

December 6, 2012

10:00 A.M.

The meeting was called to order by Chairman Flaagan with Commissioners Fougner, Marquart, Ellertson, and Loibl present.

Moved by Commissioner Fougner and seconded by Commissioner Loibl to approve the minutes as distributed. All voted "Yes". Motion carried.

Herb Schultz was present.

Trevor Schaible and Mark Hanson reviewed maintenance costs at the Aneta Fire Hall, where the county blade is kept.

Moved by Commissioner Marquart and seconded by Commissioner Fougner to pay one third (1/3) of the maintenance costs incurred at the Aneta Fire Hall and to write-up an agreement for future maintenance. All voted "Yes." Motion carried.

Rick Urvand discussed the accounts receivable, County Road #4 and #27 repair, FEMA projects, the budget, road maintenance, the purchase of a snow blower, road repair in Dodds Township, and motor grader repair.

Moved by Commissioner Fougner and seconded by Commissioner Ellertson to sign the maintenance certification for federal aid projects. All voted "Yes." Motion carried.

The Social Services Director position was discussed.

Sharon Young discussed the school officers' manual and annual meeting, radio training and exercise, Threat Hazard Identification and Risk Assessment, and the allocation of 2013 grant funding.

The interviews with County Agent applicants were discussed.

Sharon Young, Trish Young, Michelle Linstad, Bernadette Matejcek, Kelly Janke, Ruth Stevens, and W.J. Davidson met with the Board. Ruth Stevens discussed the court facilities grant, court dates, and interactive television in the Courtroom.

Kelly Janke discussed the calls for service report, a plea agreement, and the performance of the States Attorney with Chris

Anderson, Chuck and Jeanne Shirley, Bob Engen, Tom and Sue Anderson, Sharon Young, Jordan Koras, Eric Braathen, Paul Bjorlie, Ruth Stevens, Rick Urvand, Bernadette Matejcek, Fred Fredrickson, and Steve Lee, from the Grand Forks Herald, present.

Kelly described problems with the cases being prosecuted and suggested that the States Attorney resign.

There was a discussion on a meeting with the Attorney General, how Peter Welte was appointed assistant State's Attorney, and writing a letter regarding the plea agreement.

Numerous people expressed fear when working near the Brossart farm.

At 2:00 PM an abatement hearing began on a property owned by Eleanor Keating with Michelle Linstad present.

Moved by Commissioner Ellertson and seconded by Commissioner Fougner to approve the abatements on W1/2 of SW1/4 less 31.41 acres of Section 22, SE1/4 of Section 21, and SW1/4 of Section 21, Township 152, Range 61 as recommended by the Illinois Township Supervisors because of inundated agriculture land. All voted "Yes." Motion carried.

Peter Welte, Grand Forks County States Attorney, discussed on speaker phone a proposed plea agreement.

Michelle Linstad requested a Commissioner to be appointed to the Soils Committee.

Moved by Commissioner Marquart and seconded by Commissioner Fougner to appoint Bruce Ellertson to the Soils Committee and Social Services Board replacing Ron Dahlen. All voted "Yes." Motion carried.

Moved by Commissioner Fougner and seconded by Commissioner Loibl to appoint Dan Marquart to the Lake Region Law Enforcement Center Board and the E911 Board. All voted "Yes." Motion carried.

Moved by Commissioner Marquart and seconded by Commissioner Fougner to appoint Maynard Loibl to the Red River Regional Council. All voted "Yes." Motion carried.

Moved by Commissioner Loibl and seconded by Commissioner Marquart to reappoint Odell Flaagan, Ron Wheeler, Todd Whitman, Jim Vasichek, and Christian Skogen to the Planning Commission. All voted "Yes." Motion carried.

Moved by Commissioner Loibl and seconded by Commissioner Fougner to reappoint Ben Varnson to the Water Board. All voted "Yes." Motion carried.

Moved by Commissioner Fougner and seconded by Commissioner Loibl to reappoint Paul Retzlaff, Odell Flaagan, and Mike Blessum to the Job Development Authority. All voted "Yes." Motion carried.

Moved by Commissioner Marquart and seconded by Commissioner Ellertson to transfer \$144,629.99 from the Highway Distribution fund and \$130,405.73 from the Highway Maintenance fund to the Road and Bridge fund. All voted "Yes." Motion carried.

There was discussion on the computer service agreement with NRG, a Planning Commission meeting, and a new dumpster for the Courthouse.

Tentative dates for Commissioner Meetings in 2013 were chosen.

The reorganization of the Board began with the Auditor asking for nominations for Chairman.

Commissioner Loibl nominated Commissioner Flaagan.

Commissioner Marquart moved to cease nominations and to cast a unanimous ballot; Commissioner Fougner seconded it. All voted "Yes." Motion carried.

The Auditor asked for nominations for Vice-Chairman.

Commissioner Fougner nominated Commissioner Loibl.

Commissioner Marquart moved to cease nominations and to cast a unanimous ballot; Commissioner Ellertson seconded it. All voted "Yes." Motion carried.

The Board examined the vouchers and instructed the Auditor to pay the bills as listed.

The meeting was recessed.

December 10, 2012 - 11:00 AM

The meeting was reconvened with Commissioners Flaagan, Fougner, and Ellertson present.

Merylee Castellanos and Kim Nelsen, Court Administrators, Shawn Peterson, Juvenile Court Director, Ruth Stevens, Chris Anderson, Mike Anderson, Allan and Deb Anderson, Tom and Sue Anderson, Melissa Radar, Eric Braathen, Doug and Carol Manbeck, Kelly Janke, Jordan Koras, and Lance Kallinen were present to discuss court procedures.

Doug Manbeck read a letter from Peter Welte, Assistant States Attorney, to Odell Flaagan and Kelly Janke regarding State verses Brossart. The letter stated that he cannot discuss the case under North Dakota Law and he is not permitted to introduce any history as evidence. He is concerned that the newspaper article about the suggestion that Mr. Manbeck resign, undermines effective law enforcement and prosecution of criminal cases. Mr. Welte felt that it was unfair that this was discussed when Mr. Manbeck was unable to be there to defend himself. He has found Mr. Manbeck to be professional and competent.

Kelly Janke feels that the Brossart plea agreement is unacceptable and that the Sheriff's Department is a victim in this case. He did not know that Mr. Manbeck would not be present at the previous meeting. Mr. Janke feels that Mr. Manbeck overlooked facts and confused details and that the plea agreement doesn't reflect prior communication with the Sheriff's Department. He feels that Mr. Manbeck should be more involved and that there should be more accountability.

It was suggested that Mr. Manbeck be present at future plea bargain meetings and he agreed to it.

The meeting was recessed.

December 17, 2012 - 10:00 AM

The meeting was reconvened with all Commissioners present.

There was discussion on the purchase of bullet proof material and video conference equipment for the Courtroom.

Moved by Commissioner Marquart and seconded by Commissioner Loibl to approve the purchase of bullet proof material for the Courtroom. All vote "Yes." Motion carried.

Moved by Commissioner Fougner and seconded by Commissioner Loibl to apply for a Court Facilities Improvement Grant to purchase video conference equipment at a cost of \$30,000.00. All voted "Yes." Motion carried.

There was discussion on an agreement for maintenance at the Aneta Fire Hall and rural street signs.

The meeting was adjourned.

W.J. Davidson, Auditor
Sheila Fisk, Deputy Auditor
Nelson County

Odell Flaagan, Chairman
Nelson County Commissioners

www.nelsonco.org