

Forman, North Dakota  
April 5, 2011

The Sargent County Board of Commissioners met at 9:00 a.m. with the following members present: Bill Anderson, Steve Wyum, David L Jacobson, Mike Walstead and Jerry Waswick. Absent: None. Mary Ann Gadberry, the Sargent County Teller, was also present.

Approve minutes of March 22, 2011 meeting as corrected. (Wyum/Walstead/, unanimous)

Approve adoption of the following culvert cost share policy: (Wyum/Walstead, unanimous)

Be it resolved that the Sargent County Commission hereby establishes a culvert cost share payment policy as follows: Sargent County shall pay a one third (1/3) cost share to any township for any 36" or larger culvert which meets with the approval of the Sargent County Water Resource Board culvert policy and in which the Sargent County Water Resource Board also participates by paying a one third (1/3) cost of a culvert installed by the township. The one third cost share by the Sargent County Commission shall only include the cost of the culvert at the County price or less.

Danny Zirnhelt, Forman, had filed an application for abatement or refund of taxes on 12-21-10 (#587), and action on said application had been deferred pending receipt of additional information from the applicant. Mr. Zirnhelt had contacted the County Auditor, in writing, on March 28 to request withdrawal of said abatement application. Withdrawal of the abatement application, at the request of the applicant, was acknowledged.

Sandy Hanson, Tax Director/Emergency Manager/911 Coordinator met with the Board and reviewed an Application for Abatement or Refund of taxes concerning property belonging to Scott and Sandra Luttio, described as the northwest 15 feet of Lot 21 and all of Lot 22, Block 33, Original Townsite, Milnor City. An unusable structure situated on the premises was demolished on June 29, 2010. Request that taxes be refunded for 6 months of 2010. Milnor City approved the application for abatement of taxes. Motion to concur with Milnor City's approval of abatement. (Anderson/Jacobson, unanimous)

Sandy Hanson also updated the Board on the county's new, narrow band digital radio communications repeater and her plans to conduct radio training and testing prior to conducting a survey on placement of the repeater.

Sandy also informed the Board that the residential reappraisal will begin in May, and that Vanguard plans to have all inspections completed before year end.

Travis Paeper, Sheriff reviewed his implementation of the County's policy for closing the courthouse due to inclement weather. Some complaints had been received because the Sheriff closed the Courthouse on the morning of Wednesday, March 23, due to inclement weather and poor road conditions, and some complaints had been received because he had not closed the Courthouse for the entire day, even though the storm was over and roads were open by Noon of that day. The Commission had no complaints about, or objections to, the Sheriff's implementation of the County's Courthouse closing policy.

Damon DeVillers, Interstate Engineering; Sparky Engquist, SC Road Supt.; and, Colin Stockstad, Milnor arrived at this time.

Damon informed the Board that he was able to get measurements on Bridge 123-20 and the upstream and downstream culverts. He will prepare information for the next meeting. Damon received information on the three (3) Federal Aid System (FAS) sites (all in the Hamlin Grove area of Herman Township) which had been approved for 2010 Emergency Repair funding. All three sites have been approved for funding, but Congress has not yet appropriated the ER money. The approximate cost for repairs including engineering is \$158,200. At this point, the County's options are: to wait for the Congress to appropriate the 2010 ER money before commencing the work; to use funds from the County's Road budget to pay for completion of the permanent repairs, and reimburse the Road Fund if and when the Federal money is received; or, draw on any Federal Aid System funds which may now be in the County's account at NDDOT and reimburse the Federal Aid fund with the ER reimbursement if and when it is received. Damon will check on dates and deadlines for the work to be completed.

According to Damon DeVillers, a number of changes have been made to the 2011 Federal Aid System Emergency Repair and Permanent Repair guidelines that may make it more difficult to make emergency flood repairs in a timely manner. Damon reviewed the documents that were sent out by NDDOT to assist the counties in completing reimbursement applications for emergency work. He advised that, if there is any emergency repair work required, he and the county review the projects before work commences.

Lyle Bopp arrived at this time.

The Construction and Maintenance Agreement; right of way certification letter; and, utility certification letter; for project SC-4111(068) – CMC 4111 – 3.016 miles of County No. 4 north of ND Highway #13 near Stirum, was reviewed. This project consists of microsurfacing said roadway. Authorize the Chairman, County Auditor and States Attorney to sign and execute said agreement and letters and return to NDDOT. (Walstead/Jacobson, unanimous)

Colin Stockstad expressed his concern regarding the water that is coming into Buffalo Lake. He suggested restricting the flow of water through culverts upstream of the Lake, and putting in larger structures downstream of the lake. The County Engineer, States Attorney and Board members discussed the requirements of North Dakota’s Minimum Stream Crossing Standards with Mr. Stockstad. County Road Superintendent Sparky Engquist also reviewed the emergency drain that will remain in place through the spring and summer to expedite the flow of flood waters from the lake. The legal rights and obligations of the parties in the Crooked Creek drainage were also discussed.

Daniel Bauer, Stirum presented an Application for a Special Permit to Sell Alcoholic Beverages at a Special Event at Designated Premises at the Stirum Hall on May 7, 2011. Mr. Bauer submitted the local fee with the application. Approve the Special Permit. (Anderson/Jacobson, unanimous) He also inquired about placing a “Stirum” sign along County No. 4 at the intersection of 25-26-35-36. Sparky will check into this as well as “Parallel Parking” signs for the Main Street in Stirum.

The employment status of Martin “Whitey” Bommersbach with the Sargent County Road Department was discussed. The Board requested that States Attorney Lyle Bopp make some contacts regarding Mr. Bommersbach’s employment status and to report to the Board on April 19 concerning the matter.

Reviewed updated list of Highway Equipment Rental Rates as presented by Commissioner Walstead and Sparky Engquist. There were no objections to the updated rates, and they will remain in effect until conditions warrant another update. The equipment rental rates are available for public inspection at the County Auditor’s office.

Meeting adjourned at 12:05 p.m.

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JERRY WASWICK – CHAIRMAN

ATTEST:

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SHERRY HOSFORD - AUDITOR