

**June 6, 2017**

**10:00 A.M.**

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

Also present at the meeting were Tim Lee, Anthony Herman from KLJ and Jayme Tenneson.

Moved by Commissioner Ellertson and seconded by Commissioner Klefstad to approve the minutes of the May 4, 2017 meeting. All members voted "Yes". Motion carried.

Tim discussed the insulation for the daycare building. Cost to insulate the building will be \$10,945.00. The ceiling tiles will also be replaced. The job will be done on Jun 12-14. The daycare center will be closed during the repairs due to the liability issues. There was a discussion about the rent for the daycare center.

Tim discussed the 35 mph truck signs on county roads that are faded and outdated. The signs are not being heeded to. It was decided not to replace them at this time.

Tim informed the Board that the front differential on the 1981 Freightliner went out and was towed to Fargo Freightliner to get fixed. The repairs are becoming too costly for the value of the Freightliner.

Tim discussed the spraying of weeds on county roads. Spraying has been sporadic because of the wind. Also, not all of the townships have turned in their spray maps.

There was a discussion with Anthony regarding the bill we received from KLJ with an amount for County Road 4a. It was all agreed that Nelson County is not responsible for fixing the curve on County Road 4a. The curve has been completed with all new asphalt. There was a suggestion to move the speed limit sign more to the south, closer to the curve.

Anthony from KLJ received notice from the State regarding 1.5 million in federal aid funds that is available. If we want the funds now, we will have to apply by September 1, 2017. There was a discussion on what road projects could be done using the funds. It was decided to use the federal funds for next year's road projects.

There was a discussion on a tree variance request from Joshua Joramo to plant evergreen trees along County Road 23. Mr. Joramo is requesting that they be planted 150 feet off the centerline instead of 200 feet due to wetland issues and unsuitable soil conditions.

Moved by Commissioner Klefstad and seconded by Commissioner Fougner to approve the tree variance from Joshua Joramo to plant the

trees 150 feet from the centerline. All members votes "Yes".  
Motion carried.

Keith Olson joined the meeting.

Jackie and Daniel Donohue discussed a problem they had with one of our deputies about an issue that occurred May 18, 2017.

Sharon Young discussed two terms that will expire on June 30, 2017 for the School District Annexation and Reorganization Committee. Kristi Berdal and Gene Gehrke are up for re-appointment. After 37 years on the committee, Gene Gehrke has decided to resign from the committee.

Moved by Commissioner Marquart and seconded by Commissioner Fougner to re-appoint Kristi Berdal to the School District Annexation and Reorganization Committee. All members voted "Yes".  
Motion carried.

Moved by Commissioner Fougner and seconded by Commissioner Ellertson to appoint Karen Retzlaff to the School District Annexation and Reorganization Committee. All members voted "Yes".  
Motion carried.

Sharon reported that the moisture levels for the month of May are down. It was .87 which is down quite a bit from this time last year.

Sharon discussed the 2017 Homeland Security Grant and the letter of intent that she had submitted. She recently discovered that this grant will not cover the cost of a new radio system needed for the Sheriff and Emergency Manager when the new State Interoperable Radio Network is implemented in the next couple of years. She has submitted an application for a training and exercise grant which is covered under this Homeland Security Grant.

The Board recessed for lunch.

Jason Sorlien, Elvin Johnson, Danielle Rosewaren, Keith Olson, Jayme Tenneson and Ella Peri joined the meeting.

Keith Olson presented the Calls for Service along with comparisons from this time last year. The Lake Region Law Enforcement Center is requiring each Sheriff's Office to be responsible for providing transportation and supervision of an inmate to and from scheduled medical appointments. LEC will also be moving the coordination of the 24/7 program back to the counties. New equipment will be provided by the State under a lease agreement. Keith discussed the possibility of joining the Lake Region Drug Task Force and handed out statistics on drug offenses in the area.

Jason Sorlien from the Lakota Fire Department addressed some issues that occurred with the deputies on the Classic Car night.

Other issues with the deputies were discussed. Keith will talk to his deputies.

Moved by Commissioner Klefstad and seconded by Commissioner Fougner to re-appoint Nancy Marquart and Carol Sand to the Social Services Board. All members voted "Yes". Motion carried.

There was a discussion about the re-designation of the County Auditor position from elected to appointed and the process to accomplish it. The subject was tabled for further discussion at the next meeting.

There was a discussion on the request to close the courthouse on July 3<sup>rd</sup> for the Fourth of July weekend.

Moved by Commissioner Ellertson and seconded by Commissioner Fougner to close the courthouse on Monday, July 3<sup>rd</sup> for the Fourth of July weekend. All members voted "Yes". Motion carried.

At 2:00 P.M. the County Equalization meeting began with Commissioner Loibl, Fougner, Ellertson, Marquart and Klefstad present.

Michelle Linstad updated the Board on the soils survey. Agricultural Land Assessment Forms from concerned landowners along with their Property Tax Assessment sheets were distributed to the Board for review. There were many concerns about the assessment of the pasture land and hilly or rocky property. Except for inundated land, it is passed the deadline for the modifiers to be applied for 2017 to these properties.

Michelle will try to arrange a meeting with Natural Resources Conservation Service (NRCS) for Thursday, June 29<sup>th</sup> to address the questions some landowners have about the soil survey. Many of the landowners want to know how they determined the soil types or when and how often it was done.

Michelle discussed the values of residential lots and structures need to be increased 2% to be in compliance with the state.

Moved by Commissioner Klefstad and seconded by Commissioner Marquart to increase residential lot and structure values by 2% to be in compliance with the state. All members voted "Yes". Motion carried.

Rodney, Susan, Jacob and Abby Brossart joined the meeting.

Rodney Brossart asked questions about applying modifiers to soil land values for the 2017 taxes. Michelle stated that it was too late to apply modifiers for this year.

At 2:30 P.M. the abatement hearing for Rodney Brossart began with Commissioner Loibl, Fougner, Ellertson, Marquart and Klefstad present.

Also present were Rodney, Susan, Jacob and Abby Brossart, Robert Fleming, Attorney at Law and Williams Township officers.

Robert Fleming stated the reasons for the abatement of special assessments on two parcels of land owned by Rodney Brossart that was put on by Williams Township. Rodney had removed a culvert on the section line between Sections 30 and 31. Williams Township replaced the culvert and then charged Rodney for the costs of the replacement. Fleming reviewed the court's decision of why he was acquitted of obstructing a township section line. Fleming indicated that the installation done by Williams Township of a crossing at this location in the manner it was, created an unsafe crossing which caused erosion blocking the culvert and not allowing the water to flow through causing damage to Rodney's field. What Rodney did was appropriate and he improved the road. What the township is charging Rodney for the replacement of the culvert was inequitable and unjust. Fleming presented a transcript of the bench trial and pictures to the Board that may answer some of the questions that they may have.

There was a discussion from Williams Township that the culvert was removed by Rodney sometime during the winter without the Townships knowledge and was not discovered until spring that it had been removed. The Township felt that it was a hazard without the culvert in place. They gave Rodney the summer to put the culvert back in but a year later he still had not done it. The culvert could use more backfill and cleaning out but otherwise it's serving its purpose.

After lengthy discussions between Mr. Fleming, Rodney and Williams Township, Chairman Loibl requested the hearing to be recessed. The Commissioners will take the abatement under advisement and table the discussion for the next meeting.

Hearing adjourned.

Present for the special meeting regarding Brossart issues were Rodney, Susan, Jacob and Abby Brossart, Robert Fleming, representatives from the Water Board and Weed Board and Williams, Central and Dodds Township officers.

Robert Fleming discussed the objective of the meeting was to solve some of the issues with everyone concerned all in one meeting.

Elvin Johnson, Weed Board, approached the issue of leafy spurge. It's a big issue and hard to control because it's so easily spread. It was agreed that Rodney will spray the Leafy Spurge in the right-of-way along his property by August 1<sup>st</sup>. He will not spray the weeds on the township right-of-ways along land that is not owned by him. He will provide a map of the areas he will take care of.

If the weeds are not taken care of by August 1<sup>st</sup>, the Weed Board will be able to spray without further notice.

The discussion with the townships was the maintaining of the roads. Rodney wants to maintain his own roads so he can control the spread of leafy spurge. It was agreed that the townships should maintain the roads and not Rodney. The townships will discuss this with the rest of the township officers and take it under advisement.

Ben Varnson, Nelson County Water Resource Board, distributed a map of the watercourse that goes through Rodney's land and other township areas. Some of the maintenance on the watercourses has to be addressed. Rodney has been frustrated about not being updated by the Water Board on their water projects. He has requested a copy of all the projects with the Water Board. Rodney also had filed a complaint with the Water Board about the watercourse being plugged on 36<sup>th</sup> Street and Dodds. There was some discussion on the proper grades in the ditches, which should be a 3 to 1 per the State of North Dakota. The box culverts by Rodney's have sediment buildup in them. The engineers will look into the issues with the watercourse by Rodney's and other problem areas.

There also was a discussion about the caution cones that Rodney has on his road. They are there because the traffic is going too fast. It was suggested that he put up "Slow" signs instead so when grading the road they would not have to be moved around.

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

Meeting recessed.

**June 29, 2017**  
**7:00 P.M.**

Commission Chairman Loibl and Commissioners Fougner, Klefstad, Ellertson and Marquart attended an informational soils survey meeting in the Community Room at the Courthouse in Lakota.

Approximately 30 concerned property owners attended the meeting with questions regarding their land values since the soil survey has been applied.

Lance Dewey, Regional Soil Scientist from NRCS out of Devils Lake, gave a brief history of the soil survey which actually began 40 years ago. He explained how the value were obtained using the productivity index. (PI)

Michelle Linstad explained how the PI was used to come up with the values on land in Nelson County. Many questions were asked regarding the values that were used on land that is no longer productive. All modifiers have to be approved through the State and the Nelson County Commissioners.

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Sheila Fisk  
Nelson County Auditor

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Maynard Loibl, Chairman  
Nelson County Commissioners

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