

Forman, North Dakota  
March 21, 2023

The Sargent County Board of Commissioners met at 9:00 a.m. with the following members present: Wade Anderson, Jason Arth, Lyle Bopp, Mark Breker, and Scott Johnson. Also present was Jayne Pfau, State's Attorney; Sue Seelye, Park Manager; Richard Ruch, County Resident; and Pam Maloney, County Auditor.

Chairman Mark Breker called the meeting to order.

The Pledge of Allegiance was recited.

Michelle Denault, Human Resources Director; and Heidi Johnson, Sheriff's Deputy Matron, arrived at the meeting. Further discussion was held regarding the payroll errors for three employees when receiving a step increase in 2022. Motion that the employees will pay back the overpayment per Sargent County Policy 408-Administrative Pay Corrections, with the option to pay back the overpayment over a period of eight (8) months through a salary reduction or using vacation or comp time. (Arth/Bopp) Upon roll call vote, motion carried unanimously. The employees should be in contact with the Auditor's Office relaying their decision on how they are paying it back.

Motion to accept the agenda as amended. (Arth/Bopp) Motion carried.

Motion to approve the March 7, 2023 minutes as corrected. (Johnson/Anderson) Motion carried.

Charlie Adams, Summit Carbon Solutions, arrived at the meeting to update the commissioners on the CO2 pipeline progress. He reminded them of the PSC Hearing to be held Tuesday, March 28, 2023 at 9:00 a.m. at the North Sargent School Activity Center. This hearing will focus primarily on portions of the project in Dickey and Sargent Counties.

Commissioner Johnson reported that he had spoken with Isaiah Throener regarding the tower demolition. Mr. Throener is insured, but does not have a contractor's license. After further discussion, Commissioner Johnson will ask Mr. Throener if he would be willing to acquire a contractor's license before the project is done.

Approve March payroll in the sum of \$259,597.13 and the following bills. (Arth/Johnson) Upon roll call vote, motion carried unanimously.

84960-84974		Health Unit Expenses	3,852.80
84976	Forman City	Garbage/Water/Sewer	209.00
84977	Ottertail Power Company	Electricity	4,846.59
84978	Ransom County	VSO Salary/Benefits	2,515.47
84981-84982		Human Services Expense	61.06
84984-84997		Health Unit Expenses	4,943.26
85017	AMS, Inc.	GPS Rental	100.00
85018	Aramark	Cleaning Services	364.84
85019	Avid Hawk, LLC	Website Services	45.00
85020	Bopp, Mark	CH Snow Removal	73.00
85021	Cenex Fleet	Tax Director Travel	48.16
85022	Computer Express	Tech Support/Computer/Supplies	5,900.98
85023	Counties Providing Tech.	CPU - Staff Support	2,510.00
85024	Crossroads Electric	Health Building Furnace Repairs	418.38

85025	Dakota Plains	Health/Tax/Sheriff Travel/Road Kerosene	783.38
85026	Dakota Water Solutions	5 Gal Water Jugs	24.00
85027	Dickey Rural Networks	Telephone Services	1,470.97
85028	ESRI	Tax Director ArcGIS Annual Fee	700.00
85029	Forman Drug	Employee Drug Tests	73.96
85030	Gwinner One-Stop	Sheriff Travel	757.54
85031	The Home Shop	Fire Extinguisher Inspection	274.85
85032	Innovative Office Solutions	CH Safety Glasses	6.40
85033	LexisNexis	ND Court Rules '23	57.16
85034	Loffler Companies, Inc.	Sheriff/Tax Copiers	1,965.38
85035	Maloney, Pamela	Fair Annual Report Filing	15.00
85036	ND Sheriff's & Deputies Ass'n	Sheriff's 2023 Dues	400.00
85037	NDACo Resource Group	Monthly Datto Backup	515.71
85038	Nelson Auto Center	County Share 2023 Squad Car	9,586.42
85039	Office of Attorney General	SCRAM 24/7	400.00
85040	Paeper, Travis	License Fee	26.50
85041	Pfau, Jayne	Acrobat Pro/Go-To-Mtg/Cell Phone Reimbursement	512.26
85042	PharmChem, Inc.	Sweat Patch Analysis	31.95
85043	Sargent County Fair Ass'n	2023 75% Appropriation	30,559.20
85044	Sidwell Co.	Tax Director GIS Service	1,344.00
85045	Southside Auto.	Sheriff Wiper Blades/CH Key	17.97
85046	The Sargent County Teller	Publishing Fees	707.98
85047	Verizon Wireless	Sheriff MiFi Cards	200.05
85048	Walock-Johnson	Auto Liability Sheriff '23 Explorer	707.00
85049	Weaving, Neil	Building Maintenance Supplies	627.80
85050	Wild Rice Soil Conservation	Feb & March Ext. Rent	1,000.00
85051	Willprecht, Wendy	Emergency Manager Travel	122.09
85052	A W Diesel	2010 Mack/2004 IHC Snowplow Repairs	2,568.89
85053	Bobcat of Gwinner	Fix Glass Door	105.00
85054	Faber, Tim	Cell Phone Reimbursement	250.00
85055	Forman Lumber	Mini Clamps	17.94
85056	General Equipment	LH Door Glass/Repairs	1,004.30
85057	Gordy's Grill & Fill	Road Travel & Supplies	143.98
85058	Grotberg Electric, Inc.	Shop Heater	2,399.00
85059	Lee's Service Station	Road Travel	165.50
85060	Linde Gas & Equipment	Oxy/Acetylene	95.15
85061	Little Falls Machine	Bolts/Nuts/Cotter Pin/Key	278.00
85062	ND Ass'n of Counties	Road Drug Test	15.00

85063	Patriot Fuels	Mack Truck Fuel	309.95
85064	Plunkett's Pest Control	Shop Pest Control	64.20
85065	Rutland Oil Co.	Fuel/Antigel/Gasoline/Antifreeze	8,266.61
85066	Southside Auto.	2004 International Repair/Supplies	686.73
85067	Visto's Carquest	Supplies & Repair Parts	1,863.96
85068	Welton Tire Service, Inc.	Truck Tires	1,346.00
85069	Crown Trophy	Ext - Name Tag	13.50
85070	Dickey Rural Networks	911 Trunks	231.00
85071	Lake Agassiz Regional Council	2023 Pledge	3,832.50
85072	ND Ass'n of Counties	911 Wireless	738.60
85073	Seykora, Melissa	Ext - Cookies	14.50
85074	Visa	Ext - Coat Rack/Tablecloth	36.17

Wendy Willprecht, Emergency Manager/911 Coordinator; Brian Tayer, Sargent County Ambulance-Milnor Squad; Ryan Johnson and Auston Creech, Gwinner First Responders; Brenda Peterson, Health Unit Administrator; & Michelle Denault, Human Resources Director; arrived at the meeting. Motion to reconsider the motion made at the February 21, 2023 meeting denying Milnor Ambulance's request for reimbursement. (Bopp/Arth) Roll Call Vote: Yes, Arth, Bopp and Johnson. No – Anderson & Breker. Motion carried.

Further discussion was held regarding reimbursement to the Milnor Ambulance Squad for the ambulance they gifted to the Gwinner First Responders. Commissioner Arth had spoken with Aaron Birst, NDACo Executive Council and Legal Counsel, regarding the matter. Mr. Birst stated that the county cannot be bound as there was no official action done at a commissioner meeting, however, that doesn't mean that the county can't reimburse the ambulance squad. Commissioner Bopp stated that he does remember the conversation at the August 2021 commissioner meeting and feels that the squad should be reimbursed. Motion to reimburse the Milnor Ambulance Squad \$65,000 for the ambulance they gifted to the Gwinner First Responders, using the remaining Cares Act funds and LATCF funds when available. (Bopp/Arth) Roll Call Vote: Yes – Bopp. No – Anderson, Arth, Breker & Johnson. Motion failed.

Motion to pay up to \$65,000 toward the next ambulance that the Milnor Ambulance Squad purchases. (Arth/Bopp) Upon roll call vote, motion carried unanimously.

The current EMS job description/pay structure was further discussed. Mr. Tayer is currently the ambulance coordinator with Mr. Mahler, Mr. Christiansen & Mr. Owen as assistant coordinators. Mr. Tayer is willing to continue to be the head coordinator, but doesn't want to handle the bookkeeping for all the entities. Commissioners Arth & Breker will meet with Ms. Willprecht, Ms. Denault and personnel from all three ambulance entities to discuss and bring it back to the commission.

Discussion was held regarding how to handle bids from contractors who did not fulfill their gravel contracts in 2022. Motion that gravel contracts will now include a liquidated damages clause in the amount of \$50,000. (Bopp/Arth) Upon roll call vote, motion carried unanimously.

The board proceeded to open bids for furnishing supplies for the year beginning April 1, 2023, and ending March 31, 2024, as advertised. All bids submitted, including exact wording and amounts, are available for inspection at the office of the county auditor. Bids submitted as follows:

**GRAVEL:** Crandall Construction Inc., Cayuga; Beaver Trucking, Forman; Bernard Mahrer Construction Inc., Rutland; Lesmeister Gravel, Inc, Lisbon; Mark Sand and Gravel Dakota Co., Fergus Falls, MN; Bear Creek Gravel, LaMoure; Froemke Excavating, Lisbon; and, Enderson Construction, Inc. Gwinner.

**MIXING & DRYING BLACKTOP SURFACING:** No bid received.

**BITUMINOUS MATERIALS:** Flint Hills Resources, West Fargo, ND.

**GASOLINE, FUEL, & LP GAS:** Rutland Oil Co., Rutland, and CHS Dakota Plains Ag, Kindred.

Motion to accept all bids. (Bopp/Arth) Upon roll call vote, motion carried unanimously.

Debbie Bosse, rural Brampton resident, arrived at the meeting. She is worried about accessibility to rural homes in cases of emergency, as not all roads have been cleared of snow. Commissioner Johnson explained that there have been extensive equipment breakdowns, reduction in manpower at times and the road crew is putting in long hours to try to get the roads cleared. He also stated that in cases of emergency Sheriff Paeper would contact the road crew to clear the road if it was blocked. Ms. Bosse also stated that there are many residents helping to clear the roads & wondered if they would/could be reimbursed financially. Commissioner Breker told her that the policy is not to reimburse those individuals unless it has been approved and/or requested by the commission prior to the work being done. Ms. Bosse also thanked the commission and road crew acknowledging that this has been a challenging winter for everyone and understands the impossible task of keeping the roads clear when there's so much snow.

Motion to approve temporary part-time help for the road department from now through April 28<sup>th</sup> to be paid at a Grade B22/Step 4 with a CDL license and Grade B22/Step 3 without a CDL license. (Bopp/Anderson) Upon roll call vote, motion carried unanimously.

Other road issues were discussed, such as putting snow equipment on the new blade, looking at tractors, and individuals pushing snow onto county road rights-of-way. Ms. Pfau stated that putting obstacles in the county road right-of-way is a criminal offense & the individual could be charged with Obstructing Highway- a Class B Misdemeanor. Commissioner Breker also has concerns about other ambulance districts that come into the county – if they know who to contact if a road is blocked. Commissioner Johnson will check into this.

Motion to allow the road department to hire a dozer for up to forty (40) hours at \$200/hour to clean out areas that need it the most. (Johnson/Arth) Upon roll call vote, motion carried unanimously.

The commissioners reviewed a resolution passed by the Mountrail County Commissioners in support of Senate Bill #2239 and in opposition to House Bill #1040. These bills deal with the NDPERS defined benefit retirement plan. Motion to respond in opposition to House Bill #1040 and to remain neutral on Senate Bill #2239 until we have additional information regarding the county's financial responsibility. (Bopp/Arth) Upon roll call vote, motion carried unanimously.

Commissioner Bopp updated the board on courthouse repairs/improvements.

Commissioner Breker inquired about the mag chloride billings that the townships received. All mag chloride applications requested by individuals are billed through the township. The township bills the individuals and then will reimburse the county.

Meeting adjourned at 12:50 p.m.

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MARK BREKER – CHAIRMAN

ATTEST:

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PAM MALONEY – COUNTY AUDITOR