

BOTTINEAU COUNTY
COMMISSIONER PROCEEDINGS
MAY 3RD, 2016
8:45 am

The Commissioner Meeting was called to order at 8:45 am by Chairman LeRoy Rude following the Social Service meeting. A meeting of the Board of Bottineau County Commissioners was held in the Commissioner Room at the Courthouse with the following members present: Chairman LeRoy Rude, Vice-Chairman Dan Marquardt, Commissioners, Jeff Beyer, Charlie Adams, States Attorney, Swain Benson and County Auditor, Lisa Herbel.

Old Business:

Agenda - Dust control and Oak Creek water meetings were added to other business and a motion was made to approve the Agenda by Marquardt, seconded by Beyer. Motion carried.

Minutes - A motion was made to approve the minutes from April 5th, 2016 by Beyer, seconded by Adams. Motion carried.

Consent Agenda – The monthly reports were reviewed and a motion was made to approve the consent agenda by Marquardt, seconded by Beyer. Motion carried.

Bills – The May bills were reviewed; 23829 Ag Communications \$5.00 (4/15), 23830 Anderson Welding \$154.55, 23831 APCO International \$92.00, 23832 ATCO International \$123.00, 23833 Bottineau County Pharmacy \$75.79, 23834 Bottineau Farmers Elevator \$420.64, 23835 City of Bottineau \$100.00, 23837 GCR Tires & Services \$185.00, 23838 Gerdau \$545.28, 23839 Gustafson Oil \$242.41, 23840 HACTC \$6.49, 23842 Keller's Briteway \$320.00, 23845 MidContinent Communication \$68.71, 23846 Modern Marketing \$310.38, 23847 Moums Tesoro \$823.80, 23848 ND Dept. of Transportation \$1,290.43 23849 ND Telephone Co. \$291.38, 23850 Northern Fuel Partners \$75.00, 23851 Office of Attorney General \$1,395.00, 23852 O'Keeffe Oil \$626.89, 23853 Ottertail Power Co. \$4,749.58, 23855 Redwood Toxicology \$230.50, 23856 Renville Co. Farmer \$280.80, 23857 Romfo Auto Repair \$483.68, 23858 Shopko \$46.63, 23859 Souris River Coop. \$37.08, 23860 St. Andrew's Clinic \$356.00, 23861 True North Steel \$29,760.22, 23862 Uniform Center \$103.98, 900633 Paystubz \$456.00, 23863 Baker & Taylor \$501.97 (4/18), 23864 Baker & Taylor \$1,055.40, 23865 Comfort Suites \$180.00, 23866 Dakota Country \$79.00, 23867 Carol Debele \$1,165.00, 23868 Gale/Cengage \$168.83, 23869 InStyle \$29.95, 23870 Keller's Briteway \$80.00, 23871 Learning Opportunities \$258.81, 23872 NDACo-Wireless \$14.00, 23873 Pierce Co. Tribune \$42.00, 23874 Beth Reitan \$324.52, 23875 Shopko \$8.98, 23876 Souris River Coop. \$50.77, 23877 Spectrum \$310.90, 23878 Turtle Mtn. Communication \$98.33, 900634 Pitney Bowes \$2,500.00 (4/21), 900635 ND Game & Fish \$192.00, 23880 American Family Insurance \$844.97 (4/29), 23881 Benson Law Office \$1,734.66, 23883 Colonial Life & Accident \$1,769.10, 23888 Messerli & Kramer P.A. \$312.62, 23890 Ann Monson, Co. Treasurer \$4,111.90, 23890 Ann Monson, Co. Treasurer \$2,533.35, 23891 ND Child Support Division \$540.00, 23892 NDPERS Retirement \$400.00, 23893

NDPERS \$3,377.95, 23894 NDPERS-Dakota Plan \$54,844.88, 23895 ND Public Employee Retirement \$40,827.67, 23896 North Dakota United \$314.48, 23897 New York Life Insurance \$142.89, 23898 O’Keeffe Oil \$179.29, 23899 Ottertail Power Co. \$318.28, 23901 Spectrum/4J’s \$4,087.13, 23902 The Standard Life Ins. Co. \$1,966.60, 23903 UNUM Life Ins. Co. \$293.75, 900636 IRS \$30,330.83, 900637 IRS \$40,368.11, 23904 Anderson Welding \$112.08 (5/6), 23905 Atkinson, Lisa \$368.28, 23906 AT&T Mobility \$317.83, 23907 AT&T Mobility \$644.80, 23908 Auto Value \$141.03, 23909 Benson Law Office \$248.91, 23910 Addie Berg \$541.62, 23911 Bert’s Truck Equipment \$5,955.64, 23912 Best Western Plus \$160.20, 23913 Bottineau Hometown Market \$205.40, 23914 Bottineau Farmers Elevator \$2,545.54, 23915 Bottineau Lumber \$329.73, 23916 Bottineau Co. Road Dept. \$162.50, 23917 Bottineau Co. Road Dept. \$775.00, 23918 Butler Machinery \$28,666.27, 23919 Cenex Credit Card \$1,677.18, 23920 Century Link \$502.40, 23921 Circle Sanitation \$57.50, 23922 City of Bottineau \$463.43, 23923 City of Maxbass \$45.00, 23924 City of Newburg \$32.50, 23925 Clute Office Equipment \$518.72, 23926 Barb Cote \$259.30, 23927 Courant \$1,292.27, 23928 D&B Body Works \$758.93, 23929 D&L Storage \$260.00, 23930 DF Lighting \$279.72, 23931 Equipment Blades Inc. \$1,605.00, 23932 Family Bakery \$2,289.50, 23933 Farmers Union Oil Co. W. \$1,264.97, 23934 Farmers Union Oil Co. WC \$1,108.88, 23935 Gooseneck Implement \$215.00, 23936 HACTC \$7,490.00, 23937 HACTC \$23.87, 23939 Herbel, Lisa \$227.80, 23940 Hoffman Tree Service \$300.00, 23941 I Design \$210.00, 23942 JLG Architects \$72,346.35, 23943 Job Service of ND \$3,956.25, 23944 Kelly Inn \$160.20, 23945 Lake Shore Lawns \$175.00, 23946 Rhonda Langehaug \$112.32, 23947 Landa Cemetery \$1,200.00, 23948 Lawson Products \$543.39, 23949 Ralph Liebelt \$500.00, 23950 MidContinent Communications \$69.55, 23951 Bobbi Milbrath \$86.40, 23952 MK Electric \$1,846.15, 23954 Ann Monson, Co. Treasurer \$86.40, 23955 Sheila Monson \$100.00, 23956 Moums Tesoro \$491.05, 23957 Mouse River Cemetery Assoc. \$700.00, 23958 Myers Parts of Bottineau \$80.73, 23959 ND Assoc. of Counties \$200.00, 23960 ND One Call \$3.00, 23961 ND School Board Association \$200.00, 23962 Newman Traffic Signs \$373.48, 23963 Nodak \$1,852.39, 23964 Northern Fuel \$7,461.40, 23965 North Central Electric \$507.62, 23967 O’Keeffe Oil Co. \$611.42, 23968 Deb Orvedal \$50.00, 23969 Ottertail Power Co. \$127.46, 23970 Rodney Peterson \$70.20, 23971 Pro IT LLC \$3,361.95, 23972 Productivity Plus Account \$217.79, 23973 Renville Co. Farmer \$245.70, 23974 Richard Rude \$500.00, 23975 Security Plus \$699.18, 23976 Simplex/Grinnell \$400.80, 23977 Souris River Communications \$1,509.05, 23978 Souris River Joint Board \$50,000.00, 23979 State Treasurer \$6,350.57, 23980 St. Andrew’s Clinic \$260.00, 23981 State Bank of Bottineau Ins. \$100.00, 23982 The Standard \$639.80, 23983 Stevenson Towing \$1,400.00, 23985 Theels Inc. \$1,521.13, 23986 Thursrud Supply Co. \$68.63, 23987 Thyssenkrupp Elevator Corp. \$835.65, 23988 TREC Inc. \$1,525.16, 23989 Turtle Mtn. Communication \$1,716.09, 23991 Tweed Co. Ag. \$1,382.54, 23992 United Laboratories \$791.28, 23993 Verizon \$49.08, 23994 Visa \$1,500.31, 23995 Visa \$694.65, 23996 Visa \$176.93, 23997 Terry Volk \$86.40, 23998 Terry Volk \$100.00, 23999 Waste Management \$449.98, 24000 Westlie Truck Center \$412.94, 24001 Wex Bank \$835.67, 24002 Tanya Wieler \$1,000.00, 24003 Zion Lutheran Church \$500.00, 24004 Social Services \$2,798.75, 41312-41390 Payroll \$203,963.54 (4/29), Total \$682,076.27 and a motion was made to approve paying the bills by Adams, seconded by Beyer. Motion carried.

Brad Robertson, Wold Engineering, gave an update on the county projects –

-COIB-0506(056) – Westhope West – The project is scheduled to start the week of May 9th, 2016. The contractors are anticipating they will finish the project this construction season.

-COIB-0005(35) – box culvert – west and north of Maxbass – Contractors are planning on starting in August or September. The road will be closed and just open to local traffic and they are anticipating the project to take three weeks.

-COIB-0537(053) - Souris North – Wold Engineering is continuing to work on obtaining easements. Lisa Atkinson, Tax Director, will do an assessment on the value of the land and a decision will be made at the June meeting on how to proceed with the easements.

Discussion was held on funding for county major collector, township and county roads.

Ryan Ackerman, Souris River Joint Board, gave an update on the following initiatives –

- 1) Developing and implementing the SRJB Rural StARR program.
- 2) Developing a revised Emergency Action Plan for the entire Mouse River Valley.
- 3) Securing funding from the US Department of Housing and Urban Development.
- 4) Securing funding from the US Army Corp of Engineers.
- 5) Preparing an Environmental Impact Statement for work from Burlington to Minot.
- 6) Design of 3 phases of flood control project in the City of Minot.
- 7) J Clark Salyer Improvements.

Ryan also provided a memorandum regarding the J Clark Salyer preliminary findings of the survey from dam 357. The results of the survey indicate a very flat river bottom gradient within the first 13.5 miles of the Souris River in Manitoba. This gradient will create tailwater conditions along the Mouse River in North Dakota that could limit the effectiveness of improvements within sections of the JCS Refuge. Additionally, the presence of the rock dam on the Souris River northeast of Coulter, Manitoba, could limit the effectiveness of improvements within sections of the JCS Refuge. Additional hydraulic analyses will be performed using the data collected as part of this study to better inform the various stakeholders of the effectiveness of alternative strategies to limit the impacts of the Mouse River in Bottineau County.

A motion was made to pay two quarterly payments of \$25,000.00 each to the Souris River Joint Board by Beyer, seconded by Marquardt. Motion carried.

Lisa Atkinson, Tax Director, and Ryan and Deb Fauske, presented a petition to change the property commencing at the Northwest corner of Gov't Lot 2 of Section 28, Township 163 North, Range 74 West of the Fifth P.M.; Thence N 89°41'15" E along the Northerly boundary of said Gov't Lot 2 a distance of 265.82' to the True Point of Beginning; Thence N 89°41'15" E along the Northerly boundary of said Gov't Lot 2 a distance of 50.00 Ft; Thence S 00°18'45" E a distance of 116.51 Ft; Thence S 37°50'01" E a

distance of 210.46 Ft; Thence S 12°34'12" E a distance of 121.21 Ft; Thence S 12°41'37" W a distance of 11.21 Ft; Thence S 67°32'13" E a distance of 200.03 Ft; S 06°07'43" E a distance of 200.01 Ft; Thence S 14°48'33" W a distance of 39.00 Ft; Thence S 17°03'09" E a distance of 40.06 Ft; Thence 40°05'51" E a distance of 101.01 Ft; Thence S 54°38'07" E a distance of 144.68 Ft; Thence S 75°34'34" E a distance of 100.01 Ft; Thence N 69°51'09" E a distance of 100.01 Ft; Thence N 11°26'15" E a distance of 117.62 Ft; Thence N 34°02'25" W a distance of 150.01 Ft; Thence N 64°12'50" E a distance of 110.46 Ft; Thence S 49°06'07" E a distance of 107.63 Ft; Thence S 07°31'07" E a distance of 89.38 Ft; Thence S 07°08'12" E a distance of 190.42 Ft; Thence S 07°26'49" E a distance of 163.22 Ft; Thence S 07°19'56" E a distance of 46.27 Ft; Thence S 89°45'59" W a distance of 334.72 Ft; Thence N 71°16'12" W a distance of 171.34 Ft; Thence N 54°02'24" W a distance of 172.11 Ft; Thence N 37°54'42" W a distance of 171.49 Ft; Thence N 21°31'56" W a distance of 203.16 Ft; Thence N 11°44'46" W a distance of 153.55 Ft; Thence N 12°41'37" E a distance of 156.37 Ft; Thence N 12°34'12" W a distance of 98.80 Ft; Thence N 37°50'01" W a distance of 216.24 Ft; Thence N 00°18'45" W a distance of 133.49 Ft to the point of beginning. Said described tract contains 7.66 Acres, more or less, from an agricultural district to a rural residential district and a motion was made to follow the zoning board's recommendation and approve the project, by Beyer, seconded by Adams. Motion carried.

Lisa Atkinson, Tax Director, reported that she and Addie Berg, Deputy Tax Director, held 54 tax equalization meetings in April for all the cities and townships.

Lisa also presented an abatement request for David O'Connell for a reduction in value from \$92,500 to \$54,600.00 for the NE1/4 25-159-82, due to the land being inundated and a motion was made to approve the abatement by Marquardt, seconded by Adams. Motion carried.

Three gaming site applications were submitted for approval for KC's Bar & Grill, Westhope Country Club and the Midway Bar and Grill and a motion was made to approve the gaming permits by Adams, seconded by Beyer. Motion carried.

Bruce & Karen Hanson, City of Antler, met with the Commission to request assistance with the bill for tearing down a building in the City of Antler, and a motion was made to forgive the demolition cost except \$100.00 by Adams, seconded by Marquardt. Motion carried.

A GIS Data request was received and it was the consensus of the board to check with Swain Benson, States Attorney, for an opinion and table until the June meeting.

Loren Borgerson, requested a variance on behalf of Mark Werner for the NW1/4 of Lot 17-162-75, to build closer to the property line than the zoning ordinance requires and a motion was made to approve the variance, as long as the Township approves, by Beyer, seconded by Marquardt. Motion carried.

Two letters were received from the NDDOT regarding code 3 bridges and bridge inventory scouring report. Ritchie reported that two out of the four bridges have been fixed and the scouring has been completed.

The Bridge in the Oak Creek Township was discussed as it's is too small for farm equipment to cross. Replacement cost is estimated at approximately \$87,000.00. Another option is rebuilding the two miles of the road by Mike Hahn's. A motion was made to replace the bridge on 90th Street, by Marquardt, seconded by Beyer. Motion carried.

Dick Anderson and Bob Hunskor, legislators, visited with the commissioners about different options to help with the funding for the cost of the jail.

Commissioner Kjelshus joined the meeting at this time.

Nicki Weissman, EDC Director, reported that Glenore Gross was hired to be the administrative assistant. She also noted that a presentation is being held to discuss the possibility of forming a local food cooperative to be held on May 4th, 2016 at 8:30 am at the College.

An email was received asking for a new member to be appointed to the Vision West Board and Commissioner Adams volunteered.

A request was made to Commissioner Kjelshus that the proceeds from the Landa Bethania Church property be donated to the Mouse River, Landa, and Zion Lutheran cemeteries and a motion was made to give the Landa cemetery \$1200.00, the Mouse River cemetery \$700.00 and the Zion Lutheran cemetery \$500.00 by Kjelshus, seconded by Adams. Motion carried.

The Turn Key proposal was discussed and was tabled until the jail bid process was completed.

An application for a beer and liquor permit was received from Melony & Jason Tangsrud, who are purchasing the Midway Bar, and a motion was made to approve the application by Kjelshus, seconded by Adams. Motion carried.

A contract from received from the Knife River Materials for Project TAC-0005(051), Lake Metigoshe Bike Trail, for \$296,038.20 and a motion was made to sign the contract by Beyer, seconded by Marquardt. Motion carried.

An inquiry was received from the Al Wondrasek for the Centennial rifles that have been on display at the Veterans Hall and it was the consensus of the board that the rifles be kept on display at the Veterans Hall or return the rifles to the Courthouse.

An agreement and waiver was received from the City of Bottineau granting Bottineau County the right to install and maintain a number of its building footings within a portion of the 4th Street west public right-of-way adjacent to the southern edge of the 4th Street west between Bennett Street and Ohmer Street in the public right-of-way and a motion was made to sign the agreement by Kjelshus, seconded by Marquardt. Motion carried.

Discussion was held on applying dust control on Long Lake Loop Road and a motion was made to apply dust control to the Long Lake Loop Road by Kjelshus, seconded by Adams. Motion carried.

Further discussion was held on funding the jail as the Gross Production Tax remains extremely low so it was the consensus of the board to have Swain Benson, States Attorney, to research the process on how to put a sales taxes measure on the General Election ballot.

A reminder was received inviting the Commissioners to the CNATCA conference in Regina, Saskatchewan.

A motion was made to adjourn the meeting at 1:25 pm by Marquardt, seconded by Beyer. Motion carried.

LeRoy Rude, Chairman

Lisa Herbel, Auditor