

Forman, North Dakota  
April 21, 2020

The Sargent County Board of Commissioners met at 9:10 a.m. in the Conference Room with the following members present: Bill Anderson, Jason Arth, Lyle Bopp, Richard Ruch, and Jerry Waswick. Also present was Pam Maloney, Sargent County Auditor. Present through technology were: Jayne Pfau, State's Attorney; Brian Tayer, Sargent County Ambulance-Milnor Squad; Bob Banderet & Paul Mathews, county residents; and Mary Engst, Sargent County Teller;

Approve April payroll in the sum of \$189,459.17 (Nos. 17662-17719 & 80242-80249) and the following bills: (Anderson/Arth) Upon roll call vote, motion carried unanimously.

80212-80221		Health Unit Expenses	1,858.66
80222-80223		JDA Expenses	3,189.56
80225	Forman City	Water/Sewer/Garbage	198.57
80226	Ottertail Power Company	Electricity	4,143.05
80227	Ransom County	VSO Salary/Benefits	976.61
80229-80238		Health Unit Expenses	3,892.13
80250-80252		JDA Expenses	181,965.59
80253-80257		Weed Control Expenses	336.52
80260	Atlantic Tactical	Sheriff Uniform	359.99
80261	AVI Systems, Inc.	Video Conferencing System	20,745.22
80262	Avid Hawk, LLC	Web Service	45.00
80263	Bopp, Lyle	Building Maintenance	433.14
80264	CHS-Dakota Plains	Gas Purchases	28.63
80265		Human Services Expense	16.93
80266	Computer Express	Wireless Adapters	143.00
80267	Counties Providing Tech.	Data Processing	1,255.58
80268	Cre8tive Tz	Sheriff Apparel	165.00
80269	CHS-Dakota Plains	Gas Purchases	1,390.24
80270	Dakota Water Solutions	Water Jugs	28.00
80271	Dickey Rural Networks	Telephone	701.69
80272	Election Systems & Software, LLC	Election Supplies	669.45
80273	Ferderer, Denise	Safety Supplies	92.97
80274	Forman Lumber & Fireworks	Building Maintenance	25.85
80275	Gwinner One Stop	Sheriff Travel	437.76
80276	Information Tech Dept.	WAN Access/Netmotion	762.88
80277	Johnson, Heidi	Auditor Travel	51.75
80278	Maloney, Pam	Election Postage	7.50
80279	NDCCA	VIS Insurance Police Renewal	9.50
80280	ND State Radio	LETS Terminal Rental/Renewal	300.00
80281	ND Workforce Safety	2020 WSI Contract	250.00
80282	ND Township Officers Ass.	Postage	5.00
80283	Office of Attorney General	SCRAM 24/7	2,670.00
80284	Quill	Building/Office/Safety Supplies	793.81
80285	Rath & Mehrer P.C.	Audit Fees for 2018/2019	10,000.00
80286	Reardon	Sheriff/Tax Office Supplies	929.34
80287		Human Service Expense	33.00
80288	Richland County Corrections	Prisoner Board	990.00
80289	Ruch, Richard	Travel/Safety Supplies	1,193.40
80290	Sargent County Teller	Printing/Publishing	427.36
80291	Shay Walden Construction	Emergency Mgr Office Repairs	2,282.15
80292	Sidwell	GIS Software	15,327.00
80293	Southside Automotive	Police Vehicle/Keys	502.94
80294	Teals Market Gwinner	Safety Supplies	105.48
80295	Vanguard	Tax Dept. Service/Remote Fee	3,700.00
80296	Verizon	Sheriff MIFI Cards	200.05
80297	Wild Rice Soil Conservation	Extension Rent	1,500.00
80298	AW Diesel	Cat Blade Fittings	19.26
80299	Ameripride	Road-Cleaning	123.31
80300	Butler Machinery	Equipment Repair	834.20
80301	Ekstrom Repair	Equipment Repair	1,578.75
80302	Forman Lumber & Fireworks	Shop/Office Supplies	86.25
80303	The Home Shop	Fire Extinguishers Maintenance	164.40
80304	Kirk's Ag Repair	Hydraulic Couplers	31.45

80305	RDO Equipment	Motor Grader Repairs	1,581.81
80306	Rutland Oil Company	Road Gasoline/Fuel	3,638.00
80307	Southside Automotive	Equipment Repairs	20.54
80308	TrueNorth Steel	Culverts	12,784.00
80309	Dickey Rural Network	911 Contract	231.00
80310	ND Ass'n of Counties	911 Wireless	754.80
80311	ND State Radio	State Radio-1 <sup>th</sup> Qtr.	14,210.28
80312	ND Ass'n of Counties	Ext Ed-Office Supplies	554.83
80313	NDSU Ag Budget Office	Ext Salaries-Klapperich/Seykora	10,831.60
80314	Sargent County Teller	HCPF & Ext-Printing/Publishing	188.25
80315	Sargent County Treasurer	Ext-Postage	44.03
80316	Visa	Extension Supplies	281.32
80317	Willprecht, Wendy	Travel Expense	107.18

Approve April 7 & April 14, 2020 meeting minutes as presented. (Bopp/Arth) Upon roll call vote, motion carried unanimously.

The Human Resources Director position was discussed. The auditor had found out that it had not run in the Ransom County Gazette as she had thought. She was instructed to send the ad again to the Gazette and also to some college job sites. Deadline date May 8, 2020.

Discussion was held on a copy of a letter from the Office of the State Engineer regarding Assessment of Legal Drains. The commissioners requested clarification regarding a statement within the letter that said that "county commissions have direct authority over their respective WRB's". State's Attorney Pfau stated that the only authority the commission has is to make appointments to the water resource board, approve budgets, and that they are the final stop on matters of eminent domain.

Motion to appoint Richard Ruch and Jason Arth as county commission representatives to the Shortfoot Creek Project Team. David Jacobson and Mike Walstead were representatives, but are no longer on the county commission. (Anderson/Ruch) Upon roll call vote, motion carried unanimously.

Wendy Willprecht, Emergency Manager, arrived at the meeting at 9:41 a.m. She reported that the Sargent County Food Pantry is boxing items up and taking them outdoors to the recipient's vehicle. Ms. Willprecht has also offered to help the Food Pantry as she is able. She also reported that all three county schools are providing breakfast and dinner to those children in their respective school districts that have registered for the program. She also stated the on-line distance learning is taking place and that Dickey Rural Networks has provided internet free of charge to those households who did not have internet previously.

Ms. Pfau presented a change to Sargent County's Overtime Policy #508. An addition was made to the policy as follows:

Overtime pay will be allowed for exempt employees, in a declared emergency situation where the decision to incur extra time and the timing of the work is dictated by the event.

Overtime pay (1 ½ x regular wage) will be allowed for exempt employees during a declared emergency.

The Fair Labor Standards Act recognizes that exempt employees may perform non-exempt work and are thus entitled to overtime in emergencies. FEMA regulations also similarly recognize the payment of overtime for exempt employees. During an emergency declared by the Board of County Commissioners and/or the Health Board, exempt employees may be paid at time and one-half or receive compensatory hours at the rate of one and one-half hours (same rate as for actual compensation), for hours worked in excess of forty (40) hours during the applicable regularly defined work week for each respective exempt employee, if the employee is specifically authorized to receive the additional compensation as a part of the emergency declaration. The additional compensation will continue until the declared emergency is terminated or when authorization for the additional compensation is terminated by action of the Board of County Commissioners or the Health Board, whichever first occurs.

Motion to adopt the amended version of #508 Overtime to the Sargent County Policy retroactive to the Presidential Emergency Declaration on March 13, 2020. (Anderson/Arth) Upon roll call vote, motion carried unanimously.

Brenda Peterson, Health Unit Administrator; and Cindy Klapperich, NDSU Extension Service arrived at the meeting via technology at 10:05 a.m.

Commissioner Bopp stepped out at this time.

Ms. Peterson had provided a command chart for the virtual emergency operations center assignment of roles. Motion to authorize the chairman to make the appointments as recommended by Ms. Peterson. (Anderson/Ruch) Upon roll call vote, motion carried unanimously. Ms. Willprecht has already listed the virtual EOC assignment of roles with the state.

Chairman Waswick made the appointments as recommended by Ms. Peterson, Health Unit Administrator.

Merrill Engquist, Road Supervisor, arrived at the meeting.

The commission reviewed a request from Dunbar Township for cost share on two 40' x 48" culverts between Sections 35 & 36 on Crooked Creek. Hydrology study is being done. Decision tabled until hydrology study is received.

The commissioners reviewed an Application for Drainage Work Within Road Right-of-Way received from Brian Vculek of Crete, ND. The request is to remove a not used approach and put in an 18" culvert in the used approach and do minor cleaning in the ditch along the west side of Section 20-131-58 in Verner Township. Motion to approve the application on the conditions that documentation is been received from NRSCS and any impacted legal drain counsel that the project has been approved. Also, minor ditch cleaning means less than 12" dirt removed and all work shall be done under the supervision of the road supervisor. (Anderson/Arth) Upon roll call vote, motion carried unanimously.

The commissioners reviewed an Application for Drainage Work Within Road Right-of-Way received by Anderson Seed Farm of Forman, ND. The request is to install a culvert so water doesn't go over approach and to flatten the bottom of the ditch so ditch will drain better along the east side of Section 22-131-56 in Bowen Township. Motion to approve the application with the contingency that the engineer provides information on whether hydrology study is needed and that there is no deepening of the ditch. The county will provide the culvert. (Anderson/Bopp) Upon roll call vote, motion carried unanimously.

Mr. Engquist had a question on whether a gravel supplier could match another supplier's lower bid. He stated that if the county puts up a 15,000 ton gravel pile, this supplier would match the lower bid received from a different supplier. Upon consultation with the state's attorney, it was determined that it was not allowable.

Some discussion was held on a benefit budget for those employees who do not take advantage of the county's health insurance offering, as they might have coverage elsewhere. This is something that has been discussed at the Personnel Board and a specific proposal might be coming from them. The auditor was instructed to gain information from other counties on what they offer to employees.zss

Meeting adjourned at 11:55 p.m.

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JERRY WASWICK – CHAIRMAN

ATTEST:

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PAM MALONEY – AUDITOR