

**RICHLAND COUNTY BOARD OF COMMISSIONERS**  
**APRIL 20, 2021**

The Richland County Board of Commissioners met on April 20, 2021 at the Richland County LEC with Commissioners Sid Berg, Nathan Berseth, Tim Campbell, Rollie Ehlert and Perry Miller. Others in attendance were Administration Personnel Fossum and DeVal; State's Attorney Kummer; County personnel Jesse Sedler, Ron Hohenstern, Brett Lambrecht, and John Anderson. Others in attendance included a Daily News Reporter, Rich Slagle of Moore Engineering; and Cam Leedahll.

A motion was made by Berg and seconded by Miller to approve the Agenda as amended. Vote was unanimous.

**KAYLA CARLSON - COVID UPDATE**

- There has been a spike in positive cases
- Currently there are 15 cases in Richland County
- Richland County is 10<sup>th</sup> in the State for first doses
- 53.8% of those 18 and over have received their 1<sup>st</sup> dose
- 45.4% are up to date on coverage
- 39-45% of those 18-64 have received their first dose
- Johnson & Johnson vaccine is currently on hold
- there has been some discussion on giving booster shots and also vaccinating those age 12-15
- 8,492 vaccinations have been given; 4,455 by Richland County and 4037 by the other providers in the County
- the trailer was delivered last week

**BRETT LAMBRECHT - FIRE EMERGENCY DECLARATION**

Lambrecht requested the Board approve a Fire Emergency Declaration that would allow the County to be eligible for State Resources if necessary.

A motion was made by Berg and seconded by Ehlert to approve a Fire Emergency Declaration. Vote was unanimous.

**HIGHWAY DEPARTMENT**

Culvert Bids - A motion was made by Berseth and seconded by Miller to accept all bids received. Vote was unanimous.

Bids for Chip Seal CR1 & 1E - Bids were accepted at the April 6 meeting and have been tabulated, Morris Sealcoat was the low bidder. A motion was made by Berseth and seconded by Ehlert to award the bid to Morris Seal Coat and to execute the Notice of Award. Vote was unanimous.

Prairie Flats Addition - The County owns appx 66 ft. of property in a new addition being developed by an individual and a request has been made to annex the property into the city so it can be replatted; the County will still own the property. A motion was made by Ehlert and seconded by Berseth to allow the City to annex the property. Vote was unanimous.

Pickup - The following bids were received for a new Highway Pickup:

\$38,909	Smith Motors
\$39,394	Wolfe Ford
\$40,838	Vision Ford
\$39,350	Dakota Chrysler

A motion was made by Berseth and seconded by Ehlert to accept all bids. Vote was unanimous.

Misc Highway -

- problems with various roads/wind has made dirt trails, graveling and grading
- the Hankinson Shop removal is on-going
- Crews began 4/10 hour work days

Payloader Bids - (Several dealer reps were present for the bid opening). The following bids were received:

\$405,879.60	Butler Machinery
\$335,000.00	RDO Equipment
\$337,022.94	Titan Machinery

A motion was made by Berseth and seconded by Ehlert to accept all bids for tabulation. Vote was unanimous.

### **JASON FLACK/COMSTOCK - BOILER BID**

Flack reported bids for installing the boilers and vent system were opened last week. The following bids were received:

\$276,144	BDT Mechanical
\$297,900	Air Mechanical
\$286,878	Burnn Boiler & Mechanical

A motion was made by Ehlert and seconded by Berg to accept and move forward with the bid from BDT Mechanical. Vote was unanimous.

### **MISC/CORRESPONDENCE**

Ehlert reported on the pigeon problem at the Courthouse. John Anderson has received a quote from Beast Wildlife Solutions, Minneapolis for \$15,698; they guarantee removal and will do all cleanup. Following discussion a motion was made by Ehlert and seconded by Miller to move forward with the proposal from Beast Wildlife Solutions. Voting NO was Berseth, the remainder voted Yes and the motion carried. Berseth commented he was not opposed to the proposal but it was not on the Agenda.

### **MECHELLE OLSEN - OVERTIME POLICY**

Olsen was present to answer questions for the Board on the Overtime Policy as requested at the April 6<sup>th</sup> Commission Meeting. Discussion followed which included several suggested changes to the County Policy Manual:

- Policy 201 - for exempt employees the Portfolio Commissioner will be responsible for signing off for all paid over-time hours
- Policy 507 - should include Exempt Employees also

Olsen will update the Policy Manual.

### **CAM LEEDAHL - HELENDALE PRIVATE DRAIN**

Kummer reported that she, Engineer Sedler, and Commissioners Berseth and Ehlert met to discuss conditions the County would like added to the Operations and Maintenance Plan as discussed at the April 6 Commission Meeting. Kummer has emailed copies of the Operations and Maintenance Plan, the Gate Operation Plan and the State Permits to the rest of the Commissioners for review.

Leedahl reported that Phase 1 of the project does not impact County Roads and Ditches and they are requesting an Agreement with the County which would allow them to move forward with the construction of Phase 1 during which time they will work with the County to address Liability concerns. It is a requirement by the state that Phase 1 be completed before any installation of the gated/culvert structures of Phase 2. Leedahl explained that the contractor who got the bid for Phase 1 wants permits and agreements in place before he will sign a contract with them and the County permit is the only thing that is outstanding. Phase 1 is estimated to cost 1.2 million and a total of approximately 4 million for Phase 1 & 2.

Berseth and Ehlert both voiced concerns that if Phase 1 is allowed and the Liability concerns are not addressed, what happens if the County does not approve Phase 2 and the Private Drain has already expended all this money - will they come back to the Commission saying they spent all this money on Phase 1, you have to give us permission for Phase 2; also of concern is the future and how we can make sure the County doesn't end up liable for damage, maintenance, etc. in the event the LLC dissolves and the original landowners that signed off on the OMP no longer own the land. How can the liability for this project be tied to the land itself as opposed to the LLC and landowners.

Kummer replied that the Liability would go back to the landowners if the LLC no longer existed and that Leedahl's Attorney is working on a proposal for a claw back process. WRB Attorney Shawn Fredricks is willing to provide Kummer information and forms to help guide us with liability, subrogation, etc.

Kummer also stated that "our permits" would not stop the project.

Miller stated he will take a tour of the project area in the next week or two.

**MISC/CORRESPONDENCE continued**

A motion was made by Berg and seconded by Miller to approve Site Authorizations for Head of the Red Youth Activities Association for gaming at Texas Crossing and Alley Cat Lounge. Vote was unanimous.

- Fossum asked if the Commission would be comfortable with an in person 5 County Meeting. The consensus was Yes.
- Campbell received an email from Trana Rogne regarding the FM Diversion Settlement Agreement, he has forwarded the email to all Commissioners

Fossum reported Barb Hoffert has been in contact with Commissioner Miller and State's Attorney Kummer regarding three tax payment envelopes she deposited in the drop box the week of January 31. Two payments were processed but the Treasurer's Office has no record of a third payment. Hoffert was not aware that one of the three payments was lost and not processed until she received a Courtesy Notice. She has now issued a new payment for the taxes (without the discount) along with the penalty. She is requesting a refund of the penalty and the discount for this lost payment. Following discussion a motion was made by Berseth and seconded by Miller to waive the penalty and give the discount; Voting NO were Berg and Ehlert. The remainder voted Yes and the motion carried.

- Fossum will be attending the Legislative Wrap-up on May 10

Miller updated on the Staffing Shortage in Dispatch - A committee of himself along with Commissioner Berg, Chad Schultz, Dick Dickerson, Mechelle Olsen, Sheriff Leshovsky, Jill Breuer and Sandy Fossum will look at options.

Miller attended a Solar Presentation - It would be a significant economic boom to the area; there is mixed reaction from the local residents.

Being there was no further business the meeting adjourned at 9:50 A.M.

ATTEST: Sandy Fossum  
Sandy Fossum  
Auditor/Administrator

Tim Campbell CHAIRPERSON  
Tim Campbell  
Board of Richland County Commissioners