

Minutes of the Board of Ward County Commissioners

May 20, 2014

The regular meeting of the Ward County Commissioner was called to order by Chairman Gruenberg at 9:00 a.m. with Comm. Fjeldahl, Nybakken, Weppler and Walter present. Also present were Department Heads: Dana Larsen, Devra Smestad, Betty Braun, Roza Larson, Steve Kukowski, Mark Schrader, Amanda Schooling, Pam Axtman, Dale Braun and Leona Lochthowe.

Moved by Comm. Nybakken, seconded by Comm. Walter to approve the agenda with additions. Roll call: all voted yes; motion carried.

Moved by Comm. Walter, seconded by Comm. Weppler to approve the minutes of the regular Commission meeting on May 6, 2014. Roll call: all voted yes; motion carried.

Smestad then presented the bills. Moved by Comm. Walter, seconded by Comm. Weppler to approve the 2014 May regular bills totaling \$2,075,592.13 the Social Services bills of \$19,124.32 and the Human Services bills of \$72,679.50. Roll call: all voted yes; motion carried.

At 9:07 a.m. Chairman Gruenberg opened a public hearing regarding the mobile home taxes paid under protest. Attorney Leo Wilking appeared to represent mobile home rental companies, ERA, LLLP and 5 Musketeers, LLC. There was a substantial increase to the true and full assessed values for the 2014 mobile home tax year, therefore increasing the mobile home taxes. Wilking stated his clients have 85 mobile homes that are paying taxes under protest and are requesting them to be reassessed.

Additionally, Wilking recommended the computer software program, Vanguard, used by the assessor's office to configure the values of the mobile homes be reconsidered. Part owner of ERA, LLLP and 5 Musketeers, LLC Jenny Robb appeared. Robb manages approximately 360 mobile homes and hired a certified appraiser to reassess the specific mobile homes under protest and presented values significantly less than what was originally proclaimed by the Vanguard system. Tax Equalization Director Pam Axtman appeared for comment. Axtman explained she used the sales ratio, size and age of each mobile home and entered those numbers into the Vanguard System. The mobile homes are then grouped according to the court resided in and given a grade. Vanguard does a mass calculation based on the information entered and sets a new true and full value. Certified Appraiser Rick Carriger appeared for comment. Carriger used the NADA guide to conduct the appraisals of the 85 mobile homes and believes is the best approach to configure the true and full values. Having no other appearances, at 9:48 a.m., moved by Comm. Nybakken, seconded by Comm. Wepler to suspend the public hearing and request a Vanguard representative is invited to address the situation concerning the mobile home true and full values. Roll call: all voted yes; motion carried.

Highway Engineer Dana Larsen appeared.

At the April 15, 2014 Commissioner Meeting it was approved to widen and rip rap 359th Ave SE in Rushville Township which is a sole access road to the Fannik home. Since that time the water has risen and the road is no longer passable. The land owner would like to know if an alternate route could be constructed. Moved by Comm. Walter, seconded by Comm. Fjeldahl to authorize the Highway Department to submit plans to FEMA for an alternate route for access to the Fannick home along 359th Ave SE in

Rushville Township, to not proceed at this time with the previous proposed improvements to 359th Ave SE, and also if the alternate route project is approved and constructed, Ward County would add that portion of the new road on the section line to the township mileage. Roll call: all voted yes; motion carried.

Larsen presented two proposed payment plan contracts between Ward County and the City of Kenmare for the reconstruction of County Road 2, also known as 6th Street North. Moved by Comm. Weppler, seconded by Comm. Fjeldahl to authorize the Highway Department approve Option 1 Payment Plan Contract for the total amount of \$731,446.35 for Kenmare City's share on the reconstruction of County Road 2. Roll call: all voted yes; motion carried.

Larsen presented imagery from 2013 showing the area where a property owner is encroaching on County Road 15 right of way (ROW) and on Section Line of the ROW. Complaints have been received by the Highway Department and Larsen is requesting to send notice to Devine Mercy LLC to remove the items from the ROW. Moved by Comm. Walter, seconded by Comm. Nybakken authorizing the Highway Department under Section 24-05-23 of the North Dakota Century Code, to send notice to Devine Mercy LLC informing them that they need to remove all obstructions with the ROW adjacent to County Road 15 and to restore the ROW. Additionally, the North Dakota State Health Department is to be notified of the cluttered property along with the photo of the area. Roll call: all voted yes; motion carried.

The Highway Department conducted interviews for construction engineering services on four projects. The Selection Committee recommends selecting the following engineer firms:

Project ID	Description	Engineering Firm
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BRO-0051(021)	Ward County Road 1 Bridge Replacement	Ackerman-Estvold Engineering
CER-5154(056)	Ward County Road 20 Inslope Repairs	KLJ Engineering
CER-5152(055)	County Road 18 Culvert Replacement	KLJ Engineering
CP-0252(14)	County Road 2 Reconstruction – Kenmare	Moore Engineering

Moved by Comm. Walter, seconded by Comm. Nybakken to award the contract of engineering services to the following firms listed and authorize the Chairman to sign the construction engineering contracts. Roll call: all voted yes; motion carried.

Highway Assistant Engineer Travis Schmit appeared.

Bids were submitted for the 2014 Ward County HMGP Structure Demolition and Site Restoration Project. The project includes demolishing five properties and restoring the properties to green space. Moved by Comm. Walter, seconded by Comm. Fjeldahl to award the true and low bid to Wright Brothers, The Building Company, Eagle LLC in the amount of \$139,800 and authorize the Chairman to sign the demolition contract. Roll call: all voted yes; motion carried.

Moved by Comm. Weppler, seconded by Comm. Fjeldahl to request Larsen draft a letter to Souris River Joint Board (SRJB) informing them of the achievements of the Ward County HMGP Structure Demolition and Site Restoration Project and request preparation plans from SRJB to inquire what the next step is for Ward County. Roll call: all voted yes; motion carried.

Highway Engineer Dana Larsen appeared on behalf of Planning/Zoning Administrator Amber Turnquest.

Moved by Comm. Fjeldahl, seconded by Comm. Weppler to approve the plat application for the following described property:

Peter Richter	Outlot 1 of NW ¼ NW ¼, Section 24-154-83	Afton Township
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The application is for 4.63 acre lot. The Afton Township Board has recommended approval. The Ward County Water Resource Board accepted the plat with no further comments. Roll call: all voted yes; motion carried.

States Attorney Roza Larson appeared.

A new settlement agreement has been reached between Ward County, the City of Minot and the landowner concerning the 55th Street ROW project. Moved by Comm. Walter, seconded by Comm. Weppler to authorize the Chairman to sign settlement agreement 51-2011-CV-00759. Roll call: all voted yes; motion carried.

Auditor/Treasurer Devra Smestad appeared.

Moved by Comm. Weppler, seconded by Comm. Fjeldahl to receive and file the following correspondences: US EPA – Generator Emissions; Material Testing Services – Building Site Soil Tests; Robert Stock – Construction Contract; Robert Stock – Construction Contract; EAPC – Response to Construction Contract; NDDOT – Transportation Alternatives Program; Ken Sharp – Utility Poles; Delos Haugen – Transfer of Anhydrous Ammonia; Lt. Renaud – Mobile Homes. Roll call: all voted yes; motion carried.

Moved by Comm. Nybakken, seconded by Comm. Walter to receive and file the monthly reports, including the financial report. Roll call: all voted yes; motion carried.

An Oil Impact Grant was awarded to the State’s Attorney’s Office for three positions. Moved by Comm. Fjeldahl, seconded by Comm. Weppler to authorize a budget amendment to the States Attorney’s 2014 budget to the following accounts to reflect the expenditures from the grant:

Salaries	(0001-5503-414-1000)	Increase from \$742,364 to \$873,300
Retirement	(001-5503-414-2001)	Increase from \$91,014 to \$107,068
Social Security	(001-5503-414-2002)	Increase from \$46,027 to \$53,763

Health Insurance	(001-5504-414-2003)	Increase from \$77,416 to \$88,201
Life Insurance	(001-5504-414-2006)	Increase from \$64 to \$74
Medicare	(001-5505-414-2008)	Increase from \$10,763 to \$12,583

Total: \$967,648 to \$1,134,989

Roll call: all voted yes; motion carried.

Moved by Comm. Walter, seconded by Comm. Fjeldahl to approve the 2014 Charity Local Permit for the Minot Area Youth Sportman’s Club and the 2014 Raffle Permit for North Plains PTA. Roll call: all voted yes; motion carried.

Smestad met with Emergency Management Director Amanda Schooling to discuss where they will obtain the funds for the Emergency Manager Director pay increase. Two options were discussed. Option 1) 50% is reimbursed through the Emergency Management Program Grant (EMPG) from the state in the amount of \$3,500 and 50% is to come out of the Commissioner Contingency Fund in the amount of \$3,500. Option 2) 50% is reimbursed through the EMPG from the state in the amount of \$3,500 and 50% is to come out of the Ward County 911 Coordinator Position in the amount of \$3,500. Moved by Comm. Wepler, seconded by Fjeldahl to approve option 2 and effective June 1, 2014 monies will be withdrawn from the Ward County 911 Coordinator Position for the Emergency Management Director pay increase. Roll call: all voted yes; motion carried.

Moved by Comm. Walter, seconded by Comm. Nybakken that the following payroll amendments be approved: Amanda Schooling – Emergency Management Administrator – Emergency Management (Level 25); Odd Osteroots – Seasonal Weed Control Sprayer – Weed Control (Level 15); Joel Lawson – Seasonal Weed Control Sprayer – Weed Control (Level 15); Matthew Kuske – Seasonal Surveyor – Highway Department (Level 15); Shane Christiansen – Seasonal Surveyor – Highway

Department (Level 15); Brent Dickinson – Equipment Operator – Highway Department (Level 20); Shelby Prellwitz – Equipment Operator – Highway Department (Level 20); Ray Burckhard – Seasonal Highway/Park Maintenance – Highway Department (Level 15); Austin Olson – Seasonal Highway/Park Maintenance – Highway Department (Level 15); Ingvald Hanson – Seasonal Highway/Park Maintenance – Highway Department (Level 15); Fred Debowey – Seasonal Highway/Park Maintenance – Highway Department (Level 15); Ted McDaniel – Seasonal Highway/Park Maintenance – Highway Department (Level 15); Taylor Foley – Seasonal Surveyor – Highway Department (Level 15). Roll call: all voted yes; motion approved.

Comm. Weppler updated the Commission of the Personnel Committee recommendations. Director of Tax Equalization Pam Axtman is requesting authority to hire a temporary person for data entry. Axtman will have money in her budget of up to \$1,850 for the temporary position which would cover 6 weeks at \$14/hour for 20 hours per week. The Personnel Committee is recommending she be authorized to hire the temporary position. Moved by Comm. Weppler, seconded by Comm. Nybakken to authorize Axtman to hire temporary help of up to \$1,850 for the temporary position to do data input. Roll call: all voted yes; motion carried.

Building Inspector Mike Larson would like to add a temporary consultant/employee to the county payroll. This individual would be contacted when larger commercial or industrial plans are brought in for approval and some on-site inspections. It is suggested to pay the consultant \$75/hr which will become part of the building permit charges. The Personnel Committee is recommending hiring a temporary consultant for commercial plan reviews. Moved by Comm. Weppler,

seconded by Comm. Fjeldahl for discussion to add the \$75/hour fee to the plan review and paying a consultant on the commercial or industrial plan reviews or inspections.

Roll call: Comm. Wepler and Comm. Nybakken voted yes, Comm. Fjeldahl, Walter and Chairman Gruenberg voted no; motion defeated. Moved by Comm. Wepler, seconded by Comm. Walter to add the \$75/hour fee to the plan review and paying a consultant on the commercial or industrial plan reviews only. Comm. Walter withdrew seconding the motion. Moved by Comm. Wepler, seconded by Comm. Nybakken to add the \$75/hour fee with a maximum of up to 4 hours to the plan review and paying a consultant on the commercial or industrial plan reviews only. Roll call: all voted yes, except Comm. Fjeldahl who voted no; motion carried.

At 10:45 a.m., with no further business, the meeting was adjourned.