

Commission Minutes

July 7, 2015

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

Additions to the Agenda

Estes and the truck regulatory

5 County Meeting, Thursday July 7, 2015

Johnson's Gulch Road – township portion – 7A

Revision: Ludden Tavern will be discussed instead of the policy manual.

Hokana motioned to approve the minutes. Hamar seconded. Motion carried.

Sand motioned to approve the bills. White seconded. Motion carried.

White motioned to approve the raffle permit for Guelph Area Betterment., Hokana seconded. Hamar said the fee will be waived as is the practice for non profit organizations. Motion carried.

The commissioners reviewed the request from Maple River Colony for additional overweight truck permits. They decided to continue to ration the permits and limit the trips on the pavement to times when the gravel road is not travelable.

Sand motioned to allow ten additional permits to Maple River Colony to move cranes only. Hokana seconded. Motion carried.

Recorder Anderson reported North Dakota Recorder Information Network (NDRIN) replaced the current computer in the Recorder's Office free of charge. The commission agreed with Anderson that the old computer should be used at the new Weed Storage Building

Norm Andrus joined the meeting at 10:00 to discuss the abandoned cemetery in section 12 of Valley Township. The commission and states attorney received a letter of complaint about the condition of the cemetery and the responsibility of the county as per NDCC 23-06-30. As a former commissioner, Mr. Andrus recalled a previous complaint about lack of upkeep of the same cemetery. He said an Attorney General Opinion was sent to the commission in 1999 that determined, because the cemetery is located in the middle of a quarter, the cemetery cannot be accessed by a road. Andrus stated the county attempted to mow the cemetery once a year if possible to access it before or after crops were planted or harvested. The Attorney General Opinion is on file at the Auditor Office for public review.

Custodians Ray Peterson, Scott Peterson and Clerk of Court Andi Schimke addressed the commission about the ceiling damage on the third floor. Ray Peterson said Rod Garland repaired a long crack on the roof of the courthouse, but not before a large portion of the inside roof material and plaster fell to the floor. Garland suggested the entire roof be repaired, stating a commercial company will need to do the repairs.

Schimke said the falling plaster from the ceiling on the third floor is unsightly. She encouraged the commission to do temporary repairs before the scheduled jury trial in September. Schimke may be able to receive some grant money in 2016 to pay part of the cost of permanent repairs, although no work done prior to the grant acceptance will be paid through the grant. The commissioners asked Schimke and Peterson to research the cost of a permanent repair; and also locate a business that can do traditional stucco work and is approved by the ND Historical Society.

Dickey County Health Director Roxanne Holm and Central Valley Health District Director Marcy Bata joined the meeting at 10:10 am. Holm presented two letters from the Dickey County Health District for Chairman Simek to sign. One was addressed to the area septic tank installers and the other to the Ludden Sportsman Club Chairman and the Manager of the Ludden Tavern. Bata explained the letter to local installers states a permit is required from the Health District before a septic system is installed in Dickey County.

Discussion followed as to whether the County Health District has authority to require state licensed septic installers to purchase a permit before installing a septic system. The discussion also included how many septic systems were installed properly and no longer meet code. Bata said at this time the Health District is focusing on newly installed systems.

The letter to the Ludden Tavern Manager and the Chairman of the Ludden Sportsman Club was a result of the Tavern's noncompliance with the variance granted to them on September 8, 2014. The variance allowed the Ludden Tavern to be open for business before the septic system was within compliance with Central Valley Health's requirements for legal septic system. The letter outlined two plans of action for Ludden Tavern to choose from. Both options include the requirement to submit a plan to the Health District by July 20 and to begin implementing the plan to get the septic system within compliance. Discussion followed.

After the requested changes and additions to the letters were made and reviewed by the commission, Sand motioned to accept the revised letter from Dickey County Health District to the area septic tank installers. Hamar seconded. Motion carried.

Sand motioned to have the Chairman sign the revised letter to the Ludden Tavern and Ludden Sportsman Club Chairman. Hamar seconded. Motion carried with a roll call vote, Simek yes, Hamar yes, Hokana no, Sand yes, White yes. Hokana said he felt the regulations are not applicable to the Ludden Tavern. He further stated the Tavern has not had complaints and Ludden City endorsed the variance by the commissioners to open the business as is.

Dickey County Water Board Chairman Norm Haak joined the meeting at 10:45. States Attorney Neuharth was also in attendance. Mr. Haak, Neuharth, the commissioners, auditor and treasurer discussed the Jackson Drain bond requirements. Hokana motioned to accept the joint water board funds. Sand seconded. Motion carried.

Hamar motioned to sign the paperwork so the Veteran Service Officer can accept the van that is available for the Dickey County Veterans. White seconded. Motion carried.

Don K. Zimbleman attended the meeting at 11:10 am to speak with the commission about the Yoktown/Maple Drain Project. Discussion followed as to what amount Dickey County will pay as an indirect assessment. Hokana motioned to pay 10% of indirect assessments for the Yorktown/Maple Drain. White seconded. Motion carried with a roll call vote, Hamar yes; Hokana yes; White yes; Sand yes; Chairman Simek yes.

Kadmas, Lee and Jackson Engineer Josh Loegering, Highway Superintendent Hagen and 911/DES Coordinator Russell joined the meeting at 11:00 am. Loegering presented a no cost change order from Webster Scale for the Kasprick Slough grade raise (1112-066). The change order was to amend an original change order and allow Class 29 pavement. Hamar motioned to accept the current change order. Sand seconded. Motion carried.

Loegering presented a pay estimate from Knife River in the amount of \$850,625.34. Hamar motioned to have the chairman sign the request for payment on the mine and blend. Sand seconded. Motion carried.

Hamar motioned to have the auditor sign the reimbursement requests for the remaining funds from HB 1358 in the amount of \$228,191.35 and funds from SB 2034 in the amount of \$622,176.19. White seconded. Motion carried.

Road Superintendent Hagen updated the commission on the gravel crushing progress. Hagen said the county placed gravel on about a mile of County 7A and also placed some gravel on the township portion.

Hagen reported the highway department is checking on the condition of the bridges in the county. He is concerned about the loose mortar on the Zimbleman Bridge, stating it could be hazardous to single wheeled vehicles. Hagen plans to have those areas repaired.

Sheriff Estes reported the ND Department of Transportation (DOT) didn't approve the grant request for electronic speed signs because the grant is for violence protection. Estes also said the DOT will look into the need for speed signs when 2016 money is available.

Estes said he is looking at replacement vehicles for the Sheriff Department. Estes asked if the commission wishes to trade a vehicle or keep it for an extra car. Discussion followed. Hokana suggested Estes use his best judgment in regards to which vehicle, if any, Estes should trade.

Hamar said he informed the Truck Regulatory Board that Dickey County is considering other avenues for truck regulatory. Dickey County will attend the Truck Regulatory meeting in July.

Hokana motioned to adjourn. Sand seconded. Motion carried.

Special Commission Meeting

July 8, 2015

Chairman Simek called the special commission meeting to order at 5:00 pm. The meeting was to discuss Dickey County withdrawing from the South Central Regional County Truck Regulatory Board coalition. Present were Joel Hamar, Gary White, Thor Sand and Chairman Simek. John Hokana was present via phone conference.

Hamar said the South Central Regional County Truck Regulatory Board agreement requires a written notice of the decision to withdraw from the regulatory a minimum of 120 days prior to November 1 of the current year of withdrawal.

Hamar motioned for Dickey County to opt out of the truck regulatory agreement effective November 1, 2015. Hokana seconded. Hamar said there was much time and effort in getting the Truck Regulatory off the ground and its' unfortunate it didn't work out.

Hokana seconded. Motion carried with a roll call vote. Hamar, yes; Hokana yes; White yes; Sand yes; and Simek yes.

White motioned to adjourn the meeting at 5:20.

Hokana seconded. Motion carried.

Commission Meeting

July 21, 2015

Chairman Simek called the meeting to order at 10:10. Present were Joel Hamar, John Hokana, Gary White, Thor Sand and Chairman Simek.

The Pledge of Allegiance was recited

Additions to the Agenda

Truck Regulatory

John Quandt

Oakes City - Cemetery Road

Ludden Tavern

Hamar motioned to approve the July 7, 2015 minutes. Hokana seconded. Motion carried.

Sand said during the Special Health District Meeting this morning the Board motioned to grant a one year variance and allow the Ludden Tavern to remain open. The variance was granted because there was no concrete evidence the septic system has failed, and also the Health District Board agreed the regulations and installer training material should be consistent across the state.

Sheriff Estes joined the meeting at 10:20 pm. Estes and the commission discussed the number of trucks with pup trailers traveling on the state line road. Estes said vehicles pulling multiple units are not allowed on certain roads. He said overweight conditions do not have to be a factor in order to stop the vehicle.

Hamar felt it would benefit the county if the truck regulatory officer was hired by Dickey County and contracted out to LaMoure County. Estes said he is making arrangements to get scales lined up. Hokana asked

about the need for more officers. Estes felt the sheriff could contract with LaMoure County and get approximately 25% of the cost of another officer.

Hamar motioned to approve the vouchers with the inclusion of the vouchers in the amount of \$81 to Price Plumbing and \$180 to the ND Assessors Association. Sand seconded. Motion carried.

Hamar motioned to accept the Dickey County Quarterly Securities as presented and have the Chairman sign the report. Hokana seconded. Motion carried.

John Quandt joined the meeting at 11:00. No one from the Highway Department was able to attend. Mr. Quandt said he visited with Highway Superintendent Hagen regarding a privately funded drain project. Quandt explained a number of landowners have agreed to fund a drain that will route water to the river. If approved, the drain will require a culvert cross Dickey County 14. Quandt said the dirt from the narrow trench will be placed on the side of the ditch to strengthen the road. Quandt asked the commission to draft a letter to the NRCS in support of the drain. When all the paperwork and hydrology study has been completed then Quandt will ask the commission for a motion to allow the landowners to bury a culvert under County 14. Discussion followed.

Sand motioned to draft a letter of support for the drain to Daryl Monette at the NRCS office because the drain could be beneficial to Dickey County roads 14 and 14B by routing the water away from the road and prevent the road from flooding. Hamar seconded. Motion carried.

Chairman Simek reported on behalf of Road Superintendent Hagen. He said the final work on the Kasprick Slough grade raise is completed and within specs. Gravel will be placed on the sides of the road by the end of July. Simek stated Guthmiller Earthmoving, Inc. has completed the erosion project along Dickey County 3 near Kulm.

The commissioners clarified that the County Highway Department employees are working four ten hour days during daylight savings time. The Highway Department employees will be paid Holiday Pay and Bereavement Leave based on a 10 hour day during daylight savings time only. Flex time is allowed on the approval of the office supervisor for non-highway employees with the understanding the offices are five days a week during the regular working hours. The employees opting to use Flex time will be paid Holiday Pay and Bereavement Leave based on an 8 hour day. The employee manual will be updated to clarify this.

White stated the City of Oakes and residents along the cemetery road east of Oakes are looking into funding options to match funds with the county to repair the road.

White motioned to adjourn. Sand seconded. Motion carried.

Salaries	120,713.49
Cities, Townships, Schools	135,555.31
Cities, Townships, Schools	15,890.45
ND PERS	44,862.00
ND PERS	3,395.28
ND PERS	340.26
ND PERS	140.96
Community Volunteer EMS of LaMoure	155.64
Kulm Ambulance Corps Inc.	582.52
Edgeley Ambulance Service	310.70
Ellendale City Auditor	1,944.04
Oakes City Auditor	1,827.80
ND State Treasurer	1,218.20
Garrison Diversion Conservancy District	1,113.20
James River Soil Conservation	1,247.88
Ellendale Fire District	1,569.67
Oakes Fire District	1,924.79
Dickey County Treasurer	305.00
Human Services	9,508.09
Overpayment Refund	50.18
Overpayment Refund	18.00
A&B Business Inc.	441.41
Aberdeen Chrysler Center	444.77
AmericInn of Medora	720.00
Anderson, Deborah	384.98
Best Western Ramkota	74.70
Cole Paper	158.82
Computer Express	179.11
Computer Express	59.96
Dakota Plains Credit Union	232.70
Dickey County Highway Dept.	1,120.24
Dickey County Highway Dept.	227.81
Fischer Lawn Service	400.00
Flaherty, Don	28.75
Green Iron Equipment	13.84
Healthcare Environmental Services Inc.	85.00
HR Collaborative	40.00
Indianhead Specialty Co. Inc.	15.30
Myhre Law Office	282.10
ND Emergency Management Assoc.	60.00
Neuharth, Gary	250.00

Schimke, Andi	9.53
Sheppard, Wanda	578.05
Stark County Sheriff's Department	150.00
Uniforms Unlimited Inc.	411.49
Veland, Gail	482.35
Kadrmass Lee & Jackson Inc.	2,350.92
Knife River Materials	9,531.60
Kadrmass Lee & Jackson Inc.	5,000.00
Financial Management Division	1,711.17
3D Specialties	1,264.46
Computer Express	96.50
Ecolab Pest Elimination Division	82.28
Economy Oil Co.	1,632.38
Fastenal Company	360.44
Farmers Union Oil Co.	30.00
Hansen, Scott	9,406.88
IWI Inc.	513.89
Lyle Signs Inc	1,057.61
Northwest Tire & Auto Service	264.72
Oakes Truck & Trailer	3,119.37
Palmer Distributing	249.70
Price Plumbing	90.00
Retzlaff -R- Trucking LLC	8,582.02
Roney, Paul	25,779.00
Safety Service	232.40
Southeast Water Users	41.62
True Value - Ellendale	126.81
AVI Systems	516.00
Dickey County Leader	34.00
Kiser, Breana	539.65
NDSU Ext Ser-Center for Comm Vitality	23.92
Kiser, Breana	173.65
Disc Golf Association	2,964.80
Retzlaff -R- Trucking LLC	624.00
True Value - Ellendale	72.35
Dickey County Hiway Dept	486.46
Nelson Auto Center	32,851.07
True Value - Ellendale	30.21
Warne Chemical & Equipment Co	4,633.00
Weis, Terry	222.01
Dakota Improvement	1,215.00
Courtney, Kyle	13.80
Dickey County Hiway Dept	3,336.21
Haak, Norman	6.90
Jury, Hope	79.10
Moore Engineering Inc	2,952.90
Ohnstad Twichell, PC	1,505.46
Zimbleman, Don K	51.18
Computer Express	25.00
ND Association of Counties	483.08
Dickey County Fair Board	7,157.54
Brooks Internet Software Inc	52.63
281 Repair LLC	693.58
AT&T Mobility	1,208.20
Computer Express	3,307.00
Ellendale City Auditor	708.72
Montana Dakota Utilities	142.25
True Value - Ellendale	400.50
Dakota Plains Credit Union	130,000.00
Human Services	100.00
ND PERS	1,271.92
ND PERS	212.50
US Dept. of Education	227.21
Rodenburg Law Firm	254.73
ND Game and Fish	10,455.00
Human Services	12,524.62
Overpayment Refund	496.75
Overpayment Refund	386.55
Overpayment Refund	159.99
California Contractors Supplies	71.76
Computer Express	315.00
Dickey County Leader	430.70
Lau Motors Inc.	91.95

Mertz Construction & Supply- Ellendale	41.99
Myhre Law Office	130.03
NDAAO	180.00
Oakes Computer Services	212.63
Oakes Tire Center	48.00
Pierson Ford-Lincoln Inc.	145.90
Schimke, Andi	74.75
Signworks Signs & Banners LLC	400.00
Financial Management Division	418.20
281 Repair LLC	20.00
A&B Business Inc.	136.05
AcquiSign LLC	1,800.00
Dakota Improvement	1,727.50
Farmland Coop	2,203.87
Fullerton City Auditor	20.00
Fullerton Farmers Elevator	163.50
Lyle Signs Inc.	462.63
NAPA Farnams Genuine Parts Inc.	230.53
NAPA Parts Supply Inc.	181.87
North Dakota Insurance Department	150.00
Oakes Truck & Trailer	1,636.32
Ottertail Power Co.	36.51
Price Plumbing	81.00
Retzlaff-R-Trucking	5,372.20
Team Laboratory Chemical Corp.	188.75
True North Steel	19,929.06
Waste Management	38.63
Bruns, Jodi	16.75
Kiser, Breana	31.90
Dataspec Inc.	399.00
Dathe, Gary	320.85
Postmaster - Ellendale	68.00
Information Technology Dept. (ITD)	593.00
ND State Radio	240.00
Neopost Great Plains	537.70
North Dakota Insurance Department	4,187.81
Mahler's Village Variety	18.98
NDSU Extension Service	40.94
Wagner, Shirlene	6.90
Ellendale Motor Vehicle	25.50
Fire Safety First LLC	247.00
Fullerton Farmers Elevator	5,156.83
Dickey Rural Networks	239.00
AmeriPride Services Inc.	511.13
Dakota Electronics	146.77
Dakota Valley Electric Coop	194.00
Dickey Rural Networks	1,111.96
Farmers Union Oil Co.	2,452.36
Mahler's Village Variety	13.28
Montana Dakota Utilities	1,674.19
AFLAC	2,715.45
WageWorks	65.00
ND PERS	18,075.65
ND PERS	4,423.00
ND PERS	1,448.13
ND PERS	354.36
ND PERS	1,271.92
ND PERS	212.50
Delta Dental Plan of MN	1,248.15
Ameritas Life Insurance Corp.	430.64
US Dept. of Education	227.21
Rodenburg Law Firm	254.73
North Dakota United	73.82
Knife River Materials	621,549.49
Kadrmass Lee & Jackson Inc.	4,440.75
Kadrmass Lee & Jackson Inc.	24,470.09
Knife River Materials	229,075.85

Respectively Submitted
Dean Simek, Chairman
Beverly Kuska, Auditor