

## **Commissioner Meeting November 7, 2023**

Commissioner John Hokana called the meeting to order at 9:00 am. Also present were Jerry Walsh, Kacey Holm, Brandon Carlson, and Marke Roberts. Auditor Sheppard was also present. The media was not present. The Pledge of Allegiance was recited.

Additions to the agenda

Policy Manual status

DustPods

Overloaded trucks on our county roads

Carlson made a motion to approve the minutes from October 17<sup>th</sup> with corrections. Roberts seconded. Motion carried.

Holm made a motion to approve the vouchers as submitted. Walsh seconded. Roll call was unanimous. Motion carried.

Walsh requested an update on the employee manual. Final updates have not been approved. Sheppard will get an updated copy to the Commission so that final changes can be discussed at the first meeting in December.

Sheppard presented a contract with ARCASearch, which has developed the database of prior Commissioner minutes. The quote is to update the minutes for the Commission and the Water Resource Board for the years 2020, 2021, and 2022, at a cost of \$505. Walsh made a motion to approve the quote, Holm seconded. Roll call was unanimous. Motion carried.

Tax Director Don Flaherty entered the meeting at 10:00.

Holm made a motion to open the abatement hearing. Carlson seconded. Motion carried.

Parcel numbers 07930000 and 08119000 have been reviewed by the city of Ellendale, for the tax years of 2021, 2022, and 2023. Ellendale City has approved the reduction on parcel #07930000 and did not approve the requested reductions for the rest. Walsh made a motion to accept the recommendations of the city. Holm seconded. Roll call was unanimous. Motion carried.

Flaherty presented five parcels with homestead credit abatements for tax years 2020, 2021, and 2022. Roberts made a motion to approve the abatements. Carlson seconded. Roll call was unanimous. Motion carried.

Carlson made a motion to close the abatement hearing. Holm seconded. Motion carried.

Roberts made a motion to open the omitted tax hearing. Walsh seconded. Motion carried.

Flaherty presented a property that no longer qualifies for farm residence exemption (Parcel #06018000) and two properties that are no longer owned by an exempt organization (Parcel #10694660 and #08535000). The two properties no longer exempt will be prorated based on the date of purchase, if approved. Flaherty stated that there are also five farm residency exemption forms that have not been returned. These parcels would not be prorated.

Carlson made a motion to approve the omitted tax parcels as presented and to add the values to the tax rolls. Holm seconded. Roll call was unanimous. Motion carried.

Carlson made a motion to close the omitted tax hearing. Holm seconded. Motion carried.

Resident Drew Courtney joined the meeting at 10:20.

Sheppard presented two performance review forms for the commissioners to review. Discussion followed with changes recommended by the Commission. The ratings will be changed from one through 3 to one through 5. The first page of the first form will be used as a cover page, while include the detail of the second form. Walsh made a motion to use the form for all employees, with any department head using a different form should use this form and attach the form they also used as an attachment for the form. Roberts seconded. Roll call was unanimous. Motion carried. Sheppard will make the changes and forward to the Commission for their review.

Discussion followed concerning the zoning board and the need for a comprehensive plan of where the county will want to be in 20 years. Discussion followed concerning a special meeting of the Commission to come up with this plan. Sheppard will check with NDACo about a boiler plate for a comprehensive plan.

DES/911 Coordinator Charlie Russell, Highway Superintendent Jeff Hagen, Highway Foreman Jesse Filbert, and Nodak Café owner Danny Winter joined the meeting at 10:45.

Winter informed the Commission of his request to Dickey County JDA for funds to assist in the opening of the Nodak Café in the old drive-in building. The use of the funds for the loan/grant will mainly be used for the purchase of equipment.

Sheppard informed the Commission of the motion by the JDA to approve a \$25,000 loan to Winter, contingent on the approval of the Commission to amend the JDA budget by \$25,000. Walsh made a motion to amend the budget. Holm seconded. Roll call was unanimous. Motion carried.

Russell requested the signature from the Commission on the FEMA paperwork for the snow and flood disaster for 2023. Holm made a motion to sign the paperwork. Carlson seconded. Motion carried.

Hagen introduced Filbert to the Commission.

Hagen stated the contractor working on County Road #14A plans to get on the project this week.

Discussion followed concerning Dickey County #3 east of Oakes and the effect of the chlorine placed on the road with the Asphalt Zipper. Walsh discussed the DustPods product, which would be a cheaper option for the binding agent when using the Asphalt Zipper. Walsh stated that the county would save money by not having to place gravel on the road or blade it as often if the DustPod product was used.

Walsh requested Filbert review the use of JLink and RazorTracking in the equipment at the highway shop. Walsh would like Filbert to work with the two applications to get a better understanding of them, so they can be used more efficiently.

Roberts informed the Commission of pictures he has received of grain trucks coming in at elevators at 130,000 pounds. Roberts feels that something needs to be done to educate all residents about the abuse this does to the roads that the county is trying to keep in good driving condition.

Sheppard presented a Quit Claim Deed on parcel #10163000 for the repurchase of a parcel taken over by the county due to the non-payment of taxes. Roberts made a motion to sign the deed. Holm seconded. Motion carried.

Carlson made a motion to sign the prison board agreement with Stutsman County Corrections. Walsh seconded. Motion carried.

Roberts made a motion to adjourn at 12:30.

## **Commissioner Meeting November 21, 2023**

Commissioner Jerry Walsh called the meeting to order at 10:05 am. Also, present were Brandon Carlson and Marke Roberts. Commissioner Kacey Holm was in attendance via electronic means. Commissioner John Hokana joined the meeting at 10:10. Auditor Sheppard was also present. The media was not present. The Pledge of Allegiance was recited. Also in attendance via electronic means were Clerk of Court Andi Schimke and Health District employees Abby Gibbs, Kerry Waldo, and Allyssa Moch.

Additions to the agenda

Dustpods

Update on installation of drain on County Road #14A

States Attorney update on motion made earlier, pending her approval.

Carlson made a motion to approve the minutes with a correction. Roberts seconded. Motion carried.

Sheppard requested the addition of a voucher in the amount of \$20 for the filing fee on a quit claim deed on a parcel redeemed by the legal owner before the tax sale. Roberts made the motion approve the vouchers with the addition. Carlson seconded. Roll call was unanimous. Motion carried.

Carlson made a motion to approve the October financials as presented. Walsh seconded. Roll call was unanimous. Motion carried.

Treasurer Wonada Lematta joined the meeting at 10:20. Lematta presented the third quarter Pledge and Quarterly report. After reviewing the report, Roberts made a motion to accept the report as presented. Carlson seconded. Roll call was unanimous. Motion carried.

Lematta requested hiring a temporary employee to assist with tax statements, until a new employee is hired in the Deputy Treasurer position. Walsh made a motion to authorize the hiring of a temporary employee, during the hiring process at step 1 on the salary scale for an office clerk. Roberts seconded. Roll call was unanimous. Motion carried.

Clerk of Court Andi Schimke joined the meeting at 10:25. Schimke stated that the tablet used for passport pictures is reaching the end of its useful life and Schimke is requesting the approval to purchase another tablet at the cost of \$739. It will not be delivered until late December. Commission approved the purchase of a new tablet, as Schimke stated that her budget for 2023 would be able to absorb the expense.

Schimke informed the Commission that master calendar court dates have been moved to Thursday, starting in 2024.

Roberts made a motion to open the delinquent tax sale. Carlson seconded. Motion carried. A list of those in attendance is on record at the Auditors Office.

Parcel #03644006, N 112' of S 512' of E 85' of SW1/4SW1/4 of Section 19 Township 131 Range 59, sold to Kyle Gerner for \$200.00.

Parcel #11005000, Lots 10 and 11, Block 1 Original Plat, City of Forbes, sold to Justin Lyke for \$1,050.

Parcel #11336000, Lots 26-28, Block 4, Resub of Ludden, City of Ludden, sold to Matt German for \$4,200.00.

Carlson made a motion to close the delinquent tax sale. Walsh seconded. Motion carried.

Deputy Treasurer/Auditor Amy Mittleider, DES/911 Coordinator Charlie Russell, Highway Superintendent Jeff Hagen, Sheriff Chris Estes, and resident John Quandt joined the meeting at 10:40.

Commission discussed the resignation of Mittleider. Mittleider is an asset of Dickey County, with knowledge of FEMA and grant writing. Walsh stated Mittleider had agreed to postpone a final decision until the Commission had met. Mittleider has stated that she is open to staying with the County in a different role. Walsh made a motion to not accept Mittleider's resignation, appointing her to an administrative assistant position, reporting to the Commission. Holm seconded. Roll call with Holm yes; Roberts no; Hokana yes; Walsh yes; Carlson yes. Motion carried.

States Attorney Kim Radermacher joined the meeting at 10:45. Radermacher discussed with the Commission how the county wants to respond to unemployment claims. Roberts made a motion to defend the actions of the county in situations where employees were terminated for less than egregious reasons. Carlson seconded. Roll call was unanimous. Motion carried.

County Agent Breana Kiser joined the meeting at 10:50 to inform the Commission that Administrative Assistant Shirlene Wagner will be retiring December 31, 2023. Kiser stated they will plan a retirement party, open to the public.

Commission discussed the zoning board and the members that have agreed to serve. Radermacher updated the Commission on the opinion on the motion made by the Commission concerning the setbacks for the pipeline. The zoning cannot be done until a comprehensive plan is

developed by the Commission. Carlson made a motion to set the zoning board as listed: 2-year terms are Matt Herman, Wes Knutson, and Cindy Bagley; 4-year terms are Justin Meidinger, Michelle Mueller, Jay Harris, and one additional member from the city of Ellendale. Commissioners Roberts and Holm terms are set by their term as Commission. Roberts seconded. Roll call was unanimous. Motion carried.

Quandt updated the Commission on the drain project on County Road #14A. The project should be finished either tonight or tomorrow. Quandt stated the work looks good. Ellingson is using perforated sock tile on one section of it. Quandt stated he will let the Commission know when the water is flowing.

Hagen updated the Commission on the receipt of the snow blower, and the estimated arrival of the tractor is approximately March 15<sup>th</sup>.

Walsh discussed with the Commission DustPods, a polymer road stabilization and dust control product company. Walsh stated that the representative may be at the December 5<sup>th</sup> meeting to make a presentation. Their special pricing through the end of the year is two miles for the price of one mile. The product gets applied by injection. The normal cost is \$4,668 a mile.

Estes discussed with the Commission the use of the "Back the Blue" funding that Dickey County received in the amount of \$8,665. Walsh made a motion to authorize the Sheriff to expend the Back the Blue Grant Funds approved in House Bill 1307 which was passed by the 2023 Legislature, per the categories outlined as follows: Funding may be used for providing hiring and retention bonuses to new and current law enforcement and correctional officers and providing tuition and fee payments on behalf of law enforcement trainees. Holm seconded. Roll call was unanimous. Motion carried.

Sheppard presented the quit claim deed on parcel #10164000, Lot 2, Block 26 Outlots and Additions, City of Oakes, which has been redeemed by the original owner. Carlson made a motion to sign the deed. Roberts seconded. Motion carried.

Holm made a motion to adjourn at 12:55.

## **Oakes City Council Special Meeting Attended by County Commissioners November 28, 2023**

Commissioners John Hokana, Jerry Walsh, Marke Roberts, and Kacey Holm attended a special meeting of the Oakes City Council on November 28, 2023. City Council in attendance were Mayor O'Brien, Council: Mayer, Harris, Bakke, Bagley, Day and Hernandez-Waite. The Oakes Police Department, Dickey County Sheriff's Department, County Auditor Sheppard and State's Attorney Radermacher were also present.

Councilman Harris began the meeting by discussing some of the issues that the police department is experiencing and expressing the need for these issues to be resolved for the safety of and service to our community. Chief O'Brien talked about the lack of communication between the departments and clarifying jurisdictional policies. He stressed the importance of working together to ensure the safety of not only the public but also the officers. Multiple attendees suggested a group of select individuals get together to find solutions for the issues and develop policy/procedures to address future situations. Sheriff Estes stated he has an open-door policy in his office and anyone is welcome to talk with him and he will help direct them to the best possible solution. Bagley suggested that the Sheriff, Chief, Mayor and Chairperson could meet first and work out any personality conflicts that may be contributing to the problems; it was determined it would be best to also have City & State's Attorneys involved.

Hokana stated, that in his opinion, this should have been handled in a different manner, other than an open meeting. The Commission was not aware of any such issues.

Bakke moved, Bagley second to have Chief O'Brien, Sheriff Estes, State's Attorney Radermacher, City Attorney Paradis, Mayor O'Brien and Chairman Hokana meet by December 18<sup>th</sup> to begin addressing all issues. Motion carried.

Bagley motioned to adjourn the meeting at 7:00pm. Harris seconded. Motion carried.

Cities, Townships, School	Cities, Townships, School	93165	114908-114954
Community Volunteer EMS of LaMoure	Ambulance Collections	58.88	114955
Kulm Ambulance Corps	Ambulance Collections	131.66	114956
Edgeley Ambulance Service	Ambulance Collections	75.95	114957
Oakes Volunteer Ambulance Service	Ambulance Collections	975.66	114958
Ellendale City	Airport, Ambulance	1,121.16	114959
Oakes City	Airport, Ambulance	251.71	114960
Garrison Diversion	Collections, SAD	734.21	114961
James River Soil Conservation	Collections, SAD	1,015.72	114962
Ellendale Fire	Collections, SAD	616.71	114963
Oakes Fire	Collections, SAD	824.10	114964
Dickey County Senior Citizens	Collections, SAD	588.69	114965
Dickey County Historical	Collections, SAD	147.23	114966
Kedish House	Grant Money	1,790.40	114967
State Treasurer	State Medical, Clerk of Court Fees, SIRN	3,023.06	114968
Dickey County Treasurer	Clerk of Court Fees	395.00	114969
ND Public Employees Retirement	BCBS	48,947.16	114970
ND Public Employees Retirement	Life ins	477.14	114971
ND Public Employees Retirement	BCBS HD	8,223.10	114972
ND Public Employees Retirement	Dental	486.36	114973
ND Public Employees Retirement	Life INS hd	91.16	114974
Amazon Capital Service	Office Equipment	92.43	114975
Aramark	Rug Services	129.07	114976
Axon Enterprises Inc.	Taser 7 Basic Bundle- Taser Cartridge	2,140.66	114977
Bismarck Ramkota Hotel	Room Stay for don	96.30	114978
Brandenburger Robert	Wilsom Dam Mowing- Per Contract	3,250.00	114979

Dickey County Hwy Dept	Gasoline for Law Enforcement Vehicle	1,218.58	114980
Dickey County Hwy Dept	Gasoline for Des, Clerk of Court, Auditor, Maintance	187.18	114981
Dickey County Leader	Legal September and October min	533.20	114982
Dinger Danielle	NDSU Fall Conference- Mileage and Meals	158.53	114983
Dinger Danielle	Room Stay - 5 days	1,000.50	114984
Ellendale True Value	Anchor, Shell Socket, Lamp holder, drill bit, screws, joint compound, clamp, Battery	78.14	114985
Ever spring Inn & Suites- Bismarck	Room Stay for Conf	192.60	114986
Flaherty Don	Mileage, Meals NDACO Mttg	235.53	114987
Graham Tire Co	Tires for 2022 Police Interceptor	632.00	114988
IDEMIA	Service Contract	2,222.00	114989
Inman Irrigation	Winterize Lawn Irrigation System	212.52	114990
Innovative Office Solutions LLC	Office Supplies	63.00	114991
ND Association of Counties	Drug Testing	15.00	114992
NDEAFCS	State and National Membership Dues	125.00	114993
Pierson Ford- Lincoln INC	Oil Change on 2023 Ford Exploror	69.45	114994
Prairie Printing	2500 Preprinted Envelopes	225.00	114995
Prairie Printing	6000 Preprinted Envelopes- Treasure Office	495.00	114996
Q & N Corporation	Dell Precision Docking Station, Keyboard/ Mousr	4,790.00	114997
Q & N Corporation	1 Year Backup Software	150.00	114998
Q & N Corporation	16GB SD Card	12.00	114999
Schmidt Kelly	Mileage for Pria Local Meeting	189.95	115000
Valley Plains Equipment	Oil Filter, Air Filter- Courthouse Mower	52.15	115001
Walsh Gerald	Conf.	421.50	115002
Aramark	Rug Services	180.10	115003
Bert's Truck Equipment	Shoe, Mushroom, Freight, Shoe Assembly	3,228.33	115004
BG Glass LLC	Side Glass on Old Blade	250.00	115005
BG Glass LLC	New Windshield in International Truck	525.00	115006
Butler Machinery Co	Blades, Oil Seal- Mower	210.24	115007
Dickey County Leader	Mowing Notice	126.00	115008
Ecolab Pest Elimination Division	Pest Control	97.63	115009
Ellendale True Value	Shop Supplies- HWY Shop	137.17	115010
John Deere Financial	JD GRDR	41,303.16	115011
Napa Central	Lightbulbs, Hose Fittings, Boxed Miniatures, Sealed Mark	430.59	115012
Retzlaff R Trucking LLC	50% of DC # 3C- Maple twp.	3,778.03	115013

Southeast Water Users	west shop utilities	50.98	115014
True North Steel	Gate for the Drain on County Line, Culverts	32,049.73	115015
KLJ Engineering LLC	DC Hwy 8 Overlay	4,491.11	115016
Dickey County Recorder's Office	Recorders Fee- Repurchase of land	20.00	115017
Office of Attorney General	24/7 Program	620.00	115018
Bruns Jodi	Epsilon sigma PHI Dues	15.94	115019
Haakenson Jean	Mileage to Oakes Offices	203.05	115020
Kiser Breana	Mileage- Fall Conf., Meeting exp. Meals and lodging	1,793.00	115021
Holiday Inn	Hotel stay	446.46	115022
NDAAEA	Membership	75.00	115023
The Horse	Magazine Renewal	48.00	115024
Dickey County Hwy Dept	Gasoline for Weed Board	746.73	115025
Dickey County Leader	Spraying AD	89.60	115026
Ellendale True Value	Shop Supplies- Weed Board	366.31	115027
Fullerton Farmers Elevator	Chemicals	3,500.00	115028
Andy Lacina	Beaver Dam Removal	500.00	115029
Gemar Justin	Mileage	6.55	115030
John Quandt	Mileage	11.79	115031
ND State Radio	State Radio Quarterly Billing	22,196.90	115032
Tyler Technologies	Network Services	166.67	115033
AT&T Mobility	Courthouse, PIO, Road, Weed Board iPad, 911	773.60	115034
Montana Dakota Utilities	Park Utilities, Hwy Dept. Utilities	950.80	115035
NDAE4-HYW	Dues	200.00	115036
ND Department of Trust Lands	Uncashed checks	164.36	115037
NDSU Extension Service	County half of Breana and Danielle Salary	11,143.76	115038
Vistos Carquest	Safety Clothing, Bulk Chain, Clevis Grab Hook-Sander	352.04	115039
Overpayment Refund	Overpayment Refunds	3,981.65	115040-115055
Monthly Expenses	Human Services	37,508.31	115056-115072
ND Public Employees Retirement	Def Comp	1,569.00	115073
ND Public Employees Retirement	Def comp HD	520.00	115074
Wex Health	Flex	1,031.57	115075

ND Public Employees Retirement	HSA	107.65	115076
Wex Health	Cancer	50.00	115077
Nodak Café	JDA Loan	25,000.00	115078
John Quandt	Re-issue check	13.10	115079
Monthly Expenses	Human Services	21,655.89	115080-115088
Central Business Systems INC	Quarterly Billing Copier, Ink for Copier- SS Half	119.20	115089
Cole Paper	Bath Tissue, Hand Towels, Ice Melt	269.36	115090
Dakota Plains Credit Union	Vehicle Main., Parts & Repairs, DUI Expenses	1,249.63	115091
Dickey County Leader	Notice of Sale of Properties AD	105.00	115092
Ellendale True Value	Office Supplies	15.49	115093
Farmers Union Oil Co	Oil Change on 2020 Ford	82.32	115094
Information Technology Dept	Election, Courthouse, Sheriff Office, States Attorney Tech Fee	1,426.90	115095
Mertz Const & Supply	TRTD 2X4, Screws	8.88	115096
Oakes City Auditor	Dues	50.00	115097
Overpayment Refund	Paid Abatement Refund	125.06	115098
Overpayment Refund	Paid Abatement Refund	1,653.89	115099
Overpayment Refund	Refund Overpayment	29.33	115100
Q&N Corporation	Monthly Service Agreement	1,800.00	115101
Schimke Andi	Unit 2 Meeting- Mileage	128.38	115102
Agtegra Oakes	Fuel for Hwy Dept	1,455.37	115103
Aramark	Rug Services	540.30	115104
Bertsch Ty	Refund for Cat Food for Shop Cat	31.98	115105
Fastenal Company	FLNG Toplk	236.55	115106
Fullerton City Auditor	Fullerton Shop Utilities	20.00	115107
John Deere Financial	Snow Blower	32,899.00	115108
John Deere Financial	Windshield, elbow fit, certified def>windowpane,oil filter, bolt, lock nut, cutting edges	33,255.22	115109
Mertz Const & Supply	Seal	90.59	115110
Oakes Truck & Trailer	Worked on International Work star, PTC Fitting 1/4 male Female 90-degree elbow	3,538.94	115111
Ottertail Power Company	Oakes Garage Utilities	57.09	115112
Praska's Hardware Hank	Parts for Floor Drain-Oakes Shop	219.19	115113
Price Plumbing	Installed New Water heater at west shop	603.00	115114
Waste Management	Waste Pickup	70.81	115115
Dakota Improvement	Bid Job County Line Work- CO RD 14A	130,612.68	115116

Pharmchem	24/7 Program	63.90	115117
Cindy Bagley	JDA Meeting Mileage	22.27	115118
Family Way Restaurant	Room Rent for JDA Meeting	25.00	115119
Henning Bridget	JDA Meeting Mileage	31.44	115120
Meehl Sonia	JDA Meeting Mileage	28.82	115121
Miller Cresta	JDA Meeting Mileage	20.96	115122
Schnell Gary	JDA Meeting Mileage	23.58	115123
Dakota Plains Credit Union	Gasoline for VSO Vehicle	37.01	115124
Dickey County Hwy Dept	Gasoline for Weed Board Vehicle	105.36	115125
Ellendale True Value	Shop Supplies	107.38	115126
Fullerton Farmers Elevator	225/70R 19.5-Quantity 6	1,245.90	115127
NDWCA	Dues	830.00	115128
Nutrien AG Solutions	Chemicals	74,084.32	115129
Dakota Improvement	Maintenance	3,000.00	115130
Hansen Stephen	Mileage to Joint Meeting	39.30	115131
John Quandt	Mileage to Check Pumps	19.65	115132
Moore Engineering INC	Engineering Consultant	487.50	115133
ND Water Resource Districts Assn.	Dues	675.00	115134
Ohnstad Twichell PC	Legal Fees	3,116.79	115135
Dickey Rural Networks	Dickey 911 Trunks	231.00	115136
ND Association of Counties	6% of Wireless 911	468.40	115137
Underground Vaults & Storage	Lease Rental- MFILM Box	259.20	115138
Dickey County Treasurer	Payout Mobile Homes	20,042.66	115139
Dakota Plains Credit Union	Calendar- Treasure Office, Pallet Jack Wheels- Weed Board	57.93	115140
Dakota Valley Electric Coop	West Shop, Wilsom Dam, Guelph Tower Utilities	427.00	115141
Dickey Rural Networks	Phone Charges	1,687.33	115142
Farmers Union Oil Co	Gasoline for Park Board, OIL, Wiper Blade, Parts	417.41	115143
Montana Dakota Utilities	Courthouse, Fullerton Shop, Hwy Shop, Weed Board Building Utilities	3,467.69	115144
Dickey County Treasurer	Land Sale Repurchased Recorders Fee	20.00	115145
ND Public Employees Retirement	Retirement	21,439.82	115146
ND Public Employees Retirement	Retirement	3,104.19	115147

ND Public Employees Retirement	Def Comp	1,569.00	115148
ND Public Employees Retirement	Def Comp HD	520.00	115149
ND Public Employees Retirement	Retirement HD	176.84	115150
Wex Health	Flex	1,031.57	115151
ND Public Employees Retirement	HSA	107.65	115152
Aflac	Cancer	2,799.19	115153
Delta Dental Plan of MN	Dental	2,510.55	115154
Ameritas Life Insurance Corp	Vision	465.24	115155
ND Child Support Division	Garnish	200.00	115156

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John Hokana, Chairman

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Wanda Sheppard, Auditor