

Forman, North Dakota
March 1, 2016

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 Jeanne Sexton-Brown, The Sargent County Teller and Pam Maloney, Sargent County Auditor.

Kent Sundseth, Tewaukon National Wildlife Refuge Manager, met with the commissioners regarding wetlands mitigation acres needed for various road projects and the previously discussed designation of certain County owned wetlands adjacent to the Waterfowl Production Area north of the County Park at Silver Lake as a Wetlands Bank which could be used for mitigation purposes, as needed. He will request that the U. S. F & W S legal department create a Memorandum of Understanding that will document the understanding of the County and the F&WS that the identified wetlands may be used for wetlands mitigation exchanges as needs arise. However, the requests will have to be done on a case by case basis as there is currently no legal authority for the F&WS to manage a Wetlands Mitigation Bank established by a County.

Jerry Waswick, Sargent County Fair Board member, gave a brief financial report to the commissioners & updated them on recent improvements to the fairgrounds, and also events coming up at the 2016 fair. The new horse barn has been a huge improvement to the fairgrounds & has brought many new horse events to the county during the year. The rodeo & demolition derby will be back in 2016, along with bands booked for both Friday & Saturday nights. The Fair Board is also working on having a motocross racing event on Sunday, the final day of the 2016 Fair, which may require some work on the track. Motion to accept the report & to commend the fair board on a job well done. (Anderson/Hosford, unanimous)

Jayne Pfau, Assistant State's Attorney, arrived at the meeting at 10:00 a.m.

Diann Aberle, Forman, arrived at the meeting. Two Applications for Abatement or Refund of 2015 Taxes which had been paid were addressed. They had been filed by Joseph & Diann Aberle, Forman, on the S1/2 Lot 15 & all of Lot 16, Block 6, GCDC First Addition, Gwinner; and, by Jon & Lanette Mehus, Gwinner, on Lot 5 & S1/2 Lot 6, Block 6, GCDC First Addition, Gwinner; requesting renaissance zone adjustments for 2015. The county auditor informed the board that neither the auditor's office nor the tax director's office had been informed by Gwinner City of the renaissance zone exemptions, so the valuation of the properties had been added to the tax list in 2015. Gwinner City had approved the abatement applications. Concur with the city. (Anderson/Jacobson, unanimous) Motion to instruct the county auditor to send notices to all municipalities reminding them of the procedures regarding tax exemptions/incentives, and to also send copies of their building permits to the County Tax Director so that the information that the tax director's office has is as current and correct as possible. (Anderson /Hosford, unanimous)

Commissioner Anderson reported that Lisa Duckstad, Verizon representative, would be present at the March 15th meeting at 11:30, to discuss various ECD plans and equipment available.

Discussed whether or not to continue to provide Sargent County's contribution for healthcare insurance for an additional two months plus the month required by NDPERS for the former social service director. Sargent County policy reads "Sargent County will continue its contribution for healthcare insurance for an additional two months plus the month required by NDPERS for a total of three months after the date of separation from employment for any employee who has been employed with Sargent County for a period of 10 years or more or on a part-time basis equivalent to 10 years or more (50% of benefit), provided such termination of employment was not due to misconduct or malfeasance. Motion to not approve the additional two months of healthcare benefit to the former social service director based on the Assistant States Attorney's explanation of misconduct in Sargent County's policy #702 Employee Conduct and Work Rules. In answer to an inquiry from the Commission, the Assistant States Attorney stated that, it was her legal opinion that the reasons for the termination of the former Director's employment constituted misconduct as set forth in County policy. (Hosford/Jacobson) Roll Call Vote: Yes – Jacobson, Anderson, Hosford & Waswick. No – Walstead. Motion carried. Due to information received from the North Dakota Human Services Department, Sargent County will be paying the former Social Service Director, Wendy Jacobson, for the two weeks previously deducted, by motion, at the February 16, 2016 meeting, from her annual leave payout. These two weeks were annual leave that she had taken in October/November while on administrative leave.

Courthouse Commissioner Waswick reported that he and Joe Butler, courthouse custodian, had checked out the uncomfortable and squeaky seats in the courtroom. Some of the bolts were missing or broken, so the custodian will continue to repair them as he has time. The springs & hinges were also adjusted and oiled.

The Sargent County Water Resource Board has received a letter from Interstate Engineering regarding a culvert crossing on County Road #1 between Section 4 & Section 9 in Harlem Township. The existing culvert that was recently installed by the Water Resource Board is too short and does not meet the County Design standards, creating an unsafe condition on County Road #1 due to the roadway inslopes that are steeper than the 4:1 standard. The SC Water Resource Board has forwarded the letter on to the Board's engineer, Moore Engineering.

Police Commissioner Hosford reported that she had checked with the sheriff's department regarding office hours. Office hours are 9:00 to 4:30, however, Deputy Peterson does come in to the office earlier to do paperwork, SCRAM 24/7 work, etc., or she might have to stay later in the day. She is working 40 hours, however, the office hours have not changed. Commissioners Waswick & Hosford; Sheriff Travis Paeper & Deputy Brenda Peterson; & Treasurer/Recorder/Clerk of Court Alison Toepke & her deputy Patsy Zirnhelt will meet to discuss communication between the sheriff's office & the clerk of court office concerning times when the Sheriff's office may be unstaffed due to all personnel being out on other assignments. Deputy Peterson also serves as County Coroner, a post that may require her to occasionally be absent from the office during regular office hours.

Discussion on the Drain #8 improvement project vote. Some commissioners thought that the County should decline to cast its 100,000 votes as it did not have a direct interest in the outcome, and that only the people directly affected by the project should decide the matter, but other commissioners thought that the reconstruction does benefit County Road #10, and the County Road Department will be directly affected by the project. Motion to waive Sargent County's vote on Drain #8 reconstruction. (Jacobson, motion died for lack of a second). The matter will be discussed again at the March 15th meeting.

Commissioner Hosford inquired whether the Sheriff's Department had conducted a background check on the new road department employee, as that is now part of Sargent County policy. The sheriff should be provided with relevant information from the application, perform the background check & give required information to the auditor for the employee file.

The annual Employees' Non-Agenda Meeting was scheduled for Tuesday, April 5 at 9:00 a.m.

The Office of the State Court Administrator, Supreme Court, contacted the Sargent County Commission requesting a decision on providing clerk of district court services for the county. A motion to enter into a funding agreement with the state for the 2017-2019 biennium to receive reimbursement for providing clerk services based on .77 fulltime equivalent. (Hosford/Jacobson, unanimous)

Discussion on request from Sanford AirMed to consider a county-wide membership program to benefit the citizens of the county. The matter was referred to the County Emergency Medical Services (EMS) Committee. Commissioner Anderson will do some research to obtain additional information before a decision is made.

Discussion on updating the Sargent County Zoning Ordinance No. 1 Solid Waste and Incinerating Facilities and Comprehensive Plan. In particular, page 7 under "Hazardous and Nuclear Waste Prohibited", to include storage of hazardous/nuclear waste along with disposal or incineration. Assistant States Attorney Pfau will research this & draft a proposed change for the ordinance. Townships should be notified to consider making changes to their zoning policies also.

The auditor has received an inquiry from a DeLamere Village resident regarding the lack of street signs in DeLamere. She was wondering who was responsible for the placement/maintenance of street signs, as FedEx, UPS & other delivery services have trouble finding addresses. It was thought that 911 or the township would be responsible. Commissioner Anderson has contacted Sandy Hanson, 911 Coordinator; & Merrill Engquist, Road Supervisor; for information about whose responsibility it is. Assistant States Attorney Pfau advised that, pursuant to State law, platted streets in an unincorporated town site, such as DeLamere, are Township roads, the same as roads that are laid out and maintained on section lines within the Township.

Sheriff Paeper will be updating his squad car in April and inquired whether the commissioners would replace one of the county fleet vehicles with his current squad car. Commissioner Hosford will talk to Sheriff Paeper and get more information.

Commissioner Walstead updated the board on the Hall Township bridge project. An email was received from Mike Bassingthwaite, Interstate Engineering, stating that the Sargent County Water Resource Board approved funding on the project of 50% of the local share, not to exceed \$295,000. There has, however, been a delay due to the northern long eared bat being reclassified from a

threatened to an endangered species, so this project will not be on the May bid letting, but will be moved back to June. There are new rules regarding the Northern Long Eared Bat that supersede the old rules that the environmental documentation was submitted to the NDDOT under, so the project will have to wait until the new process has run its course. The right-of-way acquisition negotiation with adjacent landowners has gone well and Interstate Engineering hopes to have all the facts and figures before the March 15th meeting.

Approve minutes of the February 16, 2016, commission meeting as corrected. (Walstead/Hosford, unanimous)

Melissa Seykora, NDSU Extension Ag and Natural Resources (ANR) Agent; & Cindy Klapperich, NDSU Extension Family and Consumer Science (FCS) Agent; arrived at the meeting. More discussion was held regarding the possible relocation of the NDSU Extension Offices to the Wild Rice Soil Conservation District Building. Other possible office relocations within the courthouse were discussed. The commission authorized Cindy Klapperich to move to the office space on 2nd floor formerly used by the social services director, on a trial basis, but the commission will continue to consider the move to the WRSCD building, if finances allow.

Discussion was held on the quarterly 5-County Meeting to be held April 7. It is Sargent County's turn to host this meeting. The auditor was instructed to contact the owners of the Geneseo Bar & Grill to see if they would be interested in providing the space for the meeting and preparing the meal.

Meeting adjourned at 12:20 p.m.

JERRY WASWICK - CHAIRMAN

ATTEST:

PAM MALONEY – COUNTY AUDITOR