

BOTTINEAU COUNTY
COMMISSIONER PROCEEDINGS
MAY 7th, 2013
7:30 A.M.

The Commissioner Meeting was called to order at 7:30 am. by Chairman Jeff Beyer. A meeting of the Board of Bottineau County Commissioners was held in the Commissioner Room at the Courthouse with the following members present: Chairman Jeff Beyer, Vice-Chairman Dan Marquardt, Commissioners Todd Streich, LeRoy Rude, Lance Kjelshus, Assistant States Attorney, Swain Benson and County Auditor, Lisa Herbel.

The Agenda was presented for approval and county road to Gardena, and Scandia Township were added to other business items.

A Motion was made to approve the April 2nd and April 15th, 2013 minutes by Streich, seconded Rude. Kjelshus abstained. Streich, Marquardt, Rude and Beyer voted yes.

Jay Abernathy is building an approach and questioned who was responsible for the approach and the culvert. He is responsible for the costs and he is asked to follow the County regulations.

Commissioner Kjelshus presented a concern from Scandia Township regarding a the road that was shaped without their consent and Commissioner Kjelshus presented minutes from Scandia Township which states the County would gravel and help to repair the shaping. As the intent was to use oil impact gravel funding to gravel the road and this didn't get completed, Marquardt made a motion to pay for ½ of the gravel, seconded by Streich. Kjelshus abstained from voting, and Streich, LeRoy, Marquardt, Beyer, voted yes.

Willie Hahn was asked to give his version on what happened with an incident at the Landa shop.

The condition of County Road 6 was discussed.

Lisa Peterson, County Tax Director, presented four abatements. The first abatement was from Jim Grosgebauer, asking the value of his townhouse be reduced to \$175,000.00. After Lisa's inspection and reassessment, it is Lisa's recommendation the abatement be granted. A motion was made to reduce the value of Jim Grosgebauer's townhouse to \$175,000.00 by Marquardt, seconded by Kjelshus. Rude abstained from voting, and Marquardt, Streich, Beyer and Kjelshus voted yes. The second abatement request was from Sadie and Dwaine Wall, asking to reduce the value of their mobile home to \$85,000.00. It was recommended by Lisa to reduce the value to \$90,000.00 based upon her inspection and reassessment. A motion was made to reduce the value to \$90,000.00 and grant the abatement to Sadie & Dwaine Wall by Streich, seconded by Rude. Motion carried unanimously. The third abatement was requested by O.D. Herbel for a

30% reduction on his structure for the 6 months due to the damage it received. The Township Board and Lisa both recommend the abatement be granted. A motion was made to grant the abatement for a 30% reduction for six months to O.D. Herbel by Marquardt, seconded by Streich. Motion carried unanimously. Abatement number four is for the Coalition for Domestic Violence building for tax exemption for the seven months they have occupied their building. A motion was made to grant the tax exemption for the Domestic Violence Building by Rude, seconded by Marquardt. Motion carried unanimously.

Brad Robertson, Wold Engineering, met with the Board and discussed County Road 6. Brad informed the Board that Mayo Construction will come and look at the road and make their determination. The commissioners would like to be a part of the inspection process.

Resolutions from the NDDOT Resolutions for Projects SC-0520(057) Maxbass East to Newburg Chip Seal 10.021 miles awarded to Asphalt Surface Technologies Corp. for \$446,687.90 and CER-0520(056), 4 miles west and 1 mile south of Kramer, milling and HBP, – 1.003 miles awarded to Knife River Materials for \$382,515.85, were presented for execution. A motion was made to sign both NDDOT resolutions for Projects SC-0520(057) and CER-0520(056) by Kjelshus, seconded by Streich. Motion carried unanimously.

The road funding legislative bills that were passed were discussed with Brad. As Bottineau County will be considered a non oil county effective July 1, 2013, funding will not be available until February 2014 under the HB 1358. As this affects the COIA Project scheduled for bidding and completion this year, it was the consensus of the Board that a letter needs to be written to the ND Department of Transportation and contact our legislators expressing the disappointment in the timing of the funding for Bottineau County's road system.

9:30 am. – Request for proposals for Engineering, Project CER-0520(056) – A motion was made to accept the only proposal received from Wold Engineering for the CER-0520(056) project by Streich, seconded by Marquardt. Motion carried unanimously.

As Wold Engineering submitted the only proposal, a letter of concurrence needs to be obtained from NDDOT before this project can proceed. A motion was made to sign the NDDOT Construction Engineering Agreement once concurrence is received, by Kjelshus, seconded by Rude. Motion carried unanimously.

The ownership of the Veteran's Memorial Building was discussed with Swain Benson Jr. Swain stated there have been no Attorney General opinions for the last 50-60 years requiring the County to be financially responsible for the building. Lisa has contacted the State Tax Commissioner's office about the possibility of where the money would come from if it was decided that the County would assist with the building of a Veteran's Memorial Building. She was informed that an Extraordinary Outlay levy of up to five mills could be used upon the vote

of the Electors. Al Wondrasek requested the County Road Department level the dirt work at the future Veteran's Memorial building site. It was also decided to invite the city to the June meeting to discuss ownership of the land and the building.

Kim Bernstein, from the Bottineau Fair Board, has created a webpage for the Fair Board and would like to include a picture and email addresses of the Bottineau County Commissioners on their website.

10:00 am. bids for project COIA-0527(053) – A motion was made to open the bids for Project COIA-0527(053) by Kjelshus, seconded by Streich. Motion carried unanimously. The result of the bid opening is as follows:

Knife River - \$2,888,856.60

Mayo Construction – \$2,018,678.46

Brad Robertson, Wold Engineering, left the meeting to confirm the bids were accurate and complete. As the Oil Impact funding did not get approved in the legislation, the project was tabled until further information is obtained.

It was noted that Nancy Jacques has submitted all Whitby Township records to the County.

Diane Olson, EDC, met with the Board with one loan and two grant requests. The loan request was for \$37,876.00 from Clare Thorsell who is purchasing the Metigoshe Drive-In. A motion was made to authorize the loan to Clare Thorsell for \$37,876.00 by Streich, seconded by Kjelshus. Rude abstained from voting and Streich, Kjelshus, Beyer and Marquardt voted yes.

The first grant request was for \$2500.00 from the Dakota College of Bottineau for Health and Wellness Education kits. A motion was made to allow the \$2500.00 grant to the Dakota College of Bottineau by Rude, seconded by Kjelshus. Motion carried.

The second grant request was for \$2500.00 for the Antler Memorial park to assist with the installation of additional camping sites. Diane has also applied for a grant through the Agri Bank to assist with the cost of this project. A motion was made to allow the \$2500.00 grant to the Antler Memorial Park by Streich, seconded by Rude. Motion carried.

Scott and Jamie Smith were also in attendance to discuss the possibility of working with Jill Franks, Turtle Mountain Veterinarian, to build a boarding and animal pound facility for animal control in the County. They are in the early stages of planning, but wanted to inform the Board that they are researching the project.

10:45 am. – County Park Board Meeting - Donald Boardman, Sharon Tennyson and Melonie Bowers joined the Commissioners at this time to discuss County park issues. Melonie informed the Board that she had applied for a grant through Midcontinent Communications to assist with

the building of a new shelter at Carbury Dam and was successful in receiving \$1500.00. She will ask the local building supply businesses for bids for the material. Tree planting is planned for this year, as well as finishing up the campsite expansion project that was started last year. It is hoped the electrician will start wiring the additional campsite at Carbury Dam the week of May 13th and the County will then finish the graveling and leveling the camp sites so the sites can be used this summer.

The Commissioner Meeting reconvened at 11:00 am. Kirk Brockman, from Butler Machinery, gave a demonstration on Accesslink and its capabilities. The modules come in the new motor graders and will be placed in the motor graders already in our inventory.

The Department Head meeting scheduled for 11:15 am. was cancelled due to lack of time.

11:30 am. – bids on Caterpillar 160MAWD Motor Grader SN #B9L00361 – A motion was made to open the bids on the sale of the Motor Grader by Streich, seconded by Marquardt. Motion carried unanimously. The only bid received was from Butler Machinery for \$142,500.00. A motion was made to accept the \$142,500.00 bid from Butler Machinery by Marquardt, seconded by Streich. Motion carried unanimously.

Joe Mayer, Butler Machinery also discussed the two motor graders located at the Bottineau Shop (Arlan's & Kyle's). The warranty will be up on one machine in July and one in September. An extended warranty for 1000 hours or 12 months, whichever occurs first, would cost \$3790.00 per machine. A motion was made to extend the warranty on both machines at their maturity date by Kjelshus, seconded by Marquardt. Motion carried.

The Lansford motor grader was discussed and a motion was made to rent one Caterpillar 140M2AWRT4 Motor Grader, SN # 0R9G00179 from Butler Machinery by Marquardt, seconded by Kjelshus. Motion carried unanimously.

A motion was made to call for bids on the Lansford machine to be opened on June 4th, 2013 at 9:30 am. by Rude, seconded by Streich. Motion carried unanimously.

A motion was made to also call for bids on the rear ripper that has never been used to be opened on June 4th, 2013 at 9:45 am. by Kjelshus, seconded by Marquardt. Motion carried unanimously.

Cell phone reimbursement was discussed and tabled.

Load restrictions were discussed and it was the consensus of the board that the County follows the State's restrictions so all roads are the same. Townships are able to put their own load restrictions on their roads.

A motion was made to call for bids on one police SUV vehicle to be opened on June 4th, 2013 at 10:00 am. by Streich, seconded by Kjelshus. Motion carried unanimously.

A letter was received from the ND Department of Transportation regarding the bridges with Alert Code 3. All bridges have been repaired, except #05-150-26.0 which will require immediate attention. A load limit letter has also been received from the NDDOT and this has been addressed and the Department notified.

Ritchie Gimbel advised that FEMA is coming and doing assessments on the County's flood damage for this year, the week of the May 13th. Ritchie also addressed two equipment requests. He is looking for a tandem axle truck and spoke of the immediate need for a sander. It was the consensus of the Board that Ritchie is to purchase the equipment as needed. Ritchie also advised that the Newburg door needs to be replaced.

Lake Metigoshe Improvement Association has found a sweeper for \$9200.00 and is requesting the County assist with the purchase of the sweeper. They are willing to pay \$3200.00 towards the costs of the sweeper and the Association would be willing to maintain the Hiking and Biking Trail.

Two raffle permits were presented for approval; one from the Mohall County Club and one from Shepherd's Hill at the Crossroads. A motion was made to approve the raffle permits from the Mohall County Club and Shepherd's Hill at the Crossroads, by Streich, seconded by Marquardt. Motion carried unanimously.

Lisa noted that the Annual Pancake Breakfast at Newburg netted \$656.00 and the proceeds were given to the Newburg City Park Board to assist with improvements to their park.

The bills for May were presented for payment; 16337 Acme Tools \$19.99 (5/8), 16338 Ag Communications \$16.00, 16339 VOID, 16340 Anderson Welding \$201.46, 16341 Atkinson, Lisa \$610.47, 16342 AT&T Mobility \$52.72, 16343 AT&T Mobility \$157.14, 16344 AT&T \$504.43, 16345 Auto Value \$161.53, 16346 B&M Laundry \$299.54, 16347 Bergman Agency \$11,999.00, 16348 David Berge \$105.44, 16349 Berg, Addie \$449.74, 16350 Bottineau Hometown Market \$477.95, 16351 Bottineau Clinic Pharmacy \$52.75, 16352 Bottineau Farmers Elevator \$6,206.05, 16353 Bottineau Lumber \$30.24, 16354 Bottineau Plumbing & Heating \$150.00, 16355 Bottineau Technology Center \$300.00, 16356 Bottineau County \$8,718.15, 16357 Bottineau County \$202.98, 16358 Butler Machinery \$29,311.90, 16359 Cenex Credit Card \$3,392.45, 16360 Cenex Propane Partners \$1,139.00, 16361 Century Link \$498.46, 16362 Circle Sanitation \$55.75, 16363 City of Bottineau \$343.27, 16364 City of Newburg \$32.50, 16365 Clute Office Equipment \$77.34, 16366 Comfort Inn \$138.00, 16367 Barb Cote \$126.23, 16368 Courant \$1,706.67, 16369 Dakota Fence \$3,544.00, 16370 Dakota Communication \$237.05, 16371 DF Lighting \$449.70, 16372 Family Bakery \$1,899.60, 16373 Farmers Union Oil Co M \$33.98, 16374 Farmers Union Oil WC \$2,956.98, 16375 Farden Construction \$926.00, 16376 GE Capital \$610.00, 16380 Lyle Gravseth \$120.13, 16381 Rebecca Hanson \$56.50, 16382 Harry's Tire Service \$842.95, 16383 H.A. Thompson & Sons \$590.00, 16384 Job Service of North Dakota \$123.99, 16385 Paul Johnson \$230.33, 16386 Johnston Motor Co. \$90.00, 16387 Rhonda Langehaug \$250.10, 16388 Galen Mack \$230.00, 16389 Marlin Leasing \$762.41, 16390 MidContinent \$53.68, 16391 Midland Atlas \$765.00, 16392 Mikkelsen Aggregates

\$686.50, 16393 Moen Electric 520.14, 16394 MoJo Roast Inc. \$62.10, 16395 Karla Monson \$29.38, 16396 Moum's Tesoro \$435.80, 16397 Myers Parts of Bottineau \$4.99, 16398 ND Association of Counties \$40.00, 16399 ND Association of Counties \$40.00, 16400 ND Dept. of Transportation \$92.40, 16401 NDTOA \$170.00, 16402 Nodak Store \$972.77, 16403 Northern Fuel Partners \$14,777.46, 16404 North Central Electric \$561.89, 16405 O'Keeffe Oil \$3,739.00, 16406 Diane Olson \$25.00, 16407 Darwin Peterson \$137.08, 16408 Pitney Bowes \$801.39, 16409 RDJ Specialties Inc. \$264.41, 16410 RDO Equipment \$207.48, 16411 Jim Rispa \$150.00, 16412 Romfo Auto Repair & Sales \$981.27, 16413 Rough Rider Industries \$2,405.50, 16414 Sawmill Corner Stop \$751.27, 16415 Joann Schepp \$33.90, 16416 Sirchie \$110.00, 16417 Souris River Telephone \$1,290.31, 16418 Spectrum \$240.07, 16419 Spectrum \$796.78, 16420 St. Andrew's Clinic \$80.0, 16421 State Bank of Bottineau Ins. \$374.00, 16422 The Standard \$361.83, 16423 Streicher's \$100.96, 16424 TBA \$22.77, 16425 Team Electronics \$9,082.50, 16426 Theels Inc. \$1,465.42, 16427 3D Specialties \$2,669.04, 16428 TKE Corp \$761.05, 16429 Tera Tofteland \$115.26, 16430 Trimble Navigation \$489.30, 16431 Turtle Mtn. Communications \$1,612.91, 16432 Tweed Co. Ag. \$1,211.63, 16433 Tyco Simplex Grinnell \$337.00, 16434 United Laboratories \$3,287.75, 16435 United Laboratories \$720.54, 16436 Uniform Center \$74.76, 16437 Visa \$336.25, 16438 Visa \$347.68, 16439 Terry Volk \$452.00, 16440 Waste Management \$271.17, 16441 Cole Watson \$150.00, 16442 Tanya Wieler \$1,000.00, 16443 Wold Engineering \$1,847.23, 16444-16457 Social Services \$3,195.97, 16458 Acme Tools \$208.99 (5/14), 16459 Anderson Welding \$82.00, 16460 ATCO International \$152.80, 16462 Bob Barker \$368.96, 16463 City of Antler \$83.00, 16464 Ebel Integrators \$198.00, 16465 Farmers Union Oil W \$1,888.94, 16466 GARD Specialists Co. \$227.93, 16467 Information Tech. Dept. \$751.00, 16468 Keller's Briteway \$320.0, 16469 Lexis Nexis \$120.75, 16470 Mikkelsen Aggregates \$675.00, 16471 NDACo Resource Group \$92.00, 16472 ND Game & Fish \$24,430.00, 16473 NDSU Extension Administration \$31.50, 16474 N.D. Telephone Co. \$291.38, 16475 O'Keeffe Oil \$3,396.42, 16476 Ottertail Power Co. \$4,158.94, 16477 Pocatello Supply Dept. \$155.80, 16478 Pringle & Herigstad \$200.00, 16479 Radisson Hotel \$138.60, 16481 Sleep Inn & Suites \$91.50, 16482 Souris River Coop. \$1,736.39, 16483 Tennyson Garage \$683.65, 16484 Tesoro Credit Card \$843.00, 16485 3D Specialties \$1,214.11, 16486 True North Steel \$48,106.55, 16487 Terry Volk \$766.72, 16489 Steve Watson \$56.14, 16490 Action Carpet Care \$442.00, 16491 Baker & Taylor \$349.38, 16492 Better Homes & Gardens \$15.00, 16493 Cengage Learning \$118.25, 16494 Comfort Suites \$158.00, 16495 Family Circle \$5.00, 16496 Farmers Union Oil WC \$84.37, 16497 Good Housekeeping/Women's Day \$25.00, 16498 Info. Tech. Dept. \$30.00, 16499 Midwest Tape \$574.44, 16500 NDACo Resource Group \$14.00, 16501 ODIN \$707.19, 16502 Shopko \$78.88, 16503 Turtle Mtn. Communications \$90.52, 16504 Turtle Mtn. Times \$35.00, 16505 Upstart \$323.30, 16506 American Family Ins. \$101.60 (5/29), 16508 Benson Law Office \$1704.56, 16509 Bottineau City Airport \$431.09, 16510 Colonial Life & Accident \$1552.15, 16511 Companion Life Ins Corp. 1616.86, 16515 Gustafson Oil \$277.36, 16518 Kinetic Leasing \$30263.76, 16519 Vernetta Kirk \$567.70, 16521 Mojo Roast Inc \$124.20, 16522 Ann Monson Co. Treas. \$6932.69, 16523 NDPERS \$1373.06, 16524 NDPERS Retirement \$400.00, 16525 ND Public Employee Retirement \$29569.24, 16526 NDPERS – Dakota Plan \$38806.40, 16527 NDPEA \$260.44, 16528 New York Life Ins \$142.89, 16529 O'Keeffe \$4808.70, 16530 Ottertail Power Co. \$200.87, 16531 Overly Coop Elevator Co. \$3183.04, 16533 Sirchie \$14.10, UNUM Life Ins. Company, 16535 Westhope Airport \$431.08, 16536 Cory Gorder \$120.00 (5/30) 900525 IRS \$23628.77, 900526 IRS \$33720.13, 900527 Pitney Bowes \$2500.00 (5/ 31) 38312-38387 Payroll \$179,009.04 (4/26) Total \$ 599,525.37 and a motion was made to approve the bills by Kjelshus, seconded by Streich. Motion carried unanimously. The reports in the consent agenda were reviewed and a motion was made to approve the agenda by Marquardt, seconded by Kjelshus. Motion carried unanimously.

Rick Hummel, Emergency Manager, informed the Board that an Emergency Declaration was signed on April 25, 2013. Rick also advised he has been in discussion with Petro Harvester. He

also believes the Willow City and Willow City Fire Department have come to an agreement regarding a new siren.

The Souris Basin Planning Council is requesting nominations for a leadership award and a motion was made to nominate Mae Streich for her involvement in the County by Rude, seconded by Streich. Motion carried unanimously.

The road superintendent position was discussed with Ritchie Gimbel as he had submitted a letter of resignation from the position of superintendent in April. After discussion was held, a motion was made to reinstate Ritchie Gimbel as the Road Superintendent by Marquardt, seconded by Streich. Lisa asked for a roll call, with Beyer, Marquardt, Rude, Streich voting yes, and Kjelshus voting no.

As there was no further business, the meeting was adjourned at 3:15 pm.

Jeff Beyer, Chairman

Lisa Herbel, Auditor