

July 19, 2016

The Williams County Commission met in regular session this 19th day of July, 2016 beginning at 8:00 AM in the Memorial Room of the Williams County Courthouse.

Chairman Montgomery called the meeting to order. Innis took roll call: Ramberg-here, Aberle-here, Hanson-here, and Kalil-here.

There being a quorum, Chairman Montgomery proceeded.

Kalil moved Aberle seconded to add the first reading of the Ordinance No. 2016-07 Establishing County Finance Department and County Finance Director and Transferring Certain Statutory Duties of County Auditor to Finance Department/Finance Director to the agenda. Motion carried.

Dennis Nelson, County Highway Superintendent presented the bid results for County Road #42 Overlay Project 14-2-37 as follows:

	Engineer's Estimate	Knife River Corp	Mayo Construction	Northern Improvement	Strata Corp
County Road #42 Overlay	\$ 2,156,000.00	\$1,429,656.70	\$1,480,595.38	\$1,691,975.40	\$1,817,439.90

Nelson acceptance of the low bid from Knife River and sign the Notice of Award. Kalil moved Aberle seconded to follow the recommendation of Nelson by accepting the bid from Knife River for \$1,429,656.70 and authorize the Chairman to sign the Notice of Award. Motion carried. Aberle discussed the proposed time line for the project. A representative from Knife River stated that they will start the project in 35-40 days with a 2-3 week completion, by the end of September.

Kalil moved Hanson seconded approval of the consent agenda except the Vision West ND Consortium request for \$1,500.00 financial assistance:

1. Bills to be paid July 20th, fees from the various departments of Register of Deeds \$52,590.20; Auditor \$1,720.00; Sheriff \$253,854.00; States Attorney- \$29,487.46 totaling \$337,651.66.
2. June 7th and 21st minutes
3. June Financials
4. Duplicate Warrant requests:

Warrant Number	Date Issued	Amount	Purpose	Payee
70845	05/20/2015	\$ 190.30	Remittance	United Way
70171	04/14/2015	\$ 37.50	Annexation Hearing	Ryan Geltel
75156	02/24/2016	\$ 100.00	Vest Reimbursement	Kyle Martin
69809	03/10/2015	\$ 26.00	Invoices #1085984 & #1085342	C&D Water Services

(Copy included in minutes)

Motion carried.

Discussion was held on the Vision West ND Consortium request for financial assistance. They are requesting \$1,500.00 from each of the 19 Western Counties, so that legislative advocacy, collaboration, and project assistance can continue with the 19 Western ND Consortium members. The Commission asked Melody Mileur, Communications Director for her opinion as she is representing Williams County. Mileur stated that their funding from Oil/Gas Producing Counties has stopped. There is good cooperation within the group and they are moving forward on key issues as a group. Kalil moved Ramberg seconded to fund the Vision West ND Consortium for a period of one year and then it will be re-evaluated. Motion carried.

Katie Lima, Development Services Director presented Planning/Zoning item.

Zone change to urban residential, conditional use permit, and Major Comprehensive Plan Amendment presented for Mike Ames/Bill Sheldon/Brian Lee representing Red Mike Airport for a fly-and-live community, or park, consisting of airfield, runway and related facilities and connecting residential lots. Next step will be subdivision application. This was tabled at the July 6th meeting at the request of the applicant. Andy Kitchen, Civil Science representing the applicant gave an introduction of the project. They currently are working through the approval process with the FAA. Kitchen is requesting some of the Planning/Zoning conditions be removed: #5 provide paved offsite roadway to County Road #17A, built to County standards; #6 provide for 150' road easement for offsite road; #13 taxi ways appear to be used for ingress egress, provide a minimum 24' paving with shoulder wide enough for plane/car to pass; and #14 minimum setback 133' from section line for any building. Regarding #6 they are requesting a 66' easement versus 150'. Regarding #13 they are requesting flexibility at the present time and they will eventually pave. Regarding #14 they would like it removed and they will work on it once the section line is closed. The COE is not in objection to the closure as they already have it fenced off. Along County Road #17A they will put a gate access to the air park, less than a ¼ mile from the section line closure. Kalil stated that on #6 for area all along section lines. Kitchen stated that there will be very little additional traffic to require paving. Chairman Montgomery stated that maybe it could be paved if and when additional property is developed. Aberle stated that access to the lake will be denied when the runway is built. Bill Sheldon stated that there is no access to the lake now due to the sheer cliff drop off. Mike Ames commented that when they built the golf course the COE already had limited the access to the lake, so they are not taking away access as there is none now. Access to the lake is very important but we have none now. This air park will benefit the community and provide a unique fly in airport community. For now the taxi way will be grass. Ramberg moved Kalil seconded to follow the recommendation of Planning/Zoning of approval striking #5 and #13. Kalil moved Ramberg seconded the following amendment that when 60% of the lots are sold then they need to plan for paving at that time located in N2SE4 and N2S2SE4 Section 13 T154 R97 and E2SW4, L3 (40.02) EX DD PTS, and L 1, L 2 Sheldon's Rearrangement of Sublot 5 Section 18 T154 R96 Nesson Valley/Hofflund Townships with conditions to adhere to Williams County Water Resources District Storm Water Management-Rules/Regulations, Water Board approval required; adhere to NDCC and Williams County Subdivision Ordinance; approval and recording of major subdivision; provide and maintain trackout pads during construction; provide for 150' road easement for offsite road; work with County Highway Department for on and off site roadway criteria; obtain applicable Federal/State permits; a drainage plan, stormwater management plan, grading plan, road improvement plan should be submitted for review and approval to the County Building Division as part of the building permit process; building permits, inspections shall be required for all structures on sites; site plans and development details shall be submitted to Williams County Development Services for review prior to approval of building permits, this will ensure that all buildings and structures, signage, and all public improvements therein are constructed and maintained in a manner that provides consistency and uniformity within the

development; development agreement between the County and the Developer shall be approved; minimum setback 133' from section line for any building; and provide for fire protection. Roll call vote: Ramberg- yes, Aberle-yes, Montgomery-yes, Hanson-yes, and Kalil-yes. Motion carried. (Mike Ames/Bill Sheldon/Brian Lee representing Red Mike Airport)

Lima presented the drainage issue in Section 33 Tyrone Township. Lima gave a history of the development and the ongoing drainage issues. Chuck McCauley, neighbor where the water is draining onto his land in attendance. The water ponds on his fields and he brought his complaint to the Water Board and they suggested to come up with a plan within the development and a study was completed on the area. No one in the development has done anything. The Commissioners spoke of a special assessment district, but not enough signatures can be obtained. McCauley stated that every spring and any hard rains his property gets flooded. Mike Sizemore, former Development Services Director tried to get resolution to this issue, but nothing happened. Nelson responded that some work had been done out there and they thought the drainage issue was improved, but it obviously was not. A lot of water is coming off the Branson property to McCauley's property. If a culvert was put in my Dakota Fence on the west side it would allow the water to flow north to the creek. There are two options for resolution which are to force a special assessment district or provide an outlet. In the June 19, 2014 R&R Engineering Study for the Dakota Fence complaint it was recommended to put in holding ponds. Nelson looked at the ditch and there is a possible 75' easement. Nelson will go and look at the area and come back with a suggestion on how to fix the issue. He will call McCauley and they will meet out there and Nelson will bring his recommendation to the Commission meeting on August 2nd.

George Pederson, Facilities Director brought to the Commission the cost of \$2,160.00 for the service contract for the elevator at the County Highway Complex with Otis Elevator Services. Kalil moved Hanson seconded authorizing Pederson to sign the contract. Motion carried.

Pederson brought the contract renewal with Cummings for the emergency generator in the amount of \$1,700.00. Kalil moved Aberle seconded authorizing Pederson to sign the contract. Motion carried.

Helen Askim, HR Director spoke to the Commission on the open position needing to be filled of Corrections Officer, Assistant States Attorney, and Youth Care Attendant. The Commission asked Askim about filling the position in the States Attorney's Office. Their work schedule is still very busy and they are short one attorney. Kalil moved Hanson seconded to fill all the positions, except the Assistant States Attorney position until they can speak with Wilder. Motion carried. (Copy included in minutes)

Askim reviewed her Open Positions report and explained the positions that have been filled and spoke with the Departments that have positions in their budgets and whether the hold positions are still needed. The Water Resources Engineer will be moved to the currently old open column. These positions will be reviewed with the Departments during the 2017 budgeting process.

Askim reported on the Insurance Committee recommendation for 2017. They are recommending no change for 2017. Kalil moved Hanson seconded to follow the recommendation of the Insurance Committee. Motion carried.

Steve Kemp, Chairman Vector Control District requested that two Commissioners attend their next meeting. Ramberg and Kalil volunteered to attend their next meeting. They meet the 1st Thursday of every month and their next meeting is August 4th at 6:00 PM at the County Highway Complex conference room.

States Attorney Wilder present at the meeting to discuss her need for the Assistant States Attorney position. This coming up Monday there are seven trials scheduled in the hopes that some will schedule before then and the remainder will get re-scheduled. They still have a huge case load. The cases they have require more work to prepare for, sometime 3-4 months to get ready. Kalil moved Hanson seconded approval of the request of hiring an Assistant States Attorney. Roll call vote: Aberle-yes, Montgomery-yes, Hanson-yes, Kalil-yes, and Ramberg-yes. Motion carried.

Kalil requested Wilder to check into the bonds of the individuals that are going to old abandoned farmsteads and creating METH labs and trespassing. Wilder will do some checking into this.

Innis will register all Commissioners for the annual NDACo convention in October.

Chief Deputy Kvande gave an update of Corrections and the Sheriff's Department.

Aberle brought up the letters that were mailed to residents concerning the Assessor's Office going out and doing assessments. Darcy Anderson, Tax Assessors Director will be called to come to the meeting.

Nelson discussed the project map that he will be bringing to the budget hearing meeting, as his budget will reflect these projects. The projects are shelf ready for the upcoming legislative session. Discussion was held on a good southern connector road from Williams County into Mountrail County. Discussion was held on holding off work on County Road #23 swapping it for County Road #8 into Mountrail County.

Anderson at the meeting to discuss the letters that were sent out to rural residents, which was for notifying them of the vehicles that they will be driving and their intentions. The intention is to obtain information as they have no accurate records for farm exempt property. Kalil stated that he would have re-phrased the letter differently. Letting them know that the NDCC requires this action, as the letter has raised a number of concerns. Anderson stated that she knows that they will not get on some individuals property, but it is a benefit to keep their exemptions in place. The Commissions main complaint was that they were not aware that the letter was going out.

Kalil moved Aberle seconded approval of the first reading of the Ordinance No. 2016-07 Establishing County Finance Department and County Finance Director and Transferring Certain Statutory Duties of County Auditor to Finance Department/Finance Director. Roll call vote: Montgomery-yes, Hanson-yes, Kalil-yes, Ramberg-yes, and Aberle-yes. Motion carried.

There being no further business, the meeting adjourned at 9:43 AM.