

**April 4, 2018**  
**10:00 A.M.**

The meeting was called to order by Chairman Loibl. Roll Call was taken and the following members were present: Commissioners Klefstad, Fougner, Marquart, and Ellertson.

Also present were Tim Lee, Anthony Herman from KLJ, Rob Loe, Dan Rorvig and Travis Riedeman from Nesheim Township.

Moved by Commissioner Marquart and seconded by Commissioner Ellertson to approve the minutes of the March 9, 2018 meeting as presented. All members voted "Yes". Motion carried.

Tim Lee expressed concerns about the bridge south of McVille in Nesheim Township that needs repairs. Rob Loe discussed some of the issues with the bridge that he had noticed. The Commission and the Highway Department will look into estimates and where they can get rocks for the rip-rap. Everyone agreed that it should be done before the pumps are turned on.

There was a discussion on bad spots that need to be taken care of on County Road 1 before the chip seal is done.

Moved by Commissioner Ellertson and seconded by Commissioner Klefstad to adopt and pass the resolution to award Morris Sealcoat & Trucking Inc. the contract for the chip seal project on County Road 1 from the Nelson County Line west 20 miles to ND Highway 1. All members voted "Yes". Motion carried.

There was a discussion on the graveling of roads in the townships. The townships are struggling to pay their half of the graveling of roads. A meeting was scheduled to meet with Melvin Township on Tuesday April 10<sup>th</sup> at 1:00 P.M.

Andrew Aakre updated the board on the Petersburg project. The NDDOT approved Nelson County to apply for funding for half of the project which would be east of Main Street to the railroad tracks on 1<sup>st</sup> Avenue. The NDDOT would not fund anything west of Main Street on 1<sup>st</sup> Avenue. The County's share of doing the construction and engineering costs for paving 1<sup>st</sup> Avenue east of Main Street to the railroad tracks will be totally funded by the State.

Moved by Commissioner Fougner and seconded by Commissioner Klefstad to move forward with the Petersburg project to pave east of Main Street to the railroad tracks on 1<sup>st</sup> Avenue that is totally funded by the State. All members voted "Yes". Motion carried.

Doug Flaagan & Shane Flaagan from Dayton Township expressed their opposition from Osago and Dayton Township on the road closing requested by Joseph Messner. They felt by closing the road would cause more problems than leaving it open.

At 10:30 A.M. culvert bids were opened from Tom Gilbertson & Sons and TrueNorth Steele.

Moved by Commissioner Fougner and seconded by Commissioner Ellertson to accept all bids for steel culverts. All members voted "Yes". Motion carried.

At 10:45 A.M. gravel bids were opened from Don Dvorak Gravel, Gowan Construction, Clifford Gleason, Tom Gilbertson, KD Hoyt and Soper Construction.

Moved by Commissioner Marquart and seconded by Commissioner Ellertson to accept all gravel bids except for Clifford Gleason which did not include prices. All members voted "Yes". Motion carried.

Pat Czarnik, McVillage City Council and Chanda Aronson, McVillage City Auditor discussed several city ordinances that they would like the county to enforce. An approval is needed from the County Commission before a contract for enforcement can be sent to the district court for final approval.

Moved by Commissioner Marquart and seconded by Commissioner Klefstad to enforce all McVillage City Ordinances that are an infraction and misdemeanors with specific fines. All members voted "Yes". Motion carried.

The Board discussed adding air conditioning in the Social Services office that was added in the community room. There are no windows in the office and an air conditioner would create ventilation. Wall air conditioners were also discussed for the Community Room and Court Room.

Keith Olson presented the Calls for Service. There were 127 calls for service in March. Keith informed the board that there are four 24/7 bracelets in Nelson County and that he hired a new deputy, Alyson Moses.

Brian Prince from the ND Game and Fish Department discussed that they are looking to purchase 87 acres along the west shoreline of Stump Lake that is owned by the Gillette Brothers. The property has mostly been flooded by Stump Lake waters. Of the 87 acres approximately 19 acres still remains tillable. This tract is without legal public driving access because of flooding.

The Hoghaug Wildlife Management Area (WMA) has been allowing the Gillette Brothers the ability to cross for farming activities. This tract will enhance the nesting habitat for waterfowl, shore birds and many upland birds. He is required to notify any land owner in a 1 mile radius about the purchase.

Moved by Commissioner Fougner and seconded by Commissioner Marquart to appoint Carol Sand and Elaine Larson as inspectors for the June Primary Election. All members voted "Yes". Motion carried.

Becky Nelson discussed the added price for the buzz-in security system because electrical costs were not included on the original quote from Keith's Lock & Key.

Moved by Commission Ellertson and seconded by Commissioner Klefstad to add electrical costs of \$1,150.00 from Ohnstad Electric to the quote for the buzz-in security system. All members voted "Yes". Motion carried.

Sharon Young discussed the State Mathcounts that was held on March 5<sup>th</sup>. Four students were from Dakota Prairie and 1 student from Lakota. Dakota Prairie had the 2<sup>nd</sup> highest scoring team in Region 2 (6 counties) and Lakota had the 3<sup>rd</sup> highest scoring individual in Region 2. She also discussed the State Spelling Bee which was held on March 26<sup>th</sup>. Two students represented Nelson County.

Sharon discussed the school annexation petition for exchange of property hearing that was held March 27<sup>th</sup>. The petition was unanimously approved by both the Nelson County and Grand Forks County Committees.

Sharon mentioned the upcoming Flood Risk MAP Planning Program - Discovery meeting will be held April 25<sup>th</sup> in the Courthouse Community Room at 2:00 P.M. She also mentioned that the risk for significant spring snowmelt flooding remains low.

Abatements for parcels 15-0005-24499-000, 15-0001-23220-000 and 33-0000-9490-100 were discussed.

Moved by Commissioner Marquart and seconded by Commissioner Ellertson to approve the abatements for parcels 15-0005-24499-000, 15-0001-23220-000 and 33-0000-9490-100. All members voted "Yes". Motion carried.

Jayne Tenneson updated the commission on the status of the Brossart lawsuit currently in litigation before calling Howard Swanson, the attorney representing Nelson County.

Mr. Swanson discussed the Brossart lawsuit indicating that he was doing legal research to determine how courts have interpreted a county's authority to exclude persons from a public building. He will be looking at similar situations which may involve a county, city or school district. Mr. Brossart is arguing that his constitutional rights were violated by being banned from offices located in the courthouse. Mr. Swanson is in the process of preparing a response to the allegations in the Complaint. No action was taken.

Moved by Commissioner Ellertson and seconded by Commissioner Klefstad to pay all the bills as listed. All members voted "Yes". Motion carried.

Meeting was recessed.

**Special Commissioner Meeting  
4-10-2018 at 1:00 P.M.**

The meeting was called to order by Chairman Loibl. Roll Call was taken and the following members were present: Commissioners Marquart, Ellertson, Klefstad and Fougner.

Also present were Chris Orwick, Olen Ophaug and Glynn Orwick from Melvin Township.

Chris Orwick discussed the financial situation of Melvin Township. He expressed his concern about culverts that were worked on and graveling that they knew nothing about until they got a bill for it. These are things that they have not budgeted for. There has been work done that was not authorized by the township. It needs to be a township board decision. There must be better communication about work being done with the township.

There is no road work currently planned for this year in Melvin Township except for maybe some spot graveling. Melvin Township is at the full 18 mills and had agreed to pay down the amount owed to Nelson County as the tax dollars come in.

Meeting adjourned.

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Sheila Fisk  
Nelson County Auditor

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Maynard Loibl, Chairman  
Nelson County Commissioners

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