

The Sargent County Board of Commissioners met at 9:00 a.m. The following members were present: Jerry Waswick, David Jacobson, Sherry Hosford, Mike Walstead, and Bill Anderson. Also present was Emeric Erickson, Milnor; Wendy Jacobson, Social Services Director; Calvin Jacobson; Gisele Thorson, ND United; Lyle Bopp, State's Attorney; Jayne Pfau, Assistant State's Attorney; Janet Kiefer, Chairperson of the Sargent County Social Services Board; Teresa Brummond, Member, Social Services Board; Jeanne Sexton-Brown, The Sargent County Teller and Pam Maloney, Sargent County Auditor.

Approve minutes of the January 19, 2016, commission meeting as corrected. (Walstead/Anderson, unanimous)

Emeric Erickson attended the meeting to answer any questions the commission might have for him, as he has filed an application for one of the Sargent County Water Resource Board appointments. He would like the commission to seriously consider appointing him to the water resource board, as he has knowledge and experience in that area gained through active involvement in farming and a tile drain installation business. The board thanked Mr. Erickson for applying for appointment to the position and informed him that his application would be given serious consideration.

Motion to approve the draft of a letter to the Clerk of the North Dakota Supreme Court encouraging the retention of Judgeships #2 & #7 in the Southeast Judicial District, and to authorize all five commissioners to sign the letter. The retention of the Southeast District judgeships is vital to the citizens of our area. To not fill the current judicial vacancies would have a detrimental effect on judicial administration in the District and the quality of judicial services in the District would seriously suffer. (Anderson/Hosford, unanimous)

Some discussion was held on the change to the Sargent County employment application regarding holding/obtaining the appropriate class of driver's license by an applicant for employment. The auditor's office will make the change on the application for further review and approval.

Some discussion on the Dickey/Sargent Drain Project was held. Some of the commissioners will attend the Sargent County Water Board meeting on Thursday, February 18, to obtain additional information regarding the Jackson Township Improvement District and the Dickey-Sargent Drain project.

At 9:30 a.m., the matter of the Pre-Action Letter pertaining to the termination of the employment of the Social Services Director, Wendy Jacobson, was taken up. Time was given to those Commissioners who had not yet had the opportunity to read Ms. Jacobson's response to said letter. The Chairman stated that a decision has to be made, one way or the other, and called for a motion. Motion to terminate the employment of Wendy Jacobson, Social Services Director, immediately based on the concerns brought forth in the Pre-Action Letter; the recommendation of the County Social Services Board; the contents of The Village Business Institute's (VBI) workplace assessment report; and the dysfunctional working relationship with current social service staff. (Hosford/Jacobson) Commissioner Hosford also commented that several previous employees, who have left the employment of Sargent County Social Services, had informed her that their resignations were due to Ms. Jacobson's actions towards them. Commissioner Walstead commented that he had reviewed the most recent report from the VBI counselor, and had noted that Ms. Jacobson has been attending sessions in accordance with her Performance Improvement Plan (PIP) and that in recent weeks there was some evidence of progress toward the goals of the PIP. Commissioner Anderson inquired of Lyle Bopp, State's Attorney, what grounds were needed for termination and whether the Sargent County Commission and the Sargent County Social Service Board had followed correct procedure for termination. Mr. Bopp stated that in his opinion as States Attorney, termination of employment could be "for cause," and that it was his opinion that the Social Services board and the County Commission had followed correct procedures in this matter. An administrative appeal hearing on the matter of the reduction of the Social Services Director's salary to half pay following the termination of the Shared Director's Agreement by Ransom County has been set for April, 2016. Commissioner Anderson stated that, in his opinion, cause for termination exists, however, Ms. Jacobson is a long time employee and has done a good job administratively in her 21 years as the social services director, but that rehabilitation of her ability to work with the staff is necessary for her to continue in that capacity. The atmosphere in the Social Services office is toxic and cannot continue. Ms. Jacobson must take responsibility for her actions and make amends with the Social Services Department staff. He is reluctant to terminate if there is still a chance to rehabilitate. Roll call vote: Yes – Jacobson, Hosford & Waswick. No – Walstead and Anderson. Motion carried.

Discussion of the qualifications of those applying for appointment to the Sargent County Water Resource Board. Korey Martinson & James Bosse terms expire on February 10, 2016. There are five applicants for

two positions: Korey Martinson; Emeric Erickson; & Theresa Erickson; all of Milnor; and Todd Stein; & Bernie Planteen; both of Cogswell. All are qualified individuals and would be good members of the board. Motion to reappoint Korey Martinson & to appoint Todd Stein to the Sargent County Water Resource Board. (Jacobson/Walstead) Roll Call Vote: Yes – Jacobson, Walstead, Anderson & Hosford. No – Jerry Waswick.

Motion to authorize the chairman to sign the Agreement for the Joint Exercise of Peace Officer Duties for SEMCA. Sargent County Sheriff, Travis Paeper, believes it to be an excellent program and supports it. (Hosford/Jacobson, unanimous)

Motion to approve a County Deed to Harvey P & Phyllis A Dawson, H/W, JT, 210 University Drive, Brampton ND 58017; for Lots 11-12-13-14-15-16-17-18-19-20, Block 3, Village of Brampton for the purchase price of \$1800. (Anderson/Walstead, unanimous)

Sandra Hanson arrived at the meeting to discuss soil modifiers. The Soils Committee met on January 14th and recommends leaving the modifiers as they stand today. Motion to approve the soil modifiers as recommended by the Soils Committee, and as outlined below. (Anderson/Jacobson, unanimous)

SOIL MODIFIERS AGRICULTURAL PROPERTY

Color coded MODIFIERS	SYMBOL	DESCRIPTION	MODIFICATION
ROADS	(R)	Any publicly maintained road 33 ft adjacent to section/quarter line	\$5.00 per acre value on the soil type identified as Roads (R)
INACCESSABILITY	(I)	Any cropland soil that cannot be reached 5 acre accumulative minimum per parcel	50% reduction per acre on the soil type identified as inaccessability (I)
BODY OF WATER	(BoW)	Cropland soils under water and unable to grow 5 acre accumulative minimum per parcel	\$75.00 value per acre on the acreage identified as under water BoW
MARSH	(M)	Cropland soils that drain poorly or do not drain 5 acre accumulative minimum per parcel	50% reduction per acre on the soil type identified as marsh (M)
STREAMS/ WATERWAYS/ LEGAL DRAINS	(WW)	Established waterways on cropland soil types that permanently not able to be used as cropland. Examples: such as, but not limited to Crooked Creek, Wild Rice River, Legal Drains	\$75.00 value per acre on the soil type Identified as streams/waterways /legal drains (WW)

Ms. Hanson also reported that she is getting the information she has available on commercial properties ready to send to Vangaard so that company can start preparing the database for this fall when the commercial re-appraisal process will commence.

Some discussion was held regarding the possible relocation of the NDSU Extension Offices to the Wild Rice Soil Conservation District Building. Commissioner Waswick will be attending the next WRSCD board meeting to discuss rental rates, etc., to better determine whether the anticipated advantages of the move justify the expected additional cost.

Brian Tayer, Milnor Ambulance Coordinator, met with the commission to report on Milnor Ambulance Squad activity. At present, the Milnor Ambulance Squad is adequately staffed and equipped to perform its duties, but is always looking for new volunteers. He informed the commission that Michael Werner, his assistant, will be leaving Sargent County’s employment in July, 2016, as he plans to go back to school. The Commissioners were disappointed to hear this news, but thanked Brian for his report, and commended him and the members of the Milnor Ambulance Squad for their work on behalf of the people of Sargent County.

Merrill Engquist, Road Supervisor; Damon DeVillers & Mike Bassingthwaite, Interstate Engineering; arrived at the meeting. Mr. Engquist reported that there were three applicants interviewed for the vacant position on the road department crew. The interview committee, consisting of the Road Supervisor, the States Attorney and the Road Commissioner, recommended hiring Keith Miller of Milnor for the position. Motion to hire Keith Miller at a Grade 6/Step 4. (Walstead/Anderson, unanimous)

Mr. Bassingthwaite updated the board on the proposed grade raise and replacement of Bridges #135-05.0 & 135-05.1 between Sections 25 & 26 over the Wild Rice River in Hall Township, and also the removal of Bridges #136-05.1 on the east side of Section 25; #135-05.2 in Section 26; & #135-06.0 between Section 35 in Hall Township & Section 2 in Herman Township. At an earlier meeting the commission had approved Alternative B1 consisting of 2 lines of 12’ x 11’ reinforced concrete box culvert (Bridge 135-05.1) and 1 line of 12’ x 11’ reinforced concrete box culvert (Bridge 135-05.0) at an estimated cost of \$1,350,000. This would also include a grade raise of 5 feet [to keep the road open during times of high water as requested by the Hall Township Board of supervisors. However, Mr.

Bassingthwaite informed the board that the state will only pay for 1000' of grade raise roadwork for each bridge, which would leave about 1600' that would be totally the county's cost. This would change the local share from approximately \$320,000 to approximately \$590,000, an increase of \$270,000. The board decided to proceed with the May bid letting, as the county would have 30 days to reject or accept the bid if it exceeds the Engineer's estimate. The Sargent County Water Resource Board (WRB) had committed to 50% of the original estimated amount of the cost of the box culverts, so the commission will submit an updated request to the WRB for additional cost sharing assistance. Interstate Engineering will handle the acquisition of the permanent and temporary right-of-ways from adjacent landowners. Motion to change the minimum payment for permanent right of way from \$500/parcel to \$1000/parcel. (Walstead, motion withdrawn to allow the County Engineer and States Attorney time to research State statutes to make sure that any change complies with State Law.) Mr. DeVillers and Mr. Bassingthwaite will check the current language of the minimum payment policy and bring to the next commission meeting. Motion to authorize the chairman to sign the US Army Corps of Engineers Permit Application for approximately 2.5 acres of wetland mitigation. (Walstead/Jacobson, unanimous)

Meeting adjourned at 12:10 p.m.

JERRY WASWICK - CHAIRMAN

ATTEST:

PAM MALONEY – COUNTY AUDITOR