

McLean County Commission Proceedings
Tuesday, May 5, 2015

The first regular May 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, Chief Deputy Auditor Lori A. Foss, Jaimi Russell of Washburn, and Stu Merry of BHG News Service.

Moved by Krebsbach, seconded by Lee, to approve the minutes of the previous meeting as submitted. Roll Call Vote: Aye: Suydam, Lee, and Krebsbach. Nay: None. Motion carried.

Road Superintendent Jim Grey joined the meeting along with Wold Engineering representatives Ron Wagner and Mike Rivinius. Grey reported that he sees county road restrictions remaining active for at least two more weeks. He requested and received permission to attend an upcoming state vehicle auction in hopes of acquiring a replacement sign truck that is in need of repair.

Rivinius presented final plans and certification letters for the Painted Woods Creek bridge replacement project, designated as BRO-0028(021), notifying the board that a June bid letting is planned.

Moved by Krebsbach, seconded by Lee, to accept final plans, sign certification letters, and allow to go to bid for Federal Aid Project BRO-0028(021) bridge replacement. Roll Call Vote: Aye: Suydam, Lee, and Krebsbach. Nay: None. Motion carried.

Wagner discussed road graveling projects to be funded through Surge funds generated by SB2103. Bid letting is scheduled for May 19, 2015. Korgel reported that there was a small problem in the publication of the bid letting advertisement; the ad was sent to the local paper on the April 27, 2015 as required but was not published in that week's paper as it should have been. Due to that issue, the ad will not run locally for the required three weeks. The ad has been running on a website available to general contractors, www.northdakotabids.com, since April 27. The commission was given two options for dealing with the advertising issue; the first option was move the bid letting date to a later meeting and the second option was allow the internet advertisement to fulfill the advertisement requirement. The board elected to take the second option though the ad will run locally for the next two weeks.

Moved by Lee, seconded by Krebsbach, to accept final plans and call for bids on McLean County Project CNOB-2800(051) consisting of county road graveling at three sites in McLean County with bid letting scheduled for 9:30 a.m. on May 19, 2015. Roll Call Vote: Aye: Suydam, Lee, and Krebsbach. Nay: None. Motion carried.

Discussion followed regarding other possible projects that could be funded by the remaining Surge funds including parts of County Roads 10 and 25.

Moved by Lee, seconded by Krebsbach, to authorize Wold Engineering to initiate Surge funded projects involving County Roads 10 and 25 and to authorize the auditor to sign any required documentation needed to expedite the process. Discussion followed. Roll Call Vote: Aye: Suydam, Lee, and Krebsbach. Nay: None. Motion carried.

Wagner discussed House Bill (HB) 1176 which allocated the county \$4,744,461.00 for road projects planned for 2016. Engineering on these projects can start soon after July 1, 2015 which would allow bid lettings this fall so that the projects could be shovel ready in early 2016. Wagner also informed the board that there is a possibility that HB1176 funds could be used for structures as well.

Sheriff JR Kerzmann, Chief Deputy Richard Johnson, and Assistant Jail Administrator Wade Krohmer joined the meeting. Kerzmann addressed the overtime situation that was discussed at the last commission meeting. Foss presented salary data as it stands on April 30, 2015 along with budget projections for the remainder of 2015. As it stands today, with adjustments for patrol deputies who have left or will leave our employment, the budget will allow for the continuance of overtime for Jailer-Dispatchers as needed and the hiring of three replacement patrol deputies. The commission authorized the department to continue overtime hours for jailer-dispatchers as needed.

Krohmer told the board that about \$68,000.00 has been generated through prisoner housing fees; he feels we are on pace to surpass 2014 fee collections in that revenue area. Part of the increase is due to moving federal marshal prisoners out of the system and replacing those prisoners with county prisoners. The federal prisoners were housed at a cheaper rate than charged to other counties for housing their prisoners. The loss of the federal prisoners has been beneficial in many areas since county prisoners generally are easier to deal with than the longer term federal prisoners. The jail is currently housing 28 prisoners.

Kerzmann requested permission to send Detectives Sam Lincoln and Aaron Matties to *Death and Homicide Investigation* training in Aberdeen, South Dakota at a total cost \$1,030.00 including meals, housing, and transportation.

Moved by Lee, seconded by Krebsbach, to approve the training request for Matties and Lincoln as presented. Roll Call Vote: Aye: Suydam, Lee, and Krebsbach. Nay: None. Motion carried.

Johnson discussed the Oil Impact Grant funding approved for the July 1, 2015-June 30, 2017 biennium. The department is not requesting the funding of any additional personnel this time; instead they would like to apply for funds to purchase six vehicles for the department along with any costs related to outfitting those vehicles for service including computers. They would also like to request funds to purchase 20 body cameras. The total cost of the proposed purchases is \$320,000.00; the grant is a 10% matching grant which means the county would be responsible for 10% of the total cost which could be up to \$32,000.00 if the entire grant application is approved. Applications need to be submitted by May 26, 2015 to be considered for funding. Johnson stated that if grant approval was received, the purchases could be funded with dollars included in the 2016 budget.

Moved by Lee, seconded by Krebsbach, to authorize the Sheriff's Department to apply for a grant through the Oil Impact Grant program with the understanding that the county would be responsible for a 10% match. Roll Call Vote: Aye: Suydam, Lee, and Krebsbach. Nay: None. Motion carried.

Moved by Krebsbach, seconded by Lee, to allow the Sheriff's Department to discontinue a subscription to Lexipol LLC's online services for policy manual updates since the services are not being utilized and the cost has tripled for this year. Roll Call Vote: Aye: Suydam, Lee, and Krebsbach. Nay: None. Motion carried.

Kerzmann presented a job description for the new position of Patrol Deputy-Senior Officer explaining the need for the position and also its rank in the scheme of department operations. He would like three Patrol Deputies to be reclassified/promoted to this new job classification; the three officers are Justin Krohmer, Cody Meadows, and Curt Olson. Lee questioned if this is solely an increase in duties and responsibilities or is this also a request for more pay for those three employees. Foss informed the board that it is our practice to award pay increases of up to 5% for promotions.

Moved by Lee, seconded by Krebsbach, to approve the job description for Patrol Deputy-Senior Officer along with 2% salary increases for the three employees assigned to that job description effective May 1, 2015. Discussion followed regarding whether or not a pay adjustment is warranted. Roll Call Vote: Aye: Suydam, Lee, and Krebsbach. Nay: None. Motion carried.

Kerzmann submitted Patrol Deputy Matthew J. Tri's resignation letter effective June 7, 2015. Tri has been hired by Barnes County which is closer to home for him.

Kerzmann then presented a job description for the position of Chaplain within the Sheriff's Department. It recently came to the attention of the department that employee John Butman was mistakenly classified as a part-time Jailer-Dispatcher. The misclassification was through no fault of any current county employee but rather through miscommunication. Krohmer and Kerzmann discussed Butman's activities and work schedule. Foss informed the board that Butman was currently being paid as a Jailer-Dispatcher which is a Grade 2 position in our salary structure. The proposed Chaplain position would be assigned a Grade 1 level in the salary structure.

Moved by Krebsbach, seconded by Lee, to approve the Chaplain job description as presented. Roll Call Vote: Aye: Suydam, Lee, and Krebsbach. Nay: None. Motion carried.

Moved by Krebsbach, seconded by Lee, to reassign John Butman to the Chaplain position and to reduce his hourly pay rate to \$13.29 due to the Grade 1 salary structure assignment and to allow him no more than 30 hours per month effective May 1, 2015. Roll Call Vote: Aye: Suydam, Lee, and Krebsbach. Nay: None. Motion carried.

In closing, Kerzmann informed the board that the department would be providing *Responsible Server* training to bartenders of local liquor establishments through grant funding.

Weed Control Officer Vance Tomlinson joined the meeting to open bids for Weed Board chemical purchases for the 2015 season. Scheresky Ag Service of Max submitted a bid of \$13.20/gallon for 2,4-D Amine and a bid of \$63.60/gallon for Tordon 22K. Wholesale Ag Products West L.L.C. of Underwood submitted a bid of \$12.20/gallon for 2,4-D Amine and a bid of \$47.00/gallon for Trooper 22K (the generic equivalent of Tordon 22K). Farmers Union Oil Company of Turtle Lake submitted a bid of \$13.50/gallon for 2,4-D Amine and a bid of \$52.60/gallon for Tordon 22K.

Moved by Krebsbach, seconded by Lee, to accept the bid from Wholesale Ag Products West of Underwood for Trooper 22K (the generic equivalent of Tordon 22K) at \$47.00/gallon and for 2,4-D Amine at \$12.20/gallon. Roll Call Vote: Aye: Suydam, Lee, and Krebsbach. Nay: None. Motion carried.

Tomlinson informed the board that he will have two returning summer weed sprayers and is hoping to hire two additional new sprayers.

Moved by Krebsbach, seconded by Lee, to approve issuing a raffle permit to Sky Fest Over Fort Stevenson of Roseglen for a raffle to be held on May 23-24, 2015 at Fort Stevenson Park awarding kites as prizes with a total value of \$150.00. Roll Call Vote: Aye: Suydam, Lee, and Krebsbach. Nay: None. Motion carried.

Korgel presented a letter drafted by himself and States Attorney Ladd Erickson to be mailed to McLean County property owners, Curt and Jane Lechner, regarding their ongoing property access issue discussed at the last meeting and earlier at the September 30, 2013 and July 1, 2014 commission meetings. The letter informs the Lechners that it is the opinion of the County Commission that adjoining property owner Nathan Strecker's use of gates is not causing an undue burden or restriction on their ingress, egress, or use of the property and that the Commission will not take any action requiring the removal or modification of Strecker's gates and/or fences.

Moved by Lee, seconded by Krebsbach, to approve the letter as presented and directed that it be mailed to the Lechners at both their Arizona and North Dakota addresses. Roll Call Vote: Aye: Suydam, Lee, and Krebsbach. Nay: None. Motion carried.

Moved by Krebsbach, seconded by Lee, to approve gaming site authorizations for the Garrison Area Improvement Association (GAIA) to conduct games of chance at Stoney End Supper Club in Garrison and the Garrison Golf Club specifically for blackjack activities. Roll Call Vote: Aye: Suydam, Lee, and Krebsbach. Nay: None. Motion carried.

Moved by Lee, seconded by Krebsbach, to approve a special events permit for Stoney End Supper Club of Garrison for the Pheasants for the Future banquet to be held at Garrison City Auditorium in Garrison on May 15, 2015. Roll Call Vote: Aye: Suydam, Lee, and Krebsbach. Nay: None. Motion carried.

Korgel presented a financial recap for the period ending April 30, 2015 including a list of delinquent taxpayers owing more than \$4,000.00 which shows 17 taxpayers owing a total of \$146,478.73. Property tax collections stand at 95% which is equal to the same time in 2014. On the expense side we have spent 26.82% of the 2015 budget. The county will continue with spending restrictions due to the continued decreases in revenue collections.

The board received and ordered filed the monthly revenue report submitted by the Sheriff's office in the amount of \$1,031.20 for the months of January, February, March and April.

The board received and ordered filed the monthly revenue report submitted by the Recorder's office in the amount of \$8,190.00 for the month of April.

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

CHECK #	VENDOR	DESCRIPTION	AMOUNT
A126834	BROCK WHITE CO LLC	FABRIC ROLLS	1,252.62
A126835	BUTLER MACHINERY COMPANY	PARTS	111.82
A126836	C&R RADIATOR	PARTS	599.90
A126837	WILLIAM CARLSON	REIMBURSE CELL PHONE	30.00
A126838	CIRCLE SANITATION SERVICE	GARBAGE	64.25
A126839	WILTON FARMERS UNION OIL CO	PROPANE – 100 LBS	220.32
A126840	FILTER CARE OF GRAFTON	WASHED FILTERS	25.31
A126841	TIM FORSCH & CATHERINE FORSCH	BRO-0025(021) PARCLE(S) 1, 1A, 2 & 2A	4,650.00
A126842	GARRISON LUMBER	LUMBER	69.25
A126843	INLAND TRUCK PARTS CO	PARTS	1,311.26
A126844	JIM MANOGUE	REIMBURSE POSTAGE TO MAIL OIL SAMPLES	5.54
A126845	MAX FARM SERVICES	FUEL	3,360.60
A126846	MCLEAN SHERIDAN RURAL WATER	WATER	65.91
A126847	NAPA AUTO PARTS-WASHBURN	PARTS, WASHBURN SHOP SUPPLIES	347.35
A126848	ND SURPLUS PROPERTY/OMB	1995 SCRAPER	20,000.00
A126849	PRAXAIR DISTRIBUTION	PARTS	336.39
A126850	SCOTT'S HARDWARE	WASHBURN SHOP SUPPLIES, PARTS	166.40
A126851	S & J HARDWARE	PARTS, GARRISON SHOP SUPPLIES	155.58
A126852	TRUCKS OF BISMARCK	PARTS	882.39
A126853	TRUENORTH STEEL	CULVERTS	30,356.96
A126854	WAGON WHEEL LUMBER	PARTS	11.38
A126855	WASHBURN AUTO BODY LLC	ROTATE & BALANCE TIRES	35.00
A126856	WASTE MANAGEMENT	GARBAGE	49.81
A126857	WEST RIVER TELECOM	TELEPHONE/DSL	87.76
A126858	AMERIPRIDE LINEN & APPAREL	SHOP TOWELS, FLOOR MATS	166.48
A126859	AT&T MOBILITY	SHERIFF/STATES ATTORNEY CELL SERVICE; DATA CARD – ASSESSOR	180.56
A126860	BHG INC	ADS FOR CHEMICAL BIDS, HELP WANTED ADS, COMMISSION MINUTES, NOTICES	1,354.94
A126861	BUSINESS CARD	ANTI-VIRUS RENEWALS, VACUUM, CHILD AED PADS, CORD CADDY	968.77
A126862	CENEX CREDIT CARD	GASOLINE – SHERIFF	622.12
A126863	CHASE DRUG STORE	PRISONER MEDICAL	94.42
A126864	CITY OF WASHBURN	WATER/SEWER – LAW ENFORCEMENT CENTER, COURTHOUSE	576.00
A126865	CRAIG MEDICAL DISTRIBUTION	PROSCREEN & PANEL DRUG TESTS	141.62
A126866	DOC'S SHOP	OIL CHANGES/CHANGE TIRE/ROTATE TIRES – SHERIFF	547.38
A126867	WILTON FARMERS UNION OIL CO	GASOLINE – SHERIFF	605.52
A126868	GALLAGHER BENEFIT SERVICES INC	COMPENSATION CONSULTING FEES	975.00
A126869	GARRISON MEMORIAL HOSPITAL	BLOOD ALCOHOL TESTING – SHERIFF	60.00
A126870	RONNA GILBERTSON	CLEAN VAULT TOILET AT DEEPWATER BAY	250.00
A126871	IRENE GRAVES	MILEAGE, REIMBURSE TRAINING FEES	224.20
A126872	HATZY'S REPAIR	OIL CHANGES/ALIGNMENT – SHERIFF	166.90
A126873	HUGH P MINEHAN POST 49	US FLAG, ND FLAG – PARK	43.00
A126874	SHANNON JEFFERS	APRIL TRAVEL/MEETINGS	1,406.75
A126875	RICHARD JOHNSON	REIMBURSE CELL PHONE	30.00
A126876	KRAUSE'S SUPER VALU	SUPPLIES FOR NUTRITION PROGRAM –	9,331.32

		COUNTY AGENT; JANITORIAL SUPPLIES; INMATE MEALS – SHERIFF; DRUG DOG FOOD – SHERIFF	
A126877	LEE, STEVE	APRIL TRAVEL	187.45
A126878	MID-AMERICAN RESEARCH CHEM	JANITORIAL SUPPLIES	58.37
A126879	MASTER FIRE & SAFETY	5# ABC FIRE EXTINGUISHERS	292.50
A126880	MAX FARM SERVICES	GASOLINE – SHERIFF	71.02
A126881	MCLEAN COUNTY AUDITOR	APRIL POSTAGE – COUNTY AGENT	93.95
A126882	NAPA AUTO PARTS-WASHBURN	SPARK PLUG FOR LAWNMOWER, BATTERIES, WIRE, WIRE CONNECTOR	311.25
A126883	ND NEWSPAPER ASSOCIATION	NDSU EXTENSION SERVICE AD	181.80
A126884	ND ASSOCIATION OF COUNTIES	EXTRAORDINARY PRODUCTIVITY REG – FOSS, KNUTSON, ANDERSON; ETHICS IN COUNTY GOVERNMENT – KNUTSON, ANDERSON	135.00
A126885	NDACO RESOURCES GROUP	JUNE BACKUP FEE FOR DATTO; MANAGED SERVER PRO – JUNE; MANAGED WORKSTATIONS PRO – JUNE; ANTI-VIRUS – JUNE	1,408.26
A126886	ND DEPT OF HUMAN SERVICES	JAIL CLAIMS – SHERIFF	296.69
A126887	NORTH DAKOTA ENVELOPE CO	ENVELOPES FOR CLERK OF COURT, AUDITOR & SHERIFF	436.53
A126888	ND SCHOOL BOARDS ASSN	2015 – 2016 DUES	200.00
A126889	BRADLEY NIELSEN	REIMBURSE FOR AMMUNITION	438.82
A126890	LYNN OBERG	APRIL TRAVEL/MEETINGS	1,048.60
A126891	OFFICE DEPOT	RE-ENFORCED END TAB FOLDERS, HP INK, HP TONER, ROLODEX CARDS, AA RECHARGEABLE BATTERIES, AA BATTERIES, POST ITS, COLORED COPY PAPER, LEXMARK TONER	978.27
A126892	OTTERTAIL POWER COMPANY	BUTTE, TURTLE LAKE, WASHBURN & MAX SHOPS, COURTHOUSE, RADIO TOWER, LAW ENFORCEMENT CENTER	6,378.77
A126893	RECORD KEEPERS	SHREDDING SERVICES	16.00
A126894	RENSCH FARM STORE	McLEAN/MERCER RESCUE BOAT REPAIRS	859.46
A126895	JAIMI RUSSELL	JAIL NURSE DUTIES	780.00
A126896	SCOTT'S HARDWARE	PLANTING SUPPLIES/ OUTLET ADAPTER/DROP CLOTH/ S HOOKS – COUNTY AGENT; MAGNETIC BLOCKS, SCREWS, SEALANT, TIES, WEEDBLOCK, DOWEL, TORK BIT, SCRAPER – JANITOR; OIL – MOTOR POOL; CAN OPENER – SHERIFF	152.84
A126897	S & J HARDWARE	PADLOCK, DEADBOLT, KEYS – SHERIFF	51.99
A126898	SRT COMMUNICATIONS, INC	CELL SERVICE – ASSESSOR	67.18
A126899	ST ALEXIUS MEDICAL CENTER	PRISONER MEDICAL	104.19
A126900	BARRY SUYDAM	APRIL TRAVEL	80.50
A126901	THIRD WATCH COMMUNICATIONS	LABOR/REPAIRS – S-9 – SHERIFF	65.00
A126902	VANCE TOMLINSON	2 STUDY PACKETS – COMMERCIAL PESTICIDE TRAINING	186.14
A126903	TRANE US INC	LABOR TO REPLACE WARRANTIED COMPRESSOR – COURTHOUSE	2,516.41
A126904	TRU GRIT DIRT WORKS	REPAIR WORK ON OVERFLOW OUTLET ON PAINTED WOODS CREEK	7,625.00
A126905	UNDERWOOD WAREHOUSE GROC	MEALS FOR PESTICIDE TRAINING – COUNTY AGENT	174.75
A126906	UNIFORM CENTER	UNIFORM SHIRTS, PANTS, JACKETS – SHERIFF	2,266.16
A126907	UNISTOP, INC	GASOLINE – SHERIFF	2,223.96
A126908	WAGON WHEEL LUMBER	LINSEED OIL, ROLLER, ROLLER COVER, TRAY – WEED CONTROL	29.76
A126909	WASHBURN AUTO BODY LLC	REPAIRS, TIRE REPAIR – SHERIFF	1,379.02
A126910	WASTE MANAGEMENT	LAW ENFORCEMENT CENTER, COURTHOUSE	139.06
A126911	WEST RIVER TELECOM	TELEPHONE – SHERIFF	83.62
	APRIL PAYROLL		\$336,790.67

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

Korgel presented a request on behalf of his Chief Deputy, Lori A. Foss, requesting permission to work a flexible summer schedule as permitted and defined in *Policy 707 – Work Schedules of the McLean County Personnel Manual*.

Moved by Lee, seconded by Krebsbach, to approve the work schedule request as recommended by the department head. Roll Call Vote: Aye: Suydam, Lee, and Krebsbach. Nay: None. Motion carried.

Korgel presented a *Recognition of Service* certificate for signing for Duane E. Bauer recognizing his three years on the Planning and Zoning Board.

Lee questioned the taxing authority of rural fire districts in light of recent legislative actions. Korgel responded that effective August 1 a rural fire district must hold a vote for any increase above their standard five mills.

Krebsbach reported that he and Road Superintendent Jim Grey met with the City of Underwood, North Dakota Department of Transportation representatives, and representatives from the railroad regarding the construction of two railroad crossings. If the project takes place, the county would be requested to act as fiscal agent for the project since Underwood's population is under 5000.

There being no further business, the chairperson declared the meeting adjourned until the next regularly scheduled meeting on Tuesday, May 19, 2015. The commission minutes and agenda can be found on the county website at <http://www.mcleancountynnd.gov>.