

BOTTINEAU COUNTY
COMMISSIONER PROCEEDINGS
MAY 6th, 2014
8:40 A.M.

The Commissioner Meeting was called to order at 8:40 am. following the Social Service Meeting, by Chairman Dan Marquardt. A meeting of the Board of Bottineau County Commissioners was held in the Commissioner Room at the Courthouse with the following members present: Chairman Dan Marquardt, Vice-Chairman Lance Kjelshus, Commissioners Todd Streich, LeRoy Rude, Jeff Beyer, States Attorney, Swain Benson and County Auditor, Lisa Herbel.

A motion was made to approve the Agenda by Streich, seconded by Kjelshus. Motion carried unanimously.

The minutes from April 1, 2014 were reviewed and a motion was made to approve the minutes by Beyer, seconded by Streich. Motion carried unanimously.

The May bills were reviewed for payment; 18892 Acme Tools \$61.97 (5/7), 18893 Mark Adams \$41.95, 18894 Anderson Welding \$532.04, 18895 ATCO International \$267.00, 18897 Lisa Atkinson \$528.28, 18898 AT&T Mobility \$125.33, 18899 AT&T \$503.70, 188900 Ben Aufforth \$25.00, 18901 Auto Value \$613.94, 18902 B&M Laundry \$240.57, 18903 Bechtold Paving \$2,050.20, 18904 Benson Law Office \$214.61, 18905 David Berge \$79.21, 18906 Berg, Addie \$607.38, 18907 Best Western Plus Ramkota Hotel \$149.40, 18908 Don Boardman \$25.00, 18909 Bob Barker \$46.69, 18910 Bottineau Clinic Pharmacy \$82.00, 18911 Bottineau Farmers Elevator \$695.59, 18912 Bottineau Lumber \$19.49, 18913 Bottineau Tech. Center \$350.00, 18914 Bottineau Co. Dive Rescue \$3,000.00, 18915 Braun Intertec Corporation \$425.00, 18916 Butler Machinery Co. \$39,896.40, 18917 Butler Machinery Co. \$111,790.00, 18918 Butler Machinery Co. \$3,800.00, 18919 Diana Carlson \$25.00, 18920 Cenex Credit Card \$3,708.47, 18921 Century Link \$501.22, 18922 Circle Sanitation \$55.75, 18923 City of Bottineau \$338.23, 18924 Clute Office Equipment \$60.80, 18925 Clute Office Equipment \$521.55, 18926 Cmon' Inn \$540.00, 18927 The Computer Store \$1,065.96, 18928 Mike Condit \$100.00, 18929 Barb Cote \$274.20, 18930 Courant \$1,271.85, 18931 DF Lighting Co. \$419.70, 18932 Election Systems & Services \$1,431.00, 18933 Elysian TWP \$5,600.00, 18934 Family Bakery \$3,115.60, 18935 Farmers Union Oil W \$1,188.18, 18936 Farmers Union Oil WC \$2,573.70, 18937 Farstad Oil \$2,930.00, 18938 Flink \$15,700.00, 18939 Gates Manufacturing \$188.80, 18940 GCR Tire Center \$2,032.30, 18941 GE Capital \$610.00, 18942 General Trading Co. \$206.25, 18943 Gooseneck Implement \$775.42, 18944 Lyle Gravseth \$93.60, 18945 Hoag & Sons \$93.80, 18946 Rick Hummel \$377.67, 18947 I Design \$345.00, 18948 Institute of Local Government \$150.00, 18949 JH Construction \$658.00, 18950 Job Service of ND \$1,554.11, 18951 Paul Johnson \$66.78, 18952 Johnston Motor Co. \$518.25, 18953 Rhonda Langehaug \$221.48, 18954 Lexis Nexis Matthew Bender \$288.63, 18955 Marlin Leasing \$762.41, 18956 Ronald McKay \$61.16, 18957 Mikkelsen Aggregates \$480.00, 18958 The Mirror \$25.00, 18959 Modern Marketing \$126.48, 18960 MoJo Roast \$76.00, 18961 Karla Monson \$352.28, 18962 Ann Monson, Co. Treasurer \$37.64, 18963 Ann Monson, Co. Treasurer \$4.69, 18964 Ann Monson, Co. Treasurer \$103.50, 18965 Ann Monson, Co. Treasurer \$11.50, 18966 Ann Monson \$90.40, 18967 Mooremedical \$108.41, 18968 Myers Parts of Bottineau \$67.14, 18969 ND Assoc. of Counties \$155.77, 18970 NDACo Resource Group \$92.00, 18971 ND County Auditors Assoc. \$200.00, 18972 NDLTAP UGTI NDSU \$200.00, 18973 NDSU Extension Service \$58.70, 18974 ND School Boards Assoc. \$200.00, 18975 Jared Nelson \$103.04, 18976 Nemann Traffic Signs \$73.69, 18977 Nodak Store \$946.52, 18978 Northern Fuel Partners \$6,934.70, 18979 North Central Electric \$682.28, 18980 O'Keefe Oil \$673.02, 18981 Pitney Bowes \$801.39, 18982 Pro It, LLC \$4,145.30, 18983 The Radar Shop \$273.00, 18984 Beth Reitan \$14.00, 18985 Reliance Telephone Inc. \$1,000.00, 18986 Earl Roland \$75.82, 18987 Rolla Auto Sales \$1,000.00, 18988 Ron's MFG Inc. \$2,370.00, 18989 Tim Sanderson \$25.00, 18990 Shopko \$143.02, 18991 Souris River Telephone \$1,348.41, 18992 Souris Basin Planning Council \$2,893.05, 18993 Spectrum

\$55.54, 18994 St. Andrew's Health Center \$2,500.30, 18995 St. Andrew's Clinic \$323.00, 18996 State Bank of Bottineau Ins. \$100.00, 18997 The Standard \$271.70, 18998 Swanston Equipment \$2,880.00, 18999 Theels Inc. \$357.33, 19000 3D Specialties \$1,327.50, 19001 Thyssenkrupp Elevator \$783.88, 19002 True North Steel \$3,000.00, 19003 T's Team Yamaha \$954.82, 19004 Tuffy's Pump Shop and Repair \$650.00, 19005 Turtle Mtn. Communications \$1,649.02, 19006 Turtle Mtn. Floral \$55.00, 19007 Tweed Co. Ag. \$1,434.70, 19008 Tyco Simplex Grinnell \$357.05, 19009 United Laboratories \$196.58, 19010 United Telephone Mutual Aid \$2,695.15, 19011 Visa \$2,290.62, 19012 Visa \$578.70, 19013 Visa \$503.54, 19014 Waste Management \$362.53, 19015 Weatherford \$180.00, 19016 Westlie Truck Center \$559.67, 19017 Tanya Wieler \$1,000.00, 19018 Wold Engineering \$1,658.75, 19019-19032 Social Services \$10,588.40, 19033 Anderson Welding \$100.75 (5/14), 19035 Amanda Backman \$220.49, 19037 Bottineau Hometown Market \$789.10, 19038 City of Newburg \$32.50, 19039 City of Antler \$83.00, 19041 Farmers Union Oil Mohall \$37.17, 19042 Gerdau Ameristeel \$112.67, 19043 Grand Hotel \$180.00, 19044 Gustafson's Oil \$615.46, 19045 Eric Herbel \$180.00, 19046 Information Tech. Dept. \$752.50, 19049 Lawson Products \$490.66, 19050 MidContinent \$57.91, 19051 Mikkelsen Aggregates \$416.00, 19052 Karla Monson \$413.85, 19054 Moum's Tesoro \$1,204.00, 19055 ND Assoc. of Counties \$92.00, 19056 ND County Records Convention \$100.00, 19057 NDSU Extension Pesticide Program \$1,428.00, 19058 ND Telephone Co. \$293.53, 19059 O'Keeffe Oil \$1,884.50, 19060 Ottertail Power Co. \$3,982.56, 19061 Pierce Co. Auditor \$6,000.00, 19062 Sawmill Corner Stop \$510.20, 19063 Souris River Coop. \$338.81, 19064 St. Andrew's Health Center \$258.00, 191065 St. Andrew's Clinic \$156.00, 19066 Stevenson Towing \$384.00, 19067 Swanston Equipment \$79.56, 19068 Turtle Mtn. Glass \$421.00, 19069 US Foods \$440.33, 19070 Wex Bank \$674.14, 19071 Action Carpet Care \$478 (5/21), 19072 Baker & Taylor \$65.63, 19073 Marlyn Diebold \$24.86, 19074 Amanda Fett \$40.68, 19075 Gale Cengage \$91.51, 19076 Keller's Briteway \$80.00, 19077 Librarian's Choice \$262.20, 19078 Lookout Books \$363.80, 19079 NDACo Resource Group \$14.00, 19080 Glenda Nordmark \$50.00, 19081 Shopko \$50.82, 19082 Souris River Coop. \$202.43, 19083 Spectrum \$86.92, 19084 Taste of Home \$14.98, 19085 Turtle Mtn. Communications \$93.08, 19086 Turtle Mtn. Times \$35.00, 19087 UpStart \$364.64, 19088 VOID, 19089 Scott & Leah Faul \$88.00 (5/22), 19090 Harold & Robin Hultberg \$3,318.00, 19091 Stanley & Henrietta Kohn \$1,061.00, 19092 Leonard & Sharon McGuire \$848.00, 19093 Metigoshe Ministries \$9,215.00, 19094 ND Forest Service \$1,752.00, 19095 Leslie & Carrie Nelson \$5,017.00, 19096 Jerry & Lois Olson \$12,095.00, 19097 Grace Peterson \$5,438.00, 19098 Jon & Kelly Peterson \$7,699.50, 19099 Jason Rude \$979.25, 19100 LeRoy Rude \$6,861.75, 19101 Leland & Elma Severson \$1,016.00, 19102 Arlan Soland \$1,233.00, 19103 Francis & Debra Walsh \$1,010.00, 19104 American Family Insurance \$101.60 (5/29), 19016 Benson Law Office \$1,734.66, 19107 Colonial Life & Accident \$1,636.45, 19108 Companion Life Ins. Corp. \$1,796.52, 19111 Farstad Oil \$3,809.30, 19113 Vernetta Kirk \$626.20, 19114 Ann Monson, Co. Treasurer \$2,462.77, 19114 Ann Monson, Co. Treasurer \$4,416.58, 19116 NDPERS Dakota Plan \$45,281.58, 19117 NDPERS Retirement \$400.00, 19118 NDPERS \$3,976.00, 19119 ND Public Employee Retirement \$36,801.01, 19120 North Dakota United \$254.14, 19121 New York Life Insurance \$142.89, 19122 Debra Orvedal \$50.00, 19123 Ottertail Power Co. \$185.57, 19124 Social Services Bottineau Co. \$200.00, 19125 Spectrum \$1,812.63, 19126 Tennyson Garage \$164.72, 19127 UNUM Life Ins. Co. \$303.48, 900560 IRS \$26,374.86, 900561 IRS \$36,724.87, 39295-39374 Payroll \$188,285.77 (4/28), Grand Total \$720,021.49 and a motion was made to pay the bills by Streich, seconded by Kjelskus. Motion carried unanimously.

Brad Robertson, Wold Engineering reviewed the current projects in the County –

- Mayo Construction was awarded the contract for the project TEO-0005(033) on the shared bike path at Lake Metigoshe for \$221,042.13. The contract has not been received from the NDDOT and a motion was made that Chairman Marquardt sign the contract upon receipt by Kjelskus, seconded by Beyer. Motion carried unanimously.
- A Contract for Construction Engineering Services was received from the NDDOT for Project PLH-0005(031) and a motion was made to sign the agreement by Streich, seconded by Rude. Motion carried unanimously.

- All Right-of- Way easements have been signed for Project CNOA-0500(002), the Long Lake Loop Project.

The roads and bridges in the county were discussed and it was decided that the Commissioners, Brad Robertson, and Ritchie Gimbel, Road Superintendent, would tour the County on Friday, May 9th, 2014 at 9:00 am. to establish priorities for any infrastructure funding that may come available.

General conditions of the roads and bridges was discussed with Representative Dick Anderson. Representative Anderson stressed the importance of having facts and cost figures available to present to legislation regarding how the money is being spent to keep the roads and bridges in good condition. It was planned to invite all District 6 legislators to a round table discussion in October.

Repair of the bridge on 5th Street in the City of Bottineau was discussed with Ben Aufforth, Keith Fulsebakke, representing the City, and Clif Issendorf, Bottineau County Water Board and Dwane Getzlaff, Oak Creek Water Board. Discussion was tabled until 2:00 pm. and those in attendance were invited back at that time.

9:30 am. – Project CNOA-0500(002) – Long Lake Loop Road bid opening – A motion was made to open the bids for the Project CNOA-0500(002) by Kjelshus, seconded by Streich. Motion carried. Two bids were received -

Marion Trucking & Construction - \$1,795,371.49
Farden Construction - \$1,498,611.80

At this time Brad Robertson, left the meeting to verify the bids received.

The Community Service Worker shared with McHenry and Pierce Counties was discussed. In order to continue with this position, Pierce County requested an annual contribution of approximately \$9000.00, an increase of \$3000.00 to \$4000.00. A motion was made to continue with the joint project for funding a Community Service Worker and increase funding to be reviewed on a yearly basis by Beyer, seconded by Kjelshus. Motion carried unanimously.

Clif Issendorf, Bottineau County Water Board gave an update on water activity in the County. Currently Bear Lake is being monitored and the water levels are okay at this time. A meeting has been scheduled for May 7th, 2014 on the Haas Coulee Project to start the proceedings to hold hearings. Clif also gave a report on the Souris River Joint Board who are holding a telephone conference meeting and Clif went through the items on the agenda and his concerns. Clif also recommended reading the North Dakota Water magazine that has a couple of good and informative articles on issues in Bottineau County.

10:00 am. – Police vehicle bid – A motion was made to open the bid received for a police vehicle by Kjelshus, seconded by Streich. Motion carried. The one bid received was from Theel Inc. for \$34,421.00 for a 2015 Chevrolet Tahoe 4 x 4 with a police package included. A motion was made to accept the Theel Inc. bid of \$34,421 for a 2015 Chevrolet Tahoe by Beyer, seconded by Kjelshus. Motion carried.

At this time, Brad Robertson rejoined the meeting after reviewing the project CNOA-0500(002) bids and found the low bid from Farden Construction to be accurate. A motion was made to accept the Farden Construction

bid for project CNOA-0500(002) for \$1,498,611.80 by Streich, seconded by Kjelshus. Motion carried unanimously.

Deana Defoe, EDC Director, met with the Commissioners and informed the Board that the ND Department of Commerce will be in Bottineau on Wednesday, May 7th and invited the commissioners to attend. Deana presented two loan requests from Building Blocks, Lindsey Guss, for \$2500.00 at 0%, for five years, and \$2500.00 at 3% for five years and a motion was made to approve both loans by Beyer, seconded by Streich. Motion carried unanimously. Deana also presented another loan application from Little Rascals Day Care, Heather Belcourt, who is converting a trailer home into a day care and is requesting a loan for \$2500.00 at 0%, for five years. A motion was made to approve the \$2500.00 loan to Heather Belcourt, Little Rascals Day care, upon licensure, by Streich, seconded by Rude. Motion carried unanimously.

Deana gave an update on the Day Care Center and reported that the center is about 90% complete with an opening date scheduled for approximately the third week in June. The Raising our Community Campaign has raised approximately \$75,000.00 and still need approximately \$86,000.00. A motion was made to grant the Day Care Center \$25,000.00 from Bottineau County loan pool by Rude, seconded by Kjelshus. Motion carried unanimously.

10:30 am. – Bottineau Park Board Meeting – Sharon Tennyson, Don Boardman, and Melonie Bowers were in attendance. Melonie is working with Shari Jerde, Bottineau High School, on designing a brochure for Carbury Dam. The roof on the quonset was discussed and it was decided to obtain quotes to find out if it's more feasible to mend or repair the roof. A need for more garbage cans and picnic tables for Carbury Dam was discussed. The new vault toilet for Hoffas Park, Lake Metigoshe, is scheduled to be installed at the end of May.

Bottineau Racing Association – Norm Reitan and Matt Hunter, informed the Commission they are planning to develop a go cart track for 5 year olds to teenagers and are asking that the road department to do some dirt work and install a culvert. A motion was made to assist the Bottineau Racing Association in developing a go cart track by Beyer, seconded by Rude. Motion carried unanimously.

Petition to rezone – Lisa Peterson, Tax Director, submitted a petition on behalf of Farmers Union Oil to rezone the SW1/4SW1/4SW1/4, Section 26, Township 162, Range 80 West, from agricultural to commercial and a motion was made to approve the petition by Streich, seconded by Beyer. Motion carried unanimously.

Rick Hummel, Emergency Manager, and Dwane Getzlaff, Lake Metigoshe Improvement Association requested assistance in paying for a third of the cost for a maintenance agreement for the three sirens at Lake Metigoshe which will be tested monthly in cooperation with the Sheriff's department. A motion was made to pay for one third of the cost for a maintenance contract for the three sirens at Lake Metigoshe, by Kjelshus, seconded by Beyer. Motion carried unanimously.

Rick Hummel, Emergency manager, advised that he is working on updating the Bottineau County Ambulance Board bylaws.

Dept. Head Meeting – Chairman Marquardt gave an update on the meeting. Department heads gave an update on the activity in their department.

11:30 am. - A motion was made to open the motor grader bids by Kjelshus, seconded by Rude. Motion carried unanimously. The only bid received was from Butler –

Caterpillar 160MAWD #B9T00102 with snow wing- \$137,500.00
Caterpillar 143H #APN001140 - \$129,500.00

A motion was made to accept the Butler Machinery bids for the two Bottineau motor graders bids for \$137,500.00 and \$129,500.00 by Rude, seconded by Streich. Motion carried unanimously.

Dean Milbrath and Mike Nehring, Oak Creek Township, requested funds from the scraper fund to assist with paying the remaining costs for the FEMA project, Pkg #159, PW 2227. A motion was made to pay \$2228.00 from the scraper fund to finish the FEMA project in Oak Creek Township by Rude, seconded by Streich. Motion carried unanimously.

Meeting adjourned at 12:10 pm.

Meeting reconvened at 1:30 pm.

Anhydrous ammonia license applications were received from the ND Department of Agriculture for Dakota Agronomy Partners for facilities in the City of Antler, City of Lansford, on County 20 NE, Kramer, County Road 20, Newburg, County Road 37, Souris, and a motion was made to sign the applications by Kjelshus, seconded by Streich . Motion carried.

Two Raffle permits were received from Bottineau Winter Park and Shepherd's Hill at the Crossroads and a motion was made to approve the permits by Streich, seconded by Beyer. Motion carried unanimously.

The Clerk of Court agreement was received from the State of North Dakota Office of State Court Administrator for services from July 1, 2015 through June 30, 2017 and a motion was made to sign the agreement by Kjelshus, seconded by Rude. Motion carried unanimously.

A construction agreement was presented for signing awarding Farden Construction for construction of Project CNOA-0500(002) – Grading & Aggregate Surfacing – Long Lake Road for \$1,498,611.80 and a motion was made to sign the Agreement by Beyer, seconded by Streich. Motion carried unanimously.

Discussion was held regarding the CNOA Utility Agreement with SRT. Further information will be requested before the agreement will be signed.

City of Bottineau bridge discussion was held with Ritchie Gimbel, Road Superintendent, and Ben Aufforth, Keith Fulsebakke, Clif Issendorf, Dwane Getzlaff, and Brad Robertson. A motion was made to proceed with replacing the culverts of the same size with 60/20/20 cost share with the City of Bottineau and the Oak Creek Water Board by Beyer, seconded by Rude. Motion carried unanimously. The City agreed to take care of the sidewalks, rails and pavement. Wold Engineering was asked to be involved with the project.

Clif Issendorf, gave a follow up on the telephone conference call he had with the Souris Basin Council. He asks that the County put together our requests and questions when the Council meets with the County.

Discussion was held regarding acquiring an excavator for the road department and it was decided to enter into an annual rental agreement for an excavator with a thumb from Butler Machinery by Streich, seconded by Beyer. Motion carried unanimously.

Safety Grant through the NDDOT – NDDOT has placed indicators for signs where they feel they are safety issues and the County is able to look at the placement and make some adjustments to where the signs are going to be placed. Discussion was held and it was the consensus of board to follow Ritchie Gimbel and Brad Robertson’s recommendations. Commission Rude noted that he does not agree with the placement of the chevrons on the Lake Road.

Discussion was held about signs on County Road 6 by the City of Souris.

A request for out of state travel was received from Addie Berg to attend the NCRAAO 2014 Conference in Deadwood, South Dakota. Roland Township is paying for the registration and meals and she asked that Bottineau County pay for her lodging. A motion was made to approve Addie Berg’s out of state lodging to attend the NCRAAO Conference by Streich, seconded by Beyer. Motion carried unanimously.

Jeremy Tofteland, deputy with the Sheriff Department, presented a request for CPI Open Fox Mobile Messenger software program. As the funding is within the Sheriff Department budget, it was the consensus of the board to purchase the software.

The Courthouse Expansion/Renovation was discussed. No energy infrastructure money was received through the State Land Department grant. The direction to proceed will be discussed at the June meeting.

A letter was received from the ND Public Employees Retirement System requesting the County Commission to appoint a lead compliance person for Bottineau County to direct compliance efforts for the Affordable Care Act. A motion was made to appoint Barb Cote as the lead compliance person for Bottineau County for compliance efforts for the Affordable Care Act by Beyer, seconded by Kjelshus. Motion carried unanimously.

A motion was made to adjourn the meeting at 4:50 pm. by Beyer, seconded by Kjelshus. Motion carried unanimously.

Dan Marquardt, Chairman

Lisa Herbel, Auditor