

Forman, North Dakota
September 7, 2010

The Sargent County Board of Commissioners met at 9:00 a.m. with the following members present: Mike Walstead, Bill Anderson, Steve Wyum, Jerry Waswick and Maurice Orn. Absent: none. Also present: Rob Bundy, Refuge Manager, Tewaukon National Wildlife Refuge, Jamey Lien, Assistant Road Supervisor and Damon DeVillers, Interstate Engineering, Inc.

Chairman Mike Walstead introduced everyone and asked Jamey Lien to explain road department projects. On County No. 12 south of Cayuga the plan is to mill and recycle the road surface, beginning approximately 2.5 miles south of ND Highway 11, south of Cayuga, to the south side of Tewaukon Refuge, where the blacktop surface now terminates. The plan involves placing 2" of new gravel on top of the existing road, mill, and blend and recycle the surface, and re-establish the integrity of the roadbed. Next, get the shoulders shaped to a 4:1 slope to meet the Federal Aid requirement for any future projects. The following year, the plan is to add 4" of gravel and mix in Base 1 stabilizer, provided that the road bed is in good condition. The archeological survey is completed but no results are back. Also discussed the Alkali Lake drain tile project, and County # 2 road repairs by Kraft Slough. The Alkali Lake drain tile project is waiting for a signed easement from the North Dakota Game and Fish Department. County #2 by Kraft Slough has been repaired and rip-rapped but is still threatened by high water.

Mr. Bundy discussed the recognized necessity for repairs to County No. 12, and other potential sources of funding. Also discussed other bridge repair projects that have been submitted to FEMA. Mr. Bundy updated the Board on proposed locations for boat ramps, and fish stocking, at Kraft Slough. There is also the possibility of obtaining a grant for public recreation use from the U. S. Fish & Wildlife Service, and a request has been submitted for \$2,000 for the pavilion project at Silver Lake.

The Board received a request for permission to use Sargent County Road # 5 culverts for the release of tile drainage water from the property of Milton McLaen on Section 18-129-54 (Weber Township). The culverts in question are located 1400 feet east of County Road # 10 and 2600 feet east of County Road # 10. The CFS release will be at peak flow of 0.85 and 4.2 respectively. As an additional condition, any tile construction must be a minimum distance of 45 feet from the center of the roadway. Approve request. (Wyum/Anderson, unanimous)

Lyle Bopp, States Attorney, arrived at the meeting at 9:45.

Approve minutes of August 17, 2010 meeting as corrected. (Wyum/Waswick, unanimous)

Trent Nelson, Mike Lock, Bill Beaver, Ralph Smith, Marc Enderson, Clint McLaughlin and Sandy Hanson arrived at the meeting to discuss the petition from the patrons of the Havana Rural Fire Protection District for Annexation of the Havana Rural Fire District to the Forman Rural Fire Protection District. The Board of Commissioners has received the petition and will receive comments at a public hearing. Motion to set the public hearing for Tuesday, October 5 at 10:00 a.m. (Anderson/Orn, unanimous)

A discussion followed on use of county vehicles. Policy No. 522 "Use of Equipment and Vehicles" states that county vehicles shall be used for official business only, unless specifically approved in advance by the Board of Commissioners and/or supervisor. The matter will be discussed with Department Heads and Supervisors. No additional action taken at this time.

Budget hearings were held and Sherry Hosford, Auditor asked that additional pay plan steps be considered for her position based upon longevity. The current County Auditor has been employed in that office since 1977, and was first elected to the office in 1978. Following discussion, a motion was made that, based on 2.5 years of service per step, the current County Auditor's pay step be increased from Step 10 to Step 13 for the 2011 calendar year, and, further, that the County Health Administrator and County State's Attorney, based upon 2.5 years per step, be increased from Step 10 to Step 11. (Anderson/Orn. Roll call: Aye: Anderson and Orn. Nay: Waswick, Wyum and Walstead. Motion failed.)

Jim Bosse and Todd Stein, Cogswell met with the Board to discuss right of way along County # 4 south of Cogswell County #4 from Cogswell to Brampton was rebuilt on the abandoned roadbed of the Milwaukee Railroad several decades ago, and is not centered on the Section Line. . A file from the Auditor's Office had documentation from 1981 and 2002 indicating the intention to deed the old right of way to the adjacent landowners, with the landowner responsible for paying for the recording of the deed. The deeds were never delivered to the landowners. Lyle Bopp, States Attorney is concerned that the description of the right of way does not take into account the location of the center line of the

road versus the center line of the section line. There should be a survey of County #4 from Cogswell to Brampton to obtain accurate legal descriptions, if the county plans to deed the land to the adjacent landowners, but, a survey would be cost prohibitive. Following a phone call to Damon DeVillers, Interstate Engineering, Inc. to check on the cost to complete a survey, Mr. DeVillers agreed to check on other surveys involving County #4 that his firm has done, and will get back to the Board.

Whitestone Hill Township Board returned the Application for Abatement or Refund of Taxes for Kenny Keller, Gwinner for his property located in part of the NW1/4-4-132-56 containing 20.55 acres. The township accepted and approved the new residential value of \$20,962 for the land and \$18,416 for the improvements for 2010. Motion to concur with Whitestone Hill Township. (Anderson/Orn, unanimous)

Approve one-third cost share for a 36 inch by 80 foot culvert for Gwinner City to replace a culvert just north of Highway 13 on 130th Ave SE. (Waswick/Anderson, unanimous)

Approve out of state travel for Lorraine Jacobson, County Coroner to attend a Forensic Science Seminar in Minneapolis, MN October 14 and 15. (Waswick/Anderson, unanimous)

Discussed Sisseton Wahpeton Oyate Lake Traverse Reservation Planning and Economic Development grant application request. Participation in the grant application would require an outlay of County funds of \$26,655.00 per year for 3 years. The letter requesting participation did not indicate any benefits accruing to Sargent County from the grant. Motion to not sign on as a participating county without additional information. (Waswick/Wyum, unanimous)

Motion to add \$8000 contingency to the 2011 General Fund and \$2000 to the 2011 Health District Budget. (Wyum/Anderson, unanimous)

Motion to pay room and transportation expenses for Martin "Whitey" Bommersbach, Sargent County road employee, to attend the 2010 NDACo conference in Bismarck as an "Everyday Hero" from Sargent County. Back on March 25, 2010, Mr. Bommersbach rescued Mr. John Utecht of Victoria MN from danger of death due to hypothermia and exposure. Mr. Utecht had fallen through the ice on a slough while hunting geese northwest of Rutland. (Orn/Waswick, unanimous)

Meeting adjourned at 1:50 p.m.

MIKE WALSTEAD – CHAIRMAN

ATTEST:

SHERRY HOSFORD - AUDITOR