

Forman, North Dakota  
April 5, 2022

The Sargent County Board of Commissioners met at 9:00 a.m. with the following members present: Jason Arth, Lyle Bopp, Mark Breker, Scott Johnson and Richard Ruch. They met up in the conference room with county employees for a non-agenda employee meeting. Employees present were: Jayne Pfau and Margie Johnson, State's Attorney's Office; Wendy Willprecht, Emergency Manager/911 Coordinator; Travis Paeper, Rick Bryant & Heidi Johnson, Sheriff's Department; Denise Ferderer, Tax Director; Pam Maloney & Teddie Lee, Auditor's Department; Cindy Klapperich & Amber Mathison, NDSU Extension Office; Alison Toepke, Patsy Zirnhelt & Diane Brown, Treasurer/Recorder/Clerk of Court Department; Michelle Denault, Human Resources Director; Morgan Blair, Assistant Coroner; Brenda Peterson, Briana Spellerberg & Kelsey Nelson, Health Department; Neil Weaving, Custodian; and Tim Faber, Loy Justesen & John Mlnarik, Road Department.

Items discussed were: Home Rule Charter, Elected Officials/Policy Handbook, Covid Bonuses, Cola Projection, Parking Lot, Commissioner Mileage, Market Survey & Time Clocks.

The board moved down to the commissioner's room and Commissioner Arth called the commissioner meeting to order at 10:08 a.m. with all commissioners present; Neil Weaving, Custodian, & Pam Maloney, Auditor. Lynn Kaspari, Sargent County Teller, was present through technology.

The Pledge of Allegiance was recited.

Doug Straus, G & R Controls, met with the board again to discuss an alternate heat source for the courthouse. He presented a few options regarding electricity rates, off-peak & dual-fuel rates, which could have a potential savings of \$1500 to \$4000 a year. The single boiler proposal would cost approximately \$98,853 and a three boiler set would cost \$147,864. This system would be a backup heat source in the present and could potentially replace our current boiler system in the future. The board thanked Mr. Straus for his information, will discuss the matter at the next meeting and decide at that time.

Susan Wirth, Gwinner City Resident, arrived at the meeting to discuss an issue involving the Sheriff's Department. She stated that an incident happened approximately one year ago & the sheriff still has not investigated the incident. The commissioners stated that as the sheriff is an elected position, therefore they really do not have any input in how he does his job. However Mr. Johnson, Police Commissioner, will discuss this with the sheriff & will get back to Ms. Wirth regarding this particular incident.

Motion to approve the agenda as amended. (Bopp/Breker) Motion carried unanimously.

Approve March 15, 2022 minutes as presented. (Ruch/Breker) Motion carried unanimously.

The auditorium demolition was discussed briefly. Demo is still scheduled for the first week of April.

The tile easement abandonment motion from the last meeting was again discussed. Further information was obtained, but the commissioners would like to visit with the landowner and adjacent landowner before voting on this. The auditor was requested to invite them to the next meeting for discussion.

Further discussion on the Chris Mathias Application for Drainage Work within County Road Right-of-Way. The Application to Install a Subsurface Water Management System has been approved by the Sargent County Water Resource Board. Commissioners Johnson and Ruch looked at the area & see no areas of concern. Motion to approve the Mathias application to tile approximately 40 acres in the W1/2 of NE1/4 of Section 9-131-57 (Harlem Township), using a pump outlet that needs to enter the county road ditch to enter Drain #11 one-half mile west of the pump. (Ruch/Johnson) Upon roll call vote, motion carried unanimously.

Commissioner Breker stated that the fencing has been removed from County Road #3 right-of-way east of Rutland.

Todd McMichael, Richland County Resident, arrived at the meeting along with several concerned landowners of Sargent County. He presented information regarding the CO2 pipeline that will be running through Sargent County, along with Richland & Dickey Counties. He stated that this pipeline poses health and safety risks to both the citizens and the environment. Many landowners are concerned about the prospect of Summit Carbon solutions seeking eminent domain for this project. He is requesting that the commission formally oppose eminent domain for the Summit Carbon Solutions Pipeline within Sargent County. Although the county cannot prevent this from happening, Mr.

McMichael stated that the Public Service Commission does take into consideration the information received from counties and townships when making their decisions. Motion to pass the following resolution: (Bopp/Johnson) Upon roll call vote, motion carried unanimously.

Whereas, the Summit Carbon Solutions CO2 Pipeline poses health and safety risks to both citizens and the environment;

Whereas, many landowners are concerned about the prospect of Summit Carbon Solutions seeking eminent domain for this project,

Now, therefore, be it resolved, that the Sargent County Commission is opposed to eminent domain for the Summit Carbon Solutions Pipeline.

Tim Faber, Road Supervisor; & Damon DeVillers, Interstate Engineering; arrived at the meeting.

Mr. DeVillers presented further cost estimates for road projects that will be bid. The bid opening will be Tuesday, May 3<sup>rd</sup> at 9:00 a.m. Electronic bids will be utilized with all bids sent to Mr. DeVillers.

The commissioners asked if Mr. DeVillers could revisit the courthouse parking lot. Last year, it was difficult to get quotes. Mr. DeVillers will again attempt to get quotes from contractors for paving and lighting. The main parking lot will be the top priority & an extension will also be considered, depending on quotes. Otherwise, the extension could be completed at a later date.

Motion to sell the 2015 John Deere 672GP Motor Grader by sealed bid. Bids to be opened May 3<sup>rd</sup> at 10:00 p.m. (Ruch/Bopp) Upon roll vote: Yes – Arth, Bopp and Ruch. No – Breker and Johnson. Motion carried.

The 2023 NDACO Tractor Rental program was discussed. Due to supply chain delays and productions constraints, the vendor is requesting a letter of intent at this time to get a tractor in December of 2022 for use in 2023. Tabled until the next meeting.

Motion to approve an Application for Drainage Work within County Road Right-of-Way from Kurt Breker to take out some dirt from tile pipe and lower it enough to lay some fabric and a layer of rock ground level to culvert on the north side of 93<sup>rd</sup> St S on the west side of Section 18-130-53 – Kingston Township. (Bopp/Johnson) Upon roll call vote, motion carried.

Discussion on an email received regarding an abandoned cemetery near Hamlin. North Dakota Century Code Section 23-06-30 stated that the commission “shall provide for the general maintenance and upkeep of each abandoned cemetery located within the county using revenues derived from the general fund tax authority”. The cemetery in question is in the middle of a field with no road access. Further research will be done to determine whether this is a recorded cemetery, as the county has no responsibility for unrecorded cemeteries.

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

Motion to set the Sargent County polling location at Forman City from 8 am to 7 pm. (Breker/Johnson) Upon roll call vote, motion carried unanimously.

Motion to increase the election board pay from \$300/election to \$350/election. (Johnson/Bopp) Upon roll call vote, motion carried unanimously.

Sheriff Paeper arrived at the meeting to ask whether he could invite Computer Express to a commissioner meeting to discuss IT needs. The commissioners agreed.

Meeting adjourned at 12:18 p.m.

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JASON ARTH – CHAIRMAN

ATTEST:

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PAM MALONEY – COUNTY AUDITOR