

## Commission Minutes

November 6, 2014

Chairman Simek called the meeting to order at 9:00 AM. Present were Joel Hamar, John Hokana, Gary White, Thor Sand and Chairman Dean Simek.

The Pledge of Allegiance was recited.

Additions to the Agenda

Cemetery Mowing

JDA Loan

The commission discussed the letter of complaint sent to the States Attorney from a Fargo resident regarding the un-kept appearance of a cemetery in Dickey County. The States Attorney informed the auditor the county is responsible for mowing cemeteries that are on file with the Records Office. Hamar recalled addressing the issue of cemetery mowing in the past. At that time it was determined the county is not responsible for abandoned cemeteries. The auditor will research the minutes to find the earlier discussion on cemeteries.

Hokana motioned to approve the minutes with changes. Sand seconded. Motion carried.

White motioned to approve the vouchers with the inclusion of the \$10,000 JDA grant to Dakota Dental. Hokana seconded. Motion carried.

The board tabled the discussion about the JDA loan until more information can be obtained.

Sand motioned to open the abatement hearing at 9:30. Hamar seconded. Motion carried. Flaherty presented an abatement request for Lot 1, Block 4, Ellendale Land Company's Addition, (Parcel #08274000). Flaherty said the Ellendale City Assessor recommended the value change. Ellendale City approved the abatement request as well. Sand motioned to approve the abatement hearing based on the City Assessor, Ellendale City Council and the Tax Director's recommendation. White seconded. Motion carried.

White motioned to close the abatement hearing. Hamar seconded. Motion carried.

The commissioners discussed whether Dickey County is obligated to pay one half of Social Service Director Larson's health insurance premium through December 2014. The discussion was tabled until more information can be received from LaMoure County as to the number of hours Larson is working at LaMoure County.

The commission held a short discussion about the annual vacation accrual days for the county. No decision was made at this time.

Hamar motioned to close all Dickey County Departments on Friday, December 26<sup>th</sup> to show appreciation for the Dickey County employees. Hokana seconded. Motion carried.

Kadmas, Lee and Jackson Engineer Loegering, Road Superintendent Hagen and 911/DES Director Russell joined the meeting at 11:00 AM. Russell suggested the commission implement more strict zoning ordinances that are consistent with surrounding counties. Discussion followed. Russell will contact local departments that may be interested in assisting with a zoning plan.

Simek said he was contacted by an employee from the Highway Department about allowing the Highway Department to continue to work four 10 hour days. Currently the Highway Department and 911/DES employees are on summer hours and work from 7:00 AM to 3:00 PM. The commissioners and Hagen agreed the Highway Department will return to their winter schedule of 8 hour days when the snow arrives.

Sand motioned to give 12 overweight permits to RoughRider Crane. Hagen will notify Harold Hofer of the permits and remind him the cranes should be transported on gravel or state roads when those routes are available. Hokana seconded. Motion carried.

Loegering reported Webster Scale was able to get the Kasprick grade raise completed enough for winter travel. The project currently has two inches of blacktop and the final two inches will be laid in the spring of 2015. Loegering said Webster Scale signed a warranty for the incomplete project. The warranty states Webster Scale will repair and cover the cost of any damage to the road caused by the incomplete paving project. The warranty is on file at the auditors' office for review.

Loegering said Knife River has a large project in Barnes County and Loegering feels the county will get a good bid price for the 2 miles between the mine and blend project and the Kasprick grade raise on County 3. The remaining \$300,000 of HB 2013 state funds will be used for the county share of the 2 mile project. Anticipated state funds from 2015 Legislative session will be used for the balance of the \$1,000,000 project.

Loegering suggested the commission include 7.5 miles west of the Kasprick grade raise with the survey for the 2 miles mentioned above. The 7.5 miles of County 3 is scheduled for widening work in 2016 and the county will save money by having the two projects surveyed simultaneously. The survey is approximately \$22,000 and will be completed this fall. Sand motioned to have KLJ survey the 2 miles between the mine and blend project and the Kasprick grade-raise this fall for an approximate cost of \$22,000. Hokana seconded. Motion carried.

Loegering asked the commission to approve paying the retainage fee to Knife River for the mine and blend project, which will allow a warrant to be issued to Knife River as soon as the final paperwork is received by the county. Sand motioned to pay the retainage fee of \$88,247.33 to Knife River, contingent upon receiving the completed paperwork. Hamar seconded. Motion carried.

Loeering reminded the commissioners of the meeting in December, 2014 regarding the safety program projects the Department of Transportation is promoting. The DOT will pay 90% of the accepted projects that will be completed in 2016.

Hokana motioned to adjourn at 12:00 Noon. Sand seconded. Motion carried.

**Commission Minutes  
November 18, 2014**

Chairman Simek called the meeting to order at 9:35 AM. Board members present were Joel Hamar, John Hokana, Gary White, Thor Sand and Dean Simek.

The Pledge of Allegiance was recited.

Additions to the Agenda

Dickey County 3 discussion with Oakes area residents

JDA discussion

White reported that the JDA loan with Serenita's will be paid in \$100 increments according the JDA financial advisor, Steve Dahlstrom.

White motioned to approve the November 6 Commission Meeting minutes. Hokana seconded. Motion carried.

Sand motioned to approve the vouchers with the addition of the following vendors.

Farmland Coop	\$1,960.43
Montana Dakota Utilities	49.35
Ellendale True Value	186.70
Ranch House	246.26
Mertz Lumber	33.84

Hamar seconded. Motion carried.

Hamar motioned to approve the financials. White seconded. Motion carried.

Hamar motioned to open the 2014 tax sale. White seconded. Motion carried. Present for the tax sale were Aaron Taylor, Candace Middlestead, Gail Veland, Cheryl Brokaw, Don Flaherty and Charlie Russell. The following three properties were offered for bid.

Description	Parcel #	Selling Price
Lot 16 Block 9, Original Plat of Ellendale	07891000	\$3,033.13
Lot 4,5, 6 Block 16 Ellendale Land Company	08353001	No Sale
SW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> 29-132-60 (2 acres more or less)	08353001	No Sale

Hamar motioned to close the tax sale. White seconded. Motion carried.

Chris Estes joined the commission meeting at 10:40 to discuss ordering the new Sheriff vehicle in 2014. Estes said it will take about three months to get the vehicle and equipment installed. Estes also asked permission to begin advertising for a deputy position so the new employee could begin work on January 1, 2015. The commission told Estes the vehicle and employee is budgeted for 2015. Estes will proceed with ordering the vehicle and advertising for a deputy. Estes said he would appreciate a commissioner sitting in during the deputy interviews.

Estes and the commission discussed the request from Ellendale City about sharing a deputy with the county. Estes confirmed the county will not enforce city ordinances. He will update the commission regarding the shared deputy when more information is available.

Road Superintendent Hagen, 911/DES Coordinator Russell and Kadrmas Lee and Jackson (KLJ) engineer Loeering joined the meeting at 11:00.

Also joining the meeting at 11:00 were Leo Ell, Bernie Vculek, Dennis Roney and Jim Roney. The group expressed disappointment that the commissioners have not paved the 1.1 miles of Dickey County 3 road east of Oakes and some would like to see the road paved to the Sargent County line. Mr. Ell said the September minutes reflect Commissioner White's suggestion to use the approximate \$300,000 remaining of the legislative surge funds to pave County 3 east of Oakes. Ell questioned the comment about the minimal amount of truck traffic on the road, as well as why the September minutes were not printed in the newspaper until November.

Mr. Ell asked for comments from Commissioners Hokana and Simek as to why they are not representing the east side of the county. Hokana said Commissioner White asked him to support using the surplus funds to repair the road east of Oakes. Hokana said he supports any improvement to infrastructure but the road east of Oakes isn't his major priority. Hokana feels the best decision for Dickey County is to prioritize the projects.

Hokana said his personal opinion is that Dickey County 3 west of Oakes is the number 1 priority for road improvement. He further stated that if we don't have a state highway, Dickey County 3 is the major throughway from the east to the west. He reminded everyone when ND Highway 1 and County Road 3 were impassible a few years ago, the county was cut in half. Hokana believes any surplus money should go toward the current Dickey County 3 project until it's complete.

Simek stated the county recently spent around \$40,000 to patch County 3 east of Oakes and has also chip sealed the road twice.

Discussion followed between Mr. Ell, Loeering, and the commissioners about what qualifies a road for federal aid funds; and if the 1.1 miles east of Oakes can be repaired without meeting all the Department of

Transportation requirements. The commission asked if anyone has visited with the Oakes City residents regarding monetary assistance. The commission will invite the Oakes City Council to the December 2 Commission Meeting that is scheduled to be held in Oakes.

The group thanked the board for their time and Mr. Ell asked the commission to add the 1.1 miles east of Oakes to the county road plan.

Loegering presented the updated Federal Aid Program Plan, stating the first plan he submitted had errors. Sand motioned to have the chairman sign the updated Federal Aid Program Plan. White seconded. Motion carried.

Loegering said the county needs to repair the mailbox along Dickey County 3 that was damaged when work was being done on the Kasprick Grade Raise project.

Hagen presented a variance request from Brent Miller in Albion Township to replace dead trees that had been removed. The trees will be 125 feet from the center of the road. Sand motioned to approve the variance because the former and the existing trees didn't cause problems, and with the stipulation that if the county superintendent determines the trees cause road blocking problems, the problem will be resolved at the expense of the landowner. The solution may result in the trees being removed. Hamar seconded. Motion carried.

Hokana motioned to adjourn. White seconded. Motion carried.

### **Special Commission Meeting November 25, 2014**

Chairman Simek called the Special Commission Meeting to order at 9:00 AM. The purpose of the special meeting is to discuss temporary state funding to pay 2011 FEMA disaster costs for large projects. Present were Commissioners Joel Hamar, John Hokana, Gary White, Thor Sand, and Dean Simek. Township officers present were Rodney Brosz and Kevin Strobel from German, Dale Strobel from Northwest; Joey Gemar and Linda Wagner from Wright; Mike Beethe from Yorktown; and Alan Gramlow from Maple. Other attendees were States Attorney Neuharth, 911/DES Coordinator Russell and 911 Administrative Assistant Sharon Ulmer, Deputy Auditor Wanda Sheppard and Deputy Treasurer Cheryl Brokaw.

Russell explained the meeting is to decide if the county and townships want the state of ND to give interim funds until FEMA payments are available for large projects in Dickey County. The above mentioned townships are waiting for FEMA funds to be approved at the federal level. The townships and county were required to pay for the projects and then submit the vouchers for FEMA approval. Some of the townships borrowed money to pay for the material and the contractors, while other townships used funds that were levied for routine road repairs. ND Disaster Emergency Service approved the projects, although federal FEMA has not given final approval or released any funds from the Denver, CO. office.

Russell said if federal FEMA office doesn't approve all or a portion of the township projects the money has to be paid back to the state of ND within 45 days.

Russell stated German Township may not receive all of the funds they submitted receipts for due the material overages that were approved after the original Project Worksheet (PW) was submitted. He is confident the other townships with large projects will receive the funds as approved by the ND DES office. When asked if all of the townships had to agree to take the money, Russell said his understanding of the funding offer is the money is available on an "all or nothing" basis.

Sand felt it's in the best interest of the county and townships to accept the money now and address other issues if and when they arise. He said if the county doesn't "play the game" the state will assume the money isn't as important as the county and townships believe it is. Without the state money the townships will have to spend the money levied for road maintenance to pay interest on large project loans.

White motioned to accept the temporary funds from the State of ND, which will be secured by incoming FEMA funds. Sand seconded.

States Attorney Neuharth explained that Dickey County should be considered the pass through agency instead of the guarantor for the townships. He advised the commission to ask for a roll call vote from the township officers present to determine if they agree the temporary money should be issued. The officers present were asked to identify the office held and township represented. Discussion followed as to the lack of accountability that occurs when the State DES office and the separate federal FEMA office are involved in the review and approval of FEMA projects.

White rescinded the motion on the table and Sand rescinded his second. Chairman Simek called for a roll call vote of the township officers present. Rodney Brosz, German Township Chairman, Yes; Dale Strobel, Northwest Township Vice-Chairman, Yes; Joey Gemar, Wright Township Chairman, Yes; Mike Beethe, Yorktown Township Chairman, Yes; Alan Gramlow, Maple Township Chairman, Yes. Gramlow further stated he can't speak for other two officers on the Maple Township board. Neuharth recommended the township officers have their individual vote ratified at their next township board meeting.

White motioned to accept the roll call vote of the township officers and the county will act in compliance with the ND Department of Emergency Service in acting as a pass-through agency for state funds to the townships. Sand seconded. Motion carried.

The letter and a copy of the signed contract from ND DES is on file at the County 911/DES office.

White motioned to adjourn. Hokana seconded. Motion carried.

Salaries	115,576.48
Cities, Townships, Schools	114,159.50
Community Volunteer EMS of LaMoure	205.85
Kulm Ambulance Coprs Inc.	389.86
Edgeley Ambulance Service	212.46
Ellendale City Auditor	2,528.34
Oakes City Auditor	2,491.56
ND State Treasurer	329.43
Garrison Diversion Conservancy District	1,754.35
James River Soil Conservation	1,243.65
Ellendale Fire District	1,099.14
Oakes Fire District	773.84
Dickey County Treasurer	180.00
ND PERS	39,681.44
ND PERS	2,949.66
ND PERS	407.53
ND PERS	99.06
Human Services	21,005.30
Overpayment Refund	5.00
Anderson, Deborah D	132.16
Computer Express	258.00
Computer Express	59.99
Dakota Plains Credit Union	324.52
Dickey County	18.37
Dickey County Hiway Dept	1,133.92
Dickey County Hiway Dept	410.40
Dickey County Leader	640.75
Dickey County Treasurer	240.34
Ellendale School Business Mgr	8.00
Flaherty, Don	252.00
Hoven, Perry	936.06
Marquart, Andrew S	501.36
Matheson Tri-Gas Inc	42.60
Neuharth, Gary	250.00
Peterson, Ray	49.98
Smith, Strege, Fredericksen & Butts, LTD	978.20
Stutsman County Auditor	57.00
Veland, Gail A	210.56
Dakota Plains Credit Union	42.00
Movers & More	107.18
ND Association of Counties	58.00
Oakes Truck & Trailer	311.10
Southeast Water Users	45.81
True Value-Ellendale	170.54
Valley Officeworks	378.21
Zep Sales & Service	83.57
Barnes County Corrections	2,730.00
Richland County Corrections	110.00
Dakota Dental Care	10,000.00
Brandenburger Builders	540.00
Brandenburger Construction	2,150.00

Montana Dakota Utilities	90.60
True Value-Ellendale	18.99
Wertz, Cary	86.76
Haak, Norman	25.20
Hauck, Keith	42.56
Jury, Hope	6.72
Moore Engineering Inc	435.00
Ohnstad Twichell PC	470.09
Strobel, Kevin	5.60
Zimbleman, Don K	4.48
AT&T Mobility	520.88
Ellendale City Auditor	491.56
NDSU	60.75
True Value-Ellendale	71.60
Dakota Plains Credit Union	118,000.00
Professional Civil Process of TX	40.00
Aberdeen Chrysler Center	125.23
Best Western Doublewood Inn-Fargo	224.10
Best Western Ramkota	149.40
Chars Food Pride	8.78
Cole Paper	14.57
Dickey County Leader	1,863.40
Dickey County Senior Citizens	115.20
Precinct 1	2,456.94
Precinct 2	964.49
Precinct 3	2,282.21
Canvass Board	136.50
ND Association of Counties	645.00
ND Newspaper Association	339.00
ND State Surplus Property	49.00
Oakes Community Hospital	27.00
Office of Attorney General-1250	295.00
Peterson, Scott	45.90
Sheppard, Wanda	109.38
Financial Management Division	17,600.80
Farmers Union Oil Co	4,966.24
Farmland Co-op	1,960.43
Fullerton City Auditor	23.25
Hwy#1 Fuel & Service Inc	149.56
John Deere Financial	1,264.03
Mowers and More	20.13
Napa Farnams Genuine Parts, Inc	587.71
Napa Parts Supply, Inc	367.22
Ottertail Power Co	34.91
Praska's Hardware Hank	10.99
Waste Management	38.91
Financial Management Division	6,446.52
Barnes County Corrections	2,275.00
Stutsman Correctional Center	300.00
Dathe, Gary	386.12
Information Technology Dept (ITD)	593.00
Belmore, Tim	19.04
Glynn, Allan	2.24
Middlestead, Donald	19.04

Ranch House	25.00
Schnell, Gary	20.16
Tyre, Brenda	23.52
Mertz Const & Supply-Ellendale	33.84
Ranch House	242.26
True Value-Ellendale	186.70
CenturyLink	287.82
Dickey Rural Networks	247.00
ND Association of Counties	479.65
ND State Radio	7,609.14
California Contractors Supplies	103.20
ND Public Finance Authority	238,664.62
A&B Business Inc	1,074.45
Ameripride Services, Inc	449.40
Dakota Electronics	724.85
Dakota Valley Electric Coop	203.00
Dickey Rural Networks	1,129.82
Expressway Inn-Bismarck	448.20
Mahler's Village Variety	75.73
Mertz Const & Supply-Ellendale	88.91
Montana Dakota Utilities	1,968.77
Human Services	5,543.91
Human Services	6,477.88
AFLAC	2,533.78
WageWorks	80.00
ND PERS	17,390.69
ND PERS	4,255.43
ND PERS	1,378.37
ND PERS	337.20
ND PERS	2,065.42
ND PERS	187.50
Delta Dental Plan of MN	981.36
Ameritas Life Insurance Corp.	330.08
ACS Support - Stop 813G	257.05
US Dept. of Education	216.40
Rodenburg Law Firm	235.47
North Dakota United	149.06

Respectfully Submitted,  
Dean Simek, Chairman  
Beverly Kuska, Auditor