

Forman, North Dakota
March 19, 2019

The Sargent County Board of Commissioners met in the Commissioners' Room at the Sargent County Courthouse at 10:06 a.m., following the meeting of the Sargent County Park Board, with the following members present: Bill Anderson, Jason Arth, Lyle Bopp, Jerry Waswick and Richard Ruch. Also present were Wendy Willprecht, Emergency Manager/911 Coordinator; Jayne Pfau, State's Attorney; Jeanne Sexton-Brown, Sargent County Teller; and Pam Maloney, Sargent County Auditor.

The Pledge of Allegiance was recited.

Approve March 5, 2019 meeting minutes as corrected. (Waswick/Ruch, unanimous)

Ms. Willprecht provided the commissioners with a packet of communications from various cities & townships in Sargent County regarding the many hardships, including financial, imposed by the many recent storms. She recommended that the commission declare an emergency in Sargent County, as there are areas in the county that have been adversely affected by power outages and blocked roads. Both Dakota Valley Rural Electric Co-op and Otter Tail Power Company had sustained damage to poles and lines as a result of ice buildup and high winds. The County Road Department has also incurred additional expenses as a result of ice and snow removal efforts. After an emergency has been declared, the County can use funds from the County Emergency fund for salt/sand, overtime pay for the road department and other expenses brought on by this most recent storm. Motion to adopt the emergency declaration as presented by County Emergency Management Director Wendy Willprecht, as shown below. (Bopp/Anderson) Roll Call Vote: Yes – Anderson, Arth, Bopp, Ruch and Waswick. No – None. Resolution duly declared adopted.

SARGENT COUNTY NORTH DAKOTA

March 19, 2019 SNOW EMERGENCY DECLARATION

WHEREAS, repeated snowfalls, accompanied by 63 consecutive days of below freezing temperatures; sustained winds of 40 mph, gusting to 60 mph; and, multiple blizzards; have occurred in SARGENT County, imposing heavy burdens on farmers; ranchers; private businesses; individual homeowners; Townships; Cities; and, County roads departments due to the amount of snow and the constant wind, which plugs roads as fast as they can be opened; and,

WHEREAS, The County Road Department; Townships; and, cities; in Sargent County have expended most, in some cases all, of their funds budgeted for snow removal, and some Townships have now had to close all but the most essential roads due to lack of manpower and funding. Critical roads such as emergency routes, school bus routes etc must be run several times most days; and,

WHEREAS, the attempt to maintain access to these critical routes; farmyards; businesses; and, residences; has caused an inordinate amount of wear, tear and inadvertent damage to Township, City and County road equipment; has required an inordinate increase in the amount of fuel consumed, wages paid and overtime required; and, has also caused significant damage to collateral infrastructure such as school busses; and,

WHEREAS: the excessive cost of snow removal has generated unexpected contractors fees, equipment costs and employees' overtime, further depleting budgets.

NOW, THEREFORE, BE IT RESOLVED, that The SARGENT County Commission declares that a State of Emergency exists in SARGENT County, its Townships and Cities requiring the activation and utilization of The Combined SARGENT County Emergency Operations Plan, its procedures and attachments to monitor the ongoing situation, mitigate where possible; and to provide protection to the citizens of SARGENT County during this ongoing event.

BE IT FURTHER RESOLVED, all local government agencies and departments are directed to provide protection to the citizens of SARGENT County during this event and limit, where possible, the hardships and impact of said emergency on the citizens and residents of Sargent County.

Dated and signed in Forman, North Dakota, this 19th day of March 2019

Jason Arth, Chairman, Sargent County Commission

Attest:

Pam Maloney, County Auditor

Merrill Engquist, Road Supervisor; Bruce Berg, Butler Machinery representative; & Troy Mahler, RDO representative; arrived at the meeting. The commissioners discussed the two motor grader bids received from the companies mentioned; and the different avenues for acquiring a motor grader. Commissioner Arth explained the different 5 year and 7 year financing options through SCB Public Finance. Both the John Deere motor grader from RDO and the CAT motor grader from Butler met or exceeded required specifications, and both had full warranty for either 5 or 7 years. Under the 5 year financing option the John Deere bid was approximately \$2,000.00 lower, and under the 7 year financing option the CAT bid was approximately \$4,000.00 lower. Mr. Engquist stated that he had talked it over with his crew and they preferred the Caterpillar 140M Motor grader from Butler Machinery. Motion to acquire the Caterpillar 140M Motor Grader from Butler Machinery and to finance the purchase through SCB Public Finance with a seven year financing option with a yearly payment of \$45,000. The Caterpillar bid was the low bid for the 7 year financing option. (Waswick/Anderson) Upon roll call vote, motion carried unanimously. Commissioner Anderson thanked Mr. Berg and Mr. Mahler for the effort they had put into the preparation of the bids; for the information which they had provided to the Commission; and for the quality products that had been bid. It is anticipated that the new motor grader will be delivered by the end of May.

Mr. Engquist requested that he be able to donate another 5% of his sick leave to one of his road department employees who will be coming back soon, but needs some additional hours to finish out the time he has been required to be off work due to illness. Mr. Engquist's sick leave balance will still substantially exceed the minimum balance required, even after the 5% donation has been deducted. Due to special circumstances, which justified deviation from the employee handbook, motion to allow Mr. Engquist to donate an additional 5% of his sick leave to one of the County Road Department's employees. (Anderson/Waswick) Upon roll call vote, motion carried unanimously.

The board proceeded to open bids for furnishing supplies for the year beginning April 1, 2019, and ending March 31, 2020, as advertised. 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; Bernard Mahrer Construction Inc., Rutland; Lesmeister Gravel, Inc, Lisbon; Mark Sand and Gravel Dakota Co., Fergus Falls, MN; Behnke Sand and Gravel, Britton SD; and, Enderson Construction, Inc. Gwinner. Behnke Sand & Gravel did not enclose a contractor's license with the bid, and the State's Attorney advised that the bid was not in compliance with bid specifications and could not be opened. Motion to accept all qualifying gravel and hauling bids. (Anderson/Bopp) Upon roll call vote, motion carried unanimously.

MIXING & DRYING BLACKTOP SURFACING: No bid received.

BITUMINOUS MATERIALS: Flint Hills Resources, West Fargo. Motion to accept the bid of Flint Hills Resources. (Waswick/Anderson) Upon roll call vote, motion carried unanimously.

GASOLINE, FUEL, & LP GAS: Rutland Oil Co., Rutland. Motion to accept the bid of Rutland Oil Company. (Anderson/Ruch) Upon roll call vote, motion carried unanimously.

Ms. Pfau had done some research on adding township road miles to the county road system, and described the procedure to the Commission. There was some discussion of several segments of Township roads which might be considered for incorporation into the County system. Mr. Engquist was asked to provide traffic counts for some of the roads in question at a future meeting.

Motion to authorize an RFP to perform Construction Engineering for Project SC-4100(005) PCN 22050 Seal Coat Project. (Anderson/Waswick) Upon roll call vote, motion carried unanimously.

Approve Games of Chance Permit SC-2019-02 to Harvest for Hunger, Gwinner, ND for a raffle on March 30, 2019 at Dakota Plains Ag, 13219 Hwy 13, Gwinner ND. (Waswick/Anderson) Upon roll call vote, motion carried unanimously.

Travis Paeper, Sheriff, arrived at the meeting. He reported that Rick Bryant will be returning to work as deputy sheriff officially on April 1st, but will be covering a few shifts this weekend. Motion to extend Mr. Bryant's leave of absence until April 1st. (Waswick/Bopp) Upon roll call vote, motion carried unanimously.

Sheriff Paeper also reported that the Sheriff's Department has been interviewing to fill the vacant deputy sheriff position left open by the resignation of Deputy Kozok.

Commissioner Bopp requested that his office be allowed to stay connected to the county's VLAN until he can get issues straightened out with NRG and Dickey Rural Networks. He will reimburse the line fee to the county each month until his private law practice office can get switched over to DRN.

Ms. Pfau requested that her legal assistant hours be changed from a 17.5 hour to 20 hours a week position. She stated that the need for the additional 2½ hours is there, and also that this change would allow the legal assistant to be eligible for participation in the ND PERS Retirement program. Motion to change the legal assistant position from 17½ hours/week to 20 hours/week. (Waswick/Bopp) Upon roll call vote, motion carried unanimously.

Mr. Engquist stated that he will provide gravel stockpile estimates and a road gravelling plan for the next meeting.

Motion to approve the following resolution: (Anderson/Waswick)

WHEREAS, the bid in the amount of \$916,832.54 from Morris Sealcoat & Trucking Inc. received in the bid opening of March 08, 2019 for Project SC-4100(005) was the low bid received.

WHEREAS, this bid is considered reasonable.

NOW THEREFORE, be it resolved by the Board of County Commissioners of Sargent County will award to Morris Sealcoat and Trucking Inc. the contract for Project SC 4100(005) and hereby authorizes the Chairman of the Board to sign said contract.

It is further understood that the County shall reimburse the North Dakota Department of Transportation for any payments made under this contract, which are not collectible from the Federal Highway Administration.

Upon roll call vote, motion carried unanimously.

Motion to authorize the Commission chairman and the County Auditor to sign the Joint Powers Agreement between the Sargent County Water Resource District, Sargent County and the Sargent County Park Board for Cost-Share Reimbursement for the Silver Lake Dam Improvements Feasibility Study which will be completed by the Sargent County Water Resource District's engineering firm. (Waswick/Bopp) Upon roll call vote, motion carried unanimously. Sargent County's share of the study should not exceed \$5,000.

Commissioner Anderson reported that he and Commissioner Ruch had attended a performance review of the NDSU Extension Service Office in Sargent County on Wednesday, March 13, that was also attended by NDSU Extension East Region Director Kim Rullifson of Grand Forks. Ms. Rullifson had reported that the County's extension staff members: Agriculture & Natural Resource (ANR) Agent Melissa Seykora; Family & Community Wellness (FCW) Agent Cindy Klapperich; and, Receptionist/Administrative Assistant Candy Hanson; are doing an exceptional job for the people of Sargent County. The Performance Review was conducted at the NDSU Extension's new office location in the Wild Rice Soil Conservation District's building.

Commissioner Anderson also reported that Sargent County Social Services Director Darci Weber and Board members Kiefer, Peterson, Arth, Bopp and Anderson had attended an information meeting on the forthcoming redesign of Social Services delivery systems that was held at the Community Center in Milnor on Monday, March 18. Also present at the meeting were representatives from Ransom and Richland Counties. The 3 southeast counties: Ransom; Richland; and, Sargent; have been proposed to constitute 1 of the 19 "Administrative Zones" being considered under the still indefinite reorganization plan. The Legislature and the Governor have not yet approved the final plan, but there is little doubt that a plan which substantially changes the administration and delivery of Social Services programs will be approved before the end of the current Legislative session. As currently proposed, the Zone Director will be an employee of the Zone, not of the State, and the Zone will be governed by a Board appointed by the counties comprising the Zone. There could still be major changes in zones, personnel, appropriation of resources and other aspects of the plan prior to the adjournment of the 2019 Legislative Session.

Approve March payroll in the sum of \$200,085.14 (Nos.16038-16090 & 78443-78451) and the following bills: (Anderson/Waswick) Upon roll call vote, motion carried unanimously.

78347-78355		Health Unit Expenses	3,512.66
78356	Forman City	Water/Sewer/Garbage	166.31
78357	Ottertail Power Company	Electricity	8,977.44
78358	Ransom County	VSO Salary/Benefits	892.63
78360-78372		Health Unit Expenses	3,869.20
78373-78382		Human Service Expenses	1,265.29
78383	Ameripride Linen	Cleaning Services	126.38
78384	AMS Alcohol Monitoring	GPS Rental Fee	100.00

78385	Anderson, Earl Jr.	Commission Travel	11.60
78386	Avid Hawk LLC	Web Services	45.00
78387	Cass County Government	Juvenile Detention	2,387.00
78388	Counties Providing Tech.	Data Processing	1,255.58
78389	Dacotah Paper Company	Copy Paper	677.80
78390	CHS Dakota Plains	Sheriff Travel	743.38
78392	Dakota Water Solutions	Water Jugs	28.00
78393	Dell Marketing L.P.	Computer Software	1,157.34
78394	Dickey Rural Networks	Telephone	1,147.12
78395	Forman Drug	Batteries	21.26
78396	FP Mailing Solutions	Postage Base Rental	135.00
78397	Gwinner One Stop	Sheriff Gas purchases	303.11
78398	Hosford, Sherry	Health Insurance Premium	555.80
78399	HP Inc.	Monitor Purchases	706.81
78400	Information Tech. Dept.	Wan Access/Netmotion	559.10
78401	Johnson Controls	Boiler Repair	12,861.98
78402	LaQuinta Inn & Suites	Commission/T/R/CoC Travel	592.20
78403	LexisNexis Mathew Bender	Century Codes	23.94
78404	Liberty Business Solutions	Postbase Ink Cartridge	208.80
78405	Maloney, Pamela	Auditor Travel	6.61
78406	Minnkota Communications	Telephone Maintenance	81.50
78407	ND Workforce Safety	Volunteer Coverage	10.78
78408	NDACO Resource Group	Computer Purchases	3,982.72
78409	Office of Attorney General	SCRAM 24/7	1,465.00
78410	Pharmchem, Inc.	Sweat Patch Analysis	142.75
78411	Quill.com	Office Supplies	1,271.89
78412	Reardon Office Equipment	States Attorney Office Furniture	2,546.86
78413	Richland County Corrections	Prisoner Board	4,331.93
78415	Sargent County Teller	Printing/Publishing	309.25
78416	Stutsman County Corrections	Prisoner Board	910.00
78417	Toepke, Alison	Treasurer Travel	283.89
78418	Tougas, Tanner	Sheriff Travel	28.00
78419	Vanguard Appraisals	Service Fees	4,250.00
78420	Verizon Wireless	Sheriff MIFI Cards	200.05
78421	Waswick, Gerald	Commission Travel	124.10
78422	Wild Rice Soil District	Extension Office Rent	2,000.00
78423	AW Diesel Service	Road 1990 Truck Repair	1,161.12
78424	CHS Dakota Plains	Road Fuel	665.96
78425	Ekstrom Repair Shop	Road Vehicle Repair	4,506.67
78426	Full Circle Ag	Fuel Filter	36.02
78427	Hansen Lumber & Hardware	Road Supplies	72.92
78428	NDDOT Financial Division	Pavement Markings	129.36
78429	Ray-Mac Inc	Angle Iron	13.25
78430	RDO Powerplan	Repairs Backhoe & Grader	7,356.36
78431	Rutland Oil Company	Road Fuel Purchases	9,238.52
78432	Southside Automotive	Tire Repair/Blades/Beams	97.29
78433	True North Steel	Cutting Edges	8,487.50
78434	Visto's Carquest	Road Shop Supplies	818.65
78435	Welton Tire Service	Tire purchase	132.00
78436	ZEP Sales & Service	Road Shop Supplies	397.08
78437	Dickey Rural Networks	911 Trunks Rental	231.00
78438	Jacobson, David	EMS Office Rental	150.00
78439	Lake Agassiz Regional Council	2019 Contribution	2,000.00
78440	NDSU	Extension Posters	42.00
78441	Sargent County	JDA-Recording Fee	20.00
78442	VISA	Extension Office Supplies	226.04

Meeting adjourned at 12:38 p.m.

JASON ARTH – CHAIRMAN

ATTEST:

PAM MALONEY – AUDITOR