

Forman, North Dakota
March 4, 2008

The Sargent County Board of Commissioners met at 9:00 a.m. with the following members present: Mike Walstead, Maurice Orn, Bill Anderson, Steve Wyum, and Jerry Waswick. Absent: none. Others present: Holly Jessen, the Sargent County Teller.

Approve February 19, 2008 minutes as corrected. (Walstead/Waswick, unanimous).

Commission members received a letter from Richard Johnson, Cogswell, ND regarding County Road # 5 west of Brampton. Road Commissioner Wyum prepared and read a letter of response. Sparky Engquist, road supt., met with the commission to discuss road maintenance practices, Verner Township gravel bill and Brummond Construction bill.

Norm Preble, Tax Director met with the Board to discuss omitted property for Jamie and Amy Betz, Lot 10 and NW 50 feet of Lot 11, Block 2, Park Lane Addition, Milnor City for 2006 and 2007. Mr. Preble explained that the 2006 land and residential structure value and the 2007 residential structure value had been omitted from taxation for this property. He indicated the values are in order for this property. Approve omitted property for Jamie and Amy Betz as described above. (Anderson/Wyum, unanimous) Discussion followed on a disability application, valuation of all apartment type commercial properties and progress on the soil study project. Secure Software Solutions presented a bill for the first payment of \$7210. Authorize payment of this bill – (Warrant#58716). (Anderson/Waswick, unanimous)

Gina Hillestad, Personnel Board, presented information concerning the feasibility of using a credit card program for County purchases. She provided comparisons of a corporate purchasing card versus a corporate card through American Express. American Express has no limit to the number of cards, no annual fee, no personal liability and a 5% cash rebate on certain programs. There can be controls on the cards to limit the type and amount of spending and separate tracking by department or office is available. Steve Wyum suggested that the Personnel Board and Sherry Hosford, County Auditor write up a policy to present to the commission prior to implementation.

The Board discussed a letter from ND Dept. of Transportation regarding encroachments on county roads. Lyle Bopp, States Attorney, was present and a discussion followed on the process for implementation. The NDDOT is clear that encroachment on county road rights-of-way must be stopped where it is occurring and prevented where it is not by county action on all county roads or the County will risk losing Federal Aid highway funding. A lengthy discussion followed on whether a new policy is needed, who will be responsible for policing the county road rights-of-way and what action the County should take.

Lyle Bopp reported that Hall Township's Supervisors had met with him regarding the conditional use permit for the Five Star Dairy/The Dairy Dozen-Milnor LLP south of DeLamere. He advised them to contact the ND State Health Dept. as the dairy is not in compliance with its conditional use permit.

Discussed the Gwinner railroad signal upgrade and a proposal from NDDOT asking that Sargent County sign the agreement and pay 10% of the total cost (\$20,507.80). The Board had discussed this project last year and, as the project was not authorized by Sargent County prior to installation; the Board had tabled any further action. Dave Leftwich, Local Government Engineer, NDDOT contacted the Board and proposed that, since Sargent County had not had an opportunity to review this project before it was completed, NDDOT will put an additional \$20,000 in Sargent County's federal aid account if the county is willing to pay the local share on the Gwinner signal upgrade. These federal aid funds can be used on the next federal aid project the county does. A motion was made to accept the proposal of NDDOT, send a letter indicating this decision and approve payment of \$20,507.80 (Warrant#58714). (Wyum/Waswick, unanimous)

The Board recessed at noon for lunch.

The Board reconvened at 1:25 p.m. following the park board meeting.

Harlan Hogness, Craig Speich and Mary Engst, Hall Township met with the Board to discuss the Conditional Use Permit for the Five Star Dairy/The Dairy Dozen-Milnor LLP. They have prepared a letter to the State Health Dept., Division of Water Quality reporting that the dairy is no longer in compliance with the conditional use permit issued by Hall Township, specifically Section 2 which states the Dairy is to make an annual Payment of Lieu in Taxes. The Dairy has failed to remit the payments due March 1, 2007 and October 1, 2007. If these payments are not made Hall Township will take further action, which may include revoking the conditional use permit. Steve Wyum indicated that he had asked Lyle Bopp, States Attorney to facilitate a meeting between the township and the

dairy to discuss the permit. Bill Anderson suggested that the township send a letter to the dairy with a copy of the letter to the State Health Dept. giving the dairy a chance to comply before the letter is sent to the health department. The commission does not have any legal authority or power in this issue, as the township granted the conditional use permit pursuant to its Zoning Ordinance. But, the commission agreed to send a letter to the dairy to get communication flowing between the entities. A motion to send a letter from the commission to the Five Star Dairy/The Dairy Dozen-Milnor LLP. (Wyum/Walstead, unanimous)

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 2009-2011 bienniums to receive reimbursement for providing clerk services based on .59 fulltime equivalent. (Anderson/Waswick, unanimous)

Authorize the Chairman and County Auditor to sign the following documents subject to review by Damon DeVillers, Interstate Eng. and Lyle Bopp, States Attorney: 1) Construction and Maintenance Agreement, 2) Right of way certification and 3) Utility certification letter for project SC-4111(065)-County Road from 3 miles south of ND 13, north scheduled for a maintenance bituminous overlay on 2.998 miles. The project is scheduled for the April 18, 2008 bid opening. (Wyum/Anderson, unanimous)

Authorize Chairman to sign the CDBG Environmental Review Documentation of Exemption for the Dakota Micro., Inc. project. (Anderson/Walstead, unanimous)

Board members participated in a conference call with Harris Bailey, Richland County Finance Director to discuss the potential benefits and drawbacks of Home Rule for Sargent County. Mr. Bailey explained the Richland County Home Rule charter and his opinion on what has been accomplished in his county. Mr. Bailey stated that the principal benefit had been to streamline County administration to deliver services to County residents with more efficiency and less cost. Board members asked questions about budgetary aspects, change in levies, combining offices and amendments to the charter. Mr. Bailey stated that Richland County had not levied a sales tax or levied any other new fees or taxes since the Home Rule Charter had been adopted more than a decade ago. The subject was tabled until the first meeting in April.

A motion made to adjourn at 3:10 p.m. (Anderson/Waswick, unanimous)

MAURICE ORN – CHAIRMAN

ATTEST:

SHERRY HOSFORD - AUDITOR