

Forman, North Dakota
April 19, 2011

The Sargent County Board of Commissioners met at 10:25 a.m. with the following members present: Mike Walstead, David L Jacobson, Jerry Waswick, Bill Anderson and Steve Wyum. Absent: None. Paige Cary, the Sargent County Teller, and Damon DeVillers, Interstate Engineering, Inc. were also present.

Lyle Bopp, States Attorney reported on a Summons and complaint served on the Sargent County Board of Commissioners, as Defendants, by Bill Nathe, Colin Stockstad and Edwin Erickson, Sr., as Plaintiffs all from Shuman Township. Lyle reported that he had contacted North Dakota Insurance Reserve Fund, the insurance carrier for Sargent County concerning legal representation.

Damon DeVillers discussed some water issues and presented a map of various areas of the county showing elevations of the land. Damon also informed the Board that three projects are eligible for design and construction engineering reimbursement but Request for Proposals for Engineering Services must be sought before approved. Motion to advertise for engineering services for the following projects: Project CER 4110(058)PCN 19054 – on Co # 1 in Section 14-131-53; grade raise, base and gravel and rock rip rap – 1000 feet in length; CER 4110(059)-PCN 19055 – on Co # 1 Section 14-131-53 – grade raise, base, gravel on 700 feet of roadway; CER 4135(054)-PCN 19058 – on Co. # 14 in Section 14-131-53 – grading, base and gravel on 500 feet of roadway. Proposals will be opened on Tuesday, May 17 at 1:00 p.m. (Jacobson/Anderson, unanimous)

Overland flooding problems in Cogswell were discussed, as were options for using the unneeded and unused right of way along County # 4 from Cogswell to Brampton for the installation of a drain from Cogswell to Drain #11. Any further research on transferring or selling the county right of way will be deferred.

Approve minutes of April 5, 2011 meeting as corrected and the March 2011 financial statement. (Jacobson/Wyum, unanimous)

Sparky Engquist arrived at this time.

Discussion continued concerning emergency repair of sites that are classified as permanent repair sites. Damon will work with Sparky to get these sites submitted to the state by the April 29, 2011 deadline.

Robert Nelson, Cayuga met with the Board to discuss water issues in Herman Township. He would like to get more water flowing through the bridge north of Geneseo by keeping the Wild Rice in its natural channel. Sparky reported that Bruce Speich, Milnor is working with NRCS to remedy this problem by repairing and strengthening a dike on his property that keeps the Wild Rice from leaving its channel. The Board informed Mr. Nelson that more work will be completed near his farm through permanent repairs at sites approved for Federal ER funding.

Sandy Hanson, EMS, Tax Director met to discuss some farm exempt and building permit applications. Sandy also reported on the 2005 FEMA audit and updates on flood water damage.

The Board recessed for lunch at 12:15.

The Board reconvened at 1:20. Sparky Engquist reported on two easement permits from US Fish and Wildlife Service/Tewaukon National Wildlife Refuge, and on the lease for construction aggregate with the ND Dept. of School Lands. Motion to authorize Mike Walstead, Road Commissioner to execute easement permits for the following. (Anderson/Jacobson, unanimous) 1) Temporary ditch to re-route water at Shane Kadoun residence in Section 19-131-54 with a deadline of September 28, 2011, to have the ditch closed and 2) Temporary ditching and removal of ditch blocks to lower water off County Road 3 in the NW1/4-33 and the SW1/4-28-130-55. Water is currently over the travel surface and excavating a shallow ditch between the wetland crossing the road and the restored wetland located to the south, as well as breaching two drain plugs located immediately east of the restored wetland will allow water to drain to the Wild Rice. The water will drain into Klefstad WPA and result in a temporary rise in water level in the wetland which now impacts access to Silver Lake. Said permit will also expire on September 28, 2011.

Authorize Mike Walstead; Road Commissioner to execute a lease for construction aggregate/borrow material from ND School Land located in the E1/2 of NE1/4-25-131-55. (Anderson/Jacobson, unanimous)

Jim Bosse, SC Water Board stopped at the meeting to inform the Board of a potential serious water problem around Meszaros Slough and County # 3. The influx of floodwater into Meszaros Slough in

western Sargent County has the potential to take out road crossings all the way to Highway #32, reported Mr. Bosse. Sparky Engquist was instructed to go to the site, investigate, monitor the problem and coordinate flood damage prevention and mitigation actions with the Water Board.

Harrison McCleery, Milnor City Mayor; Dwain Elenberger, Supt. of Public Works, Milnor; Lorraine Jacobson, Milnor; Mark Bopp, Forman City Mayor; and; Jim Bosse, Richard Engst and Chris McFarland, SC Water Resource Board members; met with the commissioners to discuss the flow of floodwater from Storm Lake through Milnor City. The City has been working with the Water Board on flood damage prevention and mitigation. County Emergency Management Director Sandy Hanson has also been in on the City's discussions and planning sessions. Moore Engineering has done a hydrological study and has concluded that the culverts that take water from Storm Lake through the City to the legal drain should be considerably larger than the structures that are presently in place. Estimated cost of replacing the existing structures, one of which runs beneath Milnor's Main Street/County #10, with the others crossing city streets, is about \$650,000.00. The City is working with Lake Agassiz Regional Council to obtain a Flood Hazard Mitigation Grant that, if obtained would pay for 85% of the project. They believe that there is a very good likelihood that the grant will be approved. The City is looking for some commitment from the Water Board and the County Commission to pick up a large chunk, if not all, of the remaining 15%. According to Mayor McCleery, the replacement of the current structures with appropriately sized structures would eliminate Milnor's flooding problems up to a 500 year event. Mayor McCleery discussed the demographics of the city and concluded that this plan should be implemented to control flooding in Milnor City. The existing culverts have been in place since 1980 and the proposal is to install 16 foot wide by 6 foot high structures which would maintain the water level in Storm Lake at a manageable level. The deadline for grant submission is April 30, 2011 and they must know who will pay the local share. Motion that Sargent County participate 1/3 cost in the local share of this project contingent upon grant approval. (Wyum/Walstead. Roll call: Aye: Wyum, Walstead, Anderson and Waswick. Nay: Jacobson. Motion carried.)

Mark Bopp informed the commissioners that Forman City is also working on a Flood Hazard Mitigation Grant. The grant plan will attempt to restrict the inlet and outlet of water into and out of Forman, work on Drain No. 4 on the north edge of Forman, which is working at partial capacity and install another culvert under State Highway 32 north of Forman, which is presently holding back three feet of water. The City of Forman is working with NDDOT and Lake Agassiz Regional Council to obtain the grant funding.

Gary Thornberg, Havana sent a letter requesting permission from Sargent County to allow water from tile drains installed on property in the SW1/4-13, the W1/2 of 23, the N1/2 of NE1/4-23 and the W1/2 of Section 24-129-55 (Weber Township) to drain into, and run along the road ditches along County # 10 and 5 from the point where said tile drain empties into the road ditch along County #10 to the point at which the road ditch along County # 5 intersects the tributary flowing into the Wild Rice River. The peak amount of water from such tile drain is estimated to be approximately 6 cfs more or less. Steve Wyum requested more information about area county policies prior to considering the request, and volunteered to contact surrounding Counties for policy information. Tabled.

Reappoint Amy Melinda Mund, Milnor to a five year term on the Sargent County District Board of Health. (Walstead/Anderson, unanimous)

The North Dakota Department of Commerce informed the commissioners that the energy efficiency application submitted by Sargent County for replacement lighting in the courthouse was not approved. A great deal of interest had been shown in the program and no funds are available at this time. But, the ND Commerce Dept. will keep Sargent County's application on file for consideration should additional Federal funds become available.

Motion to authorize the Chairman to execute a Statement of Concurrence, directed to the Federal Communications Commission, regarding the Sisseton Wahpeton Oyate radio facility. The Oyate's radio facility will operate on a frequency that is adjacent to the County's frequency. The Statement of Concurrence authorizes the Oyate to use the adjacent frequency, but requires the Oyate to cease using the frequency if such use interferes with County communications. (Anderson/Jacobson, unanimous)

Approve Applications for Anhydrous Ammonia License for three Full Circle Ag sites (116 4th Ave N, Havana, ND; 455 Hwy 13 West, Gwinner, ND; and Hwy 32 and County Road 1, Forman, ND). (Anderson/Jacobson, unanimous)

Approve removal of the following items for surplus property: #2630-HP Laptop computer; #2813-Toughbook computer; #1919-Optiplex computer; #1747-HP Tower computer/monitor; #1084-TV; #854-Okidata printer and offer for sale at next county auction. (Walstead/Jacobson, unanimous)

Approve April payroll in the sum of \$139,572.35 (Nos. 5691-5746 and 64035-64047) and the following bills. (Jacobson/Anderson, unanimous)

64014-64026		Health Department Expenses	1261.89
64027	Forman City	Water, Sewer, Garbage	151.30
64030-64031		Health Department Expenses	161.59
64032-64034		Weed Board Expenses	169.03
64048-64059		Human Services Expenses	11,841.85
64060	American Express	Credit Card Purchases	219.76
64061	Amerman, Roz	Judge's Chamber Remodel	285.00
64062	B&K Electric	Lighting Repairs	196.80
64063	Bopp, Mark	Snow Removal	51.00
64064	Buhl's Inc.	Cleaning Services	158.87
64065	Dakota Plains Coop.	Fuel, Supplies	9282.11
64066	Dickey Rural Networks	Telephone	906.70
64067	Dyste's Food Pride	Supplies	11.56
64068	Ed's Place	Fuel	169.55
64069	Forman Drug	Photo Developing	9.92
64070	FP Mailing Solutions	Optimail Rental	299.70
64071	Gwinner One Stop	Fuel	477.07
64072	Hafey Tech.	Website Hosting	480.00
64073	Hardware Hank	Supplies	359.57
64074	Hoag & Sons, Inc.	Newspaper Binding	82.92
64075	Information Technology Dept.	LERMS	50.00
64076	Institute of Local Government	Registration Fees	585.00
64077	Jacobson, David	Travel	211.14
64078	Klefstad-Gelinske Construction	Courthouse Renovation	2935.00
64079	Lexis Nexis – Matthew Bender	ND Court Rules Supplements	59.18
64080	Martinsen's Home Center, Inc.	Supplies	257.19
64081	McLaen's Service	Deputy Vehicle Repair	70.72
64082	ND Co. Treasurer Assoc.	Annual Dues	50.00
64083	ND State Radio Communications	LETS/MDT	237.84
64084	ND State Tax Commissioner	Registration Fee	185.00
64085	Office Max	Chairs	199.98
64086	Public Employment HR Consulting	Market Survey	2550.00
64087	Quill	Office & Computer Supplies	232.10
64088	Sargent County Teller	Printing	407.58
64089	Shoplet.com	Envelopes	63.44
64090	Toepke, Derek	Travel	76.80
64091	Universal Services	Toner	415.50
64092	Wyum, Steve	Travel	429.56
64093	AW Diesel Service, Inc.	Equipment Repairs	7432.90
64094	Ekstrom Repair	Equipment Repairs	507.95
64095	Farm Plan	Parts	276.15
64096	Hansen Lumber	Fence Posts	21.89
64097	Johnston Fargo Culvert, Inc.	Culverts	11292.00
64098	Kustom Machine, Inc.	Pump Repair	194.77
64099	Martinsen's Home Center	Supplies	80.78
64100	NAPA Parts Supply Inc.	Sensor	21.49
64101	ND Association of Counties	Drug Testing	185.50
64102	State Land Department	Leasing Fill Material	50.00
64103	Nelson Bulk Oil Co.	Fuel	6588.00
64104	Welton's Tire Service	Pail Lube	38.00
64105	Arrowhead Transport, Inc.	Gravel & Bobcat Work	6075.50
64106	Broken Cowboy Red Angus	Snowblowing, Bobcat Tires	820.00
64107	Chunky's Standard Service	Oil Change and Washer Fluid	52.00
64108	Computer Professionals Unlimited	Staff Support	946.00
64109	Crandall Construction, Inc.	Snow Removal	525.00
64111	Dickey Rural Telephone	911 Contracts, Updates	263.00
64112	Dyna – FLO	Hoses w/ Parts	2680.42
64113	Four Points Logistics, Inc.	Boiler Replacement	1400.00
64114	Hatton Ford	2011 Ford Expedition	28,436.70
64115	Hewlett Packard	Computer Supplies and Hardware	1136.00
64116	Holiday Inn – Fargo	Extension Travel	92.74
64117	Information Technology Dept.	WAN	467.40
64118	Interstate Engineering	Engineering Services	84.28
64119	Kadoun, Shane	Snow Removal	1750.00
64120	Lyle Signs, Inc.	Flag Material	526.68

64121	Martinsen Home Center, Inc.	Tape	15.58
64122	NDACo	911 Wireless Service Costs	5.00
64123	ND State Radio	State Radio	5272.50
64124	NDSU Extension	Registration Fee	10.00
64125	Newman Traffic Signs	Road Signs	1003.20
64126	Peterson, Brenda	Travel	91.80
64127	Pherson, Dennis	Snowblowing	840.00
64128	Qwest	911 Contracts	191.88
64129	Richland County Corrections	Prisoner Board	110.00
64130	Ransom County	VSO contract	700.42

The meeting adjourned at 3:45 p.m.

Jerry Waswick, Chairman

Attest:

Sherry Hosford – County Auditor