

PUBLIC NOTICES

OFFICIAL PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS OF EMMONS COUNTY NORTH DAKOTA AT ITS REGULAR MEETING
May 2, 2012

Chairman Francis W. Lawler called the meeting to order at 10 a.m. with Commissioners Gary Kellar, Jeffrey J. Magrum and Alvin M. Tschosik being present. Commissioner Hummel was absent at this time. Also present was States Attorney Donald R. Becker.

Motion by Commissioner Kellar to approve the minutes of the April 3, 2012, regular meeting. Seconded by Commissioner Tschosik. Roll call "YES": Kellar, Magrum, Tschosik and Lawler. Motion carried.

Commissioner Hummel entered the meeting at this time. The April 2012 end-of-month fund balance report and the year-to-date expenditure report were distributed to the board.

Commissioner Kellar motioned to approve a permit for BEK Communications to bury fiber optic cable within Emmons County Right-of-Way for the 2012 OSP Construction FTTP, Sterling Exchange and McKenzie Exchange projects. Seconded by Commissioner Tschosik. Roll call "YES": Hummel, Kellar, Magrum, Tschosik and Lawler. Motion carried.

Commissioner Kellar motioned to approve a building permit for Verizon Wireless for co-location of wireless communication antennas and the installation of an unmanned equipment shelter within the fenced compound on part of the NE1/4, NW1/4 of Section 25, Township 131, Range 76. Seconded by Commissioner Hummel. Roll call "YES": Hummel, Kellar, Magrum, Tschosik and Lawler. Motion carried.

Commissioner Hummel motioned to approve the application and issue a liquor license to Hal F. Rosenbluth, DBA "The Rivery". Seconded by Commissioner Kellar. Roll call "YES": Hummel, Kellar, Magrum, Tschosik and Lawler. Motion carried.

Motion by Commissioner Hummel to approve a building permit for Gerald and Michelle Vetter to move a home from Section 17, Township 133, Range 79 to Auditor's Lot B in the SW1/4 of Section 32, Township 131, Range 79. Seconded by Commissioner Tschosik. Roll call "YES": Hummel, Kellar, Magrum, Tschosik and Lawler. Motion carried.

Motion by Commissioner Tschosik to approve a Gaming Site Authorization beginning July 1, 2012, and ending on June 30, 2013, for the American Legion Post 54 at the location described as Bayside Resort, 8049 Highway 1804, Linton, N.D. Seconded by Commissioner Magrum. Roll call "YES": Hummel, Kellar, Magrum, Tschosik and Lawler. Motion carried.

Motion by Commissioner Kellar to approve a building permit for Jeff and Donna Magrum to install RV hooks up at Outlet B in the NE1/4 of Section 24, Township 135, Range 79. Seconded by Commissioner Magrum. Roll call "YES": Hummel, Kellar, Magrum, Tschosik and Lawler. Motion carried.

At 10:15 a.m. a joint meeting of the County Commissioners and County Park Board members was held. Present were Commissioners Dennis J. Hummel, Gary Kellar, Francis W. Lawler, Jeffrey J. Magrum and Alvin M. Tschosik; County Park Board Chairman Andy Riels,

and County Park Board member Dean Weiss. Also present were Karlene Schmidt representing the Kintyre City Park Board, Hadley Seeklander representing the Hazelton City Park Board and Donald R. Becker.

County Park Board Chairman Andy Riels called the meeting to order. County Auditor Mariys Ohlhauser presented a copy of the County Park revenues and disbursements for the period of April 31, 2011, through May 1, 2012:

Beginning Balance—
April 31, 2011\$20,692.50
Revenues 24,368.77
Disbursements 14,239.10
Ending Balance—
May 1, 2012\$30,822.17

Donald R. Becker motioned to approve the minutes of the May 3, 2012, meeting. Seconded by Alvin M. Tschosik. All members voting "YES."

Board members reviewed requests received from various park boards for 2012 funding. Dean Weiss suggested shutting down Langeliers Bay Fishing Station due to the operating costs involved when other parks are in need of funding also.

Hadley Seeklander reported on the repairs and updates done to the Hazelton City Park. \$5,000 will be transferred from the County Park Fund into the Road District Fund for reimbursement of the Langelier's Bay Chip Seal project. It was noted that the original reimbursement agreement was \$5,000 for five years and 2012 would be the fourth year that \$5,000 was actually transferred into Road District which would leave one more remaining payment. Sam Renschler is maintaining the Langelier's Bay campground and restroom facilities for a fee of \$100 per trip, five times a week or as needed. The trash bags and toilet tissue is being supplied by the County Park fund.

County Park Board Chairman Andy Riels and County Park Member Dean Weiss requested to waive their salaries, mileage reimbursement and workers compensation.

Commissioner Kellar motioned to allocate \$1,700 to Braddock, Linton, Hazelton, Hague and Kintyre City Parks and \$850 to the Strasburg City Park and Strasburg Park Expansion. Seconded by Commissioner Magrum. All members voting "YES."

Donald R. Becker motioned to adjourn. Seconded by Commissioner Magrum. The meeting adjourned at 10:45 a.m.

At 10:45 a.m., the Board of County Commissioners reconvened in regular session. States Attorney Donald R. Becker explained the policy and procedures outlined in Article VIII, IX and X of the Emmons County Zoning Ordinance Policy pertaining to Subdivisions prior to approving a Plat.

The board recessed for lunch and reconvened at 1 p.m. Kenneth Brendel, road and shop foreman, reported on the activities of the county road department.

Commissioner Lawler motioned to cut grade on the road located on Section 35 and 36, Township 133, Range 76. Seconded by Commissioner Hummel. Roll call "YES": Hummel, Kellar, Magrum, Tschosik and Lawler. Motion carried. Present for discussion was Herb Bargmann, World Engineering, P.C.

Motion by Commissioner Hummel to award the contract to Rachel Contracting, Inc., and enter into an agreement with Rachel Contracting, Inc. in the amount of \$261,223.10 with a credit to Emmons County for 6,275 total tons of gravel at a unit price credit of \$6.25 per ton equaling a total savings of \$39,218.75 for the Base Bid, Option 1 and Option 2 for road project SRF-0015(16), Cattail Bay Road. Seconded by Commissioner Magrum. Roll call "YES": Hummel, Kellar, Magrum, Tschosik and Lawler. Motion carried.

Present for discussion was Darris Job, Wayne Jahner and Tony Splonskowski, Voices for Lake Oahe members.

Motion by Commissioner Kellar to approve the Road Maintenance Agreement between

Campbell Township and Emmons County for the following services: Road Grading Services \$260.00 per mile; Road Snow Removal \$140.00 per hour.

Agreement is effective April 1, 2012, and shall continue until March 31, 2013. Seconded by Commissioner Tschosik. Roll call "YES": Hummel, Kellar, Magrum, Tschosik and Lawler. Motion carried.

Motion by Commissioner Tschosik to enter into an agreement with the North Dakota Department of Transportation, Project No. SHE-1-083(116)024, install intersection lighting on East Junction of ND Highway 13. Seconded by Commissioner Magrum. Roll call "YES": Hummel, Magrum, Tschosik and Lawler. Motion carried.

Motion by Commissioner Tschosik to enter into a Construction Engineering Service Agreement with Kadmas Lee and Jackson for Bridge Project BRO-0015(015), Vetter Bridge. Seconded by Commissioner Magrum. Roll call "YES": Hummel, Kellar, Magrum, Tschosik and Lawler. Motion carried.

The following payroll and expense for reimbursement vouchers were examined, approved and ordered paid:

General—payroll \$51,878.97, expense for reimbursement \$577.92; Highway Tax—payroll \$25,123.93, expense for reimbursement \$199.20; Human Service—payroll \$11,870.81, expense for reimbursement \$289.32; 911—payroll \$800.00; State Grant—payroll \$237.62; Linton City Police Contract—payroll \$1,641.57; County Jail—payroll \$45.00.

The following vouchers were reviewed and approved for payment:

MDU, utilities \$81.87; BioMaster of ND, service \$36.00; Brown & Saenger, supplies \$483.67; Centre, Inc., community service program \$1,200.00; Emmons County Publishing, publishing \$620.74; Jerome Distributing, water refills \$23.00; City of Linton, courthouse water bill \$56.82; Matthew Bender & Co., Century Code updates \$580.63; ND Sheriffs & Deputies Association, 2012 sheriff dues \$50.00; Owen G. Dunn Co., Inc., election supplies \$62.40; Quartermaster, uniform and sheriff supplies \$812.84; Kenneth Brendel, cell phone reimbursement \$38.89; Butler Machinery Co., part/labor \$3,360.95; Centerline Tank & Trailer, parts \$358.80; Farmers Elevator, seed \$135.00; Farmers Union Oil Corp., bulk oil \$1,572.80; Hedahl's Inc., parts/supplies \$151.78; Jack's Electric & Trenching, service \$65.00; John Deere Financial equipment lease payment \$14,872.28; Martin Oil Co., fuel \$9,991.70; Michael Todd & Company, supplies \$553.27; Michael Wickenheiser Construction, material/labor \$157.24; NoDak Ranch & Home, supplies \$495.32; ND DOT, road oil \$4,619.12; ND State Surplus Property, tools \$17.00; Northern Plain Co-op, fuel \$6,454.37; OK Tire Store, o-ring \$27.60; Paccar Financial Corp., documentation fee \$350.00; Payment Remittance Center, gas, fuel, supplies \$9,208.60; Pfeiffe on 83, parts/oil change \$174.07; R & K Equipment, part \$6.64; Roll On Tire Center, tire repair \$90.00; Eric Schmidt, mileage \$138.72; City of Strasburg, water bill \$111.00; Wailwork Truck Center, parts \$8,216.48; Donald R. Becker, expense reimbursement \$26.00; Information Technology Dept., internet access \$462.20; Tower Communications, tower rent \$200.00; Anpride, gas \$162.67; Burleigh County Auditor, printer billing \$195.00; Payment Remittance, gas, fuel, supplies \$505.33; Uniform Center, badges \$291.99; BEK Commission \$95.00; NDACO, wireless collections

\$427.99; Emmons County, energy grant \$2,110.21; K & H Electric, Inc., parts and service \$1,242.50; Arlen A. Burgad, fence removal \$3,425.00; Ray J. Volk, fence removal \$1,332.50; ND Job Service, statement of benefits \$4,700.00; Braddock Park Board, county contribution \$1,700.00; Hague Park Board, county contributions \$1,700.00; Hazelton Park Board, county contribution \$1,700.00; Kintyre Park Board, county contribution \$1,700.00; Linton Park Board, county contribution \$1,700.00; City of Strasburg, county contribution \$850.00; Strasburg Park Expansion, county contribution \$850.00; AT&T, cell service \$134.42; Cole Papers, supplies \$448.58; Dockter's Blacksmith, service \$68.00; Emmons County Treasurer, current expense \$443.79; Fireside Office Products, supplies \$54.82; MDU, utilities \$912.91; Office Depot, supplies \$884.71; Payment Remittance Center, gas, fuel, supplies \$1,322.23; Wailwork Truck Center, down payment on 2013 Kenworth \$23,762.42; Payment Remittance Center, gas, fuel, supplies \$510.99; Payment Remittance Center, gas, fuel, supplies \$502.48; BEK Communications, telephone service \$977.45; Verizon Wireless, cell service \$32.47; KEM Electric, utilities \$166.62.

There being no further business before the board, Commissioner Hummel motioned to adjourn. Seconded by Commissioner Kellar. The meeting adjourned at 5:20 p.m.

Approved: June 6, 2012.
-s-F.W. LAWLER
Francis W. Lawler
Chairman, Board of
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-s-MARLYS OHLHAUSER
Mariys Ohlhauser
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(June 14)

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missioner Magrum motioned to adjourn. Seconded by Commissioner Hummel. The meeting adjourned at 9:50 a.m.

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