

The Sargent County Board of Commissioners met in the Commissioner's Room at the Sargent County Courthouse at 10:15 a.m., following the park board meeting, with the following members present: Jason Arth; Bill Anderson; Dave Jacobson; Sherry Hosford; and, Mike Walstead. Also present was Brenda Peterson, Sargent County Health Unit Administrator; Jayne Pfau, Assistant State's Attorney; Tibby Hinderlie, Sargent County Teller; and, Pam Maloney, Sargent County Auditor.

Approve March payroll in the sum of \$191,738.76 (Nos. 14670-14722 & 76742-76756) and the following bills: (Anderson/Hosford) Upon roll call vote, motion carried unanimously.

76631-76642		Health Unit Expenses	3,256.25
76643	Forman City	Water/Sewer/Garbage	166.31
76644	Ottertail Power Co.	Electricity	3,679.13
76645	Ransom County	VSO Salary/Benefits	870.62
76647		JDA- Economic Development	20,000.00
76648-76657		Health Unit Expenses	1,939.32
76664-76676		Human Services Expenses	1,471.86
76677	Ameripride Linen	Cleaning Services	99.09
76678	Avid Hawk, LLC.	Web Services	45.00
76679	Bixby Body & Glass	Sheriff Windshield Repair	60.00
76680	Bladow, April	County Car Carwash	9.00
76681	Bopp Law Office	Rent/Phone	450.00
76682	Bryant, Rick	Sheriff Carwash	9.00
76683	Cenex Fleet Card	Gas Purchases	139.28
76684	Computer Prof. Unlimited, Inc.	Data Processing	1,255.58
76685	CHS-Dakota Plains	Gas Purchases	1,710.11
76687	Dakota Water Solutions	Water Jugs	35.00
76688	Dickey Rural Networks	Telephone	1,028.77
76689	Forman Market	Bottled Water	3.68
76690	Galls	Sheriff Uniform/Equipment	189.87
76691	Gwinner One-Stop	Sheriff Gas Purchases	578.73
76692	Hardware Hank	Supplies/Courthouse/Road	125.86
76693	Information Tech. Dept.	WAN Access	533.35
76695	Johnson, Bryan	Sheriff Travel	238.25
76696	M & S Construction	Main St. Building Door Repair	125.00
76697	Maloney, Pamela	Binders/ Election Travel	79.99
76698	ND Ass'n. of County Engineers	Conference/Membership Dues	300.00
76699	ND Sheriff &Deputies Assoc.	2018 Membership Dues	50.00
76700	ND States Attorney Assoc.	2018 Membership Dues	450.00
76701	ND Workforce Safety Insurance	Volunteer Coverage	282.75
76702	NDACO Resources Group	Shipping/Handling	16.43
76703	Nelson Home Center	Supplies	92.34
76704	Office of Attorney General	SCRAM 24/7	455.00
76706	Pharmchem, Inc.	Sweat Patch Analysis	85.65
76707	Quality Inn- Bismarck	Election Travel	
83.70			
76708	Quill.com	Office Supplies	123.48
76709	Reardon Office Supply	Copier Charges	673.44
76710	Roberts County Detention Center	Prisoner Board	135.00
76711	Safariland Group	Evidence Packaging Kit	217.68
76712	Sakry Plumbing, Inc.	Bathroom Stools/Labor	905.50
76713	Sargent County Teller	Printing/Publishing	570.19
76714	SE Fraternal Order of Police	2018 Membership Dues	187.50
76715	Southside Automotive	County Car/ Road Equip. Repair	74.20
76716	Verizon Wireless	Sheriff MIFI Cards	200.05
76717	Wayne Trophies	Appreciation Plaque	25.00
76718	A W Diesel Service	Road Vehicle & Tire Repair	156.95
76719	Ekstrom Repair Service	Road Vehicle Repair	2,758.25
76720	Engquist, Merrill	Cellphone/ Road Travel	815.50
76721	Forman Market	Road Supplies	58.28
76722	The Home Shop	Fire Extinguisher Inspection	262.51
76723	Interstate Engineering	Wetland Mitigation Plats	4,092.90
76724	John Deere Financial	Locknut/ Hardware	17.94
76725	Lee's Service Station	Tires 2008 Ford Pickup	740.00
76726	Mark Sand & Gravel	Road Project Cty # 14	37,259.48

76727	Praxair	Cylinder & Maintenance	68.75
76728	Rutland Oil Company	Road Fuel/Gasoline	5,337.80
76729	Sanford	DOT Medical Card	100.00
76730	Team Lab	Fine Road Patch	1,328.50
76731	Visto's Carquest	Shop Supplies	260.85
76732	Dickey Rural Network	911 Trunks	231.00
76733	Forman City	Extension City Hall Rent	90.00
76734	Forman Market	Extension Supplies	34.29
76735	Hardware Hank	Extension Batteries	11.16
76736	NDACO	911 Wireless	794.43
76737	NDSU Extension	Extension Salaries	20,083.50
76738	SC Treasurer	Extension Postage	14.65
76739	Seykora, Melissa	Extension Education Supplies	
141.54			
76740	Universal Services	Extension Toner Cartridges	534.60
76741	VISA	Extension Supplies	221.93

Denise Ferderer, Tax Director, arrived at the meeting. There are two applications for abatement of taxes that needed to be addressed. 1) Parcel 21-6328001 – 2 acres in NW corner of SE1/4 (cemetery) Section 34-132-57, Vivian Township. The applicant, St. Aloysius Church, requests that the taxes for 2017 be abated as cemeteries are tax exempt. Vivian Township has approved the abatement application. Motion to concur with Willey Township. (Jacobson/Arth) Upon roll call vote, motion carried unanimously. 2) Parcel 25-7421000 – Lots 15-16, Block 20, Original Townsite, in Milnor City. The applicant, Milnor City, is requesting that the taxes be abated as Milnor City owns the property and is tax exempt as a government entity. Milnor city approved the application. Motion to concur with the action of Milnor City. (Hosford/Anderson) Upon roll call vote, motion carried unanimously.

Discussion on what is required to be published for the OSSTS Ordinance to become effective. Commissioner Anderson stated that to the best of his recollection the Title of the Ordinance and the Penalty Section is required to be published, but that the auditor should verify that information with the States Attorney prior to publication. Ms. Pfau will contact the auditor tomorrow with confirmation of what is required.

Approve March 6, 2018 meeting minutes as corrected. (Hosford/Arth, unanimous)

Merrill Engquist, Road Supervisor; Jay Enderson, Enderson Construction; & Damon DeVillers, Interstate Engineering; arrived at the meeting.

The board proceeded to open bids for furnishing supplies for the year beginning April 1, 2018, and ending March 31, 2019, 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; Arrowhead Transport Inc., Gwinner; Bernard Mahrer Construction Inc., Rutland; Lesmeister Gravel, Inc, Lisbon; Mark Sand and Gravel Dakota Co., Fergus Falls, MN; & Enderson Construction, Inc. Gwinner. Motion to accept all low gravel and hauling bids. (Hosford/Anderson) In response to a question, Commissioner Hosford stated that it was the intent of the motion to authorize the purchase of the desired class of gravel that can be delivered to the job site at the lowest cost to the county. 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. (Anderson/Arth) Upon roll call vote, motion carried unanimously.

GASOLINE, FUEL, & LP GAS: Nelson Oil Co., Milnor; Dakota Plains Cooperative, Kindred; and Rutland Oil Co., Rutland. Accept all bids. (Hosford/Jacobson) Upon roll call vote, motion carried unanimously.

Mr. Engquist provided the commissioners with a map showing his recommendation for 2018 gravel projects. The estimated cost of the projects total approximately \$762,450. There is \$415,000 available in the gravel budget for 2018, as well as some stockpiled gravel in the county's inventory. He will bring an updated map back next meeting detailing which road graveling projects will be awarded to which contractors, along with a more accurate total. He will also provide a map prioritizing the projects to parallel the budgeted dollars.

Mr. Engquist also stated that he had updated the bid specifications for a new motor grader. Motion to advertise for bids for one new 2018 model or low-hour 2017 model motor grader, with the option to trade in either a 1991 140G Cat, Falls Plow & Wing or a 2014 John Deere 672G Motor Grader. Bid opening to be held April 17th, 2018 at 10:00 a.m. (Hosford/Arth) Upon roll call vote: Yes – Arth, Anderson, Hosford & Walstead. No – Jacobson. Motion carried.

Mr. DeVillers provided a map of the proposed Silver Lake Access Road project. There will be a posted 25 mph speed limit around the lake & some changes made to intersections. He will also look for past township agreements that might work to use as a form for maintenance agreements with Rutland and Weber Townships. He is also working on getting the state to re-inspect the Anderson Bridge on County #7 that is near the Harris & Karen Anderson farm east of Havana. It has become even rougher going on & off the bridge.

The board received a letter from Climate Control regarding dust control service to Sargent County. The company is willing to apply dust control whenever the county prefers. The board also received an email from a county resident asking that the dust control be applied earlier than October as they didn't feel that two months dust reduction was worth the amount of money they spent. It was noted that the county applied dust control in that area after graveling on the county road had been completed. The farmstead in question is situated on a township road and the contractor applied dust control in the area at the same time as it was applied to the county road. Applying dust control on a township road is at the option of the township and the landowner.

The board recessed until after the social service board meeting this afternoon.

Meeting reconvened at 3:00 p.m. with all commissioners; Assistant State's Attorney Pfau; & Brenda Peterson, Sargent County Health Unit Administrator; in attendance.

The board completed a feedback questionnaire for the Village Business Institute.

Motion to authorize the chairman and the auditor to sign the Agreement for the Joint Exercise of Peace Officers Duties. (Jacobson/Hosford) Upon roll call vote, motion carried unanimously.

Motion to acquire a suitable retirement card and send to Mark Johnson, NDACO Executive Director, who is retiring after 35 years of service to North Dakota counties. (Anderson/Jacobson) Upon roll call vote, motion carried unanimously.

Commissioner Hosford asked what could or should be done about an appointed board member who has missed 5 consecutive meetings and doesn't respond to contact. It was suggested that the chairman of the board ask the delinquent board member to either start attending the meetings or to submit a resignation so a suitable replacement can be found and appointed to fill the vacancy.

Ms. Pfau asked about compensation for her position as assistant state's attorney. It had been put into the state's attorney's 2018 budget as a contingency, anticipating that the new pay plan consultant would have been retained; a job description approved; and, a new pay grade authorized by now. She is requesting \$30,000 annual salary. It was pointed out that a \$15,000.00 contingency for an Assistant States Attorney position was put into the budget along with an additional \$18,000.00 contingency for increasing the current part-time support staff to full time. The States Attorney has since determined that it is not practical to convert the support staff position to full time so the entire \$33,000.00 contingency is available, if needed. Motion to compensate Jayne Pfau as a part-time assistant state's attorney at \$30,000 annual salary until a job description is written and a pay grade can be determined. She would also be eligible for part-time benefits, vacation and sick leave. (Jacobson/Arth) Upon roll call vote: Yes – Arth, Jacobson, Anderson and Walstead. No – Hosford. Motion carried.

The board proceeded to discuss an employee's "Hostile Work Environment" complaint, and the report of the investigation that had been conducted as a result of the complaint. Motion to move into executive session pursuant to North Dakota Century Code 44-04-19.1 for the purpose of consulting with the assistant state's attorney regarding the hostile work environment complaint and investigation report. Ms. Pfau will record said session. (Anderson/Jacobson) Upon roll call vote: Yes – Arth, Jacobson & Anderson. No – Hosford & Walstead. Motion carried. Executive session ended and regular meeting resumed at approximately 3:45 p.m. Motion to adopt the findings of the investigative report prepared by John Trombley of the Village Business Institute (VBI) as set forth on page 12 of the report. (Anderson/Hosford) Upon roll call vote: Yes – Arth, Anderson, Hosford & Walstead. No – None. Abstain – Jacobson. Motion carried.

Discussion was held on the course of action to be taken regarding the hostile work environment complaint and the findings of the investigation. Motion that the commission, pursuant to the findings of the investigation adopted by the commission, refer the employee found to have created a hostile

work environment to the Village Business Institute. This will be considered a formal referral and the employee must make arrangements for counseling by March 27, 2018. Also, the assistant state's attorney and the chairman of the commission will meet with the complaining party and the employee whose actions created the hostile work environment to review the summary of the investigative report. The assistant state's attorney will prepare a summary of the investigation report, and will call on any or all members of the county commission to help create the Personal Improvement Plan to be referred to the Village Business Institute for the employee whose conduct created the hostile work environment to follow and complete. Also, the auditor was instructed to contact the Village Business Institute to schedule a mandatory supervisor training that all elected and appointed department heads and county commissioners must attend. (Anderson/Arth) Upon roll call vote: Yes – Arth, Anderson, Hosford & Walstead. No – None. Abstain – Jacobson. Motion carried.

Meeting adjourned at 4:15 p.m.

MIKE WALSTEAD – CHAIRMAN

ATTEST:

PAM MALONEY – COUNTY AUDITOR