

Commission Minutes

May 5, 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 Pledge of Allegiance was recited.

Additions to the Agenda

Stop sign lights

Approaches on DC 2

Burn ban

Encroachment

Tax Director-Bear Creek update

Hamar stated the county load limits were removed on Monday, May 4th.

White reported that Dickey County 14 has a wash out and after visiting with Road Superintendent Hagen, White requested a quote to repair the road from Dakota Improvement. The quote was in the amount of \$120,000.

White motioned to approve the minutes with corrections. Sand seconded. Motion carried.

Hamar motioned to approve the vouchers with the inclusion of the \$110,000 payroll transfer. Sand seconded. Motion carried.

Sheriff Estes and 911/DES Russell joined the meeting at 10:00 AM. Estes said LaMoure County Sheriff Fernandes contacted him and asked if Dickey County is interested in sharing a half time truck regulatory officer. Estes said he is looking for storage space to secure confiscated items.

Russell and Estes discussed the burn ban and said a burning infraction is \$1,500 plus the cost of fire department calls. Fire permits were discussed. Russell felt the county should not issue fire permits.

Russell reported on the avian flu in the surrounding area. He said at this point no private flocks have been infected. Russell said Ellendale City wants the county to purchase the ambulance the county has set up as a mobile command center. The selling price is \$2,500. Russell said the equipment in the ambulance allows the county to operate if the county communication system is interrupted. Russell said in the past Ellendale City and the county had a gentleman's agreement wherein Russell was allowed to use the ambulance for the cost of keeping the vehicle in good running condition. Hamar asked Russell to discuss the previous agreement with the Ellendale City Council to make sure the new members of the council understand the former agreement.

Hamar motioned to open the abatement hearing at 10:30. White seconded. Motion carried. Present for the hearing were Tax Director Flaherty and Treasurer Veland. Flaherty presented a map of the property being reviewed for abatement, Parcel #02554000, the SW $\frac{1}{4}$ 24-130-66. Discussion followed. Sand motioned to grant abatement for parcel #02554000 based on the township board's previous soil type determination and the recommendation of the tax director. Hokana seconded. Motion carried.

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

Don discussed the valuations for Bear Creek Township. Flaherty informed the commission that he added a page to the assessment book that stated Flaherty is not in agreement with the request of the Bear Creek Township officers to the township assessor that the residential valuations be reduced by 9%.

Flaherty explained the Forbes City Equalization Meeting was not held at the city level. Flaherty was informed by the State Supervisor that a portion of the County Equalization Meeting needs to be held specifically for the City of Forbes equalization. Discussion followed. Flaherty will include the Forbes City Equalization Meeting notice with the County Equalization Meeting notice. He will notify the Forbes City Auditor, Mayor and Assessor of the meeting time and day.

Road Superintendent Hagen and Kadmas, Lee and Jackson (KLJ) Engineer Loegering joined the meeting at 11:00 am. Hagen reported the new bobcat skid-steer was delivered. Hagen he was told by Truck Regulatory Officer Gillespie that Gillespie can't enforce overweight regulations on gravel roads unless the roads are signed with the weight limits. Hagen said LaMoure County is signing all of the gravel roads. Discussion followed. Estes will ask States Attorney Neuharth what the ND Century Code requires for weight limit signs on gravel roads.

Hagen submitted a photo of a damaged culvert on Dickey County 3 near Whitestone Battle Field. Hagen ordered a culvert and will need to cut the road to replace the culvert. The commissioners and Hagen discussed an approach that was put in without a permit. Hagen reported that Dickey County 14 north of the James River is washing away and the ditch needs reshaping. Discussion followed. Hagen and Russell will check with the Corp of Engineer regarding repair options for County 14 because the James River is involved.

Hagen said a portion of County 3 near the Enger Slough has broken pavement. He said Knife River will grind the pavement at the location for around \$9,000. Hagen said the cost to repair the pavement is about \$100,000 and the area will be a part of the mine and blend project in the near future. Sand motioned to go ahead with the grinding project. Hamar seconded. Motion carried with a roll call vote, Hamar, yes; Hokana yes; White yes; Sand yes; Simek yes.

Loegering informed the commission that he discussed the county right of way issues with KLJ's Right of Way specialists. He said KLJ will organize the right of way information in electronic form and will be tied to a spreadsheet. The data base can be searched by taxpayer, road and other identifiers. GIS county road base map with editable layers is included. A spreadsheet can be created that shows the book and page number of the easements on record. Loegering said if no easement is recorded the automatic easement is 33' from the center of the road. The cost for the database is \$54,000. No action was taken by the Commission.

Loegering distributed a map for the benefit of a KLJ customer. KLJ wants to know if the county is willing to abandon a county section line. Discussion followed. KLJ will officially submit the request to Van Meter Township.

Loegering reported that Webster Scale will complete the grade raise today. The company will finish the top lift and return at a later time to place more topsoil and to seed the right of way.

Loegering said Guthmiller Earthmoving quoted cost of the change order for the erosion problem on County 3 near State Highway 56 is \$69,619.20. The County share is \$13,277. Hamar motioned to accept the change order from Guthmiller Earthmoving, Inc. in the amount of \$69,619 for County Road 3 (1112-063). Sand seconded. Motion carried.

Hokana motioned to adjourn at 11:56. White seconded. Motion carried.

Commission Meeting

May 19, 2015

Chairman Simek called the meeting to order at 9:50 AM. Present were Commissioners Joel Hamar, John Hokana, Thor Sand and Chairman Simek. Commissioner Gary White was unable to attend.

Additions to the Agenda:

County road conditions

County property around Moore's Lake

Employee meeting

Hokana motioned to approve the May 5, 2015 commission minutes. Hamar seconded. Motion carried.

Hokana motioned to require two signatures, one from each the Auditor and the Treasurer offices. The authorized signers on the Certificate of Deposit purchased at First State Bank, Oakes Branch, on April 21, 2015 are Treasurer Gail Veland, Deputy Treasurer Cheryl Brokaw, Auditor Beverly Kuska-Beethe and Deputy Auditor Wanda Sheppard. Sand seconded. Motion carried.

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

Hokana motioned to approve the financial report. Sand seconded. Motion carried.

Tom Rodine and Clay Lindsey attended the meeting at 10:30. States Attorney Neuharth was also in attendance. Rodine and Lindsey stated their concerns about the Dickey County Historical Society in Oakes. They reported the Historical Society Board is unwilling to give access to minutes, financials, member lists and notice of meeting dates. The Historical Society receives $\frac{1}{4}$ of a mill, which is approximately \$8,000 in 2015, and is divided between museums in Oakes, Ellendale, Fullerton and Forbes. Rodine and Lindsey believe it is the county's responsibility to require the Historical Society Board to hold an election for the board members and release the requested information because the Historical Society is receiving county money. Discussion followed. States Attorney Neuharth said the Historical Society may be in violation of the open records and open meeting laws and the citizens should contact the Attorney General (AG) Office directly. Neuharth offered to assist Rodine and Lindsey to begin the process of contacting the AG's office.

Sheriff Estes joined the meeting at 10:40. He reported the Truck Regulatory Officer works in Dickey County an average of 18 hours per month. He said the county pays \$25,000 a year, which is the same amount the other three counties in the coalition are paying. Estes suggested the commission request a minimum of 1 day a week from the Truck Regulatory.

Kadmas Lee and Jackson (KLJ) Engineer Loegering and Road Superintendent Hagen joined the meeting at 11:00. Loegering said the low bid to chip seal County 8 from State Highway 11 to the LaMoure County line is \$694,451.31 from Morris Seal Coat. Loegering presented a resolution for the Chairman to sign accepting the bid from Morris Seal Coat. Sand motioned to sign approve the resolution to accept the contract for the County 8 chip seal project in the amount of \$694,451.31 from Morris Seal Coat. Hamar seconded. Motion carried.

Loegering presented a map of County 3, stating the construction site is in a flood plain that contains protected wetlands. The Department of Transportation (DOT) requested photos showing the depth and where water pools along County Road 3. Loegering said a "pool analysis" is necessary to show where water collects in within the flood plain. Loegering said the culverts in the construction site can be replaced although the size or depth of the existing culverts cannot be changed. Russell said the DES office has several pictures of County 3 during the recent years of flooding.

Don K. Zimbleman attended the meeting to discuss the proposed Yorktown/Maple Drain. He distributed a map showing the areas that will benefit from the drain. Zimbleman said a vote of the landowners within the assessment district is necessary because the district is new. He reported the State Water District will pay for 50% of the total cost and the county share is currently \$6,702.

Zimbleman explained that Moore Engineering believes the drain project may not pass because of the negative views of some residents. Moore Engineering suggested the Water Board include the county and the townships of Yorktown, Wright and Porter in the vote. The survey result of the township board members of Wright and Porter was an unamously no and Yorktown 2 yes and 1 no to being included in the assessment district vote. He said the decision as to the percent of the township share will be made by the Water Board. Currently the suggested township percentages are Yorktown 50%; Wright 45% and Porter 5%. Zimbleman said County roads 3 and 10 are within the assessment district and asked if the county is willing to be included in the assessment district vote.

Discussion followed. Zimbleman said the dollar amount that will be assessed against each entity in the district is dependent upon the percentages allocated. The votes are weighted dependent upon the percentage allotted to each. For example, 100%=1000 votes, 10%=100 votes, etc. Zimbleman said the percentage amount of the assessment for the townships would be less based on the percentage the county is willing to assume.

Hagen presented a map of the Darell Werre residence in the SW $\frac{1}{4}$ 8-130-61. Werre is requesting a variance from the county to replace existing trees that were drowned out. Sand motioned to grant the variance request because the original trees

did not cause a snow problem, 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 assistance with snow removal or the trees being removed. Hamar seconded. Motion carried.

Hagen reported Retzlaff Trucking will assist with graveling the roads that the county has pulled in the shoulders as soon as the weather allows. Hagen said the county is hauling gravel also.

Hokana told Hagen he has received several phone calls about the condition of the county roads. He said the State Line road is soft and the township road to the north is getting the traffic to avoid the state line road. The commission said several of the county roads are difficult to travel because of the recent rains.

Hamar motioned to open the abatement hearing. Sand seconded. Tax Director Flaherty submitted an abatement request for Parcel # 08680000, Lots 1 through 3, Block 6, Ellendale Acres 4th Addition. Flaherty explained the property was rented and used for farmland in 2013 and the property should have been exempt. He said the leaseholder interest terminated on Feb. 1, 2014. Hamar motioned to approve the abatement. Sand seconded. Motion carried.

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

Hokana motioned to adjourn. Sand seconded. Motion carried.

Salaries	118,085.86
Cities, Townships, Schools	109,448.07
Strobel, Kevin	5.60
ND PERS	37,241.00
ND PERS	2,949.66
ND PERS	331.68
ND PERS	140.96
Community Volunteer EMS of LaMoure	172.94
Kulm Ambulance Corps Inc.	628.79
Edgeley Ambulance Service	335.82
Ellendale City Auditor	2,233.16
Oakes City Auditor	2,112.10
ND State Treasurer	380.11
Garrison Diversion Conservancy District	1,635.10
James River Soil Conservation	1,190.88
Ellendale Fire District	1,091.63
Oakes Fire District	153.52
Dickey County Treasurer	1,025.21
Dakota Plains Credit Union	116,000.00
California Contractors Supplies	862.56
Cole Paper	98.80
Computer Express	300.00
Computer Express	15.98
Dakota Plains Credit Union	83.38
Dickey County 4-H Council	2,200.00
Dickey County Highway Dept.	940.61

Dickey County Highway Dept.	338.47
Dickey County Leader	34.00
Fireside Family Restaurant & Lounge	72.00
First State Bank of ND - Oakes	500,000.00
Flaherty, Don	69.00
Hoven, Perry	800.00
Jamestown Community Corrections	1,092.00
Job Service North Dakota	4,204.33
Mertz Construction & Supply-Ellendale	4,158.00
Dr. Rup Nagala	400.00
ND Association of Counties	3,467.80
ND Assoc. of County Superintendents	50.00
ND Insurance Department	80.00
Neopost Great Plains	287.00
Neuharth, Gary	250.00
Oakes Tire Center	49.50
Pakor Inc.	56.00
Peterson Septic Pumping	50.00
Stutsman County Auditor	95.00
Kadrmas Lee & Jackson Inc.	23,875.05
Kadrmas Lee & Jackson Inc.	5,000.00
Team Laboratory Chemical Corp.	693.75
3D Specialties	2,850.00
Ellendale City Auditor	500.00
Fastenal Company	91.30
Lyle Signs Inc.	88.80
Muckey Construction	212.00
ND Association of Counties	74.53
Oakes Truck & Trailer	218.14
Pahl, Glenn	40.42
Southeast Water Users	46.14
True Value - Ellendale	117.13
Stutsman Correctional Center	607.54
Computer Express	1,600.00
Kiser, Breana	255.30
Green Iron Equipment	37.82
Montana Dakota Utilities	89.82
True Value - Ellendale	16.99
True Value - Ellendale	47.83
Datrue	52.75
Ellendale City Auditor	455.58
True Value - Ellendale	425.98
ND PERS	1,271.92

ND PERS	187.50
ND Child Support Enforcement	342.00
US Department of Education	227.21
Rodenburg Law Firm	254.73
Human Services	36,920.88
A&B Business Inc.	255.87
Aberdeen Chrysler Center	41.75
Char's Food Pride	56.85
Chuck's Body Shop LLC	450.00
Dickey County Leader	34.00
Dickey County Leader	878.35
Estes, Chris	147.83
Farnams Genuine Parts	98.99
Inky's Repair	70.33
Jerke Irrigation	207.02
Lau Motors	61.95
Mahler's Village Variety	8.28
Masse, Andrea	120.20
Mertz Construction & Supply-Ellendale	410.90
Myhre Law Office	364.82
National Child Safety Council	274.80
ND Newspaper Association	181.80
Neuharth, Gary	257.00
Oakes Community Hospital	27.00
Oakes Times	34.00
Oakes Times	38.00
Oakes Tire Center	74.89
Podoll, Nicholas	262.59
Schimke, Andi	464.78
Seyer Plumbing and Heating	85.00
Sheppard, Wanda	187.45
Dickey County Treasurer	514.50
Overpayment Refund	399.02
281 Repair LLC	75.00
3D Specialties	624.96
Dakota Improvement	1,741.72
Economy Oil Co.	2,063.30
Farmers Union Oil Co.	3,310.46
Farmland Coop	1,690.65
Farnams Genuine Parts	1,085.84
Fastenal Company	15.98
Fullerton City Auditor	20.00
Jacobson Implement	32,504.30

Matheson Tri-Gas Inc.	12.35
Ottertail Power Company - Fergus Falls	35.69
Praska's Hardware Hank	13.97
Price Plumbing	130.00
True North Steel	4,640.17
True Value - Oakes	36.67
Waste Management	38.52
Office of Attorney General - 1250	395.00
Richland County Corrections	1,337.71
Stutsman Correctional Center	455.00
Dathe, Gary	142.60
Computer Express	1,959.00
Information Technology Dept. (ITD)	593.00
Software Innovations	21,546.20
Starion Insurance Agency	3,113.00
Kiser, Breana	193.78
Mahler's Village Variety	5.98
Farnams Genuine Parts	77.82
Dickey County Leader	48.40
ND Weed Control Assoc.	52.00
Haak, Norman	23.00
Jury, Hope	11.50
Hauck, Keith	25.30
Ohnstad Twichell, PC	2,112.59
Strobel, Kevin	36.80
Zimbleman, Don K	23.00
Dickey Rural Networks	243.00
ND Association of Counties	867.82
ND State Radio	7,556.22
ND Public Finance Authority	350,000.00
AmeriPride Services Inc.	511.13
AT&T Mobility	521.60
Dakota Valley Electric Coop	210.00
Dickey Rural Networks	1,150.07
Montana Dakota Utilities	2,003.80
AFLAC	2,715.45
WageWorks	65.00
ND PERS	17,728.58
ND PERS	4,338.09
ND PERS	1,448.13
ND PERS	354.36
ND PERS	1,271.92
ND PERS	187.50

Delta Dental Plan of MN	1,142.40
Ameritas Life Insurance Corp.	407.12
ND Child Support Enforcement	342.00
US Department of Education	227.21
Rodenburg Law Firm	254.73
North Dakota United	73.82
Human Services	41.98

Respectively Submitted
Dean Simek, Chairman
Beverly Kuska, Auditor