

Proceedings of the Mountrail County Commissioners

October 3, 2017

The Board met in regular session on Wednesday at 9:00 A.M. with Commissioners Arlo Borud, Trudy Ruland, Garry Jacobson, Wayne Olson, and Daniel Uran present. Also present was States Attorney Wade Enget, Zach Gaaskjolen and Ann Taylor with Brosz Engineering.

Chairman Borud called the meeting to order.

Moved by Comm. Jacobson, seconded by Comm. Uran, to review and approve the agenda as is. Upon roll call, all present voted yes. Motion carried.

Moved by Comm. Ruland, seconded by Comm. Uran, to approve the Minutes of September 19, 2017 meeting as corrected. Upon roll call, all present voted yes. Motion carried.

Moved by Comm. Olson, seconded by Comm. Jacobson, to approve the bills totaling \$380,450.92 and September payroll, checks #10399-10415 and direct deposit #6801-6948 totaling \$818,769.52. Upon roll call, all present voted yes. Motion carried. (A complete list of bills is posted on a temporary basis on the Mountrail County Website @ www.co.mountrail.nd.us under the County Commissioner's heading.)

Moved by Comm. Ruland, seconded by Comm. Jacobson, to approve the August 2017 fees for the Recorder's Office. Upon roll call, all present voted yes. Motion carried.

Discussion was held on the Oil & Gas Energy Impact Fund (Chapter 57-51-15.1 of the North Dakota Century Code).

Moved by Comm. Uran, seconded by Comm. Ruland, to approve the transfer for Oil & Gas allocations totaling \$2,336,736.85 for current allocations from the General Fund to the County Road & Bridge Fund (70% of Oil & Gas Funds). Upon roll call, all present voted yes. Motion carried.

Discussion was held on changing the Oil and Gas formula in the near future.

Moved by Comm. Jacobson, seconded by Comm. Ruland, to approve the transfer for overweight fines from May 1, 2017 to September 30, 2017 totaling \$49,880.00 from the General Fund to the County Road & Bridge Fund. Upon roll call, all present voted yes. Motion carried.

Moved by Comm. Ruland, seconded by Comm. Uran, to approve the transfer for uniform permits from May 1, 2017 to September 30, 2017 totaling \$997,342.14. Upon roll call, all present voted yes. Motion carried.

Moved by Comm. Ruland, seconded by Comm. Olson, to appoint Jim Hennessy as the North Dakota State Fair Delegate for Mountrail County. Upon roll call, all present voted yes. Motion carried.

Moved by Comm. Jacobson, seconded by Comm. Uran, to approve the raffle permit for the Belden Trail Riders Association from September 23, 2017 to September 24, 2017. Upon roll call, all present voted yes. Motion carried.

Discussion was held on the Computer Professionals Unlimited, Inc. contract. State Attorney Enget suggested adding to the contract that if the contract is terminated the data is the property of the County.

Moved by Comm. Ruland, seconded by Comm. Uran, to table the discussion on the Computer Professionals Unlimited, Inc. contract. Upon roll call, all present voted yes. Motion carried.

Moved by Comm. Ruland, seconded by Comm. Uran, to approve ending the Mountrail County Soils Board term ending dates on December 31. Upon roll call, all present voted yes. Motion carried.

Moved by Comm. Ruland, seconded by Comm. Uran, to deny the settlement request made by Caron Transportation Systems USA for an overweight fine. Upon roll call, all present voted yes. Motion carried.

Moved by Comm. Jacobson, seconded by Comm. Olson, to approve changing the December 5, 2017 Commissioner Meeting to December 4, 2017. Upon roll call, all present voted yes. Motion carried.

States Attorney Enget updated the Board on the South Complex flood. States Attorney Enget explained that a letter was received from the attorney representing Brosz Engineering, which stated Brosz Engineering will not be taking any responsibility for the flooding at the South Complex. The Board request that Dan Brosz be present at the October 17, 2017 Commissioner meeting.

States Attorney Enget also gave an update on the Ceres Environmental Services arbitration.

Moved by Comm. Olson, seconded by Comm. Jacobson, to approve the Agreement regarding Joint Defense of Ceres Arbitration, and Indemnification by Kadmas, Lee & Jackson, Inc. (KLJ) in the arbitration with Ceres Environmental Services. Upon roll call, all present voted yes. Motion carried.

Moved by Comm. Ruland, seconded by Comm. Jacobson, to approve Motion to Compel Interstate Engineering in the arbitration case against Ceres Environmental Services. Upon roll call, all present voted yes. Motion carried.

Lori Hanson, Tax Director, met with the Board to give an update on the September 27, 2017 State Board of Equalization Meeting. Tax Director Hanson stated the State Board of Equalization had to table discussions before Mountrail County was discussed. The discussions will reconvene on October 5, 2017. Tax Director Hanson will be present for the meeting. The States Board of Equalization did not make any changes on the appeals in Mountrail County.

Discussion was held on the appeal made by Fred Evans, Chairman from Brookbank Township. Chairman Evans disputed the use of “break-point” method versus “land-use” method and farm residence exemptions. The State Board of Equalization responded by stating that the local assessor shall apply the following considerations, which are listed in descending order of significance to the assessment determination: soil type and soil classification data from detailed or general soil surveys, the schedule of modifiers that must be used to adjust agricultural property assessments within the county as approved by the state supervisor of assessments under subsection 9, and actual use of the property for cropland or non-cropland purposes by the owner of the parcel. The States Board of Equalization provided to Chairman Evans the website to find the Guide to Assessing Agricultural Land in North Dakota. The guide states that the break point method is the commonly used methodology when determining agricultural property assessments.

Chairman Borud opened the 10:30 A.M. Combination of Auditor and Treasurer’s Offices Resolution Hearing. Present for the hearing were Joan Hollekim, Mary Kilen with the Promoter, Clerk of Court Traci Hysjulien, Treasurer Shena Wold, Road & Bridge Engineer Jana Heberlie, Administrative Assistant Mary Trahan, Tax Director Lori Hanson, Head Custodian Karen Babbitt, Deputy Corey Bristol, and Social Services Director Shawna McFarland.

Joan Hollekim stated this matter was not handled properly. Joan Hollekim questioned why the possibility of combining 2 offices was not in any of the Commissioner Meeting minutes. Chairman Borud stated the discussion started when the 2018 budgets were being discussed. Joan Hollekim asked if any other offices were considered for consolidation and if the reduction in force policy was discussed. Stephanie Pappa, Auditor, stated the Auditor’s Office has had a decrease in the work load and the part-time employee will be going from 4 days down to 3 days. Joan Hollekim is not in favor of the combination.

Treasurer Wold stated that if the offices were kept separate another employee would need to be hired in the Treasurer’s Office. Treasurer Wold suggested adding a Motor Vehicle Department to the Treasurer’s Office or moving some duties from the Auditor’s Office to increase the work load in the Treasurer’s Office.

Clerk of Court Hysjulien suggested that marriage licenses and passports could be transferred to the Treasurer’s Office. Clerk of Court Hysjulien suggested the position be appointed and not elected. Clerk of Court Hysjulien is not in favor of the combination.

Tax Director Hanson is not in favor of the combination.

Stephanie Pappa, Auditor, explained that when Treasurer Wold was instructed by the Board to add a Deputy position, Treasurer Wold stated there was not enough work to keep Treasurer Wold busy at times. Treasurer Wold does not remember stating this.

Jana Heberlie, Road & Bridge Engineer, met with the Board to discuss issues with the Road & Bridge Department along with Mary Trahan, Administrative Assistant.

Moved by Comm. Jacobson, seconded by Comm. Uran, to approve the final pay application to Gratech Company, Ltd. in the amount of \$6,206.17 for rip rap on Old Hwy 2. Upon roll call, all present voted yes. Motion carried.

Moved by Comm. Ruland, seconded by Comm. Uran, to approve the final pay application to Central Specialties, Inc. in the amount of \$75,783.91 for the Tagus reconstruction and paving project. Upon roll call, all present voted yes. Motion carried.

Moved by Comm. Jacobson, seconded by Comm. Ruland, to approve and sign the Addendum to Contract for Central Specialties Inc. for the Plaza construction final repairs. Upon roll call, all present voted yes. Motion carried.

Moved by Comm. Ruland, seconded by Comm. Uran, to approve the Construction and Maintenance Agreement with the NDDOT for the 3.830 mile missile road in-slope repair. Upon roll call, all present voted yes. Motion carried.

Moved by Comm. Ruland, seconded by Comm. Olson, to approve the request made by Troy Jacobson for unpaid time off. Upon roll call, all present voted yes except Comm. Jacobson did not take part in the discussion or vote. Motion carried.

Moved by Comm. Uran, seconded by Comm. Ruland, to approve the Amendment to the Agreement to Crush/Purchase Stockpile Aggregate. Upon roll call, all present voted yes. Motion carried.

Discussion was held on the NDACo Delegate Council meeting materials.

Discussion was held on the CDL requirements at the Road & Bridge department.

States Attorney Enget stated a call was received about skateboarding at the Memorial Building. States Attorney informed the Board that Head Custodian Babbitt was instructed to order signs for the Memorial Building, Courthouse, and the South Complex.

Moved by Comm. Jacobson, seconded by Comm. Uran, to accept the Final Budget for Mountrail County for the 2018 year in the amount of \$85,874,994. Said budget is on file in the County Auditor’s Office and spread upon the Minutes of this meeting. Upon roll call, all present voted yes. Motion carried. (Budget at end of Minutes)

Discussion was held on the IT department and the need for a ticket system. Garrett Volk, IT Administrator was also present.

Shawna McFarland, Social Services Director, met with the Board to request the General Fund be reimbursed by the Social Service Fund in the amount of \$400,000 for a transfer from October 2016 reverting back due to not needing the funds for the 2017 year.

Moved by Comm. Ruland, seconded by Comm. Uran, to approve the transfer from the Social Service Fund to the General Fund in the amount of \$400,000. Upon roll call, all present voted yes. Motion carried.

Moved by Comm. Olson, seconded by Comm. Jacobson, to approve the letter to the Burleigh County Clerk of Court to request that an order be amended for attorney fees. Upon roll call, all present voted yes. Motion carried.

Comm. Ruland gave an update on the Western Dakota Energy Association city vs. county study.

Karen Babbitt, Head Custodian was present for discussions on the one year walk through for the new jail facility will be on October 17, 2017 at 1:00 P.M. Head Custodian Babbitt also gave an update on the South Complex leaking issue.

APPROVED 10/03/2017-PAYMENT 10/03/2017

<u>Warrant #</u>	<u>Vendor Name</u>	<u>Warrant Total</u>
92152	ADVANCED BUSINESS METHODS	1,328.00
	GENERAL FUND	795.50
	COUNTY ROAD & BRIDGE FUND	532.50
92153	AMERICAN BANK CENTER	892.80
	SOCIAL WELFARE FUND	892.80
92154	ANDERSON/NIELS	1,621.89
	SOCIAL WELFARE FUND	1,621.89

92155	ASC CONSTRUCTION EQUIPMENT USA, INC COUNTY ROAD & BRIDGE FUND	2,851.26 2,851.26
92156	BBH INSURANCE, INC GENERAL FUND	123.00 123.00
92157	BEARDMORE'S AUTOMOTIVE COUNTY ROAD & BRIDGE FUND	505.67 505.67
92158	BLUE TARP FINANCIAL, INC. COUNTY ROAD & BRIDGE FUND	1,287.40 1,287.40
92159	BOB HAYES ADDICTION SERVICES SOCIAL WELFARE FUND	4,040.00 4,040.00
92160	BROSZ ENGINEERING, INC COUNTY ROAD & BRIDGE FUND	16,080.00 16,080.00
92161	CARIVEAU WORKFORCE SERVICES GENERAL FUND	2,999.00 2,999.00
92162	CASH-WA DISTRIBUTING GENERAL FUND	34.00 34.00
92163	CBM MANAGED SERVICES GENERAL FUND	2,993.70 2,993.70
92164	CDW GOVERNMENT GENERAL FUND COUNTY ROAD & BRIDGE FUND SOCIAL WELFARE FUND	7,205.01 5,984.11 1,163.72 57.18
92165	CENTRAL SPECIALTIES, INC. COUNTY ROAD & BRIDGE FUND	75,783.91 75,783.91
92166	CHARM-TEX, INC. GENERAL FUND	208.95 208.95
92167	CIRCLE SANITATION INC GENERAL FUND COUNTY ROAD & BRIDGE FUND COUNTY PARKS FUND	7,321.00 327.00 106.50 6,887.50
92168	CITY OF PARSHALL SOCIAL WELFARE FUND	303.73 303.73
92169	CITY OF STANLEY GENERAL FUND	1,225.71 1,225.71
92170	COMFORT SUITES GENERAL FUND SOCIAL WELFARE FUND	163.80 81.90 81.90
92171	D & L CONSTRUCTION, INC COUNTY ROAD & BRIDGE FUND	29,037.09 29,037.09
92172	DMC WEAR PARTS LLC COUNTY ROAD & BRIDGE FUND	8,296.00 8,296.00
92173	DUNN COUNTY GENERAL FUND	95.00 95.00
92174	EDWARDS GRAVEL & TRUCKING COUNTY ROAD & BRIDGE FUND	8,961.14 8,961.14
92175	ELLVANGER/LINDSEY SOCIAL WELFARE FUND	16.68 16.68
92177	EUBANKS/LENNY	3,269.40

	COUNTY PARKS FUND	3,269.40
92178	FARMERS UNION LUMBER CO COUNTY ROAD & BRIDGE FUND	70.65 70.65
92179	GILBERTSON/HEATHER SOCIAL WELFARE FUND	10.50 10.50
92180	GRAPHICS, LETTERING & TRIM GENERAL FUND	125.00 125.00
92181	GRATECH COMPANY COUNTY ROAD & BRIDGE FUND	6,206.17 6,206.17
92182	HARTSOCH/MARCIA SOCIAL WELFARE FUND	10.50 10.50
92183	HDR ENGINEERING, INC COUNTY ROAD & BRIDGE FUND	8,126.28 8,126.28
92184	HOLIDAY CREDIT OFFICE GENERAL FUND	3,410.94 3,410.94
92185	INFORMATION TECHNOLOGY DEPT SOCIAL WELFARE FUND	125.10 125.10
92186	JH MEDICAL SUPPLY GENERAL FUND	82.76 82.76
92187	JOHN DEERE FINANCIAL GENERAL FUND COUNTY ROAD & BRIDGE FUND WEED CONTROL FUND	3,950.27 7.76 2,974.96 967.55
92188	KINDER MORGAN COUNTY ROAD & BRIDGE FUND	14,000.00 14,000.00
92189	KINNEY/SHELLY SOCIAL WELFARE FUND	220.31 220.31
92190	KOHLER COMMUNICATIONS INC COUNTY ROAD & BRIDGE FUND	2,958.00 2,958.00
92191	LABORATORY CORP OF AMERICA, HOLDINGS SOCIAL WELFARE FUND	89.25 89.25
92192	LARSON'S TIRE SERVICE SOCIAL WELFARE FUND	920.24 920.24
92193	LEES/KAITLYN SOCIAL WELFARE FUND	36.75 36.75
92194	LEWIS OIL COMPANY, LLC COUNTY ROAD & BRIDGE FUND	7,000.00 7,000.00
92195	LIGHT HOUSE TRADES, INC. COUNTY ROAD & BRIDGE FUND	230.00 230.00
92196	LINDLEY/MELANIE SOCIAL WELFARE FUND	131.45 131.45
92197	LOMMEN/ORVIN SOCIAL WELFARE FUND	1,305.00 1,305.00
92198	LUTTRELL/JANETTE SOCIAL WELFARE FUND	77.64 77.64
92199	MAGHAKIAN/TINA SOCIAL WELFARE FUND	93.10 93.10

92200	MCFARLAND/SHAWNA SOCIAL WELFARE FUND	178.85 178.85
92201	MEIERS OIL INC GENERAL FUND COUNTY ROAD & BRIDGE FUND WEED CONTROL FUND	29,026.95 2,590.92 20,623.21 5,812.82
92202	MIDSTATE TELEPHONE CO GENERAL FUND COUNTY ROAD & BRIDGE FUND SOCIAL WELFARE FUND COUNTY AGENT FUND WEED CONTROL FUND	884.12 425.73 211.66 183.38 22.80 40.55
92203	MILLS/JAMIE SOCIAL WELFARE FUND	167.68 167.68
92204	MONTANA DAKOTA UTILITIES CO GENERAL FUND COUNTY ROAD & BRIDGE FUND	8,509.45 7,249.15 1,260.30
92205	MOUNTRAIL COUNTY FOOD PANTRY SOCIAL WELFARE FUND	500.00 500.00
92206	MOUNTRAIL COUNTY MEDICAL CENTER GENERAL FUND	600.00 600.00
92207	MOUNTRAIL COUNTY PROMOTER SOCIAL WELFARE FUND	73.28 73.28
92208	MOUNTRAIL WILLIAMS ELECTRIC COOP GENERAL FUND COUNTY ROAD & BRIDGE FUND COUNTY PARKS FUND	8,631.64 35.57 240.00 8,356.07
92209	MRC GLOBAL (US) INC. COUNTY ROAD & BRIDGE FUND	1,234.32 1,234.32
92210	ND ASSOC OF ASSESSING OFFICES GENERAL FUND	400.00 400.00
92211	ND DEPT OF EMERGENCY SERVICES 2013 FLOOD DISASTER	480.23 480.23
92212	ND STATE UNIVERSITY GENERAL FUND	50.00 50.00
92213	NDBSWE SOCIAL WELFARE FUND	300.00 300.00
92214	NELSON/ELMER SOCIAL WELFARE FUND	73.50 73.50
92215	NEOFUNDS BY NEOPOST GENERAL FUND	782.16 782.16
92216	NETWORKFLEET, INC. COUNTY ROAD & BRIDGE FUND	771.95 771.95
92217	NEWMAN TRAFFIC SIGNS COUNTY ROAD & BRIDGE FUND	3,994.91 3,994.91
92218	NORMONT EQUIPMENT CO. COUNTY ROAD & BRIDGE FUND	12,115.53 12,115.53
92219	NORTH AMERICAN TRAILER SALES, LTD COUNTY ROAD & BRIDGE FUND	2,366.83 2,366.83
92220	NORTH DAKOTA TELEPHONE CO	40.75

	SOCIAL WELFARE FUND	40.75
92221	NORTHERN TESTING SOCIAL WELFARE FUND	958.00 958.00
92222	NORTHWEST TIRE INC COUNTY ROAD & BRIDGE FUND WEED CONTROL FUND	1,339.04 929.36 409.68
92223	NUVERRA COUNTY ROAD & BRIDGE FUND	15,490.00 15,490.00
92224	OFFICE DEPOT INC GENERAL FUND COUNTY ROAD & BRIDGE FUND SOCIAL WELFARE FUND WEED CONTROL FUND	1,748.43 1,468.44 56.68 63.74 159.57
92225	OGDEN/CRYSTAL SOCIAL WELFARE FUND	268.70 268.70
92226	OSTDAHL/JOANN SOCIAL WELFARE FUND	143.50 143.50
92227	OTTER TAIL POWER COMPANY SOCIAL WELFARE FUND	161.44 161.44
92228	PAPPA/STEPHANIE GENERAL FUND	53.50 53.50
92229	PETROLEUM SERVICES, INC. COUNTY PARKS FUND	3,200.00 3,200.00
92230	PINNACLE SOCIAL WELFARE FUND	590.31 590.31
92231	PORTH/THOMAS GENERAL FUND	45.50 45.50
92232	PRAIRIE FORD, INC. SOCIAL WELFARE FUND	27,945.28 27,945.28
92233	PRODUCTIVITY PLUS ACCOUNT COUNTY ROAD & BRIDGE FUND	272.76 272.76
92234	RACERS STORE 301 GENERAL FUND	171.37 171.37
92235	RADISSON HOTEL-BISMARCK GENERAL FUND	327.60 327.60
92236	RDO EQUIPMENT CO COUNTY ROAD & BRIDGE FUND	2,009.56 2,009.56
92237	RESERVATION TELEPHONE GENERAL FUND SOCIAL WELFARE FUND	671.09 204.05 467.04
92238	ROHDE/COLLEEN SOCIAL WELFARE FUND	33.71 33.71
92239	RYAN CHEVROLET GENERAL FUND	1,033.86 1,033.86
92240	SVEEN/SHADOE SOCIAL WELFARE FUND	147.51 147.51
92241	SWENSON/JESSICA SOCIAL WELFARE FUND	109.66 109.66

92242	THOMSON REUTERS-WEST PUBLISHING CORP. GENERAL FUND	182.06 182.06
92243	THOS Y. PICKETT & CO., INC GENERAL FUND	400.00 400.00
92244	TOMLINSON/HEATHER GENERAL FUND COUNTY AGENT FUND	1,044.19 549.19 495.00
92245	TONY'S TRANSFER COUNTY ROAD & BRIDGE FUND	20.00 20.00
92246	TRINSPIN, INC. SOCIAL WELFARE FUND	15,555.55 15,555.55
92247	VACHAL/LYNETTE COUNTY AGENT FUND	154.55 154.55
92248	VERIZON WIRELESS GENERAL FUND COUNTY ROAD & BRIDGE FUND E 911 EMERGENCY/WIRELESS FUND COUNTY AGENT FUND WEED CONTROL FUND	1,838.59 152.11 443.97 1,116.32 67.24 58.95
92249	WARD COUNTY SHERIFF'S DEPT GENERAL FUND	100.77 100.77
92250	WESTLIE TRUCK CENTER COUNTY ROAD & BRIDGE FUND	739.19 739.19
92251	WOLD/SHENA GENERAL FUND	64.00 64.00
	FINAL TOTAL	\$ 449,618.65

The Board adjourned at 2:50 P.M. to meet in regular session on Tuesday, October 17, 2017 at 9:00 A.M.

Accepted and approved this 17th day of October, 2017

Arlo Borud, Chairman
Mountrail County Commissioner

Stephanie A. Pappa
Mountrail County Auditor