

August 16, 2016

The Williams County Commission met in regular session this 16th day of August, 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-yes.

There being a quorum, Chairman Montgomery proceeded.

Kalil moved Hanson seconded approval of the consent agenda:

1. Bills to be paid August 17th, fees from the various departments of Register of Deeds \$78,900.50; Auditor \$1,590.00; and Sheriff \$123,559.84; totaling \$204,050.34.
2. Abatements- 2014/2015 Earl Abrahamson L2 Marmon Subdivision T154 R95 and 2015 CHI Housing Initiatives L2R B24 Bruegger’s 2nd Addition in the City of Williston. Assessor’s Errors- 2016 Keying Errors- Advanced Construction and Design LLC Missouri Ridge Township N2W2NESW W2SEW Section 24 from 5,082 to 4,902; Daren Barkie Section 21 Tyrone Township W2NW from 14,497 to 6,848; Dennis L Barkie E2NW Section 21 Tyrone Township from 14,496 to 5,018; Dennis L Barkie etal S2SESW Section 21 Tyrone Township from 10,532 to 10,438; Robert J/Donald E Eynon L2, L3 Section 19 Blue Ridge Township T159 R100 from 9,376 to 6,564; Alden Hewson/April Metz MS14-0004 in NE4 Section 28 Blue Ridge Township from 1,342 to 1,170; Larry S/Nancy L Johnson MS14-0005 in NE4 Section 28 Blue Ridge Township from 3,606 to 3,168; and Newalta Environmental (Statoil Waste Facility) SE EX ST Section 19 Judson Township T154 R102 from 1,106,000 to 0.
3. June 7th and 21st minutes
4. Duplicate Warrant requests:

Warrant Number	Date Issued	Amount	Purpose	Payee
75158	02/24/2016	\$100.00	Reimbursement	Corey Murphy

5. Travel request for Mike Smith to attend the National Emergency Management Advanced Academy (FEMA) in Emmitsburg Maryland
6. July Financials
(Copy included in minutes)

Motion carried.

Chairman Montgomery opened the public hearing for the UMDHU 2017 Budget. The budget submitted is \$505,313.00. There being no comments for or against said budget Chairman Montgomery closed the public hearing. Hanson moved Aberle seconded adoption of the UMDHU 2017 Budget. Motion carried. (Copy included in minutes)

Chairman Montgomery opened the public hearing for the 2nd reading and adoption of Ordinance No. 2016-07 An Ordinance Establishing County Finance Department and County Finance Director and Transferring Certain Statutory Duties of the County Auditor to Finance Department/Finance Director. There begin no comments for or against said ordinance, Chairman Montgomery closed the public hearing. Kalil moved Aberle seconded adoption of Ordinance No. 2016-07. Motion carried. (Copy included in minutes)

Brent Jensen is requesting a variance on his plat regarding the changes in the ordinances changing the easement requirements from 40’ to 75’. The owner of the land is not interested in giving up anymore of

his land for the easement, which will not allow Jensen to get a deed for his property. The other easements in the area are set at 40'. According to the Commission the goal is a 75' R/O/W along all roads for future expansion/development. This particular road goes to a residential development. It was questioned as to why the County should be concerned with Township roads. This plat is in Pherrin Township which is part of our Planning/Zoning. Ramberg stated that he understands the requirement, but why are we concerned with Township roads and he is questioning the process the County is going about getting the easement, it is like blackmail. Katie Lima, Development Services stated that even though Jensen has been working on this for three years, he has never turned anything in and will have to comply with the new rules and will not be grandfathered in. Discussion was held on the NE Truck By-Pass, but the County can't hold up projects on what may happen in the future. Rocky Belgarde, owner spoke on the easement waiver. The development to the east, Ironwood Estates has a 40' easement. All the development on the south side of the road is set a 33' and is all residential. He is not sure why such a small Township road would need a 75' easement and if it is required it will go on top of his drain field. This is his homestead where he was raised. Chairman Montgomery stated that some common sense so leave this until future needs require the larger easement. Hanson moved Ramberg seconded to grant the variance and leave the easement at 40'. Roll call vote: Ramberg-yes, Aberle-no, Montgomery-yes, Hanson-yes, and Kalil-yes. Motion carried.

Mike Smith, Emergency Management Director reported that the north tower repeater (Corinth tower) went down and needs to be replaced at the cost of \$18,700.00 which will come out of the 911 funds. Hanson moved Ramberg seconded authorized the replacement. Motion carried.

Smith stated that his 2012 Ford F150 needs to be replaced this year for a 2nd vehicle to respond to disaster emergencies. He is looking for a ½ or ¾ ton. He also questioned whether his volunteers will be covered if they drive County vehicles. Innis will check on this. He is questioning as to whether another department needs this vehicle or should he just trade it in. Smith was instructed to put the word out to other departments to see if anyone can use the vehicle. Ramberg moved Hanson seconded authorizing the request by Smith for a new vehicle. Motion carried.

George Pederson, Facilities Director stated that he would like the truck. The Commissioners stated for Pederson to work with Smith and get the vehicle transferred to his department.

Pederson stated that the steamer in the Café needs to be replaced as the boiler has a hole in it. It will cost \$6,000.00 to repair it or a new unit is \$25,000.00. Pederson is not sure how much the steamer is used. Kalil and Pederson will speak to the Café about replacement.

Innis was instructed to advertise for a public hearing for the section line closure for the Red Mike Airpark. The owners need to request the section line closure not the developers. Innis will work with Karen Prout, Special States Attorney with the legality of ownership and legal description.

Dennis Nelson, County Highway Superintendent presented the Memorandum of Understanding for the NE By-Pass for approval. Discussion was held on the proposed routes the State has chosen, which is the cyan colored route. This item was tabled until the September meetings. (Copy included in minutes)

Nelson reported that they will be performing dirt work for 2-3 weeks on the Blacktail Dam outer loop.

Nelson was authorized to purchase a low boy, if the price is right at the Richie Brothers Auction on Thursday and the money is in his budget.

Kristi Hanson, Finance Director discussed the payment from County Weed to County Highway for their portion of the new complex. Hanson stated that an official motion has never been made. The amount owing is \$1M and they will pay it back on a yearly basis. The money will then be transferred for repayment of the loan.

Discussion was held by Hanson on the utility costs for County Weed at the new complex will pay. Nelson stated that the costs come out to .13 per square foot. Nelson stated that he relayed to budget approximately \$15,000.00 per year. Hanson will prorate the bill for 2016.

Discussion was held on the reimbursements from Vector Control. Kalil stated that we should possibly have a Memorandum of Understanding with them. They will not be paying a portion of the building just their portion of the utilities. They need to utilize their money to keep to their mission of fighting mosquitos versus paying for a portion of the building stated Kalil. They will receive a bill in the future for their portion of the 2016 utilities. Nelson reported that their portion of the utilities will be \$1,000.00 per month.

Helen Askim, HR Director stated that she has no open positions to fill.

Aberle moved Ramberg seconded that the first meeting in September will be held Wednesday September 7th beginning at 8:00 AM in the Memorial Room of the Williams County Courthouse. Motion carried. This is due to the Labor Day weekend.

Aberle brought up the pursuance of the 75' easement or just let it continue like we are going and if someone disagrees they come in to the Commission and request a variance. Rod Westrum, Surveyor stated that these are not R/O/W but easements. Believes that what the County is doing is against the ND State Constitution. He gave a copy of the statute to Prout. Prout will do more research on this issue. This procedure has been in place prior to the hiring of Nelson.

There being no further business, the meeting adjourned at 9:07 AM.