

McLean County Commission Proceedings
Tuesday, March 17, 2015

The final regular March meeting of the Board of Commissioners was called to order at 8:30 a.m. by Chairperson Barry Suydam. Present were Commissioners Suydam, Doug Krebsbach, and Steve Lee. Also present were Auditor Les Korgel, Deputy Auditor Nancy Leidholm, and Suzanne Werre of BHG News Service.

Moved by Krebsbach, seconded by Lee, to approve the minutes of the previous meeting with these changes: paragraph 3 should read "Mike Rivinius" instead of "Doug Rivinius"; and paragraph 7 should read "Wagner and Rivinius" instead of "Wold and Rivinius". Roll Call Vote: Aye: Suydam, Lee, and Krebsbach. Nay: None. Motion carried.

Road Superintendent Jim Grey joined the meeting along with Mike Rivinius and Ron Wagner of Wold Engineering.

Grey informed the board that road restrictions were placed on county roads as of Tuesday, March 10, 2015, and presented the following resolution to the board for signing:

RESOLUTION

WHEREAS, NDCC §39-12-03 provides that whenever any highway will be seriously damaged or destroyed by reason of deterioration, rain, snow, or other climatic condition unless the weight of vehicles, trucks, or other commercial vehicles thereon is limited, local authorities may by resolution impose restrictions as to the weight of the vehicles and the same shall be noticed by erection of signs designating the provisions of the resolution at each end of the portion of the highway effected thereby; and

WHEREAS, the Board of McLean County Commissioners has determined that highways which are under its jurisdiction may be seriously damaged by reason of deterioration, rain, snow or other climatic conditions unless the weight of vehicles, trucks or other commercial vehicles thereon is limited;

THEREFORE, IT IS HEREBY RESOLVED; that 7 ton per axle not to exceed 80,000 pounds road restrictions are imposed on all McLean County asphalt roads except McLean County #18 to the Great River Energy Plant;

That 6 ton per axle not to exceed 65,000 pounds road restrictions are imposed on all other McLean County roads except McLean County Highway #18 extending 7 miles south of Riverdale to the Fisher Industries (Sand and Gravel) Plant.

IT IS HEREBY ORDERED that the McLean County Highway Superintendent shall cause notice of such restrictions to be posted at each end of the portion of the highway affected thereby. Road restrictions imposed shall begin within 24 hours after said signs have been erected.

DATED: This 17th day of March, 2015.

McLEAN COUNTY BOARD OF COMMISSIONERS

Barry Suydam – Chairman

Steve Lee

Doug Krebsbach

ATTEST:

Leslie Korgel, Auditor

IT IS HEREBY RESOLVED that the above-stated road restrictions are hereby removed.

DATED: This ____ day of _____, 2015.

McLEAN COUNTY BOARD OF COMMISSIONERS

Barry Suydam – Chairman

Steve Lee

Doug Krebsbach

ATTEST:

Leslie Korgel, Auditor

Grey also informed the commission of the ongoing blading and shaping of roads as the weather holds out. He has sent out the bid information for the upcoming loader/excavator bid opening scheduled for 10:30 a.m. on April 7, 2015.

Ron Wagner of Wold Engineering informed the commission that the application for funding under the Surge Bill (SB2103) for subgrade repairs and aggregate surfacing on the County Road (CR) 2 in western McLean County and for subgrade repairs and aggregate surfacing on County Road 23 south of Benedict in McLean County have been approved pending a 55 m.p.h. design speed. Wagner doesn't see an issue with the CR 2 project as it should meet the requirements easily.

The CR 28 project will be tougher as it will need to be regraded. Wagner is awaiting further criteria from the DOT and is hoping to be able to post curve areas at a lower speed. Discussion followed.

Rivinius presented a right-of-way easement, change order and an engineering addendum for signing.

Moved by Krebsbach, seconded by Lee, to accept and purchase the temporary and permanent right-of-way easements for federal aid project BRO-0028(021), Painted Woods Creek bridge replacement project south of Washburn. Roll Call Vote: Aye: Suydam, Lee, and Krebsbach. Nay: None. Motion carried.

Moved by Lee, seconded by Krebsbach, to approve the change order for the 100% federally funded grade raise on federal aid project ROM-0300(114) near Benedict in the amount of \$1,157,790.66. Roll Call Vote: Aye: Suydam, Lee, and Krebsbach. Nay: None. Motion carried.

Moved by Krebsbach, seconded by Lee, to approve the engineering addendum for the grade raise change order work on federal aid project ROM-0300(114) near Benedict.

Land Use Administrator Todd Schreiner, his assistant Cassie Goetz and County Assessor Ryan Oberg joined the meeting.

Schreiner presented one item requiring final zoning action from yesterday's Planning & Zoning commission meeting.

Moved by Lee, seconded by Krebsbach, to concur with the Planning & Zoning Commission and approve the conditional use permit request from Garrett Krueger and Bobbi Jo Krueger of Garrison for a conditional use permit for land located in the SW¼ of Section 23, Township 148 North, Range 85 West, described as Outlot B within Outlot A, to change the classification from agricultural to residential. Discussion followed regarding correct classifications of rural properties. Roll Call Vote: Aye: Suydam, Lee, and Krebsbach. Nay: None. Motion carried.

Discussion took place regarding assessing for Butte Township and the City of Garrison between the commission, Schreiner and Oberg.

Moved by Lee, seconded by Krebsbach, to approve the assessing contract with the City of Garrison as presented with the stipulation that Garrison be made aware of the additional costs to bring their commercial and residential parcels up to date. There will be more discussion with the City of Garrison in the future. Roll Call Vote: Aye: Suydam, Lee, and Krebsbach. Nay: None. Motion carried.

Emergency Manager Noelle Kroll joined the meeting to discuss an agreement with Kadmas, Lee & Jackson, Inc. (KLJ) of Bismarck for updating the county's Hazardous Mitigation Plan. If not in place, FEMA will not help in the event of a disaster. Kroll explained that States Attorney Ladd Erickson has looked at the agreement and made some changes that have been implemented by KLJ and presented the agreement for signing.

Moved by Krebsbach, seconded by Lee, to enter into an agreement with Kadmas, Lee & Jackson, Inc. of Bismarck to provide services for updating the county's Hazardous Mitigation Plan at the cost of \$26,959.00; 15% to be paid by McLean County, 75% federal funding and 10% state funding. Roll Call Vote: Aye: Suydam, Lee, and Krebsbach. Nay: None. Motion carried.

Moved by Lee, seconded by Krebsbach, to approve the fire emergency and burn ban proclamation for McLean County as submitted by Kroll:

FIRE EMERGENCY AND BURN BAN
for
McLEAN COUNTY, NORTH DAKOTA

March 17, 2015

WHEREAS, McLean County, North Dakota has endured abnormally dry conditions compiled with high winds; and

WHEREAS, several rural fires have already occurred as a result of the current conditions; and

WHEREAS, all available resources remain committed to protecting life and property; and

WHEREAS, the impact of fires could threaten the health, well-being, and safety of citizens in McLean County; and

WHEREAS, the cost of response and the inordinate equipment wear may be far in excess of available County resources.

NOW, THEREFORE, BE IT RESOLVED, that the Board of McLean County commissioners declares a Fire Emergency and Burn Ban (to include a ban on campfires and garbage burning) remain in effect, until further notice, whenever the North Dakota Fire Danger Rating is Very High or Extreme Index and/or a Red Flag Warning has been issued for McLean County, North Dakota until further notice. **THE PENALTY FOR VIOLATION OF THIS BURN BAN IS A CLASS B MISDEMEANOR (NDCC 37-17.1-10.1: MAXIMUM SENTENCE OF 30 DAYS IN JAIL AND \$1,000 FINE).**

The North Dakota Rural Fire Danger guide is posted on the North Dakota Division of Emergency Services website: http://www.crh.noaa.gov/bis/?n=fire_weather_public or resident can contact the McLean County Sheriff's Office at 701-462-8103.

DATED at Washburn, North Dakota this 17th day of March, 2015.

McLean County Commission

Barry Suydam, Chairman

ATTEST:

Leslie Korgel, County Auditor

Roll Call Vote: Aye: Suydam, Lee, and Krebsbach. Nay: None. Motion carried.

Kroll provided an update on risk management.

Sheriff J. R. Kerzmann, Chief Deputy Sheriff/E-911 Coordinator Richard Johnson, and Assistant Jail Administrator Wade Krohmer joined the meeting.

Moved by Lee, seconded by Krebsbach, to approve Sheriff Kerzmann's request to send Deputy Justin Krohmer to field officer training in Minnesota. Roll Call Vote: Aye: Suydam, Lee, and Krebsbach. Nay: None. Motion carried.

Moved by Lee, seconded by Krebsbach, to waive the probationary period for Assistant Jail Administrator Wade Krohmer for salary and leave benefits, raising his salary to 55,655.00, but leaving the performance review schedule as is, per Kerzmann's recommendation. Roll Call Vote: Aye: Suydam, Lee, and Krebsbach. Nay: None. Motion carried.

Kerzmann informed the commission of a scheduled meeting April 22 at Underwood City Hall to meet with the cities and city judges to discuss patrol plans, the possibility of having uniformed officers at city court and a question/answer period. He invited the commissioners to attend.

Kerzmann then updated the commission on the impound lot established in Garrison.

Chief Deputy Sheriff/E-911 Coordinator Richard Johnson requested and received permission to go ahead with equipment repairs including a printer, driver's license scanner, radio microphone and surveillance camera. He was also given the go ahead to purchase tires to have on hand for patrol cars.

Assistant Jail Administrator Wade Krohmer reported that things were going well at the jail. He explained that they have been moving out some federal prisoners and bringing in prisoners from other counties. He added that Lieutenant/Training Officer has been conducting leadership training classes.

Mike Rivinius and Ron Wagner of Wold Engineering rejoined the meeting for the scheduled 10:00 a.m. bid opening for road project CP-2814(015). Francis Busse representing Mayo Construction also joined the meeting.

Two bids were received. Mayo Construction of Cavalier, ND submitted a total bid in the amount of \$502,063.82 and Astech Corporation of St. Cloud, MN submitted a total bid in the amount of \$454,196.05.

Rivinius, Wagner and Grey will review the bids and come back with their recommendations.

Painted Woods Golf Course President Trevor Leidy joined the meeting with an update on the Painted Woods Golf Course project, thanking the commission for the county's help in completing the project.

Moved by Krebsbach, seconded by Lee, to approve a gaming site authorization for Painted Woods Recreation Area. Roll Call Vote: Aye: Suydam, Lee, and Krebsbach. Nay: None. Motion carried.

Moved by Krebsbach, seconded by Lee, to approve the following vouchers for payment:

CHECK #	VENDOR	DESCRIPTION	AMOUNT
A126415	ACME TOOLS	GARRISON AND TURTLE LAKE SHOP SUPPLIES	124.45
A126416	ALS METAL WORK	CENTER PIVOT PINS, BEAR BRONZE WALK BEAM	588.78
A126417	CHS INC	OIL FOR CRACK SEALING	28,250.49
A126418	D & D REPAIR, INC	PARTS	75.00
A126419	DAKOTA TRUCK & FARM SERVICE	PARTS	104.28
A126420	EIDE FORD	PARTS	13.59
A126421	ELECTRONIC COMMUNICATIONS	4 UHF MINI ADAPTERS	36.00
A126422	ENERBASE COOP RESOURCES	MLYPLX 500	36.90
A126423	GARRISON FARMERS UNION OIL	SOLVENT	109.80
A126424	TURTLE LAKE FARMERS UNION	PARTS, FUEL	9.64
A126425	GARRISON CITY	GARBAGE/WATER	61.49
A126426	GCR TIRE CENTERS	TIRES	660.12
A126427	JOHNSEN TRAILER SERVICE	PARTS	63.44
A126428	JOHN DEERE FINANCIAL	PARTS, EDGES	6,508.95
A126429	MAX FARM SERVICES	FUEL @ MAX	3,907.20
A126430	MCLEAN ELECTRIC COOPERATIVE	ROSEGLEN, UNDERWOOD & GARRISON SHOPS	846.00
A126431	MDU	WASHBURN, TURTLE LAKE, MAX, & GARRISON SHOPS	1,673.96
A126432	MILLENNIUM EXPRESS	DELIVERY CHARGES	30.09
A126433	NAPA AUTO PARTS	PARTS, WASHBURN SHOP SUPPLIES, SAFETY ITEMS, OIL	1,405.81
A126434	NAPA AUTO PARTS	PARTS, GARRISON SHOP SUPPLIES, OIL	3,075.30
A126435	NORTHERN SAFETY & IND	SAFETY VESTS FOR CRACK SEALING	489.28
A126436	PRAXAIR DISTRIBUTION	PARTS	336.39
A126437	RESERVATION TELEPHONE COOP	TELEPHONE	40.47
A126438	UNDERWOOD FARM SUPPLY	24" CONVEYOR BELTING	115.00
A126439	VERIZON WIRELESS	HIGHWAY CELL SERVICE	208.66
A126440	WAGON WHEEL LUMBER	PARTS, TURTLE LAKE SHOP SUPPLIES	107.77
A126441	WASHBURN AUTO BODY LLC	AIM HEADLAMPS	31.00
A126442	WEST RIVER TELECOMM	TELEPHONE & DSL	88.49
A126443	WOLD ENGINEERING P.C.	PROJECT B-13-08 – CNOA-2827(053) PROJECT B-13-38 – CNOA-2815(001) PROJECT B-14-38 – STOCKPILE SURVEY	110,465.11
A126444	BOB BARKER COMPANY	HYGIENE SUPPLIES – SHERIFF	242.05
A126445	CAPITAL TROPHY, INC.	2 9X12 PAINO CHERRYWOOD PLAQUES – SHERIFF	112.00
A126446	CHASE DRUG STORE	PRISONER MEDICATION	644.97
A126447	COMMUNITY MEMORIAL HOSP	BLOOD ALCOHOL TESTING	25.00
A126448	CONNECTING POINT	REPAIR HP DESKJET P2055D	448.57
A126449	DACOTAH PAPER COMPANY	JANITORIAL SUPPLIES	526.01
A126450	DAKOTA CENTRAL SOCIAL SVCS	McLEAN COUNTY SHARE BILLABLE EXPENDITURES – MARCH	50,333.84
A126451	DOC'S SHOP	OIL CHANGES – SHERIFF	304.50
A126452	MICHELLE EFFERTZ	REIMBURSE MARCH CELL PHONE, TRAVEL	145.58
A126453	EGGERS ELECTRIC MOTOR CO	MOTOR FOR LAW ENFORCEMENT CENTER BOILER	514.98
A126454	ELECTRONIC COMMUNICATIONS	NEXT GENERATION 911 MIGRATION	1,100.00
A126455	ELECTION SYSTEMS & SOFTWARE	SOFTWARE LICENSE AGREEMENT – L E-POLLBOOKS	285.00
A126456	ENERBASE COOP RESOURCES	GASOLINE – SHERIFF	55.64
A126457	WILTON FARMERS UNION OIL CO	GASOLINE – SHERIFF	439.98
A126458	GARRISON FARMERS UNION OIL	GASOLINE, OIL CHANGES, OIL FILTER, HEADLIGHT CONNECTORS, FLUID, ANTIFREEZE – SHERIFF	1,832.26
A126459	TURTLE LAKE FARMERS UNION	ANTIFREEZE – SHERIFF	29.98
A126460	GARRISON CITY	AUDITORIUM RENTAL FOR PESTICIDE TRAINING – CO AGENT	50.00
A126461	GARRISON VETERINARY SERVICE	DOG FOOD – DRUG DOG	33.25
A126462	GARRISON MEMORIAL HOSPITAL	BLOOD ALCOHOL TESTING	60.00
A126463	BENJAMIN GEHRING	MARCH REIMBURSEMENT FOR CORONER SERVICES	1,500.00
A126464	IRENE GRAVES	REIMBURSE MARCH CELL PHONE, TRAVEL, GAS	112.06
A126465	GRIMSLEYS EXHAUST & FUELS	GASOLINE – SHERIFF	647.30

A126466	HARRYS AUTO	GASOLINE – SHERIFF	58.87
A126467	HIWAY 83 EXPRESS	GASOLINE, DIESEL	272.68
A126468	INFORMATION TECH DEPT	T-1 LINE ACCESS, VPN, USER FEES, EXCHANGE EMAIL ACCOUNTS	1,942.60
A126469	JOHNSON RICHARD	CELL PHONE REIMBURSEMENT	30.00
A126470	K & D SERVICES	AIR VENT	22.00
A126471	BETH KNUTSON	TRAVEL	192.63
A126472	KRAUSE'S SUPER VALU	COFFEE, CLEANER, ASSESSOR TRAINING SNACKS	4,204.27
A126473	NOELLE KROLL	REIMBURSE MARCH CELL PHONE	30.00
A126474	WADE KROHMER	REIMBURSE CABINET HANDLE, CLEANING SUPPLIES	16.69
A126475	KYLE'S KATERING	MEALS FOR PESTICIDE TRAINING	366.68
A126476	CURT MALO	REIMBURSE MARCH CELL PHONE	30.00
A126477	MAX FARM SERVICES	GASOLINE – SHERIFF	114.11
A126478	MCLEAN ELECTRIC COOPERATIVE	SECURITY LIGHTS – COURTHOUSE, PARK; PARK BOARD, CIVIL DEFENSE, CAMPER PADS	733.00
A126479	MCLEAN MERCER REG LIBRARY	DISBURSE STATE AID	28,683.00
A126480	MDU	GAS – LAW ENFORCEMENT CENTER, COURTHOUSE	259.86
A126481	MIDCONTINENT CABLE CO	CABLE TV – LAW ENFORCEMENT CENTER	61.50
A126482	NAPA AUTO PARTS	HEADLIGHTS	72.47
A126483	ND COUNTY AUDITORS ASSOC	2015 ANNUAL DUES	250.00
A126484	NDSU EXTENSION SERVICE	SALARY - JAN THRU JUNE 2015 – GRAVES, EFFERTZ; MEALS JULY THRU DEC 2014 – GRAVES, EFFERTZ	26,995.50
A126485	NDSU EXTENSION SERVICE	HDHF REGISTRATION – CO AGENT	30.00
A126486	ND YOUTH CORRECTIONAL CTR	DETENTION CARE – McLEAN COUNTY YOUTH	3,419.76
A126487	RYAN OBERG	REIMBURSE MARCH CELL PHONE	30.00
A126488	OFFICE DEPOT	HP TONER/INK, FAX TONER, LEGAL PADS, CD SLEEVES, DVD'S, CHAIRMATS, CLIPBOARDS, FOLDERS, BUSINESS PAPER, RUBBER CEMENT, CALCULATORS, ENVELOPES, RIBBONS, SHARPIES	2,866.78
A126489	PETTY CASH	REPLENISH PETTY CASH	100.00
A126490	RICHARD HULTBERG	PLANNING & ZONING TRAVEL	43.70
A126491	DONALD FLINN	PLANNING & ZONING TRAVEL	11.50
A126492	VERNON OSTBY	PLANNING & ZONING TRAVEL	42.55
A126493	DARWIN SAARI	PLANNING & ZONING TRAVEL	28.75
A126494	RECORD KEEPERS	SHREDDING SERVICES	16.00
A126495	RESERVATION TELEPHONE COOP	BENEDICT SPORTSMENS PARK, GARRISON DEPUTIES, 911 TRUNKING	198.25
A126496	SRT COMMUNICATIONS, INC	911 TRUNKING	698.28
A126497	ST ALEXIUS CLINICS	PRISONER MEDICAL	272.00
A126498	SUPER PUMPER	GASOLINE – SHERIFF	247.06
A126499	TASER INTERNATIONAL	TASERS, CARTRIDGES, BATTERY PACK, HOLSTER	6,458.25
A126500	THE SIDWELL COMPANY	McLEAN ND GIS	18,000.00
A126501	TURTLE LAKE INS AGENCY	HARFORD STEAM BOILER POLICY	2,199.00
A126502	UNISTOP, INC	GASOLINE – SHERIFF	2,104.78
A126503	VERIZON WIRELESS	DATA CARDS – SHERIFF	640.16
A126504	WASHBURN AUTO BODY LLC	S-11 MOUNT/BALANCE TIRES, WHEEL ALIGNMENT, ADJUST CAMBOR IN LEFT FRONT; S-1 MOUNT/BALANCE TIRES; 2-12 LABOR TO PUSH OUT DENT RIGHT REAR DOOR;	374.99
A126505	WATER PURITY INC	WATER DELIVERED	49.00
A126506	WEST RIVER TELECOM	MONTHLY TELEPHONE SERVICE; 911 TRUNKING RECURING	4,279.96
A126507	WEX BANK	GASOLINE – SHERIFF	96.82

Roll Call Vote: Aye: Suydam, Lee, and Krebsbach. Nay: None. Motion carried.

Rivinius, Wagner and Grey rejoined the meeting with their recommendation to award road project CP-2814(015) to Astech Corporation of St. Cloud, MN.

Moved by Krebsbach, seconded by Lee, to accept the bid from Astech Corporation of St. Cloud, MN in the corrected amount of \$454,196.90 for road project CP2814(015), a micro sealing project on County Rd #8. Roll Call Vote: Aye: Suydam, Lee, and Krebsbach. Nay: None. Motion carried.

There being no further business, the chairperson declared the meeting adjourned until the next regularly scheduled meeting on Tuesday, April 7, 2015. The commission minutes and agenda can be found on the county website at <http://www.mcleancountynd.gov>.

Barry Suydam, Chairperson

Nancy Leidholm, Deputy Auditor