

Forman, North Dakota  
February 6, 2024

The Sargent County Board of Commissioners met at 9:00 with the following members present: Wade Anderson, Lyle Bopp, and Scott Johnson. Jason Arth was absent. Also present was Cole Halmrast, Neil Planteen, David Jacobson, Loy Justesen, County Residents; Neil Weaving, Courthouse Custodian; Duane Peterson, Human Resources Director; Pat Olofson, Sargent County Teller; Jayne Pfau, State's Attorney and Pam Maloney, County Auditor.

Chairman Scott Johnson called the meeting to order.

The Pledge of Allegiance was recited.

Motion to accept the agenda as amended. (Anderson/Breker) Motion carried.

Motion to approve the January 16, 2024 meeting minutes and the January 17, 2024 special meeting minutes. (Breker/Anderson) Motion carried.

Pursuant to NDCC 11-10.2-02 (1), a petition has been filed with the county auditor protesting the plan to redesignate the county auditor and the county treasurer/recorder/clerk of court as appointed positions rather than elected. 206 signatures were needed and total signatures on the petition amounted to 313. The final resolution is now suspended. Motion to move forward with placing the question on the June 11, 2024 Primary Election ballot redesignating the county auditor and county treasurer/recorder/clerk of court positions as appointed positions rather than elected positions. (Anderson/Bopp) Upon roll call vote, motion carried unanimously.

Motion to approve the following Fire Emergency & Burn Ban Restrictions Declaration for Sargent County, North Dakota. (Anderson/Bopp) Roll Call Vote: Yes – Anderson, Bopp, Breker & Johnson. No – None. Absent & not voting – Arth.

**FIRE EMERGENCY & BURN RESTRICTIONS DECLARATION**  
**For**  
**SARGENT COUNTY, North Dakota**  
*February 6<sup>th</sup>, 2024*

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**WHEREAS**, Sargent County, North Dakota has and is expected to continue to endure periods of dry conditions with significant vegetative fuels available; and

**WHEREAS**, all available resources remain committed to protecting life and property; and

**WHEREAS**, Sargent County, has either sustained or been threatened with rural fires in the past and the local Emergency Management Office has been in consultation with local fire departments; and

**WHEREAS**, the impact of fires could threaten the health, well-being, and safety of the citizens in Sargent County; and

**WHEREAS**, the cost of response, inordinate equipment wear/tear and fire damages may be beyond available Sargent County resources; and

**WHEREAS**, Sargent County wishes to regulate activities within the county which pose a potential hazard for such loss, should the present weather conditions continue.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of the Sargent County Commissioners declare a Fire Emergency and Burn Restrictions effective when the North Dakota Rangeland Fire Danger Rating is in the **(High, Very High or Extreme Rating and/or Red Flag Warning)** has been issued for Sargent County, North Dakota, effective immediately until rescinded or through October 1<sup>st</sup>, 2024.

**What's Included: No Burning When Activity Matches Below**

*Burning is Prohibited if the Fire Index is in Extreme Category as Issued by NWS ([ND Administrative Code – Title 33.1 Article 15 Chapter 4](#))*

**Low**

Garbage/pit burn, ignition of fireworks (aerial and ground)

<b>Moderate</b>	Campfires, the ignition of fireworks (aerial and ground), controlled burns (i.e., wood piles, tumbleweeds, tree piles, etc.), cropland/agriculture, fireplaces and chimineas patio (organic material), garbage/pit, gas camp stoves, grills/smokers (gas, charcoal, pellet, wood fire), smoking (areas outside designated areas/and or vehicle), and unnecessary off-road motorized travel (anything other than paved or gravel surface).
<b>High</b>	Campfires, the ignition of fireworks (aerial and ground), controlled burns (i.e., wood piles, tumbleweeds, tree piles, etc.), cropland/agriculture, fireplaces and chimineas patio (organic material), garbage/pit, gas camp stoves, grills/smokers (gas, charcoal, pellet, wood fire), smoking (areas outside designated areas/and or vehicle), and unnecessary off-road motorized travel (anything other than paved or gravel surface).
<b>Very High</b>	Campfires, the ignition of fireworks (aerial and ground), controlled burns (i.e., wood piles, tumbleweeds, tree piles, etc.), cropland/agriculture, fireplaces and chimineas patio (organic material), garbage/pit, gas camp stoves, grills/smokers (gas, charcoal, pellet, wood fire), smoking (areas outside designated areas/and or vehicle), and unnecessary off-road motorized travel (anything other than paved or gravel surface).
<b>Extreme</b>	Campfires, the ignition of fireworks (aerial and ground), controlled burns (i.e., wood piles, tumbleweeds, tree piles, etc.), cropland/agriculture, fireplaces and chimineas patio (organic material), garbage/pit, gas camp stoves, grills/smokers (gas, charcoal, pellet, wood fire), smoking (areas outside designated areas/and or vehicle), and unnecessary off-road motorized travel (anything other than paved or gravel surface).
<b>Red Flag Warning</b>	Campfires, the ignition of fireworks (aerial and ground), controlled burns (i.e., wood piles, tumbleweeds, tree piles, etc.), cropland/agriculture, fireplaces and chimineas patio (organic material), garbage/pit, gas camp stoves, grills/smokers (gas, charcoal, pellet, wood fire), smoking (areas outside designated areas/and or vehicle), and unnecessary off-road motorized travel (anything other than paved or gravel surface).

**THE PENALTY FOR VIOLATION OF THIS BURN RESTRICTION IS A CLASS B MISDEMEANOR (NDCC 37.17.1-10.1: MAXIMUM SENTENCE OF 30 DAYS IN JAIL AND A \$1,500.00 FINE).**

The Daily Fire Danger Rating is available at the following website: <https://ndresponse.gov>

Motion to approve the Sargent Seniors Council Contract for 2024. (Breker/Anderson) Upon roll call vote, motion carried unanimously.

Tim Faber, Road Supervisor, arrived at the meeting. The Application for Drainage Work Within County Road Right-of-Way from Brian Vculek will be tabled until the next meeting, so Mr. Faber has a chance to review. He will also check out the location of the Rutland Township culvert cost-share request.

Alison Toepke, Treasurer/Recorder/Clerk of Court, arrived at the meeting. The Court Facilities Improvement Advisory Committee recently reviewed the three applications submitted by Sargent County for court facilities improvement grants. All three applications were approved, so Ms. Toepke is asking for approval to move forward with the grant proposals. The grants will cover 75% of the cost associated with 1) replacing seating in the courtroom; 2) updating carpeting in courtroom, jury room, judges chambers and clerk of court office; & 3) replacement of a walk through metal detector. Motion to grant approval to move forward with all three grant proposals. (Anderson/Bopp) Upon roll call vote, motion carried unanimously.

Motion to accept Alison Toepke's resignation as Treasurer/Recorder/Clerk of Court effective March 31, 2024. (Breker/Anderson) Upon roll call vote, motion carried unanimously.

Motion to advertise for Ms. Toepke's position for three weeks, with a March 1, 2024 deadline for applications. Interviews will be conducted in the afternoon of March 5<sup>th</sup>. Interview committee will consist of all five Commissioners, State's Attorney, Human Resources Director, Auditor, & Treasurer/Recorder/Clerk of Court. (Anderson/Bopp) Upon roll call vote, motion carried unanimously.

Motion to re-appoint Bruce Speich to the Sargent County Water Resource Board. Term ending February 1, 2027. (Bopp/Anderson) Upon roll call vote, motion carried unanimously.

Motion to authorize the commission chairman and auditor to sign the Certification of Local Match for Bridge Inspection – Project Number BRC-0099(014). (Anderson/Bopp) Upon roll call vote, motion carried unanimously.

Rutland Township has requested cost-share for one culvert 36" x 40' between Sections 2 & 3. According to the hydraulic study, the culvert request does not meet stream crossing standards. Motion

to deny the culvert cost-share request from Rutland Township. According to a text from Mr. Faber, the culvert has already been installed. (Bopp/Anderson) Upon roll call vote, motion carried unanimously.

One application has been received for the Assistant Ambulance Coordinator position advertised. The auditor will forward the application to Wendy Willprecht, Emergency Manager, to follow up with setting up an interview. Motion to re-advertise for the position, as the county is planning on hiring two Assistant Ambulance Coordinators – one for the Milnor Squad and one for the Forman Squad. (Anderson/Breker) Upon roll call vote, motion carried unanimously.

Neil Weaving, Custodian, arrived at the meeting. He reported that the plasterer has finished the repairs and that the rest of the painting would be finished up next week. There is more plastering that needs to be done on the ceiling outside of the two entrances into the courtroom at an approximate cost of \$1600. Otis Elevator was called to check out an odor that seemed to stem from the elevator. It is believed that it is sewer gas coming from a pipe that shoots off from the sump pit. G & R Controls has been here doing preventative maintenance on the boilers. He also reported on repairs that he had done on the Health Unit Building and will need a lift to finish them. He stated that he also has several items ready for auction, which will likely be held the end of February or the beginning of March.

Brian Tayer, Sargent County Ambulance-Milnor Squad, arrived at the meeting. He stated that they had 161 runs in 2023 – he had gone on 132 of those – Mr. Christiansen had gone on 65 of those. They have had 17 runs so far in 2024. Checking balance is \$24,605.26; MM Savings Balance is \$72,804.27; & CD balance is \$215,000. He has put on 1<sup>st</sup> responder classes.

Discussion was held regarding the interest earned on the ambulance MM Savings accounts when the funds are moved to the county. Motion to allocate interest to any of the three ambulance entities who have funds currently in a MM Savings based on the balance of funds in their respective accounts, effective when the funds are transferred to the county. (Breker/Bopp) Upon roll call vote, motion carried unanimously.

Trent Mahrer, Sargent County Ambulance-Forman Squad, arrived at the meeting. He stated that there were 70 runs total in 2023 with 20 of those being in the 4<sup>th</sup> quarter. He had gone on 35 of those runs with Mr. Owen on 27 of them. Checking balance is \$11,107.44. He has put on 5 CPR classes. He stated additional staff would be welcome. He reported that gross proceeds from the Pancake Feed/Silent Auction held January 28<sup>th</sup> was \$4,210.

Wendy Willprecht, Sargent County Water Resource Board Secretary, arrived at the meeting. She provided a letter to the commission regarding the budget cut to the Red River Joint Water Resource Board. Their budget request was \$56,900 and the commissioners allocated \$30,000. This will affect future cost-share water projects in the county. The potential RRJWRD funding for the upcoming project for Shortfoot Creek Retention Site Design & Construction could be jeopardized. The Sargent County Water Resource Board is requesting that the full membership be paid. The commission will review and discuss at the next meeting. Commissioner Johnson does plan on attending the next SC Water Resource meeting, as well.

Commissioner Anderson left at 11:37 a.m.

Meeting adjourned at 11:42 a.m.

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SCOTT JOHNSON – CHAIRMAN

ATTEST:

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PAM MALONEY – COUNTY AUDITOR