

COMMISSIONER PROCEEDINGS
MAY 5TH, 2020
7:30 am

The Commissioner Meeting was called to order at 7:30 am by Chairman Jeff Beyer. A meeting of the Board of Bottineau County Commissioners was held in the Commissioner Room at the Courthouse with the following members present: Chairman, Jeff Beyer; Vice-Chairman, Charlie Adams, Commissioners, Lance Kjelshus, LeRoy Rude, Dan Marquardt, were on a Zoom call, and Lisa Herbel, County Auditor, Mike McIntee, States Attorney, and Ritchie Gimbel, Road Superintendent, were also in attendance.

Frankie Reidel, Tammy Knudson, Kelly Jensen, Beth Reitain, Linda Liebelt, Ann Monson, Miranda Brandt, Sue Brandvold, and Rob Palmer, also joined the meeting by Zoom Conference Call.

Old Business:

Agenda - A motion was made to approve the Agenda by Kjelshus, seconded by Rude. Motion carried.

Minutes - A motion was made to approve the minutes from April 7th, April 14th, April 27th, 2020, by Rude, seconded by Adams. Motion carried.

Consent Agenda –The monthly reports were reviewed and a motion was made to approve the consent agenda by Marquardt, seconded Kjelshus. Motion carried.

Bills – The May bills were reviewed; 32972 Baker & Taylor (4/16) \$408.58, 32973 Book Systems \$1,690, 32947 North Dakota Horizons \$20, 32975 Jason's Super Foods \$78.23, 32976 Renville County Farmer \$33, 32977 Spectrum \$137.95, 32975 Turtle Mtn Comm \$104.01, 32979 Women's Day \$19.97, 32980 Border Ag & Energy (4/28) \$999.50, 32981 OtterTail Power Co \$8,839.02, 900909 IRS (4/30) \$27,656.15, 900910 IRS \$46,260.49, 32982 American Family Ins \$3,844.61, 32983 Bank of ND \$37,000, 32984 Colonial Life & Accidental \$1,736.87, 32985 Ann Monson, Co. Treas. \$2,757.36, 32986 Ann Monson, Co. Treas. \$4,498.14, 32987 ND Child Support Division \$1,550, 32988 North Dakota United \$123.50, 32989 New York Life Insurance \$86.14, 32990 Renville County \$1,733.84, 32991 The Standard Life Ins Co \$2,921.12, 32992 UNUM Life Ins Co \$286.46, 32993 Acme Tools of Minot (5/7) \$1,034.66, 32994 Anderson Welding \$752.59, 32995 ATCO International \$1,176, 32996 Auto Value \$54.94, 32997 B&M Laundry Service \$339.69, 32998 Basin Service \$1,664, 32999 Bechtold Paving \$4,478.40, 33000 Addie Berg \$139.73, 33001 Jeff Beyer \$251.34, 33002 Border Ag & Energy \$501.95, 33003 Border Ag & Energy \$275.91, 33004 Bottineau Clinic Pharmacy \$43.79, 33005 Bottineau Plumbing & Heating \$104.00, 33006 Bottineau County Road Dept. \$2,706, 33007 Butler Machinery \$50,171.92, 33008 Cenex Credit Card \$1,779.95, 33009 Circle Sanitation \$68.75, 33010 City of Bottineau \$428.94, 33011 City of Maxbass \$ 74.00, 33012 City of Newburg \$36, 33013 Clute Office Equipment \$176.14, 33014 Clute Office

Equipment \$249.35, 33015 Comp Cam \$2,100, 33016 Courant \$596.60, 33017 Courant \$110.70, 33018 Courant \$1,807.07, 33019 D&L Storage \$260, 33020 Dakota Fire Extinguishers \$178.88, 33021 Drive Chevrolet Buick \$1,139.18, 33022 Family Bakery \$5, 33023 Farstad Oil \$4,102.45, 33024 Farmer's Union Oil-W \$6,957.54, 33025 Farmer's Union Oil-WC \$1,561.12, 33027 Gustafson Oil \$52, 33028 Heisler Auto \$529.00, 33029 Information Technology Dept. \$3,918.85, 33030 Jason's Super Foods \$116.17, 33031 JS Wholesale \$555.53, 33032 Taylor Kippen \$201.25, 33033 Kittleson's Truck Repair \$422, 33034 Lakeshore Lawns \$840, 33037 Matthew Bender & Co \$65.43, 33036 Lawson Products \$20.67, 33039 Mikkelsen Aggregates \$301, 33038 Midcontinent Communications \$98, 33041 NDSU Extension \$12,860.84, 33042 ND Telephone Company \$128.03, 33043 Newman Signs \$250, 33044 NoDak Store \$1,884.33, 33045 North Central Electric Coop \$784.36, 33046 Northern Improvement Co \$4,962.06, 33047 Northern Plains Label \$63.80, 33048 Edgar Ogoy \$5.36, 33049 O'Keeffe Oil \$4,008.11, 33050 Penguin Mgmt \$275, 33051 PharmChem \$85.65, 33052 Pomp's Tire Minot \$894.50, 33053 ProIT \$3,845.51, 33054 Renville County Farmer \$57.50, 33055 Gregory Ian Runge \$76.80, 33056 Souris River Telephone \$33,056, 33057 Souris River Telephone \$728.40, 33058 Spectrum \$2,054.81, 33059 State Treasurer \$4,075.93, 33060 St. Andrew's Health Center \$7,292.32, 33061 St. Andrew's Clinic \$440, 33062 The Standard \$1,204.52, 33064 Swantson \$2,000, 330654 Thyssenknupp Elevator Corp. \$29.28, 33066 TransUnion \$79.47, 33067 True North Steel \$36,021.63, 33068 Turtle Mountain Communications \$1,872.20, 33069 Tweed Country Ag \$2,080.32, 33070 Verizon Wireless \$1,589.75, 33071 Verizon Connect \$356.10, 33072 Visa \$528.02, 33073 Visa \$188.15, 33074 Visa \$1,058.75, 33075 Visa \$10.71, 33076 Waste Mgmt \$1,827.01, 33077 Western Agency \$100, 33078 Wex Bank \$947.59, 33079 Tanya Wieler \$1,000, 33080 Wold Engineering \$10,495, 33081-33085 Social Services (5/7) \$3,000, 900911 NDPERS Dakota Plan (5/11) \$88,303.44, 900912 NDPERS \$5,205, 900913 ND Public Employee Retirement \$47,644.74, 33086 David Biberdorf \$3,000, 33087 Midcontinent Comm (5/15) \$98.00, 33088 ND Game & Fish \$1,858.92, 33089 ND Telephone Company \$129.71, 33090 OtterTail Power Company \$7,992.90, 33093 Total Security Solutions \$7,978, 33094 ND State Tax Commisiioner \$8,422.46, 900914 Ann Monson, Co. Treas \$4,038.07, 900915 Paystubz \$969.50, 45552-45647 Payroll \$241,310.59 and a motion was made to approve paying the bills by Marquardt, seconded by Adams. Motion carried.

The Clerk of Court Contract was received from the State of North Dakota Court Administrator for the period from July 1, 2021 through June 30, 2023 and a motion was made to sign the agreement by Kjelshus, seconded by Adams. Motion carried.

Extra election advertising was discussed and due to budget constraints, it was the consensus of the board that the County not do any further advertising as the election process has been well covered in social media, newspapers and in the Governor's briefings.

The HEC-0549(001), safety project, Contract and Contract Bond was received from the ND Department of Transportation and a motion was made to sign the Contract and the Contract Bond by Adams, seconded by Kjelshus. Motion carried.

Brad Robertson and Kent Indvik, Wold Engineering, gave an update on the County Projects -

-Project CP-0526(020), Lansford Overlay, a virtual preconstruction meeting was held with Mayo Construction, and crack sealing will begin in mid-May with the paving to start after the Memorial Day Weekend.

HEC-0549(001), Old Lake Road, a virtual pre-construction meeting is scheduled for May 8th at 9:00 am. Mayo Construction will begin milling the road the week of May 11th, 2020.

-HLC-0500(003), County wide safety project, a virtual pre-construction meeting is scheduled for May 13th.

-BRO-0005(054), Box Culvert at Maxbass, the bid opening was held on April 17th at the NDDOT office in Bismarck. The bid came in over Engineer's estimate bid by \$107,00 due to concern about water. The low bidder was Gladen Construction with a bid of \$536,422.95 with an 80/20 percent cost share. The option at this time is to either fix the bridge or the road will have to be closed. A motion was made to award the project to Gladen Construction and sign the resolution by Kjelshus, seconded by Marquardt. Motion carried.

Ritchie Gimbel, Road Superintendent, gave an update on the County projects. There are several roads that are breaking up and they have been working on chip sealing where there are roads coming apart. The Landa road, 27A, is going to be closed to local traffic only due to the condition of the road. The road department is also doing crack sealing and patching and getting ready for the mowing season.

Mike McIntee, States Attorney, gave an update on the purchase of the right of way from David Biberdorf. He also gave an update on a crime that was recently committed regarding a dozer and advised that the County will be getting a bill from Farden Construction for moving the dozer. Court is still being held either by video or by phone.

Mike also gave an update on the request from Donnet Sivertson's for a liquor license for the Event Center at Lake Metigoshe. Donnet sent an email with questions that Mike took time to explain. The issue with the liquor license was brought to the County Commission's attention when the Bottineau Fire Chief had expressed his concerns. Mike has not heard a response from NDIRF regarding the County's liability should a fire occur and someone gets injured, if the County has approved a liquor license. Chairman Beyer discussed the fact that the County wants to see the Event Center opened but the County needs to follow the law and address the Fire Chief's concerns have been presented to the County.

Tammy Knudson, Clerk of Court, has spoken to Scott Johnson, Court Administrator, about their desire to have the security window installed before the Courthouse opens to the public. Discussion was held on the safety measures that would be done prior to the installers entering the building. The consensus of the board was the safety window could be installed as long as

the installers do temperature checks, wear masks, and sanitize coming into the building and as often as possible when they are in the building.

Steve Watson, Sheriff, gave an update on the Sheriff Department activity, including the County businesses complying with the COVID regulations.

A letter was received from The Department of ND Trust Lands informing the County that they were denied an Energy Impact Grant for reshaping and graveling County Road 37B. The County Road Department will do spot graveling to make it safe until funding can be obtained for a more permanent fix.

An application was received for coverage under NDPDES general permit for stormwater discharges association with construction activity for Project HEC-0549(001), safety project, and a motion was made to sign the application by Marquardt, seconded by Kjelshus. Motion carried.

A letter was received from the Bureau of Land Management inviting the County to participate as a cooperating agency in the preparation of an Environmental Impact Statement. Discussion was held with Mike McIntee, States Attorney, on what action the County should take with regards to the request and it was the consensus of the board that Ritchie Gimbel, Road Superintendent, contact the author of the letter and obtain further information before a decision is made. It was Mike's recommendation that the County become a cooperative with BLM and they will send a MOA that the county be notified of any projects that may occur in the County. A motion was made that the Chairman will sign the BLM letter, if no adverse factors were revealed after further information is disclosed, by Adams, seconded by Rude. Roll Call vote Adams, yes, Marquardt, yes, Rude, no, Kjelshus, yes. Motion carried.

Discussion was held regarding the thoughts of reopening the courthouse. Kristy Titus, Emergency Manager, gave her thoughts regarding opening and also encouraged employees to continue to work from home as much as possible. She also talked about the possibility of mass testing being performed on the essential workers and she will follow up on once she obtains further information. The board asked the department heads in attendance to offer their opinions on when to open and what precautions should be in place prior to opening. NDSU is closed until May 15th due to a State order. It was the consensus of the Board that the Courthouse stay closed at this time and the numbers will be monitored and a special meeting will be set in approximately two weeks.

Kristy Titus, Emergency Manager, also spoke about the burn ban that was put in place for Bottineau County as she has received calls from Ag producers. There is no burning allowed if the fire danger is high, very high or extreme. Kristy recommended the County stay the course due to the safety issues. Mike McIntee also spoke about the penalties that can be pursued if a person does burn during a burn ban. Commissioner Marquardt requested that Kristy ask Sunny 101.9 do announcements on the days that there is a burn ban and Kristy advised that she does

notify the Fire Departments and the radio station on the no burning days. If the ag producers contact Kristy, she will text them the link on where the information can be found.

Kristy also gave an update on COVID-19. The State is doing some outreach testing and will reimburse the County on any cost that would incur if we choose to do testing.

Addie Berg, Deputy Tax Director, spoke to the Board about the decrease in the valuation in Roland Township as the Lake Metigoshe was sitting at 107% of the State's tolerance percentages, and to get the valuation within State guidelines, the values had to be decreased for the 2021 budget period.

Taylor Kippen, Tax Director, had a request from the ND State Water Commission to rezone the Outlot 3, Section 6, Township 159, and Range 82, which is east of Lansford about two and a half miles, from an Agricultural district to an Industrial District. Rusty Roteliuk and Donna Bye, Houston Engineering and Tim Freije, State Water Commission spoke about purchase of the land for installation of a water reservoir and a pump station. The Zoning Board has previously approved the application and a motion was made to rezone the Outlot 3, 6-159-82 from an Ag to Industrial District, by Adams, seconded by Rude. Motion carried.

Steve Watson received an application for a city deputy position and asked if a Commissioner would be willing to participate in an interview tomorrow on Wednesday at 1:00 pm and Chairman Beyer volunteered to participate.

Vice Chairman Adams called for a motion to adjourn as there was no further business, a motion was made to adjourn the meeting at 11:50 am by Rude, seconded by Marquardt.

Jeff Beyer, Chairman

Lisa Herbel, Auditor