third Tuesdays of each month other than the November 6 meeting. As that is Election Day, date of the meeting has been changed to Friday, November 9<sup>th</sup>. (Hosford/Anderson) Upon roll call vote, motion carried unanimously.

Authorize Auditor to pay utility bills and withholding taxes. (Jacobson/Anderson) Upon roll call vote, motion carried unanimously.

Authorize Treasurer to invest county funds. (Hosford/Jacobson) Upon roll call vote, motion carried unanimously.

Lyle Bopp, State's Attorney, arrived at the meeting.

Scott Mund & Russ Martinson, Hall Township Supervisors, arrived at the meeting. There was discussion regarding the conditional use permit that Hall Township has with the Five-Star Dairy of Veblen SD. Hall Township has renegotiated the conditional use permit with the dairy. The payments made will no longer be distributed to the other governmental entities that had previously received a share as if real estate taxes had been assessed, but under the township's new agreement payments will only go to Hall Township. The Hall Township Board believed that the way the permit had been done in the past was unenforceable, as it directed that the payment be distributed as a PILT payment. Motion to request the state's attorney to pursue an attorney general's opinion on whether the improvements on the dairy's property are exempt from taxation. (Hosford/Anderson) Upon roll call vote, motion carried unanimously.

Commissioner Walstead reported that Alison Toepke, Treasurer/Recorder/Clerk of Court, has requested that Sargent County pursue a Court Facilities Grant for new monitors & Kevlar protection in the courtroom. She is waiting for quotes to fill out the application.

Discussion on the courthouse lighting project. The 1<sup>st</sup> floor was done this summer. Motion to amend the original timetable of modernization of the light fixtures and do both the 2<sup>nd</sup> floor & the basement in 2018 at an approximate cost of \$17,800. (Anderson/Hosford) Upon roll call vote, motion carried unanimously.

Merrill Engquist, Road Supervisor; & Zach Hatting, Interstate Engineering, arrived at the meeting. There was discussion on whether to accept the 60% Special Road Fund (SRF) funding grant that is available from ND DOT to upgrade the Silver Lake Access Road. The County's 40% share, plus engineering costs, would be approximately \$237,600.00. It was suggested that some funds for the County's share could come out of the General (Park) funds. Motion to move forward with the Silver Lake Access Road Project. (Hosford/Anderson) Roll Call Vote: Yes – Arth, Anderson, Hosford and Walstead. No – Jacobson. Motion carried.

Discussion was held regarding 2018 Traffic Count Operations in Sargent County. Those locations chosen are as follows: County #7 near Havana to get traffic count crossing the Bridge near the Harris & Karen Anderson farm; County #14 both north & south of ND #11; County #14 south of ND 13-dairy area; County #10 south of ND #13; County #10 Milnor area-both north & south of town; County #2 north & south of 13 & south of 11; County #1 east of ND #32; County #10 north of ND 11, north of Rutland and in Rutland, north of County #3; County #10A north & south of Buffalo Lake entrance; County #3 & the Silver Lake Road; County #5 west of Brampton. Motion to designate the above locations and to request class counts on these locations. (Hosford/Jacobson) Upon roll call vote, motion carried unanimously.

Discussion was had concerning potential seal coat projects for 2018. The list of projects and respective priorities was reviewed, but no action was taken pending receipt of information from ND DOT concerning the availability of 80% Federal matching funds for the projects. Interstate Engineering will continue to be in contact with ND DOT concerning these projects.

Discussion was held regarding the Sargent County Safety Project that is a 90%/10% cost share funding. Motion to move forward with the proposed signing, striping & rumble strips at stop signs. (Anderson/Arth) Upon roll call vote, motion carried unanimously. Interstate Engineering had suggested that bidding this project with Richland County, which will be having the same type of work done on many of its roads, could result in a lower bid, and Interstate was authorized to look into that possibility.

A hydraulic study for the proposed crossing on County #5 between the SW1/4 of Section 7 & the NE1/4 of Section 12 was received from Interstate Engineering. Motion to approve the "Application for Drainage Work within County Road Right-Of-Way" from Heimbuch Farms, Cogswell, ND, proposing to add 2 36" culverts crossing County Road #5 starting in the far NW corner of the SW1/4 of Section 7-129-57-Brampton Township, crossing to the far SE corner of the NE1/4 of Section 12-129-58-Southwest Township pending review & approval by the Sargent County Water Resource Board. (Anderson/Hosford) Upon roll call vote, motion carried unanimously.

Bids were opened for surplus property owned by Sargent County and offered for sale. Motion to accept all high bids on all items for which bids had been received; authorizing the County Auditor to offer all items for which a bid had not been received to the public at a price set at her discretion; and, authorizing the County Auditor to dispose of remaining items as she deems appropriate by December 31, 2017. (Anderson/Arth) Upon roll call vote, motion carried unanimously.

Jerry Waswick, Gwinner City Resident and Gwinner Tax Team member; & Denise Ferderer, Tax Director; arrived at the meeting. Mr. Waswick provided the commission with information regarding the commercial re-appraisal and the large increase in the ratio adjustment worksheet for 2017. The State Board of Equalization (SBOE) had allowed the increase as it resulted from a 1 time adjustment due to the mass reappraisal of commercial property that Vanguard Appraisals had conducted pursuant to its contract with the County. Commissioner Hosford and Ms. Ferderer both commented that it was very possible that the commercial valuations would be decreased somewhat next year depending on the sales used to determine the sales ratio.

The Commission took up the matter of the Resolution Revising And Reenacting a Portfolio System For Sargent County's Departments, Boards And Commissions that had been introduced at the last meeting, referred to a committee composed of Commissioner Hosford and Commissioner Arth, and tabled for further consideration at the December 5, 2017, Commission meeting. Motion to amend the original resolution with the new arrangement prepared by Commissioners Arth and Hosford with the removal of the names. (Anderson/Arth) Upon roll call vote, motion carried unanimously. Motion to remove the paragraph after #6 in the Resolution Revising and Re-Enacting a Portfolio System for Sargent County's Departments, Boards and Commissions and to change the next sentence after said paragraph to "at least one portfolio". (Anderson/Hosford) Upon roll call vote, motion carried unanimously. Roll call vote on the resolution, as amended. Yes – Arth, Anderson, Hosford, Jacobson and Walstead. No – None. Motion carried. Resolution is as follows:

**A RESOLUTION  
REVISING AND RE-ENACTING  
A PORTFOLIO SYSTEM FOR SARGENT COUNTY'S DEPARTMENTS, BOARDS AND  
COMMISSIONS**

**WHEREAS, The Board of Commissioners has overall responsibility for the finances and business affairs of Sargent County; and,**

**WHEREAS, the Board of County Commissioners is responsible for the effective and efficient use of funds received from the taxpayers of Sargent County, the State of North Dakota and the United States of America; and,**

**WHEREAS, the experience of Sargent County, and other counties in the State of North Dakota, has shown that a system in which a portfolio is established for each County department board and commission, with one or more Commissioners assigned primary responsibility for communicating with the department, board or commission and the Board of County Commissioners as a whole, concerning the performance of duties, use of County resources and accomplishing the mission of said department, board or commission is an effective and efficient monitoring system.**

**NOW, THEREFORE, BE IT RESOLVED that the Sargent County Commission hereby establishes portfolio groups and portfolios for the following departments, boards and commissions:**

**1. Highway Department and Highway Building**

**Gwinner Airport  
Milnor Airport  
Lake Agassiz Regional Council  
Weed Control Board  
Social Service Board and Department  
Park Board**

**2. Sheriff's Department**

**State's Attorney  
Coroner  
Health Board; Department; & Building  
Social Service Board and Department  
Park Board  
Water Resource Board**

**3. Emergency Medical Advisory Board**

**Forman Ambulance  
Milnor Ambulance  
Emergency Manager  
911 Coordinator  
Personnel Board  
Planning and Zoning Board  
Job Development Authority  
Social Service Board and Department  
Park Board**

**4. Courthouse Building**

**Custodian  
Auditor  
Veteran's Service Officer  
Treasurer/Recorder/Clerk of Court  
Job Development Authority  
Social Service Board and Department  
Park Board**

**5. Fair Board**

**Extension Office  
Soils Committee  
Tax Director  
Housing Authority  
Social Service Board and Department  
Park Board**

**Each Commissioner shall be assigned to at least one portfolio;**

**Portfolio assignments shall be made by the Commission Chairman at the reorganization session in December of each year, subject to the approval of the Commission by a majority vote of those present and voting in a meeting at which a quorum is present.**

Chairman Walstead made the following portfolio appointments: 1 – David Jacobson; 2 – Sherry Hosford; 3 – Bill Anderson; 4 – Mike Walstead; 5 – Jason Arth. Motion to affirm the appointments made by the chairman. (Anderson/Arth) Upon roll call vote, motion carried unanimously.

Approve the EAP Full Service Contract for Services-Employee Assistance Program, through The Village Business Institute, pending review & approval by the State's Attorney, and authorize the auditor to sign said contract. (Anderson/Hosford) Upon roll call vote, motion carried unanimously.

Approve Games of Chance Permit SC-2017-04 to Cogswell Gun Club, Cogswell, ND for a raffle on February 28, 2018 at Silver Lake Park. (Jacobson/Anderson) Upon roll call vote, motion carried unanimously.

Approve beer and liquor licenses for 2018 to: Olivia and Austin Stenvold, CDPB, LLC, Tewaukon Township, rural Havana; and, to Jennifer and Paul Lugert, Geneseo Bar and Grill, Kingston Township, Geneseo; providing there is no timely filed objection from the Sheriff or State's Attorney. (Jacobson/Anderson) Upon roll call vote, motion carried unanimously. States Attorney Bopp stated that his office was not aware of any reason why the applications for licenses should not be approved.

Travis Paeper, Sargent County Sheriff, arrived at the meeting. He informed the board that Matt O'Brien had resigned his deputy sheriff position as of October 15, 2017. The department has been interviewing and will be offering the job to one of the applicants today. He also informed the board that he and the deputies in the Sargent County Sheriff's Office have been deputized by the Sheriff of Marshall County, South Dakota, and are assisting Marshall County law enforcement at the site of the pipeline spill near Amherst in Marshall County. TransCanada will be paying the officers and will be reimbursing the county for expenses incurred, including the use of vehicles, gas, etc. There was also discussion regarding 10% overweight permits for trucks on county roads, and whether there should be a county permit issued along with the state permit. There will be a presentation on the Load Pass program at the 5-County Meeting in LaMoure on January 4<sup>th</sup>. The sheriff's department will be invited to attend the presentation, as will North Dakota Highway Patrol Officer Peterson, who is stationed in Gwinner.

The commission was informed that the 2017 Fall Township Officer's Meeting has been scheduled for Wednesday, December 13 at 10:30 a.m. at Forman City Hall.

Meeting adjourned at 12:05 p.m.

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MIKE WALSTEAD – CHAIRMAN

ATTEST:

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PAM MALONEY – COUNTY AUDITOR