

**July 7, 2016**  
**10:00 A.M.**

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

Also present were Robert Frederick, Jim Vasichek, Clay Smaaladen, Anthony Herman and Tim Lee.

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

Jim Vasichek from Leading Edge Equipment presented a tractor bid with a 5 year buyout lease for the Highway Department. Clay Smaaladen had presented his bid during the Commissioner meeting held at the Stump Lake Park Café on June 21, 2016. He added that his bid stands as presented. There was a discussion on the different specification for each tractor.

Moved by Commissioner Fougner and seconded by Commissioner Loibl to purchase the John Deere 6175R tractor from Leading Edge Equipment. All voted "Yes". Motion carried.

Anthony Herman from Kadrmas, Lee & Jackson discussed County Road 23 and presented a Progressive Estimate for the project.

Moved by Commissioner Loibl and seconded by Commissioner Ellertson to approve and sign the Progressive Estimate for County Road 23. All voted "Yes". Motion carried.

Anthony discussed County Road 35 and presented a Progressive Estimate for the project.

Moved by Commissioner Ellertson and seconded by Commissioner Fougner to approve and sign the Progressive Estimate for County Road 35. All voted "Yes". Motion carried.

The work done on County Road 23 and 35 is 100% funded by the North Dakota Department of Transportation.

There was discussion on the paving of County Road 23 through the city of Tolna. Tolna has repaired the sewer lines running through main street and it is ready for paving. Nelson County will attain the bid for the project but it will be cost shared with the City of Tolna.

Moved by Commissioner Loibl and seconded by Commissioner Marquart to attain a bid for the paving of main street through Tolna. All voted "Yes". Motion carried.

Anthony discussed the work on County Road 4A from Hwy 1 to the Pavilion Road. This project will be 100% funded through the state for structural overlay and the construction part only. Engineering costs will be paid by Nelson County.

Moved by Commissioner Fougner and seconded by Commissioner Loibl to sign the Engineer Services Agreement for County Road 4A. All voted "Yes". Motion carried.

A County Federal Aid Contract with the North Dakota Department of Transportation was presented for the County Road 1 project. The contractor for the project is Knife River Materials.

Moved by Commissioner Ellertson and seconded by Commissioner Marquart to sign the County Federal Aid Contract and Resolution to accept the bid \$894,290.00 to Knife River Materials for the County Road 1 project. All voted "Yes". Motion carried.

There was discussion about the Dust Control Policy. An applicant is to pay 25% of the estimated cost of material, equipment and labor costs of the dust control. If the applicant lives along a road designated as a haul road by the County Commissioner, the applicant will pay 0% of the estimated costs.

Moved by Commissioner Loibl and seconded by Commissioner Ellertson to sign the updated Dust Control Policy. All voted "Yes". Motion carried.

Sharon Young discussed the Grain Bin Safety Training held at the Lakota Fire Hall on June 15, 2016, where they learned and practiced how to safely enter a grain bin, extricate trapped victims, and cut grain bin panels.

Sharon also discussed the cleanup and recovery progress of the recent wind storm damage on June 17, 2016.

Sharon discussed the Northeast Region Emergency Managers meeting on June 23, 2016. Sharon is required to take this training in order to receive grant money. The training will help functional coordinators understand their roles/responsibilities in a disaster or emergency.

Sharon informed the board that Nelson County was awarded an Emergency Management Performance Grant of \$17,112.00. Funds will pay for 34% of her salary and benefits.

Sharon also discussed the Heimdal Train Derailment Presentation and the Fire Department Mutual Aid Agreement meeting that were held on June 29, 2016.

Moved by Commissioner Fougner and seconded by Commissioner Marquart to accept the Benson County road maintenance agreement with Nelson County. All voted "Yes". Motion carried.

Keith Olson presented the Calls of Service. The board was informed that Lance Kallinen resigned June 30, 2016 and applications are being taken to fill his vacancy.

Moved by Commissioner Ellertson and seconded by Commissioner Fougner to reappoint Marvin Narum to the Nelson County Weed Board. All voted "Yes". Motion carried.

Bernadette Matejcek discussed pledged securities. She informed the Board that two banks in Nelson County have changed the pledge program from an individual basis to pooling. The pooling program would pool all qualified collateral to ensure sufficient market value of securities pledged.

Moved by Commissioner Marquart and seconded by Commissioner Fougner to approve the pledged securities. All voted "Yes". Motion carried.

Moved by Commissioner Ellertson and seconded by Commissioner Loibl to pay Red River Joint Water District two mills for our share of the budget. All voted "Yes". Motion carried.

At 1:30 P.M. the Equalization meeting began with Commissioners Flaagan, Fougner, Ellertson, Loibl and Marquart present.

No taxpayers were present to protest their assessment.

Michelle Linstad informed the Board that there was no increase on ag land values but there was a 5% increase in city residential, excluding Burr Oak Subdivision, Stump Lake Overlook and commercial property.

Moved by Commissioner Ellertson and seconded by Commissioner Fougner to approve the 5% increase in residential values excluding Burr Oak Subdivision and Stump Lake Overlook

with no change in commercial property. All voted "Yes". Motion carried.

The equalization meeting was adjourned.

At 1:45 P.M. the omitted property hearing began with no taxpayers present. Michelle reviewed the assessments of the omitted property.

Moved by Commissioner Marquart and seconded by Commissioner Loibl to accept the list of omitted property. All voted "Yes". Motion carried.

The Commissioner meeting was recessed.

The section line closing hearing began at 2:00 P.M. with Commissioner Flaagan, Fougner, Ellertson, Marquart and Loibl present.

Also present at the hearing were Bill Franzen, Bart Wall, Rodney Brossart, Susan Brossart, Abby Brossart, Alex Brossart, Jacob Brossart, Thomas Brossart and Heidi Brossart.

Bill Franzen is requesting to close the section line located between Section 31 in Williams Township and Section 6 of Central Township. Bill owns the property on both sides of the section line and has been getting unwanted traffic driving on the road leading to his farmstead. He is also requesting to close the portion of the section line between Section 1 of Wamduska Township and Section 6 of Central Township. Bill also owns the land on both sides of this section line.

Jayme Tenneson asked Bill Franzen several questions that pertained to 24-07-03 of the Century Code. After asking several questions, Jayme said that he would draft his findings on the validity of the use of 24-07-03 and present his findings at the next commissioner meeting.

There was a discussion about the posting of the notice in the paper and whether it was a sufficient time frame. Also discussed was the traveling and use of the section line. The closing of the requested section lines would prohibit public travel on the road leading to Bill's farm and also to the slough on the west side of the farm.

The decision to close the section lines were tabled while Jayme gathers all his findings and presents it to the Commissioners at a later date.

The section line hearing was recessed.

The Commissioner meeting was reconvened with all Commissioners present.

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

Meeting adjourned.

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Sheila Fisk  
Nelson County Auditor

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Odell Flaagan, Chairman  
Nelson County Commissioners

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