

PROCEEDINGS OF PIERCE COUNTY, NORTH DAKOTA, BOARD OF COUNTY COMMISSIONERS

March 5, 2024

The Pierce County Board of County Commissioners met in regular session on March 5, 2024. Chairman Hoffert called the meeting to order at 8:00 A.M. with members Bohl, Christenson, Bednarz, and Migler present.

Chairman Hoffert led the Pledge of Allegiance.

Moved by Bohl and seconded by Christenson to approve the consent agenda. Motion carried.

Moved by Migler and seconded by Bednarz to accept the February minutes as mailed. Motion carried.

Moved by Bohl and seconded by Christenson to approve those bills previously paid and those yet unpaid were ordered paid. Motion carried.

Board reviewed Officer fee reports and hourly workers time sheets.

Board reviewed February report from Heart of America Community Service Program from Frank LaRocque, Community Service Coordinator. There were 5 new cases, 6 open cases, 1 closed compliant, and 2 closed noncompliant. Fees received \$100.00

Moved by Christenson and seconded by Bohl to approve Treasurer's checks #6348-6364, in the amount of \$10,455.40, for the month of February. Motion carried.

Board discussed the blading & snow removal fees for the City of Wolford. Moved by Migler and seconded by Bednarz, to charge \$100.00 per hour, for blading & snow removal. Motion carried.

Moved by Migler and seconded by Bednarz to accept the financial report for the month of February. Motion carried.

Josh Siegler, Pierce County Sheriff and Mike Graner, Jail Administrator, HACTC, joined the meeting.

Josh Siegler, Sheriff, met and gave the board a report for the month of February for his department. Total calls-36; Medical Calls-5; Fire Calls-2; Traffic Accidents-0; Assist Other Agencies-11; Prisoner Transports-4; Arrests- 4 Warrants, 1 Driving Under Suspension; Citations-7; Papers Served-25; Warrants Served-4. Siegler reported that there were no personnel changes.

Board recessed to sit on the HACTC Board.

Board asked Siegler and Graner about the alleged incident at the jail, between the officer and the prisoner.

Siegler said the officer's employment was terminated. They asked for a third party to investigate. Siegler said the officer never had any issues, it's upsetting. Graner said BCI is investigating and they will have to let the process play out.

Mike Graner, Jail Administrator, HACTC, went over the bills for the month of February. Moved by Bohl and seconded by Migler to approve those bills previously paid and those yet unpaid were ordered paid, for the month of February, for the HACTC. Motion carried.

Mike Graner, Jail Administrator, HACTC, gave the Board a report on the inmate population at the jail facility for February, which was 68 (ADP). Current inmate count is 67. High of 74 for February. Bookings 45, Releases 46. Pierce County inmate population for February was 6. Deficit of \$111,025.61, for the month of January. Personnel 20/24 officers, 2 resignations, 1 termination, & 1 hire. Graner said last month we were in good shape with officers and now they were down 4 officers. He said one officer successfully completed basic training. Bednarz asked about the Back the Blue Grant money. Graner said there are 4 officers on track to receive payments, after they have their 6 month's time in. Graner informed the Board that he has requested bids from Trane and H.A. Thompson for annual maintenance of the heating and cooling system for the facility. Trane was \$9500 and H.A. Thompson was \$7200. Graner said Trane sometimes will have multiple year savings and they also have better customer service. Motion was made by Bohl and seconded by Migler to approve the bid with Trane, depending upon the years of service that it would cover. If it exceeds \$9500, then he will come back to the Board for approval. Graner reported that the DOCR inspection is scheduled for March 12th. Moved by Migler and seconded by Christenson to approve the financial report for the month of January, for the HACTC. Motion carried.

Board reconvened at 9:10 A.M., with all members present.

Kelsey Siegler, Planning & Zoning Administrator, joined the meeting. Siegler informed the Board that Avangrid was planning on retrofitting components for the purpose of improving the wind turbines generating efficiency, energy output and prolonging the operational life of the Facility. Rugby Wind, LLC, was granted a Conditional Use Permit in 2005. The Project continues to comply with the setbacks from the original Pierce Co. Conditional Use Permit and ND PSC Certificate. What they are looking to do still fits our requirements, but not the State. Four turbines encroach on the required setbacks from roadways. All retrofitting is still within the conditions outlined within the original Conditional Use Permit and the current ordinances. Moved by Christenson and seconded by Bednarz authorizing the Chairman to sign a letter to grant consent for the outlined retrofitting, with the stipulation that all roadways utilized during construction be repaired to equal starting condition or better, after construction.

Curt Brown, custodian, joined the meeting. Board reviewed his duties with him.

Board reviewed the following abatement applications: on parcel 09096000, (2024-27 & 28), for tax years 2022 & 2023, on the following described property, as Lots 1-2, Block 4, Lockwoods Addition, City of Rugby, submitted by Harold Mueller; parcel 02432000, (2024-29), for tax year 2023, on the following described property, as Lots 1-2-3, Tunbridge Lots, submitted by James Duchscher; parcel 10778000,

(2024-30), for tax year 2023, on the following described property, as Lots 13-14-15, Block 9, Whites 2nd Addition, City of Rugby, submitted by Carole Mettler; parcel 08257000, (2024-31), on the following described property as Lot 7, Block 1, Blessums Addition., City of Rugby, submitted by Walter Wentz; on parcel 10307000, (2024-32) for tax year 2023, on the following described property as Lots 7-8, Block 1, Sikes 2nd Addition, City of Rugby submitted by Angela Herman; parcel 10466000, (2024-33), for tax year 2023, on the following described property as Lot 12, Block 3, Solems 1st Add, City of Rugby, submitted by Raymond Leier; parcel 08836000, (2024-34), for tax year 2023, on the following described property as Lot 16 , Block 2 and Outlot 134 of NE1/4SW1/4, Frydenlunds Terrace, City of Rugby, submitted by Gerald Harmel; all as recommended by the Tax Director, in accordance with Homestead Credit filed. Moved by Bednarz and seconded by Bohl, to approve all of the applications submitted. Motion carried.

Board reviewed abatement application on parcel 00172001, (2024-35) for tax year 2023 on the following described property, as Outlot #458 in Govt. Lots 3&4, sec. 1 Township 158 N & 70 W, submitted by Dorothy Slaubaugh, to lower the true & full value from \$337,832 to \$2,275. Moved by Christenson and seconded by Migler to approve application submitted, as recommended by Tax Director, as it qualifies for Farm Residence Exemption. Motion carried.

Board reviewed correspondence letter from the Supreme Court, State of North Dakota. After reviewing correspondence from Don Wolf, Finance Director, concerning funding of the Clerk of District Court office, with the State, based on current data, Pierce County requires .46 FTE(s) to provide clerk services. Moved by Migler and seconded by Christenson that Pierce County elects to enter into a funding agreement for the 2025-2027 biennium, with the North Dakota Court (State), to receive reimbursement of .46% for providing Clerk of District Court services, as it is being presently done. Motion carried.

After reviewing the most recent language by the Secretary of State's office, for District 9, moved by Bohl and seconded by Bednarz to adopt the revised legal description for District 9. Motion carried.

Jessica Tagestad, Wold Engineering, joined the meeting. She updated the Board on the Flex Funding application. Tagestad informed the Board that there were a lot of applications. She said they are hoping that we will hear some time in March. She said it may even be just a partial amount that they could receive and not the entire amount that they applied for, for project #SC-3521, CMC Route 3521 from NDSH 17, S 7 miles, N3 miles to Rolette Co. line. Hoffert asked if it is could we go with the smaller option then? Tagestad said she wasn't sure, but suggested that they at least go with widening that road.

Moved by Bohl and seconded by Christenson, to impose load limit restrictions- single axle not to exceed 12,000 lbs., tandem axle not to exceed 12,000 lbs., per axle, on all county township roads. Also, speed limit will be 45 miles per hour, while load limits are in effect. With the exception that load limits on 2 ½ miles from Highway #3 to Selz, speed limit set at 35 miles per hour, single axle, not to exceed 15,000 lbs., and tandem axle not to exceed 15,000 lbs., for loaded trucks, while limits are in effect. Restrictions will be enforced the same time as the state restrictions. Motion carried.

Moved by Christenson and seconded by Bednarz to call for bids for graveling and machine hire, for the 2024 construction season. Motion carried.

Hoffert attended the Elmer Jesme meeting on February 27th. He shared information about LithTec, which is a new product in road construction that uses chemistry to alter the molecular structure of soil and turn it into a body of stone. This is similar to the process that was used in the Selz Project on the gravel road, only this process is for blacktop roads.

Maynard Peterson, RDO Equipment, joined the meeting. Peterson was checking to see if everything was going good with the new motor grader. He informed the Board that Deere is going to be changing suppliers for the stinger bit program that they have been with. Peterson said this has been a good bit, but maybe they could try something cheaper. Hoffert said if these are working well, do we want to change and then they won't be as good of a product? Peterson said he would have blade operators Paul Zeien and Lee Wolf test them out. Peterson said maybe we will stay with Deere, but we will try out a couple of different company's products.

Christenson talked about the Otter Tail Power grant program for the energy efficiency project. Board told him to get the costs for the Memorial Hall and the Wolford Shop for the new lighting.

There being no further business to transact, moved by Bednarz and seconded by Bohl to adjourn the meeting at 11:27 A.M. Motion carried.

Karen Migler, Auditor-Treasurer
Pierce County, North Dakota

Terry Hoffert, Chairman
Board of County Commissioners

FEBRUARY EXPENDITURES

ND Child Support \$13.50, Mack, Galen \$283.34, Otter Tail \$5261.98, NDTA \$2319.75, \$816.48, City of Rugby \$2487.19, Pierce Co. Payroll \$68387.16, \$18095.15, \$36.08, Pierce Co. Treasurer \$26.43, ND PERS \$0.28, Pierce Co. Payroll \$82121.57, \$22567.46, \$37.20, Pierce Co. Treasurer \$212.13, Security Benefit \$1951.10, AFLAC \$1223.08, Nationwide \$1321.23, \$1816, Ebix \$14.88, Colonial Life & Accident \$31.25, Otter Tail \$9067.83, ND PERS \$30192.67, Otter Tail \$251.61, Pierce Co. Treasurer \$675, ND PHIT \$78336.72, Pierce Co. Payroll \$28228.46, \$7665.24, \$64.40, Pierce Co. Treasurer \$13.02, HACTC Bills \$52911.78, ND PERS \$665.24, ND Child Support \$57, Bohl, Joe \$87.10, Hoffert, Terry \$87.10, Migler, Dave \$135.34, Mack Law Office \$388.80, B & M Laundry \$68.47, Circle Sanitation \$201.25, Dacotah Paper \$96.35, Stein's \$154.78, Pierce Co. Tribune \$571.54, ITD \$3879.24, Computer Store \$569.99, US Records Midwest \$1405.32, CDW Government \$4148.19, Redwood Toxicology \$477.14, I Design \$212.85, HACTC \$10851.29, Computer Express \$1450, Isolved \$279.48, H.E. Everson \$201.89, Newman Signs \$394.71, Electronic Communications \$1884.50, Larocque, Frank \$267.33, Struckmeyer, Michael \$5.28, RDO \$299.32, Vanguard Appraisals \$2050, Envision \$3217.69, Rugby Service Center \$1578, Rugby Hardware Hank \$53.92, Home of Economy \$19.99, Quadiant Finance \$500, Zeien, Paul \$39.53, Pierce Co. Treasurer \$56.02, City of Rugby \$627.09, Christenson Electric Services \$757.21, Office of Atty Gen. \$355, Brad's Towing \$158, Linde Gas & Equip. \$163.15, ND Sheriff & Deputies Association \$400, Farm & Home Publishers \$270, Lysne, Daren \$24.79, Wieler, Tanya \$1000, ND Association of Co. and Tribal Veteran Service Officers \$170, Freitas, Shawna \$310.52

Grand Total \$457,020.38