

Forman, North Dakota
April 4, 2017

The Sargent County Board of Commissioners met at 9:00 a.m. in the 2nd floor conference room of the courthouse for a non-agenda employee meeting, with all Commissioners and twenty five county employees, elected department heads and appointed department heads present. Topics of discussion included: unpleasant, sewer gas odor in the basement women's restroom; parking lot improvements; fluorescent lighting replacement with modern, more efficient fixtures; update of personnel policy/employee handbook; re-activating a personnel board; taking another look at NDPERS Retirement Program; and, replacing our current ND PERS wellness coordinator. Following the non-agenda employee meeting, the Sargent County Board of Commissioners met at 9:40 a.m. with the following members present: David L Jacobson, Mike Walstead, Sherry Hosford, Jason Arth, and Bill Anderson. Also present was Merrill Engquist, Road Supervisor; Luke Siemieniewski, Sargent County Water Resource Board; Tibby Hinderlie, the Sargent County Teller; and, Pam Maloney, Sargent County Auditor.

Approve March 21, 2017 meeting minutes as corrected. (Anderson/Hosford, unanimous)

Lyle Bopp, State's Attorney; & Jayne Pfau, Assistant State's Attorney, arrived at the meeting at 10:15 a.m.

Motion to appoint Robert Banderet to the Soils Committee, representing Brampton, Jackson, Sargent & Southwest Townships, upon the recommendation of the supervisors of those townships; and, to extend thanks to outgoing committee member George Bishoff for his years of service on the County's Soils Committee. (Hosford/Walstead, unanimous)

Approve Gaming Site Authorization for Bullis Post #84 of The American Legion, Lidgerwood, for a site in the Geneseo Bar, from July 1, 2017 through June 30, 2018. (Anderson/Hosford, unanimous)

Motion to accept the resignation of Nancy Glarum from the Sargent County Weed Board with regret, and with thanks for her years of service to Sargent County; and, to advertise in the official newspaper for a replacement for the remainder of her current term. (Anderson/Hosford, unanimous)

Approve Forman Community Club/Forman Library request to hold an Easter Egg Hunt on the courthouse lawn Wednesday, April 12 starting at 4:00 p.m. (Walstead/Anderson, unanimous)

Reviewed letter from NDDOT regarding accepting applications for Special Road Fund projects. This matter will be referred to the County Engineer for advice on potential projects.

Kent Sundseth, Tewaukon National Wildlife Refuge Manager; and, Luke Siemieniewski, Sargent County Water Resource Board (WRB) Chairman; met with the commission about the potential Federal Lands Access Program (FLAP) bridge replacement projects in Rutland Township, across the Wild Rice River north of Sprague Lake; and, in Marboe Township, across LaBelle Creek/Drain #12 southeast of Lake Tewaukon. Mr. Sundseth thought that the project should encompass both bridges, and stated that any local matching money would be beneficial. He stated that the Tewaukon Refuge will also provide a letter of support for the project, along with any help needed to fill out the application. Additionally, Mr. Sundseth stated that it is likely that the Refuge will be able to come up with the lion's share of the local match, with Sargent County and the County WRB providing token amounts. Motion to authorize a \$15,000 expenditure from the county road department budget to be applied to the local match monies for the replacement of these two bridges. (Anderson/Walstead) Roll Call Vote: Yes – Arth, Walstead, Anderson & Hosford. No – Jacobson. Motion carried.

Kurt Johnson & Duane Lock, county residents, arrived at the meeting.

Dan Delahoyde, Jackson Township Supervisor; John Quandt, Steve Hansen, Lee Zimbelman, and Brian Vculek, Jackson Township Improvement District; and Sandra Hanson, Tax Director/911 Coordinator/Emergency Manager; arrived at the meeting. There has been a petition filed by John Quandt, Brian Vculek, Larry Roney, Greg Zimbelman, Allen Hansen & Madella Scheffert; landowners in those sections; to close the north/south section line that runs between Sections 12 & 13-130-59 (Riverdale Township in Dickey County) and Sections 7 & 18-130-58 (Jackson Township in Sargent County); & the east/west section line between Sections 7 & 18-130-58 (Jackson Township in Sargent County). The petitioners are proposing to excavate a drainage ditch on these section lines. They have received a permit from the State Water Commission to drain the designated parcels of farmland. According to information supplied by Mr. Quandt, the Dickey County Commission has already voted to close the section lines without a public hearing. Sargent County States Attorney Lyle Bopp advised the County Commission that pursuant to NDCC 24-07-03, in order to close a section line, certain criteria must be met, including: a public hearing; a finding by the Commission that there would be a public benefit to

close the section line; a finding by the Commission that the section line has not been used for a period of ten years or more; & a finding by the Commission that the section line is not necessary due to readily accessible alternative routes. The public hearing on the petition has been set for Tuesday, April 18, 2017 at 7:00 p.m. in the Commissioner's Room of the Sargent County Courthouse in Forman, North Dakota.

Commissioner Hosford left the meeting at 10:45 a.m.

Mr. Quandt also updated the commission about the Lovell Drain Improvement Project. This project is 90% in Dickey County and 10% in Sargent County. The project has been approved by the Sargent County Water Resource Board and by the Dickey County Water Resource Board, but has been deemed to be of statewide significance, so it is now back in the State Water Commission's hands for its review and possible approval. Mr. Quandt inquired about cost sharing for culvert replacements, and was informed that, if there is a request, the county and the water board will consider cost share on culverts 36" or larger if a hydraulic study has been done and the culverts are properly sized to meet the North Dakota Stream Crossing Standards.

Brenda Peterson, Sargent County Health Administrator; Aaron Johnson, Fargo Cass Public Health; Travis Paeper, Sargent County Sheriff; Jerry Bohnenkamp; & Arlen Hanson, county residents; arrived at the meeting. The commission proceeded with the second reading of the proposed On Site Septic System Code Ordinance. Aaron Johnson gave a brief summary of the public health and safety reasons for the request for the adoption of an ordinance establishing Onsite Sewage Treatment System regulations for Sargent County. Mr. Johnson also answered several questions posed to him by those present. He stated that the Public Health Districts are requesting that this draft model ordinance be adopted on the county level, but that it may be mandated by the legislature within a few years. If adopted by all counties, the ordinance would provide a uniform system throughout the State, and would allow septic system installers certified in one county to work in other counties with the same ordinance. Motion to approve the 2nd reading and approve the ordinance establishing uniform Onsite Sewage Treatment System regulations for Sargent County effective May 1, 2017. (Anderson, motion died for lack of a second) Commissioner Walstead stated that he requested this proposed ordinance to be brought back to the next meeting when a full board is expected to be present.

Damon DeVillers & Jesse Sedler, Interstate Engineering; arrived at the meeting. Mr. DeVillers and Mr. Sedler had prepared estimates for the potential FLAP projects. However, they were requested to revise the bridge replacement cost for the bridge in Marboe Township to just include the bridge replacement and no road grade improvements or culvert replacements. The commission also asked the Engineers about the Special Road Fund project letter received from the ND DOT. SRF projects are limited to roads that provide access to and/or are within recreational, tourist, and historical areas. The intent of this program is to help finance highway projects identified by political subdivisions and state agencies which typically have some funding but need additional help. They will work on estimates for the township road from County Road #3 south to the Silver Lake Recreation Area.

County Road Supervisor Engquist provided maps indicating County Roads scheduled for graveling in 2017, and gravel cost estimates for the 2017 season. There are approximately 46 miles scheduled to be graveled, including portions of County Roads #1, #2, #3, #4, and, #5. Shorter stretches on several other County Roads are also slated for touchup maintenance graveling during the 2017 season. According to Road Supervisor Engquist, approximately \$232,000 is slated to be expended on road graveling in 2017.

Alison Toepke, Sargent County Treasurer/Recorder/Clerk of Court; arrived at the meeting. Mr. Bopp explained an issue with some vacated streets and alleys in Milnor City which had never been placed back on the tax rolls upon the vacation in 1920. His solution to the problem is for Sargent County to Quit Claim Deed the vacated streets and alleys to the current owners so there is a root deed on file. This way, the property can be added to the tax rolls. Then after ten years, the owners can file an Affidavit of Marketable Title. Motion to instruct the State's Attorney to prepare Quit Claim Deeds to the current adjacent landowners of the streets and alleys involved. (Anderson/Walstead, unanimous)

Meeting adjourned at 12:25 p.m.

DAVID L JACOBSON – CHAIRMAN

ATTEST:

PAM MALONEY – COUNTY AUDITOR