

**OFFICIAL PROCEEDINGS OF THE LAMOURE COUNTY COMMISSION MEETING
January 5, 2016**

At 8:30 am Comm Victor Weigel called the meeting to order and opened with the pledge to the flag. Commissioners Bruce Klein, Keith Heidinger, and Robert Flath were also present. Commissioner Lee Miller was absent. Attending the meeting were Lauren Worrel, LaMoure County Highway Dept; Matt Lange, KLJ; Tonya Duffy, LaMoure County State's Attorney; Marlene White, LaMoure County Auditor; Cindy Worrel, LaMoure County Treasurer; Kimberly Robbins, DES/911; Gerald Harris, LaMoure Chronicle; Patty Wood Bartle of The Edgeley Mail; and Verleen Shear.

Chmn Weigel asked for additions to the agenda. Social Services bills, approval of December minutes, Tanya Wieler, and Verleen Shear were added to the agenda. Motion to accept the additions to the agenda by Comm Heidinger, seconded by Comm Klein. Motion carried.

Lauren Worrel reported that road crews are working on the following: minimal snow removal, equipment repairs, modified rock grizzly for better production, having hydraulic motors and pumps rebuilt on feeder for the crusher, and removing the engine in the old roller to replace engine in sweeper. Crews will also go through pumps in sweeper. Worrel also stated that crews have been replacing signs and will be starting night sign inspections. Worrel reported that vision link has been installed in four of the blades at a cost of \$1700 per blade, and all new blades will come with vision link preinstalled. Worrel stated that with the vision link Verizon & AT&T will track every minute as well as Butler and the road shop. Worrel informed the Commissioners that we bought them and now own them.

Worrel stated that Mike Else has been a part-time employee of LaMoure County for 21 years, and he would like to change him to full-time effective immediately. Worrel stated that right now he does not get his vacation and sick leave like the other employees do. Worrel stated that way he can train him more and get him into some other equipment. Comm Heidinger asked if he has been in the blade, and Worrel said he has not. Mike would be able to have a full week of work and would put him in line with his benefits. Worrel stated that he has talked with Tanya Wieler about this. The Commissioners were fine with that since Worrel has this in his budget. Worrel said that a perfect number would be 13 employees in his department, and this would put him at 10 employees.

Worrel and Matt Lange from KLJ presented the Final Project Certification for HB 1358 Project SC-2335(056) for work done on Co Rd 61 from LaMoure to Co Rd 34. This project is 100% complete, and all State & Federal money has been received. Worrel stated he needed the Chairman's signature on it.

Comm Flath asked if there was any special funding available. Lange stated that he has received no word on Special Funds that may be available. Lange stated they want unique and innovative projects submitted.

Motion to pay Social Services' bills of \$4,090.30 by Comm Heidinger, seconded by Comm Flath. Motion carried.

Motion to approve December minutes with corrections by Comm Heidinger, seconded by Comm Klein. Motion carried.

Treasurer Cindy Worrel presented the 12% state paid credit adjustment amount that she will need to send in prior to January 15th which will clean up everything for 2013 and 2014. Worrel stated that the homeowners for the two parcels in Grand Rapids and Edgeley which were on the books for many years paid six years of special assessments. After checking with NDCC and State's Attorney Tonya Duffy, Worrel dumped the rest. Worrel stated that one of them goes with a church, and they are tax exempt. Worrel explained this was 12% of state paid on these corrected parcels as well as a duplicate parcel that was discovered that we have to send back in the amount of

\$290.56. Motion to approve the 12% state paid credit cleanup for 2013 and 2014 in the amount of \$290.56 by Comm Klein, seconded by Comm Heidinger. Motion carried.

Auditor Marlene White addressed the error in the tax statements and pointed out that the error was in the consolidated County General which was originally at 60 mills. White explained that after refiguring everything, the County General was now 48.43 mills which took the total county levies from 110.17 to 98.60. Worrel stated that when we checked everything we came up to 3% which was close to the 3.12% that was posted in the newspaper. Worrel also stated that they had found an error in the city levies as well. White explained that she had to call Mike Johnson and ask what the formula represented in the spreadsheet for the city levies. Johnson explained that you have to subtract off the mills for the airport authority and Memorial Park for LaMoure, Kulm and Edgeley which was 4.75 mills. White stated she also had to make adjustments to Dickey, Jud and Marion for the Memorial Park mill as well in the amount of 2.75 mills. White told the Commissioners that everything has been corrected in the system, the new tax rolls have been accumulated, and the tax statements are ready to be redone. Worrel told the Commissioners that she had taken each of the Commissioners' new statements to check, and they look good when compared to the new mill levies. Worrel also pulled others to check as well. White told the Commissioners that CPU will be able to work with Cindy in doing the refunds. Worrel asked the Commissioners if they were OK with us reprinting the tax statements. Comm Flath asked if the State Aid Distribution amount was listed correctly in the budget figures. White explained that it was checked and listed in the correct place. Comm Flath asked if Road and Bridge and Farm to Market were capped for the 2016 budget, and White stated they were. Comm Klein asked if we would be sending a new tax statement to everyone. Worrel stated that she would pull all new statements for people who had paid prior up to December 31st so that she could begin the refunding process due to money that she needed to be disperse. Worrel presented a NOTICE she typed up to be inserted in with each new tax statement and refund check so that the taxpayers would understand what was going on . Worrel stated that once those are pulled, she will compare it to their receipt and write a check back. Worrel stated that she has ordered checks which will have two signature lines. Worrel stated that she will keep an account to track all refund checks in QuickBooks. Worrel has set a timeline to have the first two steps done by the end of the week. Comm Klein asked how much money had already been collected, and Worrel said about \$2.5 million. Comm Weigel asked who would get a new statement. Worrel stated that everyone will get a new statement. Worrel stated that the envelopes will have PLEASE OPEN IMMEDIATELY on them. White stated that the NOTICE will be placed in the newspapers as well to alert taxpayers to the process. Worrel stated that taxpayers who have paid after January 1 will be taken care of after that. Worrel stated that her budget will still be OK even with the extra hours for this project. Worrel told the Commissioners that the taxpayers who have called her office have been very understanding. Worrel assured the Commissioners that she has QuickBooks set up to track all of the refunds being paid out. White informed the Commissioners that she had some help from the Auditor in Ransom County in giving suggestions as to what she should look at specifically. There was discussion about the whole consolidation process and how it affected the counties in North Dakota.

Motion to accept the revised mill levy schedule by Comm Klein, seconded by Comm Heidinger. Motion carried.

Motion to approve the plan discussed by Cindy Worrel & Marlene White to handle the refund process to include printing the corrected tax statements, and mailing them out by Comm Heidinger, seconded by Comm Flath. Motion carried.

Motion to print the notice of corrected tax levies in all local newspapers by Comm Flath, seconded by Comm Klein. Motion carried.

Comm Weigel thanked Comm Klein and Comm Flath for coming in to take a look at everything once calls started coming in from the taxpayers.

Kevin Shockman with Dakota Summers asked the Commissioners to lift any restrictions for his facility to be open throughout the year. Comm Flath stated that Jan Hamlin

checked into this, but it was determined there were no restrictions. Any restrictions appeared to have been put on Shockman by himself. Shockman stated that he now wants to be open on Sunday for the sale of beer only, and that the township was OK with that. The Commissioners informed him that he would have to apply for a Sunday opening beer license which has a cost of \$50. Shockman completed the application, paid \$50, and presented it to the Commissioners. Motion to approve Sunday opening beer license for Dakota Summers by Comm Flath, seconded by Comm Klein. Motion carried.

Kimberly Robbins, DES/911 Coordinator, presented the IPAWS Addendum to the Commissioners. It is part of the FEMA system and ties everything together. CodeRED is the current vendor that IPAWS would integrate with at a cost of \$500 per year. This would go through all cell phones, radios, TVs and the National Weather Service. Robbins told the Commissioners that every land line is in CodeRED. Comm Klein asked if it would tie all cell phones to this, and Robbins said yes, even the ones just driving through the area. Amber alerts can also be sent through this system. Robbins stated that she has already included the funding in her budget for this year. Motion to sign the agreement adding IPAWS to the current CodeRed system by Comm Klein, seconded by Comm Flath. Motion carried

Robbins then discussed the LaMoure County Courthouse Emergency Operation Plan. Robbins pointed out that the plan was issued in 2008. Robbins stated that the plan was reviewed by a committee which included Robbins, Sheriff Fernandes, Julie Senger, and Comm Lee Miller starting in 2012. Several items have been addressed including the implementation of panic buttons and grants for additional lighting at entrances and security cameras secured. Comm Klein requested that Robbins email it to all of them, and we would table it until the next meeting. Robbins stated that they are working on the maintenance of the smoke detectors, fire extinguishers and panic buttons.

Robbins informed the Commissioners that all projects had to be approved by FEMA and the State Historical Society. Robbins said that LaMoure County received 100% funding for cybersecurity and computers for EMS computer aided dispatch; physical protection of the courthouse, physical protection of the Sheriff's office, and terrorism training for the Sheriff's Department. Robbins told the Commissioners that the physical security of the courthouse includes exterior lighting to illuminate entrances, window break sensors for the basement, and replacement of current video/cameras which totals \$14,250 to be completed by September 1, 2016 which is 100% funded by the State and Federal governments. Robbins requested to use \$14,250 to fund the physical security of the courthouse projects. Robbins said that we can only do these because the courthouse is registered with the State Historical Society. Robbins stated that she has to have Commission approval to begin the projects. Motion to approve the physical security projects for the courthouse which totals \$14,250 by Comm Klein, seconded by Comm Flath. Motion carried.

Break from 9:50-9:58

Jan Meidinger, Tax Director, presented an Inundated Land Application from Leroy Siedschlag which he received in December and had a deadline of March 31, 2015. Meidinger stated Mr. Siedschlag applied late in 2014 as well, and the Treasurer's office granted it. Meidinger stated that the taxpayer has to apply each year, and it is their responsibility to apply. Meidinger stated that the application clearly reads it is to be submitted by March 31 of each year. Comm Klein stated that Mr. Siedschlag can come in now and apply for this year. Comm Heidinger asked who picks up the cost for the inundated lands, and Meidinger stated the other taxpayers do. Meidinger said that once the soils are in the GIS system, inundated acres will go away. After much discussion, the Commissioners denied the application.

Meidinger informed the Commissioners that he and Comm Miller met with Vanguard during the NDACO Conference in October. Bob Ehlers from Vanguard put a proposal together for training of the staff in the tax department to assess the residential properties in LaMoure County. This would be a 3-step process with additional training which would cost more. Meidinger stated that it would cost \$20,800 for steps 1-3 to be

completed in 2016. Meidinger explained that this would affect the 2018 taxes. Comm Heidinger stated that they should table this until the next 1-19-16 meeting so that Comm Miller could be there.

Dave Opdahl presented a list of projects that he will be working on and request the additional 5 hours of overtime each week to complete them. Comm Klein stated that Tanya Wieler has pointed out that we cannot preapprove the overtime hours. Wieler advised that the Commissioners approve the projects, but not the overtime. Opdahl needs to keep track of the extra hours and present them quarterly to be paid out if necessary.

White told the Commissioners that the question came up in setting up the payroll for 2016 in the system if the on-call time is included in with the market value. White read an email from Sheriff Fernandes which said that they only person affected by the salary survey was him and he doesn't receive compensation for on-call time. Comm Flath stated that Tanya Wieler was also reviewing some other issues with years of service. Comm Flath told White to make sure these issues were brought to Tanya Wieler for her to take a look at.

White stated that in the employee manual it is not specified as to how comp time should be used. Duffy pointed out that some departments don't take their comp time and let it accumulate a lot of hours to be paid out to them rather than using it. The on-call time and comp time were tabled until the next meeting. Comm Flath directed White to have Wieler take a look at this as well. Duffy suggested getting it taken care of before March when it is supposed to be paid out again.

White informed the Commissioners that Terry Traynor sent an email stating that the mileage reimbursement has changed from 57.5 cents per mile to 54 cents per mile. The Commissioners stated that the County just uses what is set by the Federal government.

White received a response from the State Auditors regarding keeping the books open for the Social Services bill to be paid in January which is for 2015. Rick Kremer recommended that we pay the bill in 2016 and include it in the transfers for 2016 out of the General Fund.

White told the Commissioners that the CAMA which was listed on the CPU contract was used by Harmony Rode for a short time in the original contract, but was not used after that. Chad Swanson stated that he would refund a half a year cost for CAMA to us. White stated that it is not included in the current contract.

Chairman Weigel told reminded Verleen Shear that the public is allowed to speak by privilege and is allowed five minutes. Shear presented some proposals to the Commissioners along with reasons why they should be adopted. Shear stated that if they were not adopted they would come up on the June ballot and would cause a great deal of confusion and unhappiness. Shear stated that since she only has five minutes she will not be able to go into detail, so she gave each of them a handout. Shear listed each of the proposals as the Commissioners will elect themselves to be at large in the county and stand for election at large; abandon their proposal that the Auditor's office be appointed and allow and urge the Auditor to run for election; fund the Sheriff's deputy; adopt four resolutions that would provide for better communication and more openness and transparency in county government; and they would place on the agenda the question that the Commissioners be reduced from 5 to 3. The reason the Commissioners would want to do these proposals themselves is because these particular items have traction for collection of referendum and initiative petitions that will resonate with the voters but the effect of having all of them on the June ballot would be confusion and a good deal of unrest. In addition, it would put the Commissioners and candidates who run against them in very unusual and unpredictable situations. If the voters decide to reduce the number of Commissioners then by Rule 2 the Commissioners would be out if they do not stand for election this year. If the voters should decide that the Commissioners should be elected at large then the candidates who run at large would easily defeat any candidates who have run as Commissioners in

a District. The potential for confusion is very high. Shear stated that she would answer any questions that the Commissioners should have. Shear has put this on the table because she believes that good county government is something that we are all interested in and working for, and it is not her opinion or purpose to try and break things down, but is to help build. She certainly does not want trouble and aggravation at election time. Shear stated that the point of the first resolution is that the document showing the redistricting has been missing for 60 days, and the Commissioners should abandon their districts. The Commissioners took no action.

<u>Vendor Name</u>	<u>Amount</u>
ARCHITECTURAL LIGHTING DESIGNS INC	281.60
AT&T MOBILITY	15.96
BUCKEYE J STEVE	23.00
CENTRAL BUSINESS SYSTEMS	93.00
COMPUTER EXPRESS	2,967.40
COMPUTER PROFESSIONALS UNLIMITED INC	1,183.80
DACOTAH PAPER CO	96.12
DAKOTA CARRIER NETWORK	875.00
DAKOTA DYNAMICS	3,439.30
DICKEY RURAL COMMUNICATIONS	1,345.47
DUFFY LAW OFFICE	1,779.37
EVERT/RALPH	379.50
FIRST STATE AGENCY	323.00
GALLS LLC	350.86
GOOD OIL COMPANY	86.72
HANSON/LESLIE	190.90
KLEVER/DARCY	16.10
LAMOURE CHRONICLE	673.70
LAMOURE CITY	76.50
LAMOURE DRUG STORE	10.66
LAMOURE PARTS CENTER	34.86
LEXIS-NEXIS	148.32
LOOMER/DANIEL	30.00
MARCO INC	114.54
MATTHEW BENDER & CO INC	282.36
ND ASSOCIATION OF COUNTIES	37,692.15
ND COUNTY COMMISSIONERS ASSOCIATION	1,600.00
ND SACCHO	500.00
ND TOURISM DIVISION	250.00
OFFICE DEPOT	201.36
OTTER TAIL POWER COMPANY	1,764.27
PEPSI BEVERAGES COMPANY	176.00
PURCHASE POWER	2,015.00
RODIN'S CORNER	74.99
ST ROSE CARE CENTER	16,655.63
TOTAL HOME INC	2,464.85
UNITED PRINTING	652.68
VERIZON WIRELESS	90.79
VISA	672.15
WEX BANK	519.23

Bills were reviewed. Motion to pay bills by Comm Heidinger, seconded by Comm Flath. Motion carried.

Motion to adjourn by Comm Klein, seconded by Comm Heidinger. Motion carried. Meeting adjourned at 11:10am.

APPROVED THIS 2nd DAY OF February, 2016

VICTOR WEIGEL, Chairman

ATTEST:

MARLENE WHITE, County Auditor