

## **Commission Meeting**

**October 20, 2015**

Chairman Dean Simek called the meeting to order at 9:33 am. Present at the meeting were Commissioners Joel Hamar, John Hokana, Gary White, Thor Sand and Chairman Simek.

Additions to the Agenda

Culvert Request

Right of Way Encroachment

White reported that Wayne Rehovsky requested a culvert to be reinstalled on county 5 a little west of the railroad tracks. The old culvert in place now is nonfunctional. A new culvert will assist runoff and draining practices.

Sand reported he was contacted about crops that are seeded in the right of way. Sand said flags are placed to indicate the location of the right of way and some farmers continue farming beyond the flags. Discussion followed regarding penalties that may be used to prevent encroaching on the right of way.

White motioned to approve the minutes. Hamar seconded. Motion carried.

Hamar motioned to approve the vouchers including \$59.49 to Farnams Genuine Parts and not the \$1,881 grant refund to Game and Fish. White seconded Motion carried.

Hokana motioned to approve the financial report. White seconded. Motion carried.

Hamar motioned to apply the 1% cost of living to the Flex allowance for a final Flex amount per employee of \$2,250.

Sand motioned to place Scott Peterson to step 5 on the pay scale, and move his position to Head Custodian. White seconded. Motion carried.

Hamar said Recorder Deb Anderson requested a salary increase for the Deputy Recorder. Discussion followed. The commission decided to leave the salary amounts as determined by Tanya Wieler from Dakota Dynamics.

Sand motioned to approve the temporary liquor license transfer for Harvest Inn, Inc. d/b/a Seasons Bar. White seconded. Motion carried.

Treasurer Gail Veland presented the third quarter Pledge Report. Hamar motioned to approve the 2015 third quarter Pledge Report as presented by the County Treasurer. Hokana seconded. Motion carried,

The commission reviewed and discussed the roof repair bid from Twin City Roofing. 911/DES Director Russell attended the meeting at 11:00. He said the Corp of Engineers has inspected the water erosion on County 14 along the James River. Russell reported on the fires in and around the county.

Sand motioned to have the Chairman sign the utility permit for Southeast Water Users to bore under County 3 near the Kevin Carlson residence. White seconded. Motion carried.

White reported on the Job Development Authority (JDA) meeting at the Fullerton Ranch House on October 19. The JDA Board reviewed three requests and granted \$5000 grant and \$5000 Certificate of Deposit (CD) secured loan to Lindy Carlo for a daycare business; \$20,000 CD secured loan and \$10,000 grant for a manure moving business to Darrell Tank ; and a \$3,000 grant each year for three years to the NDSU test plot in Oakes.

Hokana motioned to adjourn at 11:28 am. Hamar seconded. Motion carried.

## **Commission Minutes**

**November 3, 2015**

Chairman Simek called the meeting to order at 9:50 am. Present for the meeting were Joel Hamer, John Hokana, Gary White, Thor Sand and Chairman Simek.

The Pledge of Allegiance was recited.

Additions to the Agenda

Courthouse roof

Hamar motioned to approve the minutes. White seconded. Motion carried.

Sand motioned to approve the vouchers. Hokana seconded. Motion carried.

States Attorney Neuharth and Sheriff Estes joined the meeting at 10:05. Neuharth informed the commission that the county isn't required to advertise for bids if the addition to the Social Service/Health District building is less than \$100,000.

Sheriff Estes reported that Deputy Kohlmeyer resigned and November 13 is his last day with the county. Discussion followed. Estes will advertise for a deputy through Job Service and the state pool. The deputy will be paid based on years of experience.

Jason Markel from Twin City Roofing joined the meeting at 10:30 to review the bid Markel submitted to replace the courthouse roof. Markel said the 60 mil membrane roof will be glued all over and there will not be a problem with shrinking. The commissioners and Markel compared the effectiveness of blown in insulation and insulation under the rubber roof. Markel said if the county chooses blown in insulation the quote would be reduced by around \$15,000. Markel further stated venting is necessary if the blown in insulation is used. The commission will determine if the interior roof of the courthouse will be structurally strong enough to hold insulation. Discussion about an energy audit followed.

Kadmas, Lee and Jackson Engineer Josh Loegering and County Superintendent Jeff Hagen joined the meeting at 11:00 am. Loegering offered to get information from the KLJ energy audit division and also grants that may be available for the audit.

Loegering reported the wetland survey has been completed for the County 3 widening project and the county is allowed to mitigate 0.9 acres within the right of way. He said the remaining 2.5 acres will need to be

purchased from a local landowner. Discussion followed. Loegering will mail paperwork regarding the purchase of mitigation acres to a prospective landowner.

Loegering explained the process to purchase mitigation acres includes an appraisal of the acres. In addition the commissioners need to appoint an appraiser, a review appraiser and a negotiator. Hamar motioned to appoint Tax Director Flaherty as appraiser, Chairman Simek as review appraiser, and KLJ engineer Loegering as negotiator with the assistance Highway Superintendent Hagen. Sand seconded. Motion carried. Hagen presented an aerial photo of the NW¼ 21-129-59 along with a variance request from John Schroeder to replace trees. Hagen said the former trees were 40 feet from the center of the road and the new trees will be 75 feet from the center. White motioned to approve the variance request to replant trees 75' from the center of the road with the stipulation that if the county superintendent determines the trees cause road blocking problems, the problem will be resolved at the expense of the landowner. The solution may result in the trees being removed. Sand seconded. Motion carried.

White explained to Hagen that Wayne Rehovsky requested the county to reinstall the culvert that was abandoned on County 5 west of the railroad tracks and east of the Kendall Bridge. Hagen said he will determine the culvert size needed to replace the culvert.

Treasurer Gail Veland and Tax Director Don Flaherty joined the meeting at 11:55 to discuss the tax amount on Lots 1-6 and Vacated St and Ave, of Block 18, Ellendale Land Company. The property was owned by F&L Development and was deeded to the City of Ellendale. The taxes were not prorated at the time of the transfer of property from a taxable to a nontaxable entity. States Attorney Neuharth who will try to locate the former agents of F&L Development.

Flaherty said Tyler Technologies informed him they will not be able to assess Dickey County properties at this time.

The commission talked about the request from Mable River colony for more overweight permits. They determined future permits will have a designated route printed on them. The route will be determined by Road Superintendent Hagen.

Sand motioned to have the chairman sign the court facilities grant. Hokana seconded. Motion carried.

Hokana motioned to adjourn at 12:25. White seconded. Motion carried.

## **November 17, 2015**

### **Commissioner Meeting**

Chairman Simek called the meeting at 9:13 am. Present for the meeting was Joel Hamar, John Hokana, Gary White, Thor Sand and Chairman Dean Simek.

The Pledge of Allegiance was recited

Additions to the Agenda

Tax Director

Festival of Trees

Hokana motioned to approve the minutes. Hamar seconded. Motion carried.

Sand motioned to approve the vouchers with the exception of Game and Fish and mileage for JDA meeting for Brenda Tyre. White seconded. Motion carried.

Sand motioned to approve the financials. White seconded. Motion carried.

Deputy Auditor Sheppard discussed the policy manual changes with the commission. Hamar motioned to accept the changes to the policy manual with the correction of winter hours time for the highway department. White seconded. Motion carried. Discussion followed as to whether employee vacation days should be increased. Hamar motioned to leave vacation days as is and give each employee their birthday off. White seconded. Hokana felt that in time the commissioners will adapt the state policy of the number of vacation days, however, the maximum carry over will continue at one year accrual. Motion carried.

Hamar motioned to open the 2015 tax sale. Sand seconded. Motion carried.

Present for the tax sale were Ben Nelson, Bernard Rall, Peter Awender, Joe Peterson, Brandon Rall and Candace Middlestead.

The following properties sold.

Parcel #06892001, 4 acres NW ¼ east of river - \$1,000

Parcel #11084000, Lot 5, Block 17, Original Plat, Forbes City - \$350

Parcel #11148000 Lot 7, Block 4, Original Plat, Fullerton - \$300

Parcel #08483000 (Lot 16 1st Subdivision of Outlot A to Judd's Add, Ellendale) did not sell. Tax sale paperwork is on file at the auditors' office for public review.

Hamar motioned to close the tax sale for 2015. White seconded. Motion carried.

Flaherty joined the meeting at 10:44 am. Also present were Joan Hoffman, Darrell Tank, Deb Tank, and Jason Rattei. Flaherty explained that a 50' portion of the NE¼SE¼ -12-129-63 is not on the tax rolls because of a surmised mistaken quarter line boundary. The NE ¼ was parceled out under the premise that a fence line was the quarter line and the error was discovered by a land surveyor. The owner of the 50' strip of untaxed land is the Merchant family. Tax Director Flaherty is attempting to locate an address for one of the family members and send an omitted tax letter. Joan Hoffman discussed the legal "squatter rights" for landowners who lived on the property for 20 years or more. She also asked the commission to consider paying a portion of the legal fees involved in proving "squatters rights". Discussion followed regarding the options available to determine ownership. The commission decided to follow the omitted tax procedure and if no response is received from the Merchant family the property will be sold on the tax sale.

Flaherty reported progress he has made regarding uncollected tax due from F&L Development for property that F&L Development deeded from taxable to non-taxable. Flaherty was unsuccessful in following

contacts that were furnished to him. Flaherty will ask Sheriff Estes if he has a method to find other contact information for F&L Development. He will ask for contact information from the cities of Ashley and Oakes as F&L Development built residential apartments in those cities as well.

Road Superintendent Jeff Hagen, Kadrmas Lee and Jackson (KLJ) engineer Josh Loegering and Sheriff Chris Estes joined the meeting at 11:00 am. Loegering said he has a proposal ready to mail to the landowner for the mitigated land. Loegering reported that KLJ has a department that does structural engineering and energy audits. The estimated cost for an assessment is \$5000 and \$8000 for assessment and is dependent upon the amount of work the county needs completed. Loegering said grants may be available for both types of audits. Hagen said the snow plows are being put on the plows. He also reported he is hoping to get the culvert replaced on county 5 completed this fall. Sheriff Estes updated the commission on courthouse security. He also reported on the progress of sheriff deputy applications.

Deputy Treasurer Cheryl Brokaw updated the commissioners about the Festival of Trees and the Courthouse Open House. The Festival of Trees is on December 6th at the Courthouse Open House is on December 18th.

Hokana motioned to adjourn at 12:30. Sand seconded. Motion carried.

Salaries	117,909.92
Cities, Townships, Schools	123,137.48
Human Services	6,747.58
A & B Business	251.99
Aberdeen Chrysler Center	65.83
Balco Uniform	264.65
Chief Supply	1,929.77
Cole Paper	299.19
Dakota Plains Credit Union	44.10
Dakota Plains Credit Union	694.01
Dickey County Hiway Dept	313.76
Farmers Union Oil Co	226.65
FCR Tire Center Aberdeen	1,142.40
Miller, Cresta	71.87
Neuharth, Gary	250.00
Rusell, Charles	31.00
Schimke, Andi	109.25
Financial Management Division	135,276.84
Kadrmas Lee & Jackson Inc	2,007.35
L & O Acres Transport	1,882.50
Kadrmas Lee & Jackson Inc	15,808.25
Financial Management Division	12,600.24
Financial Management Division	23,721.92
3D Specialties	450.44
Bowden, Daniel	38.50
Economy Oil Co	1,958.81
Fastenal Company	86.33
Hagen, Jeff	38.50
Kinetic Leasing	250.00
Lyle Signs Inc	99.18
North Dakota One Call	11.00
Northwest Tire & Auto Service	413.82
Southeast Water Users	45.55
True Value - Ellendale	152.16
Bruns, Jodi	27.27
Cambria Suites	240.30
Dathe, Gary	669.65
Computer Express	1,650.00
Secretary of State	2,216.19
Choice Financial	5,000.00
JDA Recipient	5,000.00
Kiser, Breana	147.43
Radisson Hotel - Bismarck	240.30
Brandenburger Construction	2,200.00
Montana Dakota Utilities	89.55
Mowers & more	68.25
True Value - Ellendale	26.99
Dickey County Hiway Dept	249.20
True Value - Ellendale	33.48
Computer Express	49.95
ND State Radio	7,943.76
Ben Meadows	56.28
Dakota Plains Credit Union	174.33
ND Public Finance Authority	36,500.00
Ellendale City Auditor	629.25
True Value - Ellendale	528.35

Community Volunteer EMS of LaMoure	166.70
Kulm Ambulance Corps Inc.	624.51
Edgeley Ambulance Service	333.09
Ellendale City Auditor	2,110.50
Oakes City Auditor	1,985.74
ND State Treasurer	384.78
Garrison Diversion Conservancy District	1,548.50
Void	-
Ellendale Fire District	919.05
Void	-
Dickey County Treasurer	730.00
James River Soil Conservation	1,154.30
Oakes Fire District	1,163.68
Dakota Plains Credit Union	124,000.00
ND Department of Emergency Services	2,231.86
ND PERS	46,750.60
ND PERS	3,395.28
ND PERS	341.98
ND PERS	140.96
ND PERS	2,686.92
ND PERS	212.50
US Department of Education	227.21
Flex	100.00
Flex	125.00
Clerk of District Court	366.40
Clerk of District Court	1,400.00
JDA Recipient	10,000.00
Starion Financial - Ellendale	20,000.00
Human Services	19,111.95
Overpayment of Taxes	25.00
281 Repair LLC	57.95
A & B Business	106.80
Aberdeen Chrysler Center	49.50
Chucks Body Shop LLC	198.12
Dickey County Hiway Dept	430.79
Dickey County Leader	660.16
Expressway Inn-Bismarck	160.20
Farnams Genuine Parts	178.99
Jamestown Community Corrections	1,092.00
Jerke Irrigation	250.00
Kelly Inn - Bismarck	80.10
LexisNexis Matthew Bender	158.93
Mahlers Village Variety	54.92
ND State Surplus Property	90.00
Oakes Community Hospital	40.00
Podoll, Nicholas	105.80
Professional Binding Products Inc	34.90
Secretary of State	7.00
Sheppard, Wanda	232.18
Comfort Inn Bismarck	80.00
Dakota Plains Credit Union	100.00
Economy Oil Co	1,417.08
Farmers Union Oil Co	324.62
Farnams Genuine Parts	770.37
Fullerton City Auditor	20.00
Hamar, Joel	577.36
James Valley Sand & Gravel, Inc	91,707.00
Kustom Machine Inc	219.96
Lyle Signs Inc	63.32
Oakes Truck & Trailer	5,161.19
Ottertail Power Company - Fergus Falls	32.71
Radermacher, Dale & Beverly	18,341.40
Simek Refridgeration	228.00
True Northsteel	4,080.59
Vistos Carquest	39.99
Waste Management	39.62
Office of Attorney General	285.00
Richland County Corrections	192.50
Information Technology Dept	573.00
Glynn, Allan	2.30
Kinzler, Charlene	8.05
Middlestead, Donald	19.55
Ranch House	25.00

Rodine, Tom	20.70
Mahlers Village Variety	73.69
Mertz Const & Supply - Ellendale	24.95
Fullerton Farmers Elevator	18,735.10
Dickey Rural Networks	251.00
ND Association of Counties	857.54
Underground Vaults & Storage	238.50
Ameripride Services, Inc	537.19
AT&T Mobility	604.67
Dakota Valley Electric Coop	221.00
Dickey Rural Networks	1,158.71
Farmland Co-op	5,794.92
Montana Dakota Utilities	2,016.55
AFLAC	2,781.49
WageWorks	65.00
ND PERS	17,385.37
ND PERS	4,254.15
ND PERS	1,380.51
ND PERS	337.81
ND PERS	2,674.42
ND PERS	212.50
Delta Dental Plan of MN	1,113.60
Ameritas Life Insurance Corp.	399.00
US Dept. of Education	227.21
North Dakota United	79.34
Flex	100.00
Flex	2,496.00
Flex	125.00
Dakota Plains Credit Union	49.85
Human Services	377.78
ND Department of Emergency Services	109,156.87
Dickey County Treasurer	14,186.99

Respectively Submitted  
Dean Simek, Chairman  
Beverly Kuska, Auditor