

**RICHLAND COUNTY BOARD OF COMMISSIONERS
SEPTEMBER 8, 2014**

The Richland County Board of Commissioners met on September 8, 2014 at the Richland County Courthouse with Commissioners Sid Berg, Tim Campbell, Jason Heitkamp, Perry Miller and Dan Thompson. Also present were Administration Personnel Bailey and DeVal; States Attorney McBeth and a Daily News Reporter. Visitors Rollie Ehlert and DelWayne Hoefs.

A motion was made by Miller to approve the minutes of meetings August 4 and August 18; the Special Session of August 6 and the Budget Meeting of August 4; motion seconded by Berg. Vote was unanimous.

EMERGENCY MANAGEMENT REPORT

Trailer Home Destroyed by Storm - on Thursday, September 4 South of Kindred. American Red Cross Assistance was given. Straight line winds caused a tree to go through the roof of the home. Church groups have been lined up to help with tree removal and a benefit will be set up for the family.

Semi Rollover on Co Rd 3 - (3 miles south of Hankinson) - on August 26. A semi was hauling gravel. Some road damage and fuel cleanup; also ditch cleanup of the gravel load.

FEMA Large Projects -

- working on Elma Twsp large project closeout
- work should start on the Ward Crossing, needs to be completed by October 1
- need to finish Township paperwork: Grant, Duerr, Liberty Grove and Moran

Richland/Wilkin Emergency Response Breakfast Club Meetings - these meetings will allow for emergency response agencies to come together once a quarter and become better acquainted with one another and become more familiar with activities of other agencies. It will also help to gain a better understanding of the resources available during an emergency.

TREASURER REPORT

A motion was made by Berg to approve the Treasurer's Report as presented; motion seconded by Miller. Vote was unanimous.

Foreclosure Property Packets will be distributed at the next Commission meeting - the Minimum Sale Price Hearing will be held October 17 at 8 AM and the Tax Sale will be held on November 18.

MISC/CORRESPONDENCE

Megan Kummer representing the CEE Committee made a request to the Commission to consider closing the Courthouse/LEC offices at 4:00 PM on October 3 so everyone can attend the Courthouse rededication. No action was taken by the Commission at this time. (Discussed again later in the meeting).

CITY OF WAHPETON - REQUEST TO PURCHASE PROPERTY

Carla Broadland presented a request from the City of Wahpeton to purchase property -Lot 6, Block 12, Oliver Commerce Addition for \$1.00.

Thompson replied, the Commission has been looking at this parcel for our own use.

Miller asked if the City had a specific purpose for the property. Broadland replied there was no specific purpose at this time.

MISC/CORRESPONDENCE continued

The Board discussed the request from the CEE Committee. Following discussion a motion was made by Miller to approve the request to close Courthouse/LEC offices at 4:00 PM on October 3 so employees can attend the Courthouse rededication; motion seconded by Campbell. Vote was unanimous.

Bailey commented that the CEE is an Ad Hoc Committee, normally Ad Hoc Committees serve a purpose and die when that purpose is done; the CEE Committee should be ended on October 3, however in the last minutes of the CEE committee they are looking at printing a book which would take 6 months to produce once the information is all gathered, the County or a committee would have to do the work to gather the information and pictures.

Heitkamp replied that Janet Gagelin presented the book information at the last CEE meeting. Arcadia Publishing would print the books at no charge to us; they pay a royalty on net sales - museums, libraries, etc. can purchase the book and sell them. There would be no cost to us unless we want to buy and sell them.

- invitation to Retirement Open House for Randy Pope of Interstate Engineering

HIGHWAY DEPARTMENT

Highway Personnel in attendance was Lowell Bladow. Mike Bassingthwaite and Damon Devillers from Interstate Engineering were also present.

Bassingthwaite reported on the slippage situation on the bridge project - In late July a soil slide developed on the West side and we worked with Geo Tech Engineers to address the situation; the most cost effective solution is to add a 4th Span on the west side to stabilize the area and get the bridge open. The work could still be completed this fall. Industrial Builders is the contractor. Estimated cost is \$350,000 to add the additional work. We need to work with Federal Hwy/DOT on the additional costs and their participation. The drawback is if we don't approve soon, the work won't get done this fall and it could cost more by next spring. We could also just let them do the work which has already been approved this year and re-bid next year but the cost could be more.

Bailey asked what would happen if the Feds don't participate? Campbell was confident that they will.

Mike commented that we may not get federal approval for 10 days. Campbell recommended approving the project so the project materials could be ordered.

A motion was made by Campbell to approve the project (adding the 4th Span); motion seconded by Berg. Vote was unanimous.

Devillers reported on the CR 22 Project in LaMars - The original completion date is September 20th. The contractor, Central Specialties, e-mailed Devillers late last Friday asking for a time extension; they want to begin the project October 9th and finish by October 16th. Discussion followed; it was the consensus of the Board that at this point the contract will stay as is.

Application For Drainage Work Within County Road Right-of-Way - Bladow distributed a copy of the application form currently being used (Copy attached) and two proposed changes to the form to item # 16; regarding a 25 ft set back and an Engineering plan. (Copy attached). The Board discussed the two proposals.

McBeth reported the Supreme Court made a ruling on "surface water" but that opinion was written before drain tile was so widely used.

Bailey suggested that if any revisions are made to the form, the Portfolio should bring back the changes with a revision date on the form; and not approve changes in pieces - part today and part at a later date.

Repair Bill from Hardie Grain Farm - Bladow reported he received a bill from Hardie Grain Farm in the amount of \$5,220.20 for repair of drain tile due to damages. A motion was made by Heitkamp to approve payment; motion seconded by Berg. Discussion followed.

Bladow reported he found a memorandum of Agreement when we purchased the ROW, we paid \$9,000 for the land and all damages; we purchased appx 2-1/2 acres.

Miller suggested Larry Luick be contacted to see if this is a fair amount to pay for the repair.

McBeth commented that this was a blanket contract, it should have been explained to the landowner and they should have been offered more than other landowners because they had property with drain tile.

Voting NO were Miller and Campbell, the remainder Voted Yes and the motion carried.

Krause Bros pit access - Heitkamp asked if the Highway Dept got an estimate for Krause Bros concerning access to their pit. Bladow replied we agreed to do more maintenance work and not get an estimate because this is not an actual constructed road, it was only a route for our use from the pit to the West.

Storage Building - Heitkamp reported the D & E Building was sold so that option is off the Table.

Thompson reported the County property we are considering (Oliver Commerce Addn) needs to be researched and the weeds need to be taken care of. An estimate from Foltz for an insulated building, cement work, electrical, and heat tubes (except for the boiler) is \$50.00 a square foot.

Sewer/Water and Holding Tank Options were discussed.

Bailey reported he spoke with the city and they had concerns that some construction materials may be dumped on this property. Bailey said unless we deed the property to ourselves, it will be on the next tax sale.

A motion was made by Heitkamp to Deed the property back to the County; motion seconded by Berg. Voting NO were Miller and Campbell, the remainder Voted Yes and the motion carried.

Miller asked if we are responsible for Specials on the property if we deed it back to ourselves. Bailey replied the current year gets added to the listed sales price.

Miller will visit with the City to be sure they don't have a serious business, wanting to go onto this property.

Campbell will contact Minn-Dak to see if they have an area for us to park the snow truck this winter.

A motion was made by Berg to reconsider the motion to Deed the property to ourselves; motion seconded by Miller. Discussion followed -

- \$16,000 is the minimum sale price on this property
- Miller said a sewer would cost six figures easily
- Bailey said special assessments are \$4,000/yr
- Bailey suggested McBeth research what we are liable for if we deed the property back to ourselves

Vote was taken on the motion to reconsider with Heitkamp voting NO and the remainder Voting Yes. The motion carried.

A motion was made by Miller to put the Motion to Deed the Property back to the County on the Table, until we research; motion seconded by Berg. Voting NO was Heitkamp, the remainder Voted Yes and the motion carried.

MISC/CORRESPONDENCE continued

- invitation from LARDC re- Irv Rustad Retirement September 24
- letter from the Water Board re- 2015 Budget
- invitation to SD Local Roads Conference October 22-23

Bailey read a Draft General Property Tax Reform Resolution prepared by Bill Anderson, it will be offered at the next 5-County meeting.

Bailey reported appx 673 Notices will be mailed to taxpayers re- the Public Hearing on September 17th regarding an increase to property tax levy

A motion was made by Heitkamp to approve the payment of bills; motion seconded by Campbell. Vote was unanimous.

COMMITTEE REPORTS

- A) Social Service - A meeting was held last week. A new Parent-Aid has been hired.
- B) Buildings & Grounds Committee - The Landscape plans are on hold.
- C) Public Health - Walk-in Dermascan Screenings were offered through a Grant.
- D) Job Development Board - Tracey Anderson from LARDC passed away. DeIVal was asked to send flowers from the County to the funeral.
- E) Weed Board - Addressed hours worked and held discussion on spraying.
- F) Soils Committee - No Report.
- G) Park Board - Working on the bathroom project. Heitkamp asked if the County owned the property because the deed was never recorded. Berg said he would follow-up with Sharyn Bohn.

UPCOMING MEETINGS

September

22 Commission Meeting

October

6 Commission Meeting


9 5-County Meeting

12-14 NDACo Conferences

20 Commission Meeting

Being there was no further Business, the meeting adjourned at 10:25 A.M.

Reports Filed: Tax & Property Revenue Voucher for August 1-31, 2014; and Sheriff Department Revenue & Expenses for July 2014.

ATTEST: 
Harris Bailey
Auditor/Administrator

 CHAIRPERSON
Dan Thompson
Board of Richland County Commissioners

The following claims were approved for August, 2014.

PAYROLL (inclusive)	
General	198,705.99
County Highway	75,814.69
Social Services	78,111.64
911 Communications	41,998.51
Drug Court	1,524.58
County Agent	4,312.78
Veterans Service	2,873.07
Weed Officer	3,230.00
Public Health Fund	63,054.76
County Park	160.00
SEMCA	<u>8,740.08</u>
PAYROLL TOTAL	478,526.10
EXPENSES: ** Refer to resolution records	
County General	231,786.07
County Highway	-25,440.91
Bridge Repl Fund	3,000.00
Road & Bridge Eq	16,109.35
15 Mill	170,591.08
Social Service	61,139.49
Emergency Assistance	88.34
911 Communications	15,480.30
911 Wireless	2,289.07
Drug Court Fund	313.48
County Agent	2,457.62
Veterans Service	1,752.07
Weed Control Levy	19,451.15
Public Health	35,606.24
State Medical Levy	109.57
Three Rivers Crisis Ctr	2,605.20
Garrison Div	1,847.70
Domestic Violence	420.00
Twsp Share Gas & Oil	66,622.83
State Aid Dist	49,885.89
Jail Concession	1,242.69
Sobriety Test Fund	2,160.00
County Park	2,825.87
SEMCA	73,157.75
JDA	38.14
Sr Citizens Fund	1,760.98
Historical Society	432.99
County Agent Special	151.00
Soil Conservation	758.47
Water Mngt Levy	6,232.69
Joint Water Resource	1,667.75
Est Real Estate Tax	150.00
EXPENSE TOTAL	746,692.87
TOTAL PAYROLL & EXPENSES	1,225,218.97

ATTEST: Harris Bentley
Harris Bailey
Auditor/Administrator

Dan Thompson CHAIRPERSON
Dan Thompson
Board of Richland County, Commissioners

APPLICATION FOR DRAINAGE WORK WITHIN COUNTY ROAD RIGHT-OF-WAY

Richland County Highway Department
 418 2nd Avenue North, Wahpeton, ND 58075
 Office: 701.642.7810 Fax: 701.642.7824

Applicant: _____ Address: _____

Telephone: _____ Email: _____

Type of Proposed Work: Ditch Cleaning Tile Outlet/Maintenance Driveway Installation Culvert Installation

Description of Work: _____

Along the N S E W side of Section _____, T _____ N, R _____ W _____ Township

Sec # _____	Sec # _____		

(Show approaches and culvert sizes that are in the vicinity of the work) COUNTY ROAD No. _____

Proposed Work to Begin on: _____ Proposed work to be Completed on: _____

The applicant acknowledges receipt of the Specifications and permit requirements, as adopted by the Richland County Board of Commissioners, attached to the Application for Drainage. Applicant further agrees and accepts the Specifications and Permit Requirements as being incorporated and made part of the permit. A violation of the Specifications and Permit Requirements by Applicant, unless otherwise authorized by the Richland County Board of Commissioners, will automatically cancel the Permit. Written notification of the cancellation shall be made by the Richland County Engineer or his agent. Within 20 days of notification, the Applicant shall come into compliance, or be deemed to be acting without a permit and subject to the penalties as outlined in the N.D.C.C. Chapter 24-05-03. Furthermore, the applicant or his agents or contractors shall assume all liability for, and save the County, its agents and employees, harmless from, any and all claims for damages, actions or causes of action arising out of the work to be done herein and the continuing usage, construction, reconstruction, maintaining and using of said drainage facility under this application and permit for construction.

Applicant's Signature: _____ Date: _____

DO NOT WRITE BELOW THIS LINE (For County Use Only)

AUTHORIZATION PERMIT

In consideration of this agreement to comply in all respects with the Permit Requirements of the Richland County Engineer (or his agent) on behalf of the Richland County Board of Commissioners covering such operations, permission is hereby granted for the work to be done as described in the application, said work to be done in accordance with special provisions required as hereby stated.

Richland County Engineer (or agent) _____ Date: _____

SPECIFICATIONS AND PERMIT REQUIREMENTS

1. All construction details shall be entered on the permit application form or supplemental sheets as required.
2. No work under this application is to be started until the application is approved and the permit is issued.
3. The applicant agrees to perform all work in accordance with this Permit, and to indemnify and hold harmless the County, its officers and employees from all liability, judgments, costs expenses, and claims growing out of damages, or alleged damages, of any nature whatsoever, to any person or property arising out of the performance or nonperformance of said work.
4. All casings shall be jacked or bored when beneath a bituminous or concrete paved roadway.
5. All system installations shall be a minimum of three (3) feet below the existing ground.
6. No installation of drain tile outlets will be permitted in the shoulder or inslope of the roadway.
7. The owner, his successors or assigns, shall maintain the installation in perpetuity.
8. It is understood by the applicant that the location, construction, and maintenance of driveways are under the supervision of the County at all times and that in granting this permit the County waives none of its power or rights to direct the removal, relocation, and/or proper maintenance in the future of any driveways within the right-of-way of the County Highway.
9. No driveway or improvement constructed on the highway right-of-way shall be altered or relocated without the permission of the County Engineer or the County Highway Department.
10. Driveway side slopes shall be constructed 6:1 and shall be hand finished and seeded.
11. Proper erosion control and sedimentation devices shall be used.
12. The applicant shall comply with all rules of any other governmental agency.
13. The applicant shall furnish, install and maintain a tile marker post at outlet of drainage tile and maintain the marker for perpetuity. The tile marker post must be a standard marker as approved by the County. The County encourages applicants to construct tile outlets with rock or concrete splash pads to eliminate the need for a tile marker.
14. No more than four (4) tile outlets per ½ mile of ditch will be allowed.
15. The drainage work shall not interfere with any existing utility facilities within the right-of-way.
16. No structures, other than outlet structures, will be permitted to be placed in the highway right-of-way.
17. In order for any action to be considered ditch cleaning, the ditch must be entirely contained within the County right-of-way, must have a bottom width not greater than 12 feet and may not alter the side slopes of the ditch to a slope steeper than the existing side slope. (Any steepening of the ditch slopes shall be considered reconstruction and is not permitted.)
18. Any grassed areas disturbed within the County Highway right-of-way due to ditch cleaning shall be restored by seeding and the appropriate erosion control measures.
19. The County reserves the right to remove or repair, with its own forces but at the expense of the applicant, any tile outlet which is not maintained and causes damage to adjacent right-of-way. If the County Highway Department shall make any improvements or changes on all or any part of its right of way upon, over, under or along the County Highway, than and in every case the applicant herein named shall, after notice from the County Engineer or his authorized agents, proceed to alter, change, vacate or remove from the County right-of-way said works necessary to conform with said changes without cost to Richland County.
20. After work on a project has been completed the applicant must notify the County Engineer or his agent, that such work has been completed and is ready for final inspection and acceptance.

Permit Changes

1. Upon request of the County Engineer or Highway Department, Applicant may be required to provide an Engineered Plan, Hydraulic Study, and or Impact Study stamped and signed by a Professional Engineer to insure there are no adverse impacts downstream.
2. Tile Pumps and Structures must be set back a minimum of 25 ft. from the Permanent Right of Way. Only outlet structures will be permitted to be placed in the highway right of way.