

Forman, North Dakota  
April 2, 2019

The Sargent County Board of Commissioners met in the Commissioners' Room at the Sargent County Courthouse at 9:04 a.m. with the following members present: Jason Arth, Lyle Bopp, and Richard Ruch. Also present was Margie Johnson, State's Attorney Legal Assistant; and Pam Maloney, Sargent County Auditor. Absent was Bill Anderson and Jerry Waswick.

The Pledge of Allegiance was recited.

Approve March 19 & March 26, 2019 meeting minutes as corrected. (Bopp/Ruch, unanimous)

Discussion was held on a property that the county foreclosed on at the November tax sale. The owner did purchase the property back, but the check came back NSF. There are renters in the home, and the rent should be coming to the county, not the previous owner. Commissioner Bopp will check to see who the renters are and Ms. Johnson will ask the State's Attorney, Jayne Pfau, what the status is on the NSF check.

Jeanne Sexton-Brown, Sargent County Teller; arrived at the meeting.

The commission acknowledged, with appreciation, Richland County's expression of sympathy and their offer of assistance after the tragic accidental death of the Assistant Road Supervisor, Virgil Nogowski.

Motion to publish the annual notice concerning County Road Rights of Way in the official newspaper. (Ruch/Bopp) Upon roll call vote, motion carried unanimously.

Some discussion was held on Mr. Nogowski's payout of salary, vacation and sick leave. Motion to pay for 8 hours the day of the accident and to convert all unused sick leave hours to vacation hours (at a rate of 10 hours sick leave to 1 hour of vacation per Sargent County's policy) to pay out with his other hours of vacation pay. (Bopp/Ruch) Upon roll call vote, motion carried unanimously.

There has been a request from the Extension office to take the moving expenses for the phone system out of the General Fund. The auditor will make the change.

Commissioner Bopp informed the rest of the commission that Joe Butler, Custodian, has decided not to retire in May, and has pulled his resignation.

Some discussion was held regarding the handling of employee complaints. Commissioner Arth has suggested the following protocol:

1. Employee addresses problem with department head.
2. If not satisfied, employee meets with department head and commissioner holding that portfolio.
3. If not satisfied, employee meets with commissioners as a whole with department head.
4. If not satisfied, The Village is contacted to do an investigation on the issue.
5. Commissioners will get results from The Village and make a decision.

He would like to see all employees perform their duties and interact with others in a professional manner. He is not proposing a policy change, just simple guidelines to follow to handle complaints a little more smoothly.

Damon DeVillers, Interstate Engineering; Merrill Engquist, Road Supervisor; & Bruce Speich, Herman Township resident; arrived at the meeting. Interstate Engineering has done some research and had done a hydrology study in May 2013. After reviewing the proposed mitigation site in the NE1/4 of Section 9 in Hall Township, Mr. DeVillers has proposed to remove the existing west to east 18" culvert and replace it with a 36" culvert that that would be installed to flow from south to north in the curve on County Road #14. That would take water into the NE corner of Section 9. Mr. DeVillers also requested to see some hydraulics on the proposed berm to see if it would impact the township road or County Road #14. Wenck looked at the hydrology & did apply it to the berm hydraulics for the site. The top of the berm is set at 1065, a foot below the road. This would protect the road from flooding while allowing the project some freeboard for the 25-year storm. Motion to approve the project of installing a 36" culvert through County Road #14 and to remove or plug the existing 18" culvert when the 36" culvert is installed, and to request cost-sharing from the Sargent County Water Resource Board.

(Bopp/Ruch) Upon roll call vote, motion carried unanimously. Mr. Engquist stated that the culverts would go in as soon as the frost goes out.

Mike Lock, Kyle Marquette, and Dan Pearson, Rutland Township Supervisors; arrived at the meeting to discuss the Silver Lake Road Project. They wanted to know the full scope of the project and if the township would be responsible for any part of the project. They also wanted to know if they would be responsible for the maintenance of the road once the project is done. The commission explained that the township would have no responsibility for the project itself, but that they would be responsible for the maintenance after the project is completed. However, there is a possibility that this road could become part of the county road system and/or an agreement could be made between the township and the county for sharing the maintenance expense of the road as it is around the county park.

Mr. DeVillers also stated that the county should be receiving the contracts soon for the sealcoat project.

Mr. Engquist stated that Jennifer Morman, NDACO Internal Claims Manager for WSI; will be meeting with Mr. Nogowski's family and any county employee wishing to attend, on Thursday afternoon at 2:00 p.m. in the conference room of the courthouse.

Wendy Willprecht, Emergency Manager/911 Coordinator; arrived at the meeting to discuss flood issues. There are township roads under water, County Road #14 has some water on the roadway; and Milnor City is also having some flood issues. Motion to adopt and declare the following Declaration of Emergency for Sargent County in consideration of the information presented. (Bopp/Ruch) Roll Call Vote: Yes – Arth, Bopp and Ruch. No – None. Absent and Not Voting – Anderson & Waswick.

## Sargent County, North Dakota Flood Emergency Declaration

WHEREAS, the heavy snow received in the winter of 2018-2019, created an unusually high snowpack in Sargent County; and

WHEREAS, the impending spring melt, creates significant potential for severe spring flooding, including overland flooding and stream flooding; and

WHEREAS, the impact of these damages threaten the health, well-being and public safety of Sargent County citizens; and

WHEREAS, the potential damage to public and private property and roads are beyond normal anticipation and budgeted funds; and

WHEREAS, the 2018-2019 winter storm response has required the County, Townships and Cities to expend public works and emergency funds, presenting challenges for financing anticipated flood fight operations.

NOW, THEREFORE, BE IT RESOLVED that the Sargent County Commission declares a flood emergency and orders the activation and utilization of the Sargent County Emergency Operations Plan, its procedures, attachments and appendices to monitor the situation, develop a detailed damage assessment, alleviate hardship, and to limit the hardship and impact of this emergency upon the citizens of Sargent County, North Dakota. Through this declaration the Sargent County Commission does release the use of the Sargent County Emergency Funds for the purpose of use in response and recovery of the public infrastructure in Sargent County.

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.

DATED at Forman, North Dakota this 2<sup>nd</sup> day of April 2019.

Motion to authorize the chairman to sign Memorandums of Understanding with the townships so Sargent County will have the legal authority to act as the subrecipient on behalf of each township, for the administration of the federal Public Assistance Program following a Presidential Disaster Declaration. (Bopp/Ruch) Upon roll call vote, motion carried unanimously.

Meeting adjourned at 11:20 a.m.

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JASON ARTH – CHAIRMAN

ATTEST:

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PAM MALONEY – COUNTY AUDITOR