

**Commissioner Meeting  
May 2, 2023**

Commissioner John Hokana called the meeting to order at 9:05 am. Also present were Jerry Walsh, Kacey Holm, Brandon Carlson, and Marke Roberts. Auditor Sheppard was also present. The media was not present. The Pledge of Allegiance was recited. Clerk of Court Andi Schimke was present via electronic means.

Additions to the agenda

- Propane bid process
- Township load limits
- County Road 12 and County Road 3 east of Oakes
- Salary for highway position
- Ordinances on the pipeline
- Housing meeting
- Legislative update

Walsh and Hokana updated the Commission on the housing meeting they attended in Oakes on April 19<sup>th</sup>. Discussion was good, but the need for child care is an issue as well as the housing,

Roberts made a motion to approve the draft of the minutes from April 18<sup>th</sup> with corrections. Holm seconded. Motion carried.

Carlson made a motion to approve the vouchers, as submitted. Holm seconded. Roll call was unanimous. Motion carried.

Health District joined the meeting at 9:23 and States Attorney Kim Radermacher at 9:30, both via electronic means.

Commission reviewed some of the issues with the County's Policy Manual that need to be reviewed and updated by the Commission. Discussion followed concerning employee handbooks in other counties, and the consistency between the counties. Sheppard stated that the policies that have been discussed between different counties show there are few similarities between counties. Areas discussed were performance evaluations and timekeeping. Several Commissioners felt that the department heads should return to completing performance reviews.

Tax Director Don Flaherty and landowner Gary Hoffman joined the meeting at 10:00.

Roberts made a motion to open the abatement hearing. Holm seconded. Motion carried.

Flaherty reported that this is to remove a building off the assessment for this property, as it was assessed on the wrong parcel. The building has been placed on the correct property, and this will clean up the issue. Walsh made a motion to approve the abatement. Roberts seconded. Roll call was unanimous. Motion carried.

Flaherty presented a homestead credit abatement on one parcel for the tax years of 2021 and 2022. The abatement is a 100% tax credit for the resident. Dickey County receives this money from the State of North Dakota. Holm made a motion to accept the homestead credit application. Carlson seconded. Roll call was unanimous. Motion carried.

Holm made a motion to close the abatement hearing. Carlson seconded. Motion carried.

Flaherty provided a list of five appointments needed for the Job Development Authority (JDA) board. A new appointment will need to be made to replace prior Commissioner Dean Simek with another Commissioner. Simek has agreed to stay on the JDA board serving as a representative for small cities. Carlson volunteered to serve on the JDA board. Including Commissioner Carlson, the other board members are Gary Schnell for Oakes Enhancement, Dean Simek for small cities, Bridget Henning for Ellendale Industrial Development, and Trista Gemar as member at large representing financial institutions. Roberts made a motion to appoint Carlson, Schnell, Henning, and Gemar to the JD Board. Holm seconded. Roberts made a motion to appoint Dean Simek to fill the unexpired term representing small cities. Carlson seconded. Motion carried.

Summit Carbon Solutions had called to cancel. Hoffman spoke with the Commission about a federal hearing May 31<sup>st</sup> and June 1<sup>st</sup> in Iowa concerning pipeline hazardous material safety. Roberts stated that his proposed ordinances that he would like to be pursued. Roberts stated that the setback ordinance needs to be pursued specifically because of the pipeline.

Sheriff Chris Estes, DES/911 Coordinator Charlie Russell, and Highway Superintendent Jeff Hagen joined the meeting at 10:30.

Discussion continued concerning the depth of the pipe under the roads and if 48 inches is enough. The use of our current road use permit was also discussed. A decision was made that the current permit application is not conducive to the project and needs to be revised. Radermacher made a clarification to the Commission on zoning versus the Commission making a resolution. A decision was made that Radermacher and two Commissioners would work together to revise the road use agreement. Carlson and Roberts agreed to work with Radermacher on this revision. Hagen requested to be included and the Commission agreed.

Estes reported to the Commission on traffic stops for the patrol cars in April. Load limits on township roads should be posted by the township, if they are different than those of the county.

KLJ Engineer Bryan Tykwinski joined the meeting at 11:03.

Environmental Services employee Dan Blondo joined the meeting at 11:05 to discuss trees in the north lawn, that were needed to be pruned. A decision was made to pull what is there now, and to work with the County Agent's office to place something there to replace them.

Treasurer Wonada Lematta joined the meeting at 11:08 and informed the Commission that their office would be closed May 12<sup>th</sup> starting at approximately 3:00 pm. Signs will be posted.

Russell presented a resolution for a burn ban in Dickey County. The resolution is the same as last year. Carlson made a motion to sign the resolution. Holm seconded. Roll call was unanimous. Motion carried. Commission requested clarification on what is to occur if there is a controlled burn. When it is confirmed a burn day within the limitations of the burn ban, Russell stated that the individual is to contact the fire department, the Sheriff's office, or Russell to notify them of the control burn.

Russell informed the Commission that information has been received from ND DES concerning reporting of damage due to flooding. Russell stated that he has not seen a lot of damage, other than gravel over wash. The information has been sent to all townships.

Tykwinski updated the Commission on the bridge project north and east of Monango. A small concrete pour should be done this week on the intermediate diaphragm and the contractor plans to pour the deck the week of the May 15<sup>th</sup>. This is dependent on the lifting of load limits.

Tykwinski stated that the paving of County Road 8, starting 1 mile south of County Road 3 to the County line, will start as soon as load limits are lifted.

The bridge south of Fullerton on County Road 8 was discussed. An e-mail with pictures was received from Interstate Engineering concerning the damage to the beams. More information is coming from them on the repair of the beams.

Hagen discussed with the Commission about extending the current propane bid to end in March, 2024. The next bidding for propane would cover the time period of April 2024 through March 30, 2025. Carlson made a motion to extend the propane bid to March 30, 2024. Roberts seconded. Roll call was unanimous. Motion carried.

Hagen presented contracts for blading and snow removal from townships that have turned in their contract signed. Holm made a motion to sign the contracts. Walsh seconded. Discussion followed about all townships receiving the contract, and not just those that have not used the county in the past. Roll call was unanimous. Motion carried. Discussion followed concerning the time frame on the contracts and the possibility of have contracts for more than just one year.

Roberts stated a decision needed to be made as to the hourly rate that would be paid to the highway employee retiring next month, when he returns to work as a temporary part time blade operator without benefits. The employee has been completing spot repairs on some roads and pulling in the shoulders. Roberts stated that there was a big difference on the two roads he had looked at.

Based on the employee's current rate of pay and the cost of benefits to that employee, Carlson made a motion to pay the employee \$48.38 per hour for the job as a temporary part time blade operator without benefits. Roberts seconded. Roll call was unanimous. Motion carried. Discussion followed concerning the possible need for a packer for the spare motor grader.

Walsh expressed the need to start planning for what work could be done on County Road 12 and County Road 3 east of Oakes this year. The Asphalt Zipper will most likely not be here until August and a decision will need to be made whether a soil stabilizer and/or a calcium chloride will be used. Hagen and Tykwinski will work on calculating comparative costs for both options. No action was taken.

Walsh requested information from Radermacher on the salt/sand building contract with the city of Ellendale. Radermacher stated she will simplify the contract and get it to the city for their approval.

Carlson motion to adjourn the meeting at 12:35.

## **Commissioner Meeting May 16, 2022**

Commissioner John Hokana called the meeting to order at 9:45 am. Also present were Jerry Walsh, Kacey Holm, and Marke Roberts. Auditor Sheppard was also present. The media was not present. The Pledge of Allegiance was recited. Commissioner Brandon Carlson was unable to attend. Health District employee Kerry Waldo and Clerk of Court Andi Schimke were in attendance via electronic means.

### **Additions to the agenda**

Abatements

Property rights meeting in Leola on carbon pipeline

Road crossing permits

Gravel tracking

States Attorney Kim Radermacher joined the meeting at 9:50.

Radermacher presented to the Commission the proposed resolution setting forth requirements to obtain a permit for county road crossings by pipelines. Walsh stated he had attended a property

rights meeting in Leola and felt the Commission is not doing enough to protect land owner rights concerning pipelines. Discussion followed concerning what the county can do, as the Commission has control over the county roads and not the rights of the landowner. Walsh stated he felt that the Commission should include a 90% to 100% requirement of volunteer landowner easements before the County would sign any road use permits. Roberts stated there are four households in the Oakes area, where the pipeline will go close to their homes but are on someone else's land, which the homeowner has no say as it is not on their land. Discussion continued concerning a need to include a setback in this resolution or a different resolution. Radermacher stated that legally, it would be best to have a different resolution for the setbacks versus the permit for road crossings.

Walsh made a motion that a separate resolution be compiled, adding a contingency on pipeline road crossing be approved once 100% voluntary landowner easement have been received, a resolution concerning setbacks of 440 yards from all places of residence unless waived by the landowner, and corrections made to the proposed resolution presented earlier. Roberts seconded. Roll call was unanimous. Motion carried.

DES/911 Coordinator Charlie Russell joined the meeting at 10:30, Sheriff's office via electronic means at 10:32, Sheriff Chris Estes at 10:36, and Highway Superintendent Jeff Hagen at 10:37.

Family and Community Wellness Agent Danielle Dinger and Intern Abigail Peterson joined the meeting at 10:45. Dinger introduced Peterson to the Commission and explained that Peterson will be interning with Dinger this summer.

Walsh made a motion to approve the draft of the minutes with changes. Holm seconded. Motion carried.

Holm made a motion to approve the vouchers as submitted. Walsh seconded. Roll call was unanimous. Motion carried.

Risk Manager Cresta Miller joined the meeting at 10:45 to discuss with the Commission about near misses that are not reported to Miller. Discussion included the memo that each employee signs each year that states near misses have to be reported. A decision was made to put an insert in the next paycheck reminding employees of the rules.

Treasurer Wonada Lematta joined the meeting at 10:50, and KJL Bryan Tykwinski joined the meeting via electronic means at 11:05.

Roberts made a motion to approve the April 2023 financials, presented by Sheppard. Walsh seconded. Roll call vote was unanimous. Motion carried.

Radermacher requested a policy be put in place concerning the procedure for Asset Forfeiture funds. Radermacher stated that financially, a fund has been set up but no procedure had been developed for the handling of such funds. After review of the procedure, Walsh made a motion to accept the procedure. Holm seconded. Roll call was unanimous. Motion carried.

Walsh reported on the Job Development Authority (JDA) meeting held earlier in May. Walsh stated that a presentation had been made by Gary Dathe on behalf of the American Legion. The JDA Board had made a motion to approve a \$25,000 grant and \$25,000 3-year loan to the American Legion, contingent on the approval from the Commission to adjust the 2023 JDA budget from a total of \$71,793 to \$96,793. Walsh made a motion to adjust the budget by \$25,000. Holm seconded. Roll call was unanimous. Motion carried.

Sheppard informed the Commission there were two positions on the JDA that needed to be approved by the Commission. Don Flaherty has resigned from the JDA Board and the city of Ellendale has appointed Melissa Johnson to fill his position. The Oakes City JDA has appointed Cindy Bagley to represent them on the County JDA Board. Holm made a motion to appoint Johnson and Bagley to the JDA Board. Roberts seconded. Roll call was unanimous. Motion carried.

Sheppard presented two liquor license transfer applications for the American Legion for two dates in June. Holm made a motion to approve the applications. Walsh seconded. Motion carried.

Estes stated that the City of Ellendale is requesting the use of the traffic radar sign. Estes stated that there are some repairs needed before anyone uses it. Holm made a motion to allow the City of Ellendale to use the county traffic radar sign. Walsh seconded. Roll call was unanimous. Motion carried.

Lematta presented the Treasurer's Pledge and Quarterly report for second quarter, 2023. After reviewing the report, Roberts made a motion to approve the report and have the Chairman sign the report. Holm seconded. Roll call was unanimous. Motion carried.

Tykwinski updated the Commission on the bridge project north and east of Monango, where the bridge deck should be poured next week. The contractor plans to start the paving project on County Road 8 the middle of next week.

Hagen presented two utility permits from Dakota Valley Electric to bore under County Road #10 in sections 34 and 35 in Ada Township. Walsh made a motion to sign the permits. Roberts seconded. Roll call was unanimous. Motion carried.

Discussion followed concerning the gravel plan for this year. Hagen stated they were working on County Road 12 today and plan to move to County Road 5 once that is finished. Discussion followed concerning County Road 14A.

Russell requested a change in the burn ban resolution signed at the May 2<sup>nd</sup> meeting. Due to changes in the law, the resolution needs to be a “restriction”, not a “ban.” Holm made a motion to have the Chairman and Auditor signed the revised resolution. Roberts seconded. Roll call was unanimous. Motion carried.

Sheppard requested a decision from the Commission concerning the increase in health Insurance premiums that will take effect July 1<sup>st</sup>. Walsh made a motion for the County to cover the increase in the employee share, for the remaining months of 2023. Roberts seconded. Roll call was unanimous. Motion carried.

Tax Director Don Flaherty joined the meeting at 12:00 with three abatements. Holm made a motion to open the abatement hearing. Roberts seconded. Motion carried.

The abatements are for filing for homestead credit for two tax payers. Parcel #11048000 is for tax years 2021 and 2022. Parcel #07893000 is for tax year 2022, subject to an eight month prorated. Roberts made a motion to approve the homestead credits. Holm seconded. Roll call was unanimous. Motion carried. Roberts made a motion to close the abatement hearing. Holm seconded. Motion carried.

Holm made a motion to adjourn the meeting at 1:00 pm.

Salaries

173,490.37 60720-60814

Dickey County Leader	Gravel Bids	84.00	113618
Oakes Times	Gravel Bids	69.80	113619
Cities, Townships, Schools	Cities, Townships, Schools	77,823.51	113620-113663
Monthly Expenses	Human Services	18,093.96	113664-113677
Aramark	Rug Service- ss	112.76	113678
Cole Paper	Printer Paper, Janitor Supplies	733.92	113679
Dinger Danielle	Mileage, Meals- Conference	393.08	113680
Geffdog Designs	Car Graphics	1,205.00	113681
Johnson Controls Fire Protection LP	Work on Fire Alarm	815.00	113682
ND 4-H Youth Development	Training Fee	voided	113683
ND Association of Counties	Drug Test Onsite	15.00	113684
NDSU Extension- attn. Carissa Kittelson	Adult Real Colors Booklets	480.00	113685
Overpayment Refund	Overpayment of Taxes	7.35	113686
Q&N Corporation	Keyboard and Mouse	99.99	113687
Q&N Corporation	Toner-Auditor office, Monthly Service Agreement	2,256.04	113688
Q&N Corporation	USB Cable, Charger Dual USB	38.98	113689
Schimke Andi	Mileage for training	124.45	113690
Starion Financial	Added JD 872G Motor Grader	2,440.00	113691
Walsh Gerald	Mileage to Housing Meeting	39.30	113692
Aramark	Rug Service	158.09	113693
Capital 1 Industries	Bolts, Nuts, Skid Shoes, Pins, Bushing	2,722.95	113694
Economy Oil Co	Red Fuel	1,764.17	113695
Mertz Const & Supply	Staples	11.99	113696
Muckey Construction	Steel to fix v-plow	211.51	113697
Razor Tracking Inc	Premier Tracker	639.86	113698
Sign Solutions	Signs	936.82	113699
Southeast Water Users	West Shop Utilities	50.98	113700
Team Laboratory Chemical LLC	Fine Road Patch	1,729.50	113701
Timber Roots MTD	48'-Pointed Lath 50/BDL	1,890.00	113702
Vistos Carquest	Shop Supplies	45.78	113703
Dakota Improvement	Snow Removal from Drain to avoid flooding	6,760.00	113704
Kiser Breana	Mileage, Office supplies	304.16	113705
NDSU	Program/Education Reg	25.00	113706
Dickey County Leader	AD in Paper Weed Board	48.00	113707

Farmers Union Oil Co	HM Heating- Weed Board Building	479.24	113708
Q&N Corporation	Ink- Weed Board	217.50	113709
John Quandt	Mileage for Checking Pumps	19.65	113710
Moore Engineering INC	General	48.75	113711
281 Repair LLC	Light 20514GT Mounted	580.00	113712
Tyler Technologies	Education - Tech/Imaging Records	262.50	113713
Amazon Capital Service	Office supplies	142.62	113714
AT&T Mobility	Phone Charges	772.62	113715
Ellendale City Auditor	Courthouse, Park, Hwy Dept., Weed board building Utilities	527.19	113716
Montana Dakota Utilities	Courthouse, Hwy dept., Weed board Building Utilities	4,171.69	113717
NDSU Extension Service	County Half of Danielle and Breana Salary	12,615.55	113718
Q&N Corporation	Office Equipment	94.00	113719
Dakota Plains Credit Union	Purchase CD for Water Board	75,000.00	113720
Community Volunteer EMS of LaMoure	Ambulance Collections, SAD	87.40	113721
Kulm Ambulance Corps Inc. C/O Jennifer McDermid	Ambulance Collections, SAD	290.37	113722
Edgeley Ambulance Service	Ambulance Collections, SAD	250.12	113723
Oakes Volunteer Ambulance Service	Ambulance Collections, SAD	710.57	113724
Ellendale City	Airport, SAD, Ambulance, Collections	902.64	113725
Oakes City	Airport, SAD	276.42	113726
Garrison Diversion	Collections, SAD	674.38	113727
James River Soil Conservation 975	Collections, SAD	905.60	113728
Ellendale Fire	Collections, SAD	386.02	113729
Oakes Fire	Collections, SAD	428.21	113730
Dickey County Senior Citizens	Collections, SAD	551.65	113731
Dickey County Historical	Collections, SAD	137.98	113732
State Treasurer	State Medical, Clerk of Court Fees, SIRN	3,025.89	113733
Dickey County Treasurer	Clerk of Court Fees	930.00	113734
ND Public Employees Retirement	BCBS	42,255.88	113735
ND Public Employees Retirement	LIFE INS	573.34	113736
ND Public Employees Retirement	BCBS-HD	8,581.80	113737
ND Public Employees Retirement	DENTAL	565.48	113738
ND Public Employees Retirement	LIFE INS-HD	222.58	113739
Wex Health Inc	Cancer	50.00	113740
ND Public Employees Retirement	Def Comp	1,494.00	113741
ND Public Employees Retirement	Def Comp HD	520.00	113742
Wex Health Inc	Flex	1,031.57	113743
ND Public Employees Retirement	HSA	107.65	113744
ND County Recorders Assoc	Reg. NDACO Recorders convention	200.00	113745
Monthly Expenses	Human Services	5,760.98	113746-113753
Aramark	Rug Services	113.75	113754
Code 4 Services INC.	Troubleshooting for RF Keyboard issue	482.03	113755
Creative Product Source INC.	Firework/July 4th Coloring Tote	313.50	113756
Dakota Plains Credit Union	Gasoline for Law Enforcement Vehicle	245.14	113757
Dakota Plains Credit Union	Calendar- W Sheppard	16.97	113758

Dakota Plains Credit Union	Travel, Training	243.00	113759
Dickey County Fair Board	DC Fair Taxes Collected	59,300.00	113760
Dickey County Hwy Dept.	Gasoline for Law Enforcement Vehicle	1,090.55	113761
Dickey County Hwy Dept.	Gasoline for DES Vehicle	165.02	113762
Dickey County Leader	DC Leader Renewal	40.00	113763
Dickey County Leader	Legal Minutes	473.86	113764
Farmers Union Oil Co	3 Oil Changes and 3 Tire Repairs	281.20	113763
Fire Safety First LLC	Annual Inspection- SS Building	50.00	113766
Graham Tire Co	New Tires on 2020 Ford Interceptor	774.00	113767
HR Collaborative	Training- W Sheppard	50.00	113768
Information Technology Dept.	Election, Sheriff office, State Attorney, Courthouse Tech Fees	1,396.00	113769
Jarman's Water Systems	50LB Course Salt	41.00	113770
Mertz Const & Supply	Staples, Tape, Flashlights	38.34	113771
Napa Central	Batt Cable Connector	60.99	113772
NDACS	Dues	50.00	113773
Overpayment Refund	Paid abatement refund- 2021,2022	1,183.53	113774
Overpayment Refund	Paid abatement refund- 2022	1,005.21	113775
Pierson Ford Lincoln	Work on Wiring, Safety Recall	217.71	113776
Q&N Corporation	Monthly Service Agreement	2,000.00	113777
Quadient Leasing USA, INC	SS Half of Lease Payment on postage machine	67.11	113778
Schimke Andi	Clerk of Court Conference	562.05	113779
Thorpe Michael	Comp toe boots	139.95	113780
True Value	Battery, gorilla tape, foam pipe, trash liners, bungee cord, connectors, cabties	151.13	113781
Unique Automotive Collision Center	Repair of 2016 Tahoe	2,182.80	113782
Agtegra Oakes	Fuel for the Hwy Dept	2,031.20	113783
Aramark	Rug services hwy	158.09	113784
Dakota Valley Electric Coop	West Shop Utilities	252.00	113785
Fullerton City Auditor	Fullerton Shop Utilities	20.00	113786
John Deere Financial	Washer, charge for grader, hyd cylin, adapter, v belt, o-ring, fittings, plow shoes	18,161.86	113787
Napa Central	Fuel Filter, socket set, wire wrap, credit, battery, cabin air filter	1,952.80	113788
ND Department of Environmental Quality	Boiler Certification Fullerton shop	165.00	113789
Ottertail Power Company	Oakes Shop Utilities	68.29	113790
RDO Equipment Co	JD Moldboard Extension	2,144.50	113791
True Value	Cat Food	27.99	113792
Waste Management	Waste Pickup	76.12	113793
Office of Attorney General	24/7 Program	450.00	113794
Pharmchem	sweat patch analysis	31.85	113795
Farmers union oil co	Wipers VSO Vehicle	4.49	113796
Glynn Allan	JDA Meeting	20.00	113797
Henning Bridget	JDA Meeting	8.75	113798
Petersen Jeff	JDA Meeting	37.50	113799
Schnell Gary	JDA Meeting	37.50	113800
Simek Dean	JDA Meeting	21.25	113801
Trista Gemar	JDA Meeting	31.25	113802
Amazon Capital Service	Office supplies	51.79	113803
Kiser Breana	Office Supplies Refund	76.48	113804
North Dakota State University	Printing Cost	132.00	113805
True Value	Office Supplies	83.72	113806
Dickey Rural Networks	Dickey 911 Trunks	231.00	113807

ND Association of Counties	6% Wireless 911 Charges	469.83	113808
ND State Radio	911 Quarterly Billing	21,440.40	113809
Growing Small Towns	Room Rental- Training	200.00	113810
Software Innovations	Education - Tech/Imaging Records	975.00	113811
Tyler Technologies	Education - Tech/Imaging Records	10,950.00	113812
Dakota Valley Electric Coop	Wilson Dam Utilities	101.00	113813
Dickey County	Workers Comp- 2023 Reconcile	85.46	113814
Dickey County Hwy Dept.	TAX OFFICE, County Agent County car mileage	70.34	113815
Dickey Rural Networks	Phone Charges	2,140.52	113816
Farmers Union Oil Co	Propane, fuel, hub cap, wrench, tread rod, cyl	3,356.05	113817
Montana Dakota Utilities	Park and Fullerton Shop Utilities	373.57	113818
Tyler Technologies	Education - Tech/Imaging Records	3,075.00	113819
ND Public Employees Retirement	Retirement	22,346.61	113820
ND Public Employees Retirement	Retirement	3,090.77	113821
ND Public Employees Retirement	Def Comp	1,494.00	113822
ND Public Employees Retirement	Def Comp HD	520.00	113823
ND Public Employees Retirement	Retirement HD	128.11	113824
Wex Health Inc	Flex	1,031.57	113825
ND Public Employees Retirement	HSA	107.65	113826
Aflac	Cancer	3,027.79	113827
Delta Dental Plan of MN	Dental	2,467.86	113828
Ameritas Life Insurance Corp	Vision	457.12	113829
ND Child Support Division	Garnish	200.00	113830

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Wanda Sheppard, Auditor

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John Hokana, Chairman