

Forman, North Dakota  
March 15, 2016

The Sargent County Board of Commissioners met at 9:00 a.m. The following members were present: David Jacobson, Sherry Hosford, Mike Walstead, and Bill Anderson. Absent: Jerry Waswick. Also present was Melissa Seykora, NDSU Extension Ag and Natural Resources (ANR) Agent; Ron Wiederholt, NDSU Extension District Director; Jeanne Sexton-Brown, The Sargent County Teller and Pam Maloney, Sargent County Auditor.

In the absence of Commission Chairman Waswick, Vice-Chairman Anderson presided at the meeting. More discussion was held regarding the possible relocation of the NDSU Extension Offices from the Courthouse to the Wild Rice Soil Conservation District WRSCD Building. Ms. Seykora had met again with the Wild Rice Soil Conservation District Board and they had suggested that the extension office might want to try the office space out on a trial basis this summer, as a sort of satellite office. Mr. Wiederholt stated that he supports and appreciates the partnership between Sargent County and the Extension Service, and that he knows that Sargent County is working on providing productive workspace for the extension offices. Revenue to pay rent on facilities outside the Courthouse could come from the General Fund or from a ¼ mill increased levy to support the County Extension Service office which would have to be approved by a vote of the people. If an increased tax levy is requested, it could be voted on either at the Primary Election in June or in the General Election in November. At this point, the Extension Service is trying out additional space on the 2<sup>nd</sup> Floor of the Courthouse, and no action will be taken at this time. In response to a question from the Commission, District Director Wiederholt stated that there are several Counties in North Dakota in which the Extension Service office is not located in the County Courthouse, and one County, Walsh, in which the Extension Service office and the County Courthouse are in different cities within the county.

There was some discussion about a fair board member using road department equipment to perform some clean up work at the county fairgrounds, and whether that would be covered under the county's liability insurance policy. He did have permission from the road supervisor to use the equipment, & was working at the fairgrounds doing some preparation for this summer's county fair. The insurance policy will be checked out for coverage.

Approve minutes of the March 1, 2016, commission meeting as corrected. (Hosford/Walstead, unanimous)

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

More discussion was held regarding the payment of the Final Estimate No. 2 for the Aggregate Surfacing Project CP 4125(14)02 for Wm. D Scepaniak, Inc. The Sargent County Highway Department had done some blading on this project that should have been done by the contractor to finish the 4% crown as per the contract specifications. The auditor was instructed to send the blading bill in the amount of \$4,356, to Interstate Engineering, to be deducted from the Engineer's Final Estimate of the amount owed to the contractor. The final estimate billing the county will receive would reflect this credit and be decreased \$4,356.

Discussion on the Drain #8 Reconstruction Project Ballot. Commissioner Anderson stated that the Rutland City Council had decided to vote "No" with the City's votes. Motion to waive Sargent County's vote on Drain #8 Reconstruction. (Jacobson, motion died for lack of a second). Motion to vote "Yes" with the County's votes on going forward with the Drain #8 Reconstruction. (Hosford/Walstead) Roll Call Vote: Yes – Walstead, Hosford & Anderson. No – Jacobson. Motion carried.

Merrill Engquist, Sargent County Road Supervisor, arrived at the meeting at 10:30 a.m.

Commissioner Hosford had received a phone call from a county resident who was concerned that the grade raise on County Road #2 was acting like a dam at Kraft Slough. There are two 24" culverts installed through the recently raised grade that are now 15' under the water. Road Supervisor Engquist will mark the spots where the culverts are located, and will check to make sure that they are working.

Scott Mund & Terry Wehlander, Hall Township Supervisors, arrived at the meeting to discuss the Hall Township bridge project. They requested updates on the project and would like future information regarding the project emailed to them so they can give their township residents correct and pertinent information. They were provided a copy of an email received from Mike Bassingthwaite of Interstate Engineering that morning, describing all recent developments with the project and also a proposed date and time for a PS&E meeting at the site, to which the township supervisors are welcome and encouraged to attend. Mr. Mund also asked whose responsibility it is for the placement & maintenance of signage when a road is

closed due to the removal of a bridge. According to Road Supervisor Engquist, signage and the creation of a berm at the site of the bridge removal is the responsibility of the county, and signage at the beginning of the road would be the responsibility of the township.

Lyle Bopp also informed Mr. Mund & Mr. Wehlander that the law has changed regarding excess levies in the township and that they should contact his office in a timely manner if they wish to continue their excess levy when it expires, as it has to be voted on at their annual meeting.

Mr. Mund also brought up the fact that the Five-Star Dairy has not paid its Conditional Use Permit fees for 2015. It was suggested that the Township send a letter to the county state's attorney requesting that action be taken on behalf of the county and the township. At this point, the state's attorney's office could send a letter to the dairy revoking its conditional use permit until the taxes and fees have been paid in full.

The commission also informed Mr. Mund and Mr. Wehlander that there had been an inquiry regarding the lack of street signs in DeLamere. Assistant States Attorney Pfau had advised the commission at the March 1, 2016 meeting, pursuant to State law, that 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. The township is responsible for placement and maintenance of the street signs in DeLamere Village, and the Supervisors will check with the County 911 Coordinator about obtaining the appropriate signs. County 911 provides the signs where town site streets intersect a County road.

The board proceeded to open bids for furnishing supplies for the year beginning April 1, 2016, and ending March 31, 2017, as advertised. Present: Kevin Crandall, Crandall Construction, Inc., Cayuga; & Derek Bohnenkamp, Bohnenkamp Construction, Gwinner. All bids submitted, including exact wording and amounts, are available for inspection at the office of the County Auditor. Bids submitted as follows:

**GRAVEL:** Crandall Construction Inc., Cayuga; Arrowhead Transport Inc., Gwinner; Bernard Mahrer Construction Inc., Rutland; Bohnenkamp Construction, Gwinner; Mark Sand and Gravel Dakota Co., Fergus Falls, MN; & Enderson Construction, Inc. Gwinner. Accept all bids. (Walstead/Jacobson, unanimous)

**MIXING & DRYING BLACKTOP SURFACING:** No bid received.

**BITUMINOUS MATERIALS:** Flint Hills Resources, West Fargo, ND. Accept bid contingent upon clarification on demurrage. (Walstead/Hosford, unanimous)

**GASOLINE, FUEL, & LP GAS:** Dakota Plains Cooperative, Valley City; Nelson Oil Co., Milnor; North Star Energy, Aberdeen, SD; and Rutland Oil Co., Rutland. Accept bids from Dakota Plains; Nelson Oil Co & Rutland Oil Co. Reject bid from North Star Energy as there was no bid bond/cashier's check enclosed with the bid. (Jacobson/Walstead, unanimous)

Lisa Duckstad, Verizon Government Accounts Representative; Travis Paeper, Sheriff; Sandra Hanson, Tax Director/Emergency Manager/911 Coordinator; Alison Toepke, Treasurer/Recorder/Clerk of Court; and Darci Weber & Kari Gilje, Social Workers; arrived at the meeting. Ms. Duckstad gave a presentation on a government wireless plan for Sargent County. In order to develop a proposed plan and provide a quote, Ms. Duckstad will need to know how many devices and/or accessories are needed, what kind of devices are needed and whether or how many jet packs or hotspots will be needed. Once she has an idea of what Sargent County's needs are, she will provide a quote for the supply of equipment and service by Verizon to be considered by the Commission.

The board recessed for lunch at 12:50 p.m.

The board reconvened at 2:00 p.m.

Commissioner Anderson reported that he had contacted Sanford AirMed and they will be sending more information on the county-wide membership program.

More discussion on updating the Sargent County Zoning Ordinance No. 1 Solid Waste and Incinerating Facilities and Comprehensive Plan. In particular, page 7, Section F.5. under "Hazardous and Nuclear Waste Prohibited", to include storage of hazardous/nuclear waste along with disposal or incineration. Assistant States Attorney Pfau was instructed to start the proceedings to amend the policy.

Motion to purchase the acreage needed from Art Solberg & the Halmrast Trust for rights-of-way on the Hall Township Bridge project for the statutory minimum price. (Jacobson/Walstead, unanimous)

Commissioner Hosford updated the board after talking with Sheriff Paeper regarding replacing one of the fleet vehicles with his squad car when he gets a new one in April. After doing some research on expenses incurred for each of the county cars and checking the mileage on them, she recommends replacing the 2009 Dodge Durango, if the decision was made to replace one of them. A decision will be made upon more information from Sheriff Paeper regarding Blue Book values of the fleet vehicles.

The board acknowledged receipt of an email from Kent Sundseth regarding a proposed Memorandum of Understanding (MOU) between the USFWS and Sargent County. He had posed some questions whether the wetlands impacted by the road construction and the proposed wetlands mitigation county property near Silver Lake had been surveyed. The email was forwarded to Damon DeVillers, Interstate Engineering, for his response, which was that the USFWS wetlands that had been impacted as part of the road projects have been surveyed, but the county's proposed wetlands mitigation property at Silver Lake has not been surveyed. As it appears that the county will get all the mitigated acres needed for the Hall Township bridge project from landowners in the area, the MOU with USFWS will not be applicable for that project.

Commissioner Hosford reported that there will be 3 crossings on the Jackson Township Drain #1 project that Sargent County will be required to cost share 40% of the culvert cost. She also reported that the Sargent County Water Resource Board engineers are still checking on the culvert replaced on County Road #1 that does not meet County Design standards. She has also talked with Monica Zentgraf, Board Secretary for the Richland-Sargent Joint Water Resource Board, regarding Sargent County's share for Phase 1 of the Richland/Sargent Drain #1 project, as the County has not been billed for this. Ms. Zentgraf stated that they will bill only once, upon completion of the project.

Motion to grant permission for the Forman Library to host an Easter egg hunt on Tuesday, March 22 at 3:45 p.m. on the courthouse lawn. (Jacobson/Hosford, unanimous)

Discussion on the Cost Participation and Maintenance Agreement received from ND DOT for the turn lane improvements on ND 13. Commissioner Jacobson has conferred with Chad Orn, Assistant Programming Engineer for the project, and reported that there has been only one other case in the state, in Burke County, in which a county has participated in this way. There are questions on whether or not the county has either the legal authority or the available funds to proceed with this agreement. Motion to refuse to sign said agreement. (Jacobson, withdrawn) Commissioner Anderson will draft a letter to send back to Chad Orn stating that Sargent County will not participate in the project unless or until the county has assurances that it has the authority to do so, and that the money Sargent County expends will be reimbursed to the county by NDDOT and/or CHS.

Acknowledged receipt of a letter from Interstate Engineering with regards to a proposed lighting project in Gwinner City. The project consists of replacing and supplementing an existing lighting system on State Highway 13 starting at Sargent County Road #6 and running east to Industrial Drive. Sargent County has no objection to the project.

Trent Nelson, TON Construction, arrived at the meeting at 2:40 as he had been approached by Joe Butler, Custodian, for a quote to repair the concrete at the back elevator entrance to the courthouse. Mr. Nelson wanted to make sure what the ADA requirements were for accessible parking. The commission plans to repair other areas of the parking lot, as well, so this project will be done at that time.

Approve March payroll in the sum of \$172,150.38 (Nos. 11888-11944 and 72908-72921) and the following bills: (Walstead/Hosford, unanimous)

72804-72809		Health Unit Expenses	508.32
72810	Forman City	Water/Sewer/Garbage	152.65
72811	Ottertail Power	Electricity	3,072.52
72812	Ransom County	VSO Salary/Benefits	815.44
72813	Reardon Office Equipment	Copier Purchase	3,150.81
72814-72823		Health Unit Expenses	1,827.48
72824-72839		Human Service Expenses	6,243.92
72840	Avid Hawk, LLC	Web Services	45.00
72841	Buhl's Inc.	Cleaning Services	241.30
72842	Cenex Fleet Card	County Car/Auditor Travel	35.92
72843	Comfort Inn	Auditor Election Travel	160.00
72844	Computer Prof. Unlimited, Inc.	Data Processing	1,255.58
72845	Dakota Plains	Auditor Election Travel	12.97
72847	Dakota Water Solutions	Water Jugs	56.00

72848	Dickey Rural Networks	Telephone	995.85
72849	Forman Drug	Sheriff Supplies	11.79
72850	Forman Market	Supplies	35.50
72851	Gall's	Sheriff Equipment	327.99
72852	Gwinner One-Stop	Sheriff Gas Purchases	352.52
72853	Hardware Hank	Supplies	200.78
72854	Hewlett-Packard, Inc	Monitor Purchase	298.00
72855	Hoag & Sons	Newspapers Bound	104.88
72856	Information Tech. Dept.	LERMS/WAN Access	533.35
72858	Johnson, Bryan	Sheriff Travel	124.81
72859	Kwik-Stop	Sheriff Gas Purchase	28.75
72860	Liberty Business Solutions	Postage Machine Ink	89.10
72861	Lisbon Oil Company	Sheriff Gas Purchase	15.54
72862	Maloney, Pamela	Auditor Election Travel	56.00
72863	ND Workforce Safety	Volunteer Coverage	274.90
72864	Nelson Home Center	Supplies	10.47
72865	Office of Attorney General	Scram 24/7	1,355.00
72866	Otis Elevator Company	Elevator Repair	880.00
72867	Pharmchem Inc.	Sweat Patch Analysis	400.00
72868	Popp Binding & Laminating	Supplies	24.45
72869	Quill.Com	Auditor/Election Supplies	102.93
72870	Reardon Office Equipment	Copier Leases	1,060.00
72871	Sakry Plumbing, Inc.	Health Building Repair	104.84
72872	Sargent County Insurance	Additional Coverage	438.00
72873	Sargent County Teller	Printing/Publishing	565.14
72874	Universal Services	Laser Ink Toner	166.25
72875	UND Bureau of Gov. Affairs	2016 Directory	24.00
72876	Verizon Wireless	Sheriff MIFI Cards	160.04
72877	White Banner Uniforms	Sheriff Dept. Uniforms	343.33
72878	Wolfe Ford Inc.	County Car Repair	114.02
72879	A W Diesel	IHC Dump Truck Repair	3,520.88
72880	Al's Metal Work, Inc.	Packer Repair	2,234.29
72881	Berube's	Oil Filter	11.97
72882	Dakota Plains	Lube Oil	84.72
72883	Hansen Lumber	Sign Supplies	109.69
72884	Sanford	DOT Card Exams	222.00
72885	Southside Automotive	Equipment Repair/Tires	8,354.15
72886	Visto's Carquest	Equipment Repairs	675.10
72887	Dakota Plains	Sheriff Gas Purchases	408.66
72888	Dickey Rural Networks	911 Contract	518.00
72889	Forman City	Hall Rent /Extension	30.00
72890	Forman Drug	Extension Supplies	55.90
72891	Hardware Hank	Extension Supplies	16.94
72892	Klapperich, Cindy	Extension Travel/Supplies	232.32
72893	NDACO	911 Wireless	1,092.00
72894	NDSU AG Budget Office	Seykora/Klapperich Salary	19,566.00
72895	Rosie's Delites	Extension Expense	26.00
72896	SC Treasurer	Extension Postage	76.58
72897	VISA	Ext. Supplies/Registration	234.96

The auditor updated the commission on plans for the 5-County Meeting on April 7. It will be at the Geneseo Bar & Grill/Green Lantern Dance Hall in Geneseo. It was decided to start the business meeting at 4:00 p.m. with supper served at 5:30 p.m. Commissioner Hosford has contacted NDACO and they will have a representative at the meeting. The auditor was also instructed to invite area legislators & Dan Narum, SE Judicial District Judge, to attend also.

Meeting adjourned at 2:50 p.m.

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BILL ANDERSON – VICE-CHAIRMAN

ATTEST:

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PAM MALONEY – COUNTY AUDITOR