

Minutes of the Board of Ward County Commissioners

June 3, 2014

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

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

Moved by Comm. Walter, seconded by Comm. Wepler to approve the minutes of the regular Commission meeting on May 20, 2014 and the Special Meeting on May 28, 2014 with one correction. Roll call: all voted yes; motion carried.

Smestad then presented the bills. Moved by Comm. Nybakken, seconded by Comm. Fjeldahl to approve the 2014 May/June regular bills totaling \$248,131.38 and the Social Services bills of \$56,470.26. Roll call: all voted yes; motion carried.

Sam Samson of Rushville Township appeared.

The Samson farmstead has had water issues since 2011. The road access to the farm consists of three different roads. The east and west road are both completely inundated with water and no longer passable leaving the south road as the only access to the farm. The south road has been built up three times by the farmstead causing financial burden and is again oversaturated with water and in desperate need of repair. Samson is asking for assistance from Ward County to rebuild 150 yards of the road.

Highway Engineer Dana Larsen appeared. Larsen explained that last year they had submitted for funding through FEMA and the section line of the road was deemed ineligible due to the fact it is not mile certified by Rushville Township and considered private property. Additionally Rushville Township is currently in debt and will remain that way for the next three to four years.

At 9:30 a.m. Chairman Gruenberg recessed the discussion with Mr. Samson to open the Tax Equalization meeting.

At 10:46 a.m. the regular Commission Meeting reconvened.

Moved by Comm. Walter, seconded by Comm. Fjeldahl to request Highway Engineer Dana Larsen work with Sam Samson to find a solution to assist with the road repair on the Samson Farmstead in Rushville Township and present cost estimates to the Highway Committee for a recommendation. Roll call: all voted yes; motion carried.

Highway Engineer Dana Larsen appeared.

County Road (CR) 23 between CR 8 and US 2 has started to break up and needs spot overlay and patching repair. Additionally, there has been some break up on CR 23 south of US 52, but the bulk of the patching will be on CR 23 north of US 2. Larsen presented bid tabs for the repairs. Moved by Comm. Walter, seconded by Comm. Wepler to award the low bid for the patching and spot overlay on CR 23 in the amount of \$59,056.50 to Minot Paving. Roll call: all voted yes; motion carried.

Quotes were requested for placing 6 inches of pit run and 3 inches of gravel on CR 22 east of US 83 where a grade raise was completed last fall. FEMA/State/Local (75/10/15) funding is available for the project. Moved by Comm. Fjeldahl, seconded by Comm. Walter to award the low bid for placing 6 inches of pit run and 3 inches of gravel

on CR 22 in the amount of \$19,441.03 to Excavating Inc. Roll call: all voted yes; motion carried.

Quotes were requested for widening CR 18 just east of CR 13 and adding rip rap. FEMA/State/Local (75/10/15) funding is available for the project. Moved by Comm. Fjeldahl, seconded by Comm. Wepler to award the low bid for the roadway widening of CR 18 just east of CR 13 in the amount of \$38,475.25 for site 28A and \$28,797.25 for site 28B to Sundre Sand & Gravel. Roll call: all voted yes; motion carried.

CR 12 south of US 2 and north of CR 14 is a paved county road and is also referred to as 55th St SE. The road was a mix of three different speed limits: 35 mph on the south 0.3 miles, 55 mph on the middle 1.5 miles and 25 on the north 0.2 miles. During the construction of the FEMA site in 2011 loaded trucks and mostly empty trucks used the road and at that time the speed limit was lowered from 55 mph to 35 mph. Since that time, the speed limit has not been changed back to 55 mph. Traffic counters were put out last fall to conduct a speed study using FHWA USLIMITS software and recommended the speed limit should be around 50 mph. Moved by Comm. Walter, seconded by Comm. Wepler to set the speed limit at 45 mph on 55th Street from CR 14 north 1.75 miles to 11th Ave and then from 11th Ave north to US 2 the speed limit be set at 35 mph. Roll call: all voted yes; motion carried.

Larsen was requested to draft a letter to Souris River Joint Water Resource Board (SRJB) to update them on the Mouse River Basin Enhanced Flood Protection Project and inquire what the next plan of action is for Ward County. Moved by Comm.

Wepler, seconded by Comm. Fjeldahl to authorize the Chairman to sign the letter and send the letter to SRJB. Roll call: all voted yes; motion carried.

Larsen presented the North Dakota Department of Transportation Bridge Inventory Scour and Channel and will furnish updated profile information on the structures listed for the inspection.

Three bridges were identified by the North Dakota Department of Transportation and given an alert code of 3, which means they are in critical condition and require immediate attention. Repair work on the bridges will be finished within the 90 day requirement.

Larsen presented four Construction Maintenance Agreements with the North Dakota Department of Transportation for emergency repair work on roads in Benedict, Makoti and Berthold. Moved by Comm. Walter, seconded by Comm. Fjeldahl to authorize the Chairman to sign the Construction Maintenance Agreements and authorize the Highway Department to bid out for project CER-5153 (059), CER-5119 (056), CER-5144 (056) and CER-5144 (058). Roll call: all voted yes; motion carried.

Highway Assistant Engineer Travis Schmit appeared.

Bids were submitted for the 2014 Ward County CDBG Structure Demolition and Site Restoration Project. The project includes demolishing eleven properties and restoring the properties to green space. Moved by Comm. Fjeldahl, seconded by Comm. Wepler to award the true and low bid to Wright Brothers, The Building Company, Eagle LLC in the amount of \$340,927.50 and authorize the Chairman to sign the demolition contract. Roll call: all voted yes; motion carried.

Planning/Zoning Administrator Amber Turnquest appeared.

Moved by Comm. Fjeldahl, seconded by Comm. Wepler to approve the following plat applications:

Applicant	Legal Description	Township
Susan Kuhnhenh	Outlot 14 of SE ¼, Section 4-156-84	Kirkelie

The application is for a 6.79 acre lot, the applicant intends to purchase the property. The Kirkelie Township Board has recommended approval. The Ward County Water Resource Board accepted the plat with no further comments.

Applicant	Legal Description	Township
Kenneth Honcharoff	Outlot 5 of NW ¼ Section 15-151-82	Iota

The application is for a 2 acre lot. The Iota Flat Township Board has recommended approval. The Ward County Water Resource Board accepted the plat with no further comments.

Applicant	Legal Description	Township
Mark Peterson	Outlot 3 of W 1/2 NW ¼ Section 25-152-81	Brilliant

The application is for a 10 acre lot. The Brilliant Township Board has recommended approval. The Ward County Water Resource Board accepted the plat with no further comments.

Applicant	Legal Description	Township
Norman Sollid	Outlot 1 of the N 1/2 NW ¼, Section 25-151-81	Greely

The application is for a 5.18 acre lot. The Greely 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.

Berthold City Council held a meeting on June 2, 2014 to discuss a proposed loading and gas separation facility. The location of the facility is one mile outside the extra territorial city limit and falls on the section line of the road. Berthold City Council is

requesting Ward County oversee the possible development and close the section line for the facility to move forward. Moved by Comm. Fjeldahl, seconded by Comm. Walter to authorize a Memorandum of Understanding be drafted with the City of Berthold to set a hearing date for the loading and gas separation facility to close the section line of the road and any/all permits are to be issued by Ward County. Roll call: all voted yes; motion carried.

Emergency Management Director Amanda Schooling appeared.

On March 14, 2014, in anticipation of a spring flood event due to a quick melt, the Ward County Commission signed a local Emergency Declaration. Schooling is requesting to suspend the disaster and put an end date for close out. Moved by Comm. Walter, seconded by Comm. Nybakken to suspend the March 14, 2014 emergency declaration for flooding. Roll call: all voted yes; motion carried.

Due to a recent rain event Schooling is requesting the following Flood Emergency Declaration be approved:

WHEREAS, Ward County has had a very high soil moisture content from precipitation received in 2008, 2009, 2010, 2011, 2012, and 2013;

WHEREAS, severe flooding has occurred throughout the county due to significant rainfall over a three day period from May 31 through June 2nd;

WHEREAS, the significant rain fall has produced overland flooding to occur as early as June 2nd throughout Ward County;

WHEREAS, the impact of the runoff and precipitation threatens the health, well-being and public safety of the citizens of Ward County;

WHEREAS, necessary mitigation measures, preparedness actions, and other measures must be taken immediately to protect public health and safety; and

WHEREAS, the potential damage to public and private property in addition to roads is beyond budgeted funds;

NOW, THEREFORE, BE IT RESOLVED that I, Jerome Gruenberg, Chairman of the Ward County Commission, by the authority vested in me, do hereby declare a FLOOD EMERGENCY exists in the southwest portion of Ward County, North Dakota, and order the activation and utilization of the Ward County Emergency Operations Plan, its procedures, attachments, and appendices, to monitor the situation, alleviate hardship and initiate appropriate relief action and mitigation measures by departments and agencies of local government to limit the impact of this emergency upon the citizens of Ward County.

Moved by Comm. Wepler, seconded by Comm. Fjeldahl to approve the Flood Emergency Declaration for Ward County. Roll call: all voted yes; motion carried.

JLG Architect Don Davison appeared.

A special meeting was held May 28, 2014 to discuss the jail expansion and juvenile detention center renovations. Due to a limited budget the square footage of the jail may need to be reduced and the juvenile detention center went from 7 cells down to 5 cells. Davison presented new schematic designs of the two facilities. The administration building is going along as planned and the precast architectural panels have been set and joints caulked on the north, east and west building elevations of the north portion of the building.

Building Supervisor Leona Lochthowe appeared.

The west parking lot has an expanding hole that is over 16 inches deep. Several attempts have been made to fill the hole but it continues to expand and that area has been blocked from traffic. Lochthowe is requesting guidance concerning the hole.

Moved by Comm. Walter, seconded by Comm. Fjeldahl to corner off the west side of the parking lot from the public until the hole can be reviewed. Roll call: all voted yes; motion carried.

Lochthowe informed the Commission that the courthouse generator is now EAPC compliant.

Sheriff Steve Kukowski appeared.

At this present time the Jail is short five correctional officers. Kukowski is requesting to ask the Reserve Force to temporarily fill those positions at a flat hourly rate instead of paying overtime to current staff. Moved by Comm. Walter, seconded by Comm. Weppler to authorize the Reserve Force temporarily fill the five correctional officer positions in the jail. Roll call: all voted yes; motion carried.

Auditor/Treasurer Devra Smestad appeared.

Moved by Comm. Nybakken, seconded by Comm. Weppler to receive and file the following correspondence: Receive and file correspondence: Sheriff Kukowski – Monthly Report; ND Dept. of Commerce – CDBG Flood Disaster Plan Amendment I (Sandy Funds); Robert Stock – R & K Contractors; States Attorney Larson – Reply to Mr. Stock; NDDOT – Tentative Award; S. Oppland – Road Conditions; State Water Commission – Application; ND Solid Waste & Recycling Assoc. – Workshop.

Roll call: all voted yes; motion carried.

Moved by Comm. Walter, seconded by Comm. Weppler to table the Wieland letter till the next Commission meeting on June 17, 2014 for further review. Roll call: all voted yes; motion carried.

Moved by Comm. Nybakken, seconded by Comm. Walter to approve the Gaming Site Authorizations for 2014-2015 to the following:

Organization	Location
Minot Junior Golf Association	Vardon Golf Club (expires 6/30/14)
Minot Junior Golf Association	Vardon Gold Club
MSU Beaver Boosters	The Pub
MSU Beaver Boosters	Flickertail Gardens

Roll call: all voted yes; motion carried.

Smestad presented a Memorandum of Understanding (MOU) between the City of Minot and Ward County regarding the FY 2014 Edward Byrne Memorial Justice Assistant Grant – 2014-H2610-ND-DJ. The grant would be shared amongst the Minot Police Department and Ward County Sheriff Office for the purchase of mobile data computers, docking stations, printers and scanners. Moved by Comm. Fjeldahl, seconded by Comm. Wepler to authorize the Chairman to sign the MOU with the City of Minot to share the grant award of \$19,059. Roll call: all voted yes; motion carried.

The Personnel Policy Handbook has been reviewed and revised by the department heads. Smestad is requesting the new policies be adopted by the commissioners. Moved by Comm. Walter, seconded by Comm. Fjeldahl to table the adoption of the Personnel Policy Handbook until it can be reviewed at budget time. Roll call: all voted yes; except Comm. Wepler who voted no; motion carried.

The Personnel Committee has made the following recommendations for the 2015 Ward County Budget:

Positions to be Added	Department
3 Full Time Employees	Highway Department
5 Full Time Employees	Social Services
2 Part Time Employees	Library
4 Full Time Employees	Building Services
1 Full Time Employee 1 Part Time Employee	Tax Equalization
5 Full Time Employees	Sheriff Department

Moved by Comm. Walter, seconded by Comm. Fjeldahl to include these positions in the 2015 budget as a side bar for review during budgeting time. Roll call: all voted yes; motion carried.

Ward County Department Heads researched the rising cost of living and health insurance benefits and are requesting a 5% COLA and up to 5% Merit increase for the 2015 Budget. Moved by Comm. Walter, seconded by Comm. Nybakken to include the 5% COLA and place the 5% Merit increase in the 2015 budget as a side bar for consideration during budgeting time. Roll call: all voted yes; motion carried.

Due to the recent increase in the Emergency Manager's compensation and a staff change which occurred in January (combining two positions into one EM Support Specialist), Smestad is requesting the following amendments be made to the 2014 Emergency Manager's budget:

Salaries	001-6600-424-10-00	\$168,309 to \$148,711
A Schooling	\$68,630	
H Turnquest	\$44,221	
J Eisenbraun	\$35,860	
Retirement	001-6600-424-20-01	\$20,634 to \$18,232
Social Security	001-6800-424-20-02	\$10,435 to \$9,220
Health Insurance	001-6600-424-20-03	\$15,103 to \$15,103
Medicare	001-6600-424-20-08	\$2,440 to \$2,157

Moved by Comm. Wepler, seconded by Comm. Walter to approve the above budget amendments for the Emergency Management Department. Roll call: all voted yes; motion carried.

Smestad informed the commission that the lease has expired for the Ward County Spring Lake Township pasture land and requested to re-advertise the lease. Moved by Comm. Fjeldahl, seconded by Comm. Walter to authorize the advertisement

for sealed bids on a 5 year lease for the Spring Lake Township pasture land. Roll call: all voted yes; motion carried.

A home on 13th St SE in Minot was sold on Contract for Deed at the Ward County auction. The home was flooded in 2011 and no repair work has been started on the severely damaged home. Moved by Comm. Walter, seconded by Comm. Weppler to send a letter informing the owner that the property must be cleaned within the next 30 days or the county will clean up the property and all fees will be assessed on the property taxes. Roll call: all voted yes; motion carried.

At 12:24 p.m., with no further business, the meeting was adjourned.