

Commission Minutes

April 4, 2017

Chairman Sand called the meeting to order at 9:00 am. Present were Joel Hamar, John Hokana, Marke Roberts, Dean Simek and Thor Sand. The press wasn't represented.

The Pledge of Allegiance was recited.

Additions/Corrections to the Agenda

NDIRF

Oakes Golf Club Liquor License

Remove Review Financials

Truck Weight Seminar

Section lines regarding the Lovell drain

Township Officers meeting

Review 5 County Commission Meeting Agenda

Commissioner Hokana motioned to approve the minutes. Simek seconded. Motion carried.

Commissioner Hamar motioned to approve the vouchers. Roberts seconded. Motion carried.

Commissioner Roberts motioned to sign the Oakes Golf Club Liquor License. Simek seconded. Motion carried.

The commission had a short discussion about the ballot from the ND Insurance Reserve Fund (NDIRF). No action was taken.

The auditor submitted the *Notice of Decision – Approval of Application to Drain No. 4757, Lovell Improvement Project* from Dickey County and Sargent County Water Resource Districts for the commission to review. The paperwork is on file at the auditor's office for public to view.

Hamar reported he attended a Truck Weight Seminar given by Highway Patrol Officer Doug Hoopman. Hamar said the training was well presented and very educational. He said there is a truck weight calculator available that determines the legal amount of weight per axle. Hamar said NDLTAP will do a one hour class for anyone interested and said it may be beneficial if the training was offered.

Chairman Sand reviewed the topics the commission wishes to discuss during the April 6 Township Meeting. Topics include encroachment, ruts in the road ditches, road restrictions, County 2 road plans, and the courthouse roof project.

Tax Director Don Flaherty attended the meeting at 9:50 to discuss the June 8th County Equalization Meeting. The meeting will begin at 1:00 for cities and 1:15 for townships. The meeting will be advertised in the Times Leader

Flaherty is receiving Farm Residence Exemption (FRE) applications and feels people receptive of the form. He has received some questions on the data required and he needs to verify information on some of forms he's received.

Flaherty explained to Roberts an FRE is available to retired farmers as long as they continue living in the house that was exempt while actively farming. If a new residence is built the FRE is no longer available to either a retired or active farmer. In addition, retired farm laborers cannot have an FRE unless the laborer has owned and operated a farm for a minimum of one year.

The meeting recessed at 10:15 and reconvened at 10:35.

Road Superintendent Jeff Hagen, Kadrmaz, Lee and Jackson (KLJ) Josh Loegering and 911/DES Director Charlie Russell joined the meeting at 10:40. Russell said the roof of the building the county rents for the county communications west tower caved in. Russell is checking if the building owner has insurance. He said other individuals own receivers installed on the tower as well.

Hagen submitted township road grading contracts for the Chairman to sign. Hamar motioned to sign the blading contracts. Simek seconded. Motion carried.

Hagen reported that the culvert at the low water river crossing by the Glynn property is protruding up from the road. Hagen wants to reinstall a 36" culvert because he feels the larger culverts don't work as well for river crossings as they require shallow installations. The board and Hagen talked about other methods of dealing with river crossings. Hagen will visit with Kelly Glynn about the culvert situation.

The commissioners and Hagen discussed the overweight permit request they received from a landowner. Although they understand the reason for the request, they decided it is in the best interest of the county and townships not to allow the permit during road restrictions. They said the frost is coming out of the ground and the equipment weight may damage the road. It is

the county's policy not to allow overweight permits during road restrictions except for extreme emergency situations. Hagen will contact Mr. Hofer about the situation.

Loegering submitted a change order to complete the mitigation project on County 3 in the amount of \$3,575. The amount will be deducted from the retainage money due KD Hoyt. Simek motioned to sign the change order in the amount of \$3,575 as quoted by Dakota Improvement. Roberts seconded. Motion carried.

Loegering said the DOT has approved all the paperwork for the County 3 project #1112-069 and all the subcontractors have been paid by KD Hoyt. Hokana motioned to accept the project as completed. Simek seconded. Motion carried.

Loegering presented the final payment request for County 3 project # CNOB 1112-69 in the amount of \$112,686.52. Simek motioned to approve the final payment request for KD Hoyt in the amount of \$112,686.52. Roberts seconded. Roll call vote passed with Joel Hamar, yes; John Hokana, yes; Marke Roberts, yes; Dean Simek, yes; Chairman Sand yes.

Roberts motioned to have the auditor sign the reimbursement requests to the DOT for \$124,780.40 from SB 2106 for final payment to KD Hoyt in the amount of \$112,686.52 and construction engineering on CNOB-OC 1112-069 in the amount of \$11,094.40. Hokana seconded. Motion carried.

Hamar motioned to have the auditor sign the reimbursement request to the DOT in the amount of \$1,508.99 from HB 1176 for construction engineering on County 3 project CNOB 1112-70. Simek seconded. Motion carried.

The commission confirmed with Loegering they wish to continue the plan to repair County 2. Loegering said the project will be advertised for 3 weeks and bid in May. He further stated the county roof project bid is delayed until May because the mechanical engineer is reviewing some details. The commissioners determined the SE corner of the courthouse is the most accessible for roof draining purposes.

States Attorney Neuharth joined the meeting at 11:22. He said he will receive recognition for 40 plus years of attorney service in North Dakota on June 15, 2017. The commission congratulated him on the attaining the milestone.

Roberts asked States Attorney Neuharth for clarification about the section road closing in Lovell Township. The previous information the commissioners received was the section line could be closed by the township if 70% of landowners signed the petition. Sargent County States Attorney Lyle Bopp said the commissioners are responsible for the final decision about section line closings.

Neuharth explained the law regarding section line closings isn't clear and certain areas of the NDCC address the process differently. He said Attorney Lyle Bopp is of the opinion that section lines can only be closed by county commissioners. Neuharth said he isn't in total agreement but feels it is best for the commission to follow the same procedure that Sargent County is using, which includes public hearings. The landowners requesting the section line closing are responsible to bring the request to the commission boards.

Hamar motioned to accept the resignation letter from Deputy Sheriff Peter Stark effective April 4, 2017. Simek seconded. Motion carried.

The commissioners reviewed the Agenda for the Southeast Regional County Commission association Meeting in Wahpeton on April 6 at 4:00 PM.

Hokana motioned to adjourn at 11:53 am.

Commission Minutes

April 21, 2017

Chairman Sand called the meeting to order at 9:30 am. Present were Joel Hamar, John Hokana, Marke Roberts, Dean Simek and Chairman Sand. The press was not represented.

The Pledge of Allegiance was recited.

Additions to the minutes

5 County Meeting Update

Township section line closing

Commissioner Hamar motioned to approve the minutes. Simek seconded. Motion carried.

Commissioner Hokana motioned to approve the vouchers. Roberts seconded. Motion carried.

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

Hamar reported that closing and vacating section lines was discussed at the April 9 Southeast Regional County Commission meeting. Sargent County commissioners were told by their states attorney that closing or vacating section lines doesn't remove liability from the

township. The commission boards reviewed how each county handles Farm Residence Exemptions (FREs). The three page FRE form from the state is used to verify eligibility and some tax directors validate farmer income and status on a three year schedule. Although culvert installations are unique Richland and Sargent County usually require a hydrology study that is paid for the by the requesting party. The county pays for the study if the commissioners request a culvert to be installed.

Chairman Sand said encroachment, vehicle tracks in the road ditches and County 2 repairs were discussed at the Township Officers Meeting on April 9.

4-H Extension Agent Breanna Kiser joined the meeting at 10:05 and distributed gave a summary of the winter activities the 4-H groups participated in. She said the recent archery program was successful and the summer program will begin soon. Kiser expressed her appreciation of the local American Legion Club for their support of the 4-H shooting sports. The Extension Office is currently focusing on the County Fair Schedule, hippology classes and the fall Horse Expo.

Treasurer Gail Veland presented the Pledge of Securities Report at 10:16. Simek motioned to approve the Pledges as presented. Hamar seconded. Motion carried.

Hamar motioned to open the Abatement Hearing at 10:30. Simek seconded. Motion carried. Present for the hearing were Gail Veland, Michelle Pulfrey and Tax Director Don Flaherty. Flaherty explained the local assessor for Clement Township erroneously entered a value of \$182,500 for parcel #03767050 belonging to John and Beverly Pickell. Flaherty said the mobile home on the property belongs to Michelle Pulfrey and the error resulted in double taxation. Flaherty recommended that the commission change the valuation of parcel #03767050 to the prior amount of \$5,400. Roberts motioned to remove the improvements from the property valuation and follow the recommendation of Tax Director Flaherty. Simek seconded. Motion carried. Hamar motioned to close the abatement hearing at 10:45. Roberts seconded. Motion carried.

John Quandt joined the meeting at 10:45. He said that States Attorney Neuharth suggested the Lovell Drain LLC hold a public hearing regarding closing the section line between Dickey County's Riverdale Township and Sargent County. Discussion followed. Chairman Sand told Mr. Quandt the Sargent County Commissioners were told by their States Attorney that vacating or closing a section line doesn't remove township liability. The commissioners expressed concern that if a vacated section line is restored the right of way needs to be repurchased. Quandt said April 18 is the Sargent County public hearing to discuss closing their portion of the section line. Dickey County tabled the discussion to a later date until more information can be collected.

Quandt said there may be a few changes to the 113th Avenue Drain Project that the commissioners approved earlier. He said other options for the drain will be explored if all the landowners don't agree with constructing the project in the right of way.

Greg Richter and Martin Richter joined the meeting at 10:45. Greg showed several photos of an existing ditch drain along County Road 1. He believes the drain has been deepened this year. Richter presented current photos showing the amount of water running onto his land from the illegal drain. He said his land cannot be farmed and the water is ruining the soil. He told the commissioners a longtime slough is currently dry on the perpetrators land. Richter plans to meet with the Water Board and wanted the commissioners to be aware of the drain along a county road.

Kadmas Lee and Jackson Engineer Josh Loegering, Highway Superintendent Jeff Hagen, 911/DES Director Charlie Russell, Sheriff Chris Estes and States Attorney Neuharth joined the meeting at 11:10.

Neuharth reviewed photos of the drain that was cut along County 1. He will draft a letter to the landowner directing him to contact the County Commission to discuss the matter of the ditch drain adjacent to County 1 and present a plan to remedy the problem. Neuharth will also draft a letter to the proprietor of Rough Rider Sign telling him to either correct the misspellings on the Pheasant Lake and Wilson Dam signs or return the county's money. Copies of both letters are on file at the auditor's office.

The board and Neuharth discussed privately owned equipment and property that is stored on county park land. Neuharth said that private equipment and machinery parked on public property that isn't removed after 10 days of notice of violation constitutes trespassing.

KLJ Engineer Loegering presented the final reimbursement request for the County 3 road project along with a letter stating the project was completed satisfactorily. Discussion followed. Hamar motioned to sign the letter to the Department of Transportation (DOT) regarding the 2016 road project #1112(069) certifying that the county followed all the rules, the cost was

approximately \$1.6 million and paid for with from Senate Bill 2106. Simek seconded. Motion carried.

Simek motioned to approve the final payment to KLJ in the amount of \$1,508 for construction engineering on project #1112(069). Roberts seconded. Motion carried.

Hamar motioned to have the chairman sign the ND DOT agreement for the Fullerton Railroad Crossing on County 8. Roberts seconded.

Loegering reported the bid hearing for the courthouse roof project will be held in the courtroom on May 19 at 10:00.

Hagen submitted a utility permit request from Dickey Rural Network (DRN). Simek motioned to issue a utility permit to DRN to install fiber for approximately two miles along County Road 2. Roberts seconded. Motion carried.

Hagen presented cost estimates to replace the semi-truck with a blown engine. Discussion followed about whether the truck should be repaired or replaced. Hagen will continue to research truck prices.

Hagen and the commissioners discussed the problem with residents going around road signs. Hagen will contact the residents.

Hokana motioned to sign the 2015 tax deed to Ellendale City for parcel #08061000. Hamar seconded. Motion carried.

Hokana motioned to adjourn at 12:20 pm.

Salaries		126,924.19	
Cities, Townships, School	Cities, Townships, Schools	111,218.07	64556-64578
ND Public Employees Retirement	BCBS	45,345.76	64579
ND Public Employees Retirement	BCBS-HD	4,527.04	64580
ND Public Employees Retirement	LIFE INS	460.71	64581
ND Public Employees Retirement	LIFE INS- HD	142.70	64582
Human services	Monthly Expenses	6,701.60	64583-64596
Holm Roxanne	Flex	2,544.00	64597
Americas Best Value Inn & Suites	M-Roberts stay for training	149.40	64598
Mailfinance	Postage Machine Rental	305.76	64599
Montana Dakota Utilities	Park Utilities	98.64	64600
ND Association of Counties	Regs- S-Bertsch formulas and Functions Excel web	35.00	64601
ND Association of Counties	M-Roberts for county officials academy	110.00	64602
ND County Recorders Assoc	Registration for Recorder's Convention	100.00	64603
ND State Radio	Annual Lets License Renewal Fee	180.00	64604
Neuarth Gary	Room Rent	250.00	64605
Ottmar & Ottmar, PC Attorneys	Review Filings and Client Consultation	45.00	64606
Overpayment Refund	Tax Refund	955.58	64607
Seyer Plumbing & Heating	Repair kit for Closet 3.5 gal, Labor on job- service call on stool mens room, mileage	124.84	64608
Steven Lust Automotive	Oil Change on 2016 chevy Tahoe	48.04	64609
Universal Services	HP Laser jet P4015,P4515 Toner	309.00	64610
Blumhardt Chevie Pontiac	Repair to white chevr silverad	3,127.26	64611
Expressway Inn & Suites	2 Nights- Sign Convention	181.00	64612
Lematta Josh	Mileage to Sign Convention \$171.20, Meals 70	241.20	64613

ND Association of Counties	Drug Testing	7.00	64614
Southeast Water Users	Meter for West Shop	46.09	64615
True Value- Ellendale	Paper Towls, Battery, Trash Bags, Tpaper	119.66	64616
Dakota Plains Credit Union	Cenex Allied- Gas for VSO Van, Car Wash and Window Blades for VSO Van	44.67	64617
Dickey County Hwy Dept.	46.3 GALS Gasoline - A-7, 44.3 GALS Gasoline- A-7	167.57	64618
Wagner Harley J	Travel with VA Van	358.50	64619
Kiser Breana	Office Supplies, Stain, Hooks, Totes, Nails	85.17	64620
North Dakota State University	Businss Cards B-Kiser, Publication Printing	141.00	64621
True Value- Ellendale	Sawtooth Hanger Pack, Pic Hanger, Cable Ties	24.46	64622
True Value Ellendale	Vac, Ratchet Strap, 8x100 neverlink hose, 5' ice bustter bobber	198.16	64623
Human Development & Family Science	DYSP Binders, DYSP Workbooks	700.00	64624
Julianne Racine	Classic Snack Bags (DYSP Lunch)	13.98	64625
AT&T Mobility	Phone Charges	673.96	64626
Ellendale City Auditor	Park, Courthouse, Hwy, Weed building Utilities	499.75	64627
True Value- Ellendale	scrub brush, white vinegar, cement, paint tool, joint compound,dry cloth,hooks, bowl brush, towels, slot angle, slot bar, air freshner, soap, loop, paint, hardware, paint, clamps, saw, glue, connectors bushings	225.78	64628
KD Hoyt INC.	CNOB-OC 1112-69- FINAL PMT EST 9	112,686.52	64629
Kadrams Lee & Jackson INC.	CNOB 1112 (069) PCN 21048;INV 82213;TSK 3;15110, Study- core samples CO. RD 2 INV 82209 CH roof assess inv 82211 project 5315127	20,660.16	64630
Dakota Plains Credit Union	Payroll Transfer	124,000.00	64631
Schimke Andi	Flex	309.00	64632
Flaherty Don	Flex	435.00	64633
Community Volunteer EMS of LaMoure	Ambulance Collections	74.90	64634
Kulm Ambulance Corps Inc. c/o Robin Hehr	Ambulance Collections	280.89	64635
Edgeley Ambulance Service	Ambulance Collections	149.82	64636
Oakes Ambulance Service	Ambulance Collections	655.41	64637
Ellendale City Auditor	Airport, Ambulance	884.89	64638
Oakes City	Airport	173.30	64639
Garrison Diversion	Collections, Telecommunications	512.48	64640
James River Soil Conservation	Collections, Telecommunications	514.06	64641
Ellendale Fire #2	Collections, Telecommunications	702.98	64642
Oakes Fire	Collections	631.98	64643
Dickey Sargen Joint Water Resource District	Jackson Drain Maintenance Collections	164.91	64644
State Treasurer	State Medical, Telecommunications	517.21	64645
Dickey County Treasurer	Clerk of Court Fees	405.50	64646
ND Public Employees Retirement	Def Comp	2,412.92	64647
ND Public Employees Retirement	Def Comp HD	348.50	64648
US Dept of Education	Garnish	248.61	64649

Gore Victoria	Flex	520.00	64650
Hokana Holly	Flex	700.00	64651
Human services	Monthly Expenses	6,003.57	64652- 64678
Dickey county health district		voided	64675
Access Printing Solutions, LLC	Recorder Binder	321.56	64679
Billing Police Department	Sniper & spotter training- Brain- Corey	500.00	64680
Cole Paper	Bath Tiss, Buff Pads, IMIL Black	240.07	64681
Computer Express	Wireless Mouse, USB Adaptor	61.49	64682
Computer Express	Computer Mouse for S-Bertsch, Monthly Service Agreement	1,839.00	64683
Chads Electric INC.	Ground Outlets, Replace pipe in court house	345.11	64684
Dakota Plains Credit Union	Sodak sports- Rifle Parts	128.50	64685
Dickey County Hwy Dept.	Gas for the Cop cars	876.65	64686
Dickey County Leader	Gravel Hauling, Tax EQU Meeting, Min	711.47	64687
Ellinger Aimee	Archery, Spring Training, Meals, Hotel Room	404.41	64688
Ellinger Aimee	Miles for the leaders confrence	193.67	64689
Farmland Co-op	Oil Change 16' Ford Labor, Filter Oil	48.00	64690
Farmers Union Oil, CO	Tire Repair	20.00	64691
Hamar Joel	Comm Meeting, Township Meeting, 5 County Meet	124.66	64692
Information Techology Dept.	Netmition VPN Client, Multifactor Authertication, Monthly Service Contract, County Exchange- holly	573.00	64693
Mahlers Village Variety	Alarm Clock	6.99	64694
Mertz Const & Supply- Ellendale	Tape	10.00	64695
Modern Marketing	Law Enforcement Stickers	250.00	64696
Napa Farnams Genuine Parts INC	3/8 Crimp Connections	9.98	64697
ND State Radio	LETS Terminal Quarterly Fee	240.00	64698
Office of Attorney General- 1250	24/7 Program	115.00	64699
Overpayment Refund	Medical Bill for Kramer	200.00	64700
Pharmchem	Swear Patch Analysis 24/7 Program	25.00	64701
Pierson Ford- Lincoln Inc.	2017 Ford Oil Change Oil, Filter, Labor	48.45	64702
Postmaster- Ellendale	Post Office Box Rent 12 Months	52.00	64703
Roberts, Marke	County Official Academy,Comm Meetings	99.51	64704
Sorum, Brian	Sniper & spotter training- billings MT	168.00	64705
Simek Dean	Commissioner Meetings, Township Officer Meet	72.76	64706
Sheppard Wanda	Reimburse for bubble mailer envelopes	8.03	64707
Smith, Strege.	Professional Services court appointed Attn.	22.50	64708
Fredericksen & Butts, LTD			
Dakota Plains Credit Union	Unleaded Unit #111	57.62	64709
Fullerton City Auditor	Fullerton Shop	20.00	64710
Gillund Enterprises	Auto Trans Cond; Oil; Fuel Cleaner	619.34	64711
Muckey Construction	10' Channel Iron	61.60	64712
Ecoab Pest Elimination Divison	Pest Control	88.99	64713
Farmers Union Oil, CO	705 Prop- West Shop; 1000 Propane- co Shop, Oakes Shop- 612 @ 77 cents	1,780.94	64714

Farnams Genuine Parts	Rivot tool, Filters, Fitting, Couplers, Battery	766.86	64715
John Deere Financial	HYDRAU, CREDOT- INSEERT	2,976.76	64716
Kadrams Lee & Jackson INC.	INV#82211; PROJ#5315127- Court House Roof	2,999.06	64717
Napa Parts Supply, INC	Degreaser	2.99	64718
Ottertail Power Co	Oakes Shop	47.38	64719
Oakes Truck & Trailer	Amber Strobe Light	101.21	64720
Seyer Plumbing & Heating	Coupling, Ell;Pipe Crinp Ring Labor	130.30	64721
State Chemical Solutions	Magic Mat Orchard- S&H 17.91	92.00	64722
Waste Management	Utilities	48.34	64723
Stutsman Correctional Center	Housed Inmate	2,015.00	64724
Dakota Plains Credit Union	281 Repair, Gas	158.36	64725
Dickey County Hwy Dept.	56.9 Gals Gasoline A-7	106.40	64726
Wager, Harley J	Travel For VSO Van- Harley Wagner	720.75	64727
Kiser Breana	AG Night, Horse Hipp, Farm Conf, Pollinator	357.05	64728
Mahlers Village Variety	Hooks/Duster/Blow off, Fabric	37.44	64729
NDSU Extrnsion	Spring AG Agent Tour Registration	65.00	64730
Cass County Weed Control	Cost for Booth at ND Winter Show	66.00	64731
Hepper's	Radio for 17 Polaris Ranger, Filter for 17 Ranger, PS-4 Oil Change Kit 2.5 QTS	723.96	64732
Weis, Terry	Meeting, Winter Show	144.45	64733
Haak Norman	Joint Board Meeting 50 Miles	26.75	64734
Haak Princess	Coput paper and Notebooks Office Supples, Postage Certified mail to fargo- Ohnstad	10.37	64735
Moore Engineering inc	Lovell Project, Yorktown- Maple Proj. Ser, Construction Phas	59,187.20	64736
Ohnstad Twichell PC	Quandt/Lovell Project, Fullerton Improvement, Tile App	3,128.11	64737
Dakota Electronics	Power Supply	144.35	64738
Dickey Rural Networks	Dickey 911 Trucks Rent, Rec Update	235.00	64739
ND Association of Counties	NDACO Charges	278.22	64740
Dickey County Leader	Items for Sale	14.00	64741
Chars Food Pride	Succession Planning Beverages	16.17	64742
Sargent County Teller	DYSP AD, DYSP Classified AD	80.90	64743
A&B Business INC.	File Cart,pens, paper,tape, flags, clips,binder, dvd cases, checks,folders	1,068.00	64744
Ameripride Services, INC.	Rug Service	928.33	64745
Dakota Plains Credit Union	Correction on Payment for printer, office supplies, usb hub,farm bill, dysp meal,	399.57	64746
Dakota Valley Electric Coop	Utilities	242.00	64747
Dickey Rural Networks	DRN Charges	1,281.82	64748
Montana Dakota Utilities	Utilities- court house, main shop, fullerton shop, weed building	2,004.36	64749
NDSU Extension Service- Ag Budget	Meals for the period-7/2016-12/2016, Breanna and Amiee	17,793.40	64750
Berubes	Bal for Bobcat Upgrade-SNALM416082;MOD 570	10,098.88	64751
Human services	Monthly Expenses	200.00	64752
Flaherty Don	Flex	342.00	64753
Aflac	Cancer	3,335.50	64754
Wage Works	Cancer	70.00	64755

ND Public Employees Retirement	Retirement	23,517.63	64756
ND Public Employees Retirement	Retirement	2,451.60	64757
ND Public Employees Retirement	Def Comp	2,412.92	64758
ND Public Employees Retirement	Def Comp HD	348.50	64759
Delta Dental Plan of MN	Dental	1,410.65	64760
Ameritas Life Insurance Corp.	Vision	401.12	64761
US Dept of Education	Garnish	248.61	64762
North Dakota United	Dues	83.22	64763
Gore Victoria	Flex	81.75	64764
Hokana Holly	Flex	100.00	64765

Thor Sand, Chairman

Beverly Beethe, Auditor