

**RICHLAND COUNTY BOARD OF COMMISSIONERS  
FEBRUARY 4, 2013**

The Richland County Board of Commissioners met on February 4, 2013 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; State s Attorney McBeth and a Daily News Reporter.

**MISC/CORRESPONDENCE**

A motion was made by Berg to approve the minutes of meetings January 7 and January 22; motion seconded by Campbell. Vote was unanimous.

McBeth reported he has appointed Megan Kummer as Assistant State s Attorney; she began the duties on February 1<sup>st</sup>. He introduced her to the Board and presented a Resolution for setting her Salary. A motion was made by Miller to approve a Resolution setting the Salary of Assistant State s Attorney at Grade 21, Level 3; motion seconded by Campbell. Vote was unanimous.

**EMERGENCY MANAGEMENT REPORT**

Richland County Rehabilitation and Citizen Retention Grant - The Unmet Needs Committee has finished dividing up grant funds (\$61,711.83) to eligible residents for damages from 2011 flooding.

Dive Team Training - A Radio Training & Ice Sled Rescue Exercise was held on January 31. An Ice Dive Exercise is scheduled for February 16 at Mooreton Pond.

Mutual Aid Agreements - Richland County Cities and Fire Departments will be sent Mutual Aid Agreements. It is recommended they enter into the Agreements in order to be eligible for FEMA Funding Reimbursement, if they give mutual aid to a neighboring community for a disaster, such as a tornado, flood, etc.

**TREASURER S REPORT**

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

A motion was made by Campbell to approve the Pledge of Assets Report as presented; motion seconded by Berg. Vote was unanimous.

**ABATEMENTS/EXEMPTIONS**

Donna Quam, NW1/4 32-132-52 Wyndmere Twsp - Applicant asks that the rock modifier be made retroactive for 2011 taxes and it should be on the entire field. A motion was made by Berg to approve the Abatement Application; motion seconded by Miller. Vote was unanimous.

Brandan J & Nancy Hentz , Pt of SE1/4 9-129-50 Elma Twsp - Applicant states that son is living in the house and is working on the farm for applicant full time. Fossum reported the Township approved the farm exemption for 2012. A motion was made by Heitkamp to approve the Abatement Application; motion seconded by Miller. Voting NO was Berg, the remainder Voted Yes and the motion carried.

Brandan J & Nancy Hentz, Pt of NW1/4 15-129-50 Elma Twsp - Applicant is now farming full time and is requesting a farm exemption for the house. Fossum reported the Township approved the request for a farm exemption for 2012. A motion was made by Campbell to approve the Abatement Application; motion seconded by Miller. Voting NO was Heitkamp, the remainder Voted Yes and the motion carried.

Discussion was held on the qualifications for the Farm Exemption and the Beginning Farmer Exemption.

Brandan J. Hentz, Pt of NW1/4 15-129-50 Elma Twsp - Applicant states he is now farming full time and no longer trucking or growing trees for commercial use. Fossum reported the Township approved the application. A motion was made by Miller to approve the Abatement Application; motion seconded by Campbell. Vote was unanimous.

#### **MISC/CORRESPONDENCE continued**

A motion was made by Campbell to approve a Raffle Permit Application for the Tyler Quasi Centennial Cmt; motion seconded by Berg. Vote was unanimous.

- Annual Report from Garrison Diversion
- Invitation to Annual County Commissioners Day March 7 in Valley City

#### **HIGHWAY DEPARTMENT**

Highway Personnel in attendance were Tim Schulte and Lowell Bladow.

Legislative Matters - Schulte provided a listing of County Highway Legislation and State Highway Distribution Fund Projections, highlighting the following:

SB 2176      fast track funding for non-oil counties has passed both the Senate and House and should be signed by the Governor this week.

HB 1358      is an infrastructure funding bill above and beyond what the Governor has proposed. This would bring significant funding to the

oil producing counties, but would also include \$250 million for non-oil producing counties and just for county roads. A hearing is scheduled for this morning at 9:30.

Some of the bills being opposed are:

SB 2153 Railroad Diesel Tax Diversion  
SB 2283 Infrastructure Audits  
HB 1139 Farm Equipment Axle Weight Exemption  
HB 1445 Railroad Crossing Delegation

#### Equipment Budget -

- Scheduled to bid a new snow plow truck; other misc equipment we are looking at includes a used semi-tractor, pup trailer and box scraper.
- Schulte provided a listing of equipment that can be sold: Ford Diesel Tandem Dump Truck, Kenwood Diesel Truck, 1 Ton Crew Cab Truck, (2) Gravel Pup Trailers, Load King Belly Dump Trailer, (2) Rollers, Sweeper, Paver and a Screen Conveyor. Schulte requested authorization to sell the surplus equipment. A motion was made by Miller authorizing the Highway Dept to sell surplus equipment; motion seconded by Berg. Vote was unanimous.
- Schulte requested authorization to sell the 2004 Cat 140H and to buyout the 2008 Cat 140M. We owe \$22,081 on the 140H and the buyout on the 140M is \$114,000. If we could sell the 140H this spring, we could break even. Current auction prices range from \$117,000 to \$152,000.

A motion was made by Heitkamp to buy-out the lease on the 2004; motion seconded by Campbell. McBeth asked for clarification of the motion. The motion and second were amended - to buyout the leases on the 140H and 140M and to sell the 140H. Vote was unanimous.

2013 Construction Projects - With the additional \$1,560,000 in estimated highway distribution funds, we could have almost a 3.6 million dollar construction season. Schulte generated a list of projects based on the increased funds. (Listing attached).

Berg suggested CR 28, half to 3/4 miles North of Abercrombie be looked at for black topping; it has a lot of traffic on it and is in poor condition. Schulte replied this was looked at some years ago but the issue was that Wilkin County would be forced to pave their side as well so we would need to coordinate this with them.

Thompson asked about Ice Removal - Schulte replied we only sand curves and intersections, not everywhere. If you leave sand & chemical sit, it causes the snow to stick unless you keep working to bare pavement. Bladow commented that the key is temperature, it should be at least 25 degrees, having the sand/salt blown off the roadways is also an issue. Thompson asked about the Townships and their snow removal policies. Bladow replied they adopt policies individually.

Campbell commented that the Board needs to keep in mind the intersection on CR 81 by Christine when we talk about funding in the future. Schulte replied that some safety funds may be available.

Other Departmental Matters -

- FEMA will be here February 12 to close out the 2009 disaster
- Working on CH#16 construction plans, they need to be to the State by February 8 to meet the May bid letting.
- Schulte requested authorization to advertise for bids for culverts and crushing for the first meeting in March and also the new snow plow truck.  
A motion was made by Heitkamp authorizing Schulte to advertise for bids; motion seconded by Berg. Vote was unanimous.

## **COMMITTEE REPORTS**

A) Social Service - The Budget was amended at year-end. Campbell invited the other Commissioners to attend a Social Service Board meeting sometime, they deal with a lot of different situations.

B) Buildings & Grounds Committee - The firing range was talked about after the last Commission meeting. There is some controversy over who can be in the room; the Sheriff Department has it locked. Some training was held in the room but the air quality is a concern. A wall will be added and an area will be available to others.

Bailey expressed some concerns - who did they check with on the air quality, was the State Health Department involved? A lot of money was spent to clean it up, will we need to re-do the exhaust system? We need to know about any costs up front, this needs to be checked out.

C) Public Health Report - They hired a part-time person and are fully-staffed; the client numbers in Home Health have declined; they finished year-end better than expected budget-wise.

D) Job Development Board - A new loan was issued at the last meeting.

E) Weed Board - They purchased a new pickup.

F) Soils Committee - No Report.

G) Park Board - They should be meeting in March.

### **MISC/CORRESPONDENCE continued**

Heitkamp asked for an Update on the JPA and the meeting held in Bismarck.

Miller gave the following report -

- Craig Hertsgaard testified on SB 2300 - flood plains and retention, things went very well.

- An Informational Meeting was held in Bismarck several weeks ago - Steve Hall, Craig Hertsgaard and Miller spoke - it was well attended by Legislators and some rumors and falsehoods were clarified to them.

- Miller reported up to this point no taxpayer funds have been spent and the goal is to not spend any public funds on this fight. Richland County included \$125,000 in their budget and Wilkin County has budgeted about the same. Previously it was agreed that legal fees would be split 60/40 with Richland County responsible for 60% and Wilkin for 40%. A bill has been received from a firm in St Cloud for legal and engineering fees in the amount of \$3,041; the Upstream Coalition could pay this bill, but want to wait to see what the lobbyist cost will be. Miller suggested we split the bill 60/40 with Wilkin County from the \$125,000 budgeted and hopefully be reimbursed by the Coalition. The Coalition is in the process of more fund-raising.

Bailey indicated he would pay the entire bill now and not bill Wilkin County at this time, if we will be getting reimbursed from the Coalition.

Berg brought up the properties the County has taken for non-payment of taxes and what we need to do to protect ourselves from any liability; this was discussed briefly at a previous meeting but no action was taken. He suggested the County take some precautions.

- McBeth replied in order to Charge someone for Trespassing, it needs to be legally posted; he suggested purchasing signs and have the Chairman sign them and ask the Sheriff to post them.

- Heitkamp asked who do we have to watch over this? Bailey replied, normally the city governments keep us informed.

- Bailey commented, we will get the signs, and asked McBeth if he could sign them or if Thompson had to. McBeth replied - the owner of the property is what is required in order to charge someone.

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

## **UPCOMING MEETINGS**

February

19 Commission Meeting

Being there was no further business, the meeting adjourned at 10:30A.M.

Reports Filed: Tax & Property Revenue Voucher for December 1-31, 2012; and Sheriff Department Revenue & Expenses and Civil Balance Sheet for November and December 2012.

ATTEST: \_\_\_\_\_ CHAIRPERSON  
Harris Bailey Dan Thompson  
Auditor/Administrator Board of Richland County Commissioners



The following claims were approved for January, 2013

PAYROLL (inclusive)	
General	185,763.89
County Highway	68,156.45
Social Services	76,805.59
911 Communications	39,987.41
County Agent	3,200.56
Veterans Service	3,813.34
Weed Officer	688.20
Public Health Fund	67,093.69
SEMCA	<u>7,569.44</u>
<b>PAYROLL TOTAL</b>	<b>453,078.57</b>

EXPENSES: \*\* Refer to resolution records

County General	298,783.57
County Highway	69,235.31
Road & Bridge Equip	55,284.40
Social Service	56,464.10
Emergency Assistance	250.50
911 Communications	32,525.00
911 Wireless	2,167.12
County Agent	3,074.87
Veterans Service	1,697.50
Weed Control Levy	11,712.07
Public Health	27,767.37
State Medical Levy	20,392.34
FEMA Disaster Reimb	124,901.67
Overload fines	8,245.00
Garrison Cons.	20,183.87
Domestic Violence	140.00
Jail Concession	1,538.30
Sobriety Test Fund	64.00
County Park	2.25
SEMCA	3,189.05
Job Dev Authority	48,363.43
ND Income Tax W/H	12,975.79
Sr Citizens Fund	20,183.87
Historical Society	5,045.99
Co Agt Special	78.96
Soil Conservation	20,183.79
Water Mngt Levy	80,735.43
Joint Water Resource	40,367.62
Current Tax Holding	7,231,455.28
<b>EXPENSE TOTAL</b>	<b>8,197,008.45</b>

**TOTAL PAYROLL & EXPENSES** **8,650,087.02**

ATTEST: \_\_\_\_\_  
Harris Bailey  
Auditor/Administrator

\_\_\_\_\_ CHAIRPERSON  
Dan Thompson  
Board of Richland County Commissioners