

Commission Meeting

January 5, 2016

Chairman Simek called the meeting to order at 9:00 am. Present were Joel Hamar, John Hokana, Thor Sand and Chairman Simek. Commissioner White was unable to attend. The press was not represented.

The Pledge of Allegiance was recited.

Additions to the Agenda

Approve Depositories

Hokana motioned to approve the December 15th and December 29th meeting minutes. Hamar seconded. Motion carried.

The commission reviewed Raymond Burkhardt's resignation from the County Weed Board. Sand motioned to accept the resignation from Burkhardt. Hokana seconded. Motion carried.

Hokana motioned to adjourn the commission meeting. Sand seconded. Motion carried.

Auditor Kuska called the reorganization meeting to order and asked for nominations for County Commission Chairman. Hamar nominated Thor Sand for a two year term as Chairman and for nominations to cease and cast a unanimous ballot. Simek seconded. Motion carried.

Hokana congratulated Sand. The commissioners thanked Simek for performing the duties of Commission Chairman., stating Simek served Dickey County well.

Chairman Sand called for nominations for Commission Vice Chairman. Hokana motioned to appoint Commissioner Hamar as Vice Chairman and for nominations to cease and cast a unanimous ballot. Simek seconded. Motion carried.

The commissioner portfolios are as follows.

Courthouse – Joel Hamar and Gary White

Social Services – John Hokana

Road Department Dean Simek and Thor Sand

The commission reviewed the various county boards that have members with expiring terms in 2016. Discussion followed. No action was taken at this time.

Simek motioned to approve the vouchers. Hokana seconded. Motion carried.

Simek motioned to have Chairman Sand sign the contract in the amount of \$9,100 with South Central Dakota Regional Council (SCDRC). Hokana seconded. Motion carried.

The board talked about assigning an alternate to represent Dickey County on the SCDRC board. Discussion followed. Hamar nominated Chairman Sand to serve as the alternate on the SCDRC.

Hamar motioned to have the Chairman sign the Software Innovations contract. Simek seconded. Motion carried.

Treasurer Veland asked the commission to approve the depositories the county uses. Discussion followed. Hokana motioned to approve the depositories with the addition of First Community Credit Union of Oakes. Simek seconded. Motion carried.

County Extension Agent Breanna Kiser joined the meeting at 10:19. Kiser requested an increase from \$1000 to \$1,500 for the Extension Office credit card; and to remove former 4-H Agent Podoll's name and add Kiser as the authorized user. Kiser said the increase on the card is to cover expenses during County Fair preparation time. Simek motioned to remove Nic Podoll's name from the Extension Office credit card, add Breanna Kiser's name, and authorize the increase from \$1000 to \$1,500. Hokana seconded. Motion carried.

Kiser invited the commission to attend her performance review with Ron Wiederholt on Monday, January 11th at 9:00 am.

Tax Director Flaherty attended the meeting at 10:20 to review and explain the mobile home tax valuation and depreciation schedule for 2016. Hamar motioned to accept the mobile home value and depreciation schedule for 2016 as presented by Flaherty. Simek seconded. Motion carried.

Flaherty said the States Attorney is waiting for paperwork regarding the F&L Development situation. The discussion with the commission is rescheduled for the January 20th meeting.

Flaherty asked if the Deputy Tax Director can use one of the deactivated county cell phones. He said the deputy will be out of the office performing assessing duties much of the time and a cell phone is more useful than an office phone. Simek motioned to have the cell phone activated and set up for the Deputy Tax Director. Hokana seconded. Motion carried.

Hokana motioned to sign the agreement between the State Veteran Service Office (VSO) and the county VSO. Hamar seconded. Motion carried. The agreement was reviewed by States Attorney prior to the meeting.

The commissioners reviewed goals they had set for 2015. The long term road plan is progressing and being implemented and the salary schedule and Employee Policy Manual were updated.

2016 goals include enforcing laws against county road encroachment; replacing the courthouse roof; completing repairs in the Sheriff's office; and approving a finalized draft the county emergency plan.

911/DES Director Russell, Highway Superintendent Hagen and Kadrmias, Lee and Jackson (KLJ) Engineer Loegering joined the meeting at 11:00. Loegering said the Corp of Engineers rejected the initial plan to purchase 3.5 acres of farmland and mitigate the remaining acres within county Right of Way. He submitted a new plan that will require the purchase of 6 acres of farmland in the amount of \$24,453. Loegering said he has the new plan ready to mail to the landowner for approval.

Loegering submitted the bid from KLJ for an energy and structural audit in the amount of \$13,900. He stated the audit does not include project construction administration or analyzing the courthouse dome. Hokana motioned to sign the energy and structural audit contract with KLJ. Simek seconded. Motion carried. Commissioners Hamar and Simek along with Custodian Scott Peterson will work with Loegering to overview the project.

Hagen presented a variance request to plant trees 100' feet along the east side of County 14. The trees are to be located in the NW ¼-35.129. Hamar said the practice has been to grant variances based on additional trees or replacing existing trees. The 200 foot ordinance was written for new trees that are being planted on a location that has never had trees. The commission did not approve the variance request to plant trees 100 feet from the road because there were no existing trees on the location.

Russell explained the expenses that are in the 2011 FEMA fund should have been charged against the Emergency Fund. Russell said FEMA denied the reimbursement because they considered the flood cleanup to be individual assistance. The 2011 FEMA declaration didn't include individual assistance.

Sheriff Estes joined the meeting at 11:20 am. Estes reported he hired two deputies, one who will also monitor overweight trucks. The commissioners and Estes discussed the incoming emails regarding the disposition of the Truck Regulatory vehicle and contents. Estes will respond to the emails.

Hokana motioned to adjourn at 11:55 am. Simek seconded. Motion carried.

Commission Minutes January 19, 2016

Chairman Sand called the meeting to order at 9:10 am. Present were Joel Hamar, John Hokana, Gary White, Dean Simek and Chairman Sand. The press was not represented.

Additions to the Agenda

NDSU Extension Wiederholt

Oakes Job Service Office closing

South Central Dakota Regional Council

Commissioner White said the South Central Dakota Regional Council (SCDRC) does not have a representative from Ellendale City. He said SCDRC agreed that Ellendale Mayor Matt Thorpe could designate the Ellendale Auditor Middlestead as a candidate to fill the SCDRC position.

Hokana motioned to approve the January 5th minutes. Hamar seconded. Motion carried.

Hamar motioned to approve vouchers. Simek seconded. Motion carried.

Simek motioned to approve the financials. White seconded.

Hamar said Ron Wiederholt from NDSU was satisfied with the job performance of the Dickey County Extension Office. Wiederholt plans to interview applicants for the 4-H agent position in mid to late February.

States Attorney Gary Neuharth joined the meeting at 9:30 to deliver Chairman Sand a letter from the Water Board attorney Sean Fredericks. Fredericks addressed the meeting the landowners are having with the commission this afternoon regarding the Yorktown-Maple indirect votes. Fredericks explained the indirect votes in question would not change the outcome of the election if they were eliminated from the vote count. Frederick's letter further explained the Water Board has jurisdiction over the drain and the County Commission cannot overrule the vote.

The commissioners discussed the expiring terms on the various county boards. The expired terms will be listed in the Times Leader to inform the public to contact the auditor's office if they are interested in serving on a board. The commission will review the applicants and appoint the board members.

911/DES Director Russell, Highway Superintendent Hagen and Sheriff Chris Estes joined the meeting at 10:30 am. Department Heads present were Roxanne Holm, Gail Veland, and Andi Schimke. Russell presented an interim security plan to the commission. White motioned to adopt the interim plan and assign the 911/DES director to implement the plan. Simek seconded. Motion carried.

Sheriff Estes asked the commissioners to allow two office employees to have an extension of time to use their 2015 vacation days. Hamar motioned to allow the sheriff's department to extend the 2015 vacation time for the two employees until March 31, 2016. The extension is allowed because the sheriff's department had a shortage of employees so the two individuals were not able to use all their vacation before year end.

Treasurer Veland submitted the 4th quarter Pledge of Securities. Hamar motioned to have the chairman sign the 2015 fourth quarter Pledge of Securities. Simek seconded. Motion carried.

Tax Director Flaherty joined the meeting at 11:00. He presented the Ag Land Value Adjustments determined as assessed by the state. The state increase was approximately 3%. The county is currently at approximately 90.25%. Flaherty suggested the commissioners go to 95%. Discussion followed. The decision was tabled until the February 2nd meeting.

Flaherty told the commission The State Land Department will no longer pay in lieu of tax for school lands, effective for the 2015 tax year. Their new ruling is the county needs to collect taxes on School lands from as a proprietary interest from the leaseholders. Sand said the school land lease bid amount was based on the property not being taxed. and it's unfair to tax the current leaseholders. Discussion followed. Flaherty will contact the State Land Department for clarification on the ruling.

White asked Hagen to install light reflective stakes on County 14 along the curve near the river because of erosion. Hagen will look into placing reflectors.

White motioned to sign the policing agreement between Fullerton City and Dickey County. Hokana seconded. Motion carried.

Sand recessed the meeting at 12:10.

The meeting reconvened at 1:00 pm at the Fireside Steakhouse.

Present for the meeting were Commissioners Dean Simek, Joel Hamar, John Hokana and Chairman Sand. Water Board members attending were Don K. Zimbleman and Keith Hauck. Guests present were Loren Winters, George Johnson, Brady Hurt, Pat Nelson, Larry Ulmer, Loren Paul, Mark Sheppard, Gary Ulmer, Lyle Winters and Don Peterson. The press was not represented.

Sand read aloud the letter that states Attorney Neuharth received from Water Board Attorney, Sean Fredericks. The letter explained the Dickey County Water Board has jurisdiction over the Yorktown-Maple Drain, not the Board of County Commissioners. The letter said if township indirect votes were not included in the final results, the number of "No" votes would still have not been enough to defeat the drain.

Some of the grievances expressed by the opponents of the drain are as follows.

- The greater percent of those affected by the drain are against constructing the drain
- The timeline and terms of the appeal process
- The water from, the new drain goes to the river via Dickey County Drain #1, which hasn't ever worked properly.
 - If Dickey County Drain #1 fills the holding pond, water overflows to several people's land. As the holding pond lowers some water is landlocked because the level of the drain is higher than the land
- Landowners within the assessment district who gain no benefit from the Yorktown-Maple drain are also adversely affected by Dickey County Drain #1
- The Water Board and Moore Engineering "turned deaf ears" to the landowners
- Moore Engineering and the water board did not seriously look into other options, such as pumping the water.
 - Landowners were told pumping water would require too much wetland mitigation; A landowner attending the meeting said he offered 80 acres for probable wetland mitigation and Moore Engineering did not follow through
- The Yorktown Maple drain will result in more tiling
- The weighted vote was designed to assure the Yorktown Maple Drain was approved.

Water Board Chairman Zimbleman explained the weighted vote is ND law. He said Moore Engineering presented numerous design options that were as costly as \$5 million. The landowners voted on the buried pipe option because of the lesser cost of \$1.2 million. .

Keith Hauck said the project was brought to the Water Board and over time the cost escalated. Zimbleman said the cost for the drain is about \$2.1 million.

Hokana motioned to adjourn at 2:30 pm. Simek seconded. Motion carried.

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|---|---|------------|-------------|
| Salaries | | 118,609.77 | 60779-60995 |
| A&B Business Inc | service contracts on copiers | 453.75 | 60779 |
| Cole Paper | two 44qt gray round containers | 73.24 | 60780 |
| Computer Express | toner for printer | 109.99 | 60781 |
| NACO | 2016 dues | 450.00 | 60782 |
| ND Association of Counties | 2016 dues | 7,411.00 | 60783 |
| ND County Commissioner | 2016 dues | 1,600.00 | 60784 |
| Neuharth, Gary | building rent | 250.00 | 60785 |
| Software Innovations | software support agreement for 2016 | 7,900.00 | 60786 |
| Economy Propane | 510 gal. propane @ 0.99 | 504.90 | 60787 |
| Kinetic Leasing | DIC3529-106-2004 Columbia Freightliner | 6,975.00 | 60788 |
| Northwest Tire & Auto Service | (1) 17.5R25 TI MXL poly rad E3/L3 1* tire | 868.74 | 60789 |
| South Central Dakota Regional Council | 2016 dues | 9,151.00 | 60790 |
| True Value - Ellendale | deer stand - door prize for state conv | 39.99 | 60791 |
| ND Association of Counties Human Services | workers comp premium for 2016 | 26,088.29 | 60792 |
| | Monthly expenses | 2,190.43 | 60793-60797 |
| Postmaster - Ellendale | States Attorney and County Agent mail box rental (replacement check for #60622) | 182.00 | 60798 |
| ND PERS | BCBS | 44,522.40 | 60799 |
| ND PERS | BCBS | 3,395.28 | 60800 |
| ND PERS | Life Ins | 346.89 | 60801 |
| ND PERS | Life Ins | 142.42 | 60802 |
| Cities, Townships, Schools | Schools | 980,627.02 | 60803-60811 |
| Cities, Townships, Schools | Cities, Townships | 450,804.37 | 60812-60851 |
| Dakota Plains Credit Union | Payroll transfer | 112,000.00 | 60852 |
| Community Volunteer EMS of LaMoure | Ambulance | 1,501.11 | 60853 |
| Kulm Ambulance Corps Inc. | Ambulance | 5,629.11 | 60854 |
| Edgeley Ambulance Service | Ambulance | 3,002.20 | 60855 |
| Ellendale City Auditor | Airport/ambulance | 19,043.48 | 60856 |
| Oakes City Auditor | Airport/ambulance | 17,917.68 | 60857 |
| ND State Treasurer | State Medical | 10,846.73 | 60858 |
| Garrison Diversion Conservancy District | Collections | 10,741.73 | 60859 |
| James River Soil Conservation | Collections | 11,401.21 | 60860 |
| Ellendale Fire District | Collections | 17,727.42 | 60861 |
| Oakes Fire District | Collections | 16,054.97 | 60862 |
| Dickey County Treasurer | Clerk of Court fees | 645.00 | 60863 |
| ND PERS | Def comp | 2,730.92 | 60864 |
| ND PERS | Def comp | 212.50 | 60865 |
| US Dept. of Education | Garnishment | 245.06 | 60866 |
| Flex | Schmidt, Kelly | 276.00 | 60867 |
| Flex | Koschney, Debra | 187.00 | 60868 |
| Flex | Koschney, Debra | 221.00 | 60869 |
| Flex | Miller, Amber | 564.00 | 60870 |
| Hagen, Jeff | Replacement check warrant #60292 | 38.50 | 60871 |
| Human Services | Monthly expenses | 14,430.27 | 60872-60910 |
| Overpayment Refund | Overpayment of 2015 taxes | 60.00 | 60911 |
| Overpayment Refund | Overpayment of 2015 taxes | 37.47 | 60912 |
| A&B Business Inc | Maintenance agreement on Scanner | 457.38 | 60913 |
| Char's Food Pride | Utensils and coffee for holiday open house | 27.65 | 60914 |
| Computer Express | Toner cartridge | 115.45 | 60915 |
| Computer Express | Epson scanner warranty | 499.00 | 60916 |
| Dickey County Fair Board | Prior year taxes collected Dec 2015 | 243.66 | 60917 |
| Dickey County Hiway Dept. | Gasoline purchases Sheriff | 559.32 | 60918 |
| Dickey County Hiway Dept. | Gravel for Wilson Dam | 42.00 | 60919 |
| Dickey County Hiway | DEM truck gasoline | 164.16 | 60920 |

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| Dept. | | | |
| Dickey County Leader | New Year's closing | 24.20 | 60921 |
| Farnms Genuine Parts | Painx for DEM vehicle | 4.99 | 60922 |
| Information Technology | County exchange e-mail, monthly service contract, | 573.00 | 60923 |
| Dept. (ITD) | netmotion, multifactor authentication | | |
| LexisNexis Bender | Reprint of NDCC 15-A & 7B | 282.36 | 60924 |
| ND Association of | Marriage license proigram 24 apps | 24.00 | 60925 |
| Counties | | | |
| ND County Recorders | Dues | 175.00 | 60926 |
| Assoc. | | | |
| ND Dept. of Human | Child support payment receipt #28815 | 256.00 | 60927 |
| Services | | | |
| ND Emergency | EMA dues for 2016 | 30.00 | 60928 |
| Management Assoc. | | | |
| ND State Radio | LETS quarterly fee and license renewal fee | 410.00 | 60929 |
| Neuharth, Gary | Mileage for contempt hearing in Fargo | 118.80 | 60930 |
| S.E.N.D County | 2016 dues | 250.00 | 60931 |
| Commissioners Assoc. | | | |
| Smith, Strege, | Court appointed attorney | 45.00 | 60932 |
| Fredericksen & Butts, | | | |
| LTD | | | |
| Software Innovations | Tax data export scrip | 550.00 | 60933 |
| Starion Insurance | Remove 2015 JD 6170, add 2016 Sheriff car | 55.00 | 60934 |
| Agency | | | |
| Stutsman County | File prep for mental health hearing | 123.50 | 60935 |
| Auditor | | | |
| Economy Propane | 1475 gals Oakes shop, 510 gals. Ellendale Shop | 1,945.30 | 60936 |
| Farmland Coop | Repairs, oil/diesel/cardrol, 10W30 bulk, washer fluid | 6,352.17 | 60937 |
| Financial Management | 1 mile W of ND 56, 8 miles W of Oakes (Kasprick) | 2,741.09 | 60938 |
| Division | | | |
| Fullerton City Auditor | Fullerton utilities | 20.00 | 60939 |
| John Deere Financial | Parts/repairs | 1,960.47 | 60940 |
| Mertz Construction & | Leaf blower, bits, hole saws for co camera project | 144.64 | 60941 |
| Supply-Ellendale | | | |
| NAPA Parts Supply Inc. | Fitting, brake lite, de-ice, glass cleaner | 31.22 | 60942 |
| NAPA Farnams Genuine | Filter, antenna, connector, CD Radio, tractrub, trail | 1,011.91 | 60943 |
| Parts Inc. | FX blk side mirror, hose fittings | | |
| Oakes Tire Center | 10W30 & 40 bulk oil, HTB bulk-170, washer fluid | 4,188.75 | 60944 |
| Ottertail Power Co. | Utilities | 47.16 | 60945 |
| Praska's Hardware Hank | Sweeping compound, paper towels | 29.34 | 60946 |
| Price Plumbing | Repairs at County shop | 143.10 | 60947 |
| True North Steel | 36"x46' culvert | 1,310.08 | 60948 |
| Waste Management | Utilities | 39.77 | 60949 |
| Office of Attorney | Scram bracelets Dec 2015 | 465.00 | 60950 |
| General - 1250 | | | |
| Oakes City Auditor | Assessment on Oakes property payment in full | 794.61 | 60951 |
| Beckius, John | December 3 trips in van, washer fluid | 341.67 | 60952 |
| | reimbursement, per diem | | |
| Dathe, Gary | Service work mileage Oct, Nov., Dec., fuel for | 509.12 | 60953 |
| | veterans van | | |
| Dickey County Hiway | Van gasoline purchase pad by highway dept. in 2015 | 26.63 | 60954 |
| Dept. | | | |
| Dickey County Hiway | Van gasoline from county pump December 2015 | 141.51 | 60955 |
| Dept. | | | |
| Dakota Plains Credit | Society for range management dues | 100.00 | 60956 |
| Union | | | |
| Kiser, Breana | 320 miles | 172.80 | 60957 |
| NDSU Extension - | Winter workshop postcard printing | 35.64 | 60958 |
| LaMoure County | | | |
| Dakota Improvement | Clean up/haul away spoil piles | 2,022.50 | 60959 |
| Dickey County | Oakes Pilot Drain specials | 28.21 | 60960 |
| Treasurer | | | |
| Jury, Hope | Postage stamps, joint water board miles to transfer | 92.98 | 60961 |
| | files to new secretary | | |
| Milnor Post Office | PO box fee | 50.00 | 60962 |
| ND Water Resource | Annual dues | 475.00 | 60963 |
| Districts Assn. | | | |
| Computer Express | Replace hard drive on radio program computer | 145.00 | 60964 |
| Dakota Electronics | Skywarn linking antenna, adaptor Forbes Tower | 226.70 | 60965 |
| Dickey Rural Networks | 911 trunk rental, record updates | 243.00 | 60966 |
| ND 911 Association | State dues | 25.00 | 60967 |
| ND Association of | 10% of revenue | 848.25 | 60968 |
| Counties | | | |
| Zahn, Doug | Tower rental for Dickey County west | 500.00 | 60969 |
| Chief Supply | Mini camcorder | 197.44 | 60970 |
| Dickey County | 2015 Mobile home payments | 17,355.08 | 60971 |
| Treasurer | | | |
| ND Township Officers | Township dues | 3,500.00 | 60972 |

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| Association | | | |
| AmeriPride Services Inc. | Rug service | 537.19 | 60973 |
| AT&T Mobility | Charlie, Jeff, Scott, Sheriff phones, iPad coverage for signs, Charlie's air card | 591.64 | 60974 |
| Dakota Valley Electric Coop | Utilities | 241.00 | 60975 |
| Dickey Rural Networks | Utilities | 1,208.38 | 60976 |
| Farmers Union Oil Co. | 200 gallons #2, 200 gals #1, 27.957 gasoline, 101 gal. propane, 15.687 gas co pump down | 1,355.81 | 60977 |
| Corey Gulke | Reveal hand held thermo imager, pahaque portable shelter/out house | 613.00 | 60978 |
| Montana Dakota Utilities | Utilities | 4,101.08 | 60979 |
| Moore Engineering Inc. | DC Drain #1, engineering Roney Rehovsky, Kentner, Forward, et al | 3,754.90 | 60980 |
| Office of State Auditor | 2014 audit | 19,750.00 | 60981 |
| Ohnstad Twichell PC | Dc Drain ROW Gemar dam, tile app, professional services, office expense | 2,136.38 | 60982 |
| First State Bank of ND - Oakes | Purchase CD for collateral - James River Repair | 20,000.00 | 60983 |
| Human Services | Monthly expenses | 59.00 | 60984 |
| AFLAC | Cancer | 2,818.28 | 60985 |
| WageWorks | Cancer | 60.00 | 60986 |
| ND PERS | Retirement | 23,440.50 | 60987 |
| ND PERS | Retirement | 1,955.09 | 60988 |
| ND PERS | Def comp | 2,730.92 | 60989 |
| ND PERS | Def comp | 212.50 | 60990 |
| Delta Dental Plan of MN | Dental | 1,280.50 | 60991 |
| Ameritas Life Insurance Corp. | Vision | 430.64 | 60992 |
| US Dept. of Education | Garnishment | 245.06 | 60993 |
| North Dakota United | Dues | 79.34 | 60994 |
| Fles | Ritter, Barbara | 1,036.44 | 60995 |
| | | 1,931,529.33 | |

